



## **Notice of a public meeting of**

### **Planning Policy and Local Plan Advisory Group**

- To:** Councillors Merrett (Chair), Ayre (Vice-Chair),  
Crawshaw, D Myers, Orrell, Pavlovic and Vassie
- Date:** Tuesday, 9 June 2026
- Time:** 5.00 pm
- Venue:** West Offices - Station Rise, York YO1 6GA

### **AGENDA**

**1. Apologies for Absence**

To receive and note apologies for absence.

**2. Declarations of Interest**

(Pages 5 - 6)

At this point in the meeting, Members and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

*[Please see attached sheet for further guidance for Members].*

**3. Public Participation**

At this point in the meeting members of the public who have

registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee.

Please note that our registration deadlines are set as 2 working days before the meeting, in order to facilitate the management of public participation at our meetings.

The deadline for registering at this meeting is **5:00pm on Friday 5 June 2026**.

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

### **Webcasting of Public Meetings**

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

- 4. Minutes** (Pages 7 - 12)  
To approve and sign the minutes of the meeting of the Local Plan Working Group held on 15 April 2025.
- 5. Terms of Reference** (Pages 13 - 20)  
The TOR document outlines the group's purpose, objectives, scope, membership, and responsibilities and clarifies the group's role and authority within the City of York Council's overall governance structure.
- 6. Planning Reform and Scoping Report** (Pages 21 - 64)  
This report provides an overview of current UK planning reforms and explains the requirement for undertaking a Local Plan scoping consultation as an early stage in the preparation of a new Local Plan.

Following the decision by Executive in considering these matters and the decision to initiate a Local Plan review, this report seeks to discuss the approach to scope the new Local Plan, ensuring

compliance with national policy, strengthening the evidence base, and enabling early engagement with stakeholders and communities.

**7. Non-Statutory Guidance Report** (Pages 65 - 142)

This report seeks Members' views on the proposed approach to the preparation and implementation of non-statutory planning guidance to support the emerging Local Plan.

Non-statutory guidance will provide clarity to applicants, decision-makers and stakeholders on the interpretation and application of Local Plan policies prior to the adoption of formal Supplementary Planning Documents (SPDs).

**8. Urgent Business**

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

Contact Details:

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

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

Contact details are set out above.

## Alternative formats

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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 میا کی جاسکتی ہیں۔ (Urdu)

### Declarations of Interest – guidance for Members

- (1) Members must consider their interests, and act according to the following:

Type of Interest	You must
Disclosable Pecuniary Interests	Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Directly Related) <b>OR</b> Non-Registrable Interests (Directly Related)	Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Affects) <b>OR</b> Non-Registrable Interests (Affects)	Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being: (a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and (b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest. In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.

- (2) Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.
- (3) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations,

and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.

City Of York Council

Committee Minutes

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Meeting	Local Plan Working Group
Date	15 April 2025
Present	Councillors B Burton (Chair), Ayre (Vice-Chair), Fenton, Fisher (to 6:41 pm), D Myers (to 6:40 pm), Orrell, Pavlovic, Steward, Vassie, Wann, Baxter, Merrett, K Taylor, Steels-Walshaw, Kent (Substitute) and Whitcroft (Substitute)
Apologies	Councillors Coles, Ravilious and Smalley
Officers Present	Alison Cooke, Head of Strategic Planning Policy Alison Stockdale, Principal Strategic Planning Policy Officer John Roberts, Strategic Planning Policy Officer

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#### 6. **Apologies for Absence (5:31 pm)**

Apologies were received from Cllr Coles, who was substituted by Cllr Kent; from Cllr Ravilious, who was substituted by Cllr Whitcroft; and from Cllr Smalley.

#### 7. **Declarations of Interest (5:31 pm)**

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

None were declared, although in the interests of transparency, Cllr Pavlovic noted in relation to agenda item 5 (Local Development Scheme) that planning policy fell within his portfolio area as Executive Member for Housing, Planning and Safer Communities.

#### 8. **Minutes (5:32 pm)**

Resolved: That the minutes of the last meeting held on 10 September 2024 be approved as a correct record and then signed by the Chair.

**9. Public Participation (5:32 pm)**

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme, but that the speaker was no longer able to attend.

**10. Local Development Scheme (5:32 pm)**

The Group considered a report presenting an interim Local Development Scheme (LDS) in line with the Council's obligations under the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) and setting out a planning work programme for the Council from March 2025.

Officers provided an overview, including a summary of the Government's response to a consultation on reforms to the planning system as set out in the addendum to the report, and in response to members' questions it was noted that:

- With reference to timescales for plan-making it was confirmed that the Council was technically in a five-year review period following adoption of the Local Plan in February; it was noted that plan-making would begin in late July 2026 to coincide with the introduction of the new housing Standard Method.
- It was confirmed that Neighbourhood Plans would retain significant weight and importance in the planning system; officers were working with Parish Councils and Neighbourhood Forums to ensure that policies remained up to date. Neighbourhood Plans should be reviewed from production date to ensure that they were up to date against with national planning policy. It was suggested that reviews should take place within the five-year period and noted that officers would support any that came forward. In terms of financial support for reviews, a grant could be provided early in the process, while national schemes were also available.
- For neighbourhoods with no Parish Council, it was confirmed engagement in plan-making could take place

through the formal establishment, following consultation, of Neighbourhood Forums. Several members emphasised the need to ensure support was available in the development of Neighbourhood Plans, and the Executive Member for Housing, Planning and Safer Communities confirmed that he would discuss with officers ways to codify support for Neighbourhood Plans through Parish Councils and Neighbourhood Forums and update members.

- With reference to Supplementary Planning Documents (SPDs) which were not among those being prioritised through the LDS, it was noted that officers would provide an update with an indicative timetable for their implementation; pending further Government announcement on plan-making.
- With reference to the Government's indication that reference to 'beautiful places' would be replaced with 'well-designed places' in the new plan-making system, it was noted that this was a less subjective criterion which could be measured more effectively, with no loss of quality being key. This should not mitigate against innovative design; new developments would be looked at on a case-by-case basis and the Climate Change SPD would set out more detail on encouraging innovation in delivering sustainability.
- In relation to capacity to deliver within the proposed timescale, it was noted that a decision had been taken to move forward with the SPDs and Community Infrastructure Levy (CIL), with the timetable staggered to make best use of resources.
- The Government was seeking to bring the shorten the timeframe for local plan examination to six months, with needs assessments being brought forward to before the examination part of the process; mini examinations would form part of the gateway process and consider any conflicts with needs assessment evidence.
- The Mayoral Combined Authority had a duty through the National Planning Policy Framework to produce a spatial development strategy covering York and North Yorkshire. There was a statutory duty to cooperate, and officers were in conversation with North Yorkshire Council and the Combined Authority around strategic conformity. Changes to consultation methods with statutory bodies were also anticipated.

- It was emphasised that this was an interim LDS, and further iterations would be brought to future meetings of the Group.

Resolved:

- i. To recommend that Executive approve the interim Local Development Scheme (Annex B).
- ii. To request that the Executive Member and officers consider ways to codify support for the production of local and neighbourhood Plans.

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

**11. Murton Neighbourhood Plan - Examiner's Report and Decision Statement (6:27 pm)**

Members considered a report setting out the Examiner's Report, including modifications, on the Murton Neighbourhood Plan. Officers provided an overview and in response to questions from the Group it was noted that:

- A public consultation on the Plan documents had taken place between 6 November 2024 and 10 January 2025 prior to the Examination.
- While the Examiner had made several modifications, he had emphasised that the Plan was a good example of a neighbourhood plan.
- The local referendum process was clarified, and it was noted that a simple majority was required to approve the Plan.
- The Executive Member for Housing, Planning and Safer Communities thanked officers and Murton residents for their dedicated efforts through the Neighbourhood Plan process.

Resolved: To recommend that Executive:

- i. Agrees the Examiner's modifications set out at Annex C (Decision Statement) to the Submission Draft Murton Neighbourhood Plan (Annex A) and that subject to those modifications the

Neighbourhood Plan meets the Basic Conditions and other legislative requirements.

- ii. Agrees that the Submission Draft Murton Neighbourhood Plan as amended proceeds to a local referendum based on the neighbourhood area outlined in the Examiner's Report (Annex B).
- iii. Approves the Decision Statement attached at Annex C to be published on the City of York Council's website.

Reason: To allow the Neighbourhood Plan to progress in line with neighbourhood planning legislation.

## 12. Urgent Business (6:37 pm)

The Chair indicated that he intended to consider the role of the Local Plan Working Group, particularly in relation to its engagement with the emerging SPDs, under Urgent Business as he had received correspondence from several members on this issue.

It was noted that:

- The Chair had already held conversations with officers and would be discussing the subject further with the Council Leader, and invited members to contact him with their suggestions as to the approach to be taken.
- The remit of the committee did not include approving or amending, but making recommendations to the Executive.
- Officers indicated that they intended to bring draft SPDs to the Group ahead of their consideration by the Executive, with a longer period between Local Plan Working Group and Executive meetings so that any contributions from the Group could be incorporated ahead of an Executive decision being taken.
- The SPD process provided an opportunity for clarity in long-term thinking and achieving Local Plan priorities, including around sustainable development. Examples from the London Borough of Richmond Council's approach to achieving zero-carbon standards in both major and smaller residential developments through contributions to a carbon-offsetting fund were highlighted, and it was

suggested that a similar approach could help ensure that all new developments in York contributed to reducing carbon emissions. It was noted that York's SPDs would have to clarify the Council's own Local Plan policies, and that officers would explore the examples suggested.

Resolved: That the Group consider the drafts of the emerging SPDs at an appropriate point in advance of Executive decisions.

Reason: To enable the Local Plan Working Group to contribute effectively to the SPD process.

Cllr B Burton, Chair

[The meeting started at 5.30 pm and finished at 6.44 pm].



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**Planning Policy and Local Plan Advisory Group****9 June 2026**

Report of the Head of Democratic Services.

**Planning Policy and Local Plan Advisory Group – Terms of Reference****Summary**

1. Appended to this document are proposed planning policy and local plan advisory group, terms of reference (TOR). The TOR document outlines the group's purpose, objectives, scope, membership, and responsibilities and clarifies the group's role and authority within the City of York Council's overall governance structure.

**Recommendations**

2. The Group is asked to:

Approve the Planning Policy and Local Plan Advisory Group Terms of Reference.

**Background**

3. The Planning Policy and Local Plan Advisory Group replaced the Local Plan Working Group and the purpose of the group is:
  - Provide a forum for detailed cross-party Member engagement on the preparation, review and maintenance of the Local Plan and associated planning policy documents
  - Enable Members to consider and discuss evidence, options and emerging policy approaches
  - Offer informal advice, input and constructive challenge to officers and the Executive Member
  - Support consensus-building across political groups, where possible

- Ensure that Members are appropriately informed at key stages of plan preparation

### **Consultation**

4. Prior to its establishment, members of the predecessor cross-party group were invited to submit ideas and suggestions regarding the Group's establishment and remit. The Chair, the Executive Member, and senior officers within the City Development Directorate were also consulted.

### **Options**

5. The terms of reference are presented for consideration and discussion.

### **Analysis**

6. It is good governance to establish effective cross-party advisory groups that are open to the public, encourage public participation, and comply with access to information requirements.

### **Council Plan**

7. The terms of reference align with the Council Plan.

### **Implications**

8. There are no implications as a result of the proposed terms of reference

**Contact Details**

**Author:** **Chief Officer Responsible for the report:  
Director of Governance**

**Author's name** **Chief Officer's name Julie Gallagher**  
**Title** **Title- Head of Democratic Services**

**Dept Name**

Tel No.

**Report**  **Date** [Insert Date]  
**Approved**

**Co-Author's Name**

**Title**

**Dept Name**

Tel No.

Alison Cooke

Head of Strategic Planning Policy

**Wards Affected:**

**All**

**Annexes**

**Annex A – Terms of Reference**

**For further information please contact the author of the report**

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## Terms of Reference

### Status

- 1.1 The Planning Policy and Local Plan Advisory Group (“the Group”) is established as an Executive, cross-party advisory Group of the Council.
- 1.2 The Group does not have any formal decision-making powers but acts as an advisor to the Executive, Director of City Development and Executive Member on matters within its remit.
- 1.3 All formal decisions relating to the Local Plan and associated planning policy documents shall be taken by the Executive, Full Council, or other appropriate bodies in accordance with the Council’s Constitution.

### Membership

- 2.1 The Group will comprise eight Elected Members, appointed in accordance with political proportionality. Appointments will be agreed through the annual appointments process and accompanying guidance.
- 2.2 The appointment of Chair and vice chair will be agreed as part of the Annual Appointments process. Executive Member for Housing, Planning and Safer Communities will be a member of the Group. In the absence of the Chair, and vice Chair, a Chair will be appointed for the duration of the meeting.
- 2.3 The Group will be supported in its work by Officers from the City Development Directorate and Democratic Services, the Lead Officer will be the Head of Strategic Policy.
- 2.4 Substitute members may be permitted with the agreement of the Council’s Monitoring Officer, although continuity of attendance is strongly recommended.
- 2.5 Additional Members, Officers of External specialists may be invited to attend meetings for particular items, at the discretion of the Chair.

### Principles of Operation

- 3.1 Members of the Group are expected to:

- Act in the interests of the City as a whole, rather than solely their ward
- Participate in a constructive, collaborative and cross-party manner
- Recognise the advisory role of the Group
- Avoid predetermination in relation to planning decisions.
- Provide constructive advice on strategy, priorities and deliverability
- Advise on alignment with the Council Plan, climate objectives and other strategies

## **Purpose**

4.1 The purpose of the Group is to:

- Provide a forum for detailed cross-party Member engagement on the preparation, review and maintenance of the Local Plan and associated planning policy documents
- Enable Members to consider and discuss evidence, options and emerging policy approaches
- Offer informal advice, input and constructive challenge to officers and the Executive Member
- Support consensus-building across political groups, where possible
- Ensure that Members are appropriately informed at key stages of plan preparation

## **Functions and Responsibilities**

5.1 The Group will undertake the following functions:

- Plan preparation and review:
  - Consider progress in preparing and reviewing the Local Plan
  - Provide input at key stages of plan-making, including evidence base, issues and options, preferred strategy, and draft policies

- Evidence and policy development
  - Review and comment on technical studies, growth options, spatial strategy and draft policy approaches
  - Provide a Member perspective on key issues and choices
- Consultation and engagement
  - Consider consultation approaches and feedback
  - Provide a forum to explore key issues arising from stakeholder and community engagement

## **Meetings**

6.1 Meetings will be held:

- At key stages of the Local Plan preparation process; and
- Typically at intervals of approximately 6–8 weeks, or as required, agreed by the Chair.

6.2 Meetings will generally:

- Focus on specific topics or stages of plan preparation
- Include officer presentations and facilitated discussion

6.3 Meetings will normally be held as informal Member workshops and will not constitute formal committee meetings.

6.4 Meetings would be held in public, include opportunities for public participation, and agendas and minutes would be published in accordance with access to information requirements.

## **Reporting**

7.1 The Group will provide informal feedback to:

- The Executive Member for Housing, Planning and Safer Communities (or equivalent)
- The Executive

7.2 Outputs from the Group will inform Officer reports to formal decision-making bodies and if requested the Scrutiny Committee.

7.3 The Group will not publish formal decisions or reports in its own right.

**Duration and Review**

- 8.1 The Group operates for at least the duration of the Local Plan process.
- 8.2 The terms of reference will be reviewed annually, or earlier at the request of the Group



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## Planning Policy and Local Plan Advisory Group

9 June 2026

Report of the Head of Strategic Planning Policy.

### UK Planning Reform and Requirement for a Local Plan Scoping Consultation

#### Summary

1. This report provides an overview of current UK planning reforms and explains the requirement for undertaking a Local Plan scoping consultation as an early stage in the preparation of a new Local Plan. It sets out the implications of national policy changes, including expectations for plan-making timeliness, evidence gathering, engagement and digitalisation, and outlines how the Council will respond through initiating a Local Plan review and as a first step, a structured scoping consultation.
2. Following the decision by Executive in considering these matters and the decision to initiate a Local Plan review, this report seeks to discuss the approach to scope the new Local Plan, ensuring compliance with national policy, strengthening the evidence base, and enabling early engagement with stakeholders and communities.

#### Recommendations

3. The Committee is asked to:
  - a. Endorse the proposed approach to undertaking a Local Plan scoping consultation as the first formal stage in the preparation of the new Local Plan.

**Reason:** To ensure early engagement on key issues, align with national planning reform expectations, and establish a robust and proportionate evidence base.

- b. Note the implications of UK planning reform for plan-making, including requirements for speed, soundness, community involvement, and digital accessibility.

**Reason:** To ensure Members understand the evolving national policy context and its impact on the Council's statutory planning responsibilities.

4. Note that the outcomes of the scoping consultation will inform the preparation of subsequent stages of the Local Plan.

**Reason:** To ensure a transparent and evidence-led progression of the Local Plan process.

## Background

5. The planning system in England is currently undergoing a significant programme of reform intended to modernise plan-making, increase certainty, and accelerate the delivery of housing and infrastructure. These reforms have been advanced through updates to the National Planning Policy Framework (NPPF), the Levelling Up and Regeneration Act 2023 (LURA), and evolving national guidance<sup>1</sup>, alongside the Government's stated ambition to create a more streamlined, rules-based system supported by digital planning. Most recently The Town and Country Planning (Local Planning) (England) Regulations 2026<sup>2</sup> have been released setting out in detail the process for local policy making.
6. A central element of reform is the renewed emphasis on the primacy of an up-to-date Local Plan. National policy reinforces that decisions should be made in accordance with an adopted plan unless material considerations indicate otherwise. Authorities without an up-to-date plan are at greater risk of speculative development and reduced control over the location and form of growth. As such, Government expectations are that all authorities should prepare and maintain a current Local Plan within a clear and accelerated timetable.
7. Recent reforms and policy changes introduce a number of key requirements and expectations for plan-making:

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<sup>1</sup> [New local plan-making system roadmap - GOV.UK](#)

<sup>2</sup> <https://www.legislation.gov.uk/uksi/2026/186/contents/made>

- **Timeliness and plan preparation:** Local Plans are expected to be prepared more quickly, with a typical target timeframe of approximately 30 months from commencement to adoption with three gateways to pass through prior to examination (see Annex A). Passing through Gateway 1 triggers the start of the 30-month plan-making timetable. To achieve these timescales it requires early clarity of scope, evidence needs and programme management.
  - **Streamlined evidence base:** There is a move toward proportionate, standardised and more transparent evidence, reducing unnecessary complexity while ensuring plans remain robust and sound at examination.
  - **Mandatory and strengthened engagement:** Early, front-loaded engagement is encouraged to identify issues, test assumptions and improve plan quality before formal publication stages.
  - **Digitalisation of the planning system:** Plans and consultations are expected to be accessible, interactive and supported by digital platforms to broaden engagement and improve usability.
  - **Focus on delivery:** Greater emphasis is placed on ensuring that plans are deliverable, including alignment with infrastructure providers, viability considerations, and clear implementation strategies.
8. The Levelling Up and Regeneration Act also introduces a broader framework for plan-making reform, including the potential for a more standardised Local Plan structure, National Development Management Policies (NDMPs), and changes to the Duty to Cooperate. While transitional arrangements continue to evolve, authorities are expected to align emerging plan preparation with the direction of national reform.
9. Further, the introduction of Spatial Development Strategies prepared by Combined Authorities, is proposed to strengthen cross-boundary planning and strategic coordination. CYC officers will need to work closely with the York and North Yorkshire Combined Authority to ensure there is synergy between the regional and local plan-led approaches.

***National Planning Policy Framework (Consultation Draft, December 2025)***

10. The Government has recently consulted on a comprehensive revision to the National Planning Policy Framework (NPPF), representing a significant overhaul of national planning policy. The proposals form part of a broader programme of planning reform aimed at increasing

certainty, accelerating plan-making, and supporting housing and economic growth.

11. A key structural change is the introduction of a clearer distinction between plan-making policies and national decision-making policies, with the latter intended to provide a comprehensive and consistent basis for development management across England. The revised Framework seeks to make policy more rules-based and accessible, introducing greater certainty for applicants and decision-makers and reducing the need for duplication within Local Plans.
12. The consultation reinforces the primacy of the plan-led system, with strong expectations that authorities produce up-to-date Local Plans within a significantly reduced timeframe, supported by proportionate evidence and early engagement.
13. A central theme of the reforms is a stronger focus on housing delivery and growth. This includes a revised presumption in favour of development in suitable locations, a strengthened brownfield-first approach, and significant emphasis on urban densification, including minimum density expectations in well-connected areas such as those around transport nodes. The Framework also seeks to support a wider mix of housing, including affordable, accessible and specialist provision, alongside measures to support small and medium-sized sites and improve build-out rates.
14. The draft Framework proposes important changes to the spatial distribution of development, supporting growth within settlements while adopting a more selective approach in the countryside. It also introduces reforms to Green Belt policy, including a qualitative assessment to identify lower-quality “grey belt” land and greater flexibility to release land in sustainable locations, subject to safeguards.
15. Further changes strengthen policy on climate change, energy and environmental protection, including a greater emphasis on mitigation and adaptation, support for renewable and low-carbon energy infrastructure, and enhanced biodiversity and nature recovery measures.
16. The new NPPF is expected for release in Summer 2026. Based upon the consultation version we can expect a move towards a more standardised, delivery-focused system, with earlier and more clearly defined plan-making stages and more clearly defined policies for decision-taking.

### ***Local Plan Scoping Consultation***

17. The Council must now prepare a Local Plan review that sets out a spatial strategy, allocates land for development, and establishes policies to guide decision-making aligned to the new planning system. Having an up-to-date plan is critical to ensure our local policy aligns to updated national guidance to ensure our decision-taking is robust. It will also support demonstrating a five-year housing land supply and our sustainable development objectives.
18. A scoping consultation represents an important early and statutory stage in the reformed Local Plan process. It sits ahead of the first formal Gateway and the triggering of the 30-month plan preparation timescale. It is used to establish the baseline framework for plan preparation and the plan's strategic vision. Its primary purpose is to:
  - Identify and prioritise the key spatial, environmental, social and economic issues facing the authority area, including the plan vision
  - Gather baseline data and intelligence from stakeholders, infrastructure providers and the community
  - Establish the scope and proportionate level of evidence required to underpin the plan
  - Highlight spatial options, strategic choices and potential policy themes for further testing
  - Inform the project plan, including risks, dependencies and alignment with national reform requirements
19. Undertaking a scoping consultation at an early stage helps to establish the direction local policy should take and consequently helps to mitigate risks later in the plan-making process, particularly at examination. It also supports compliance with legal and procedural requirements, including engagement expectations and alignment with cross-boundary matters.
20. In this context, progressing a structured scoping consultation provides the Council with an opportunity to respond proactively to national planning reform, establish a clear and deliverable Local Plan programme, and ensure that subsequent stages of plan preparation are informed by a robust and transparent evidence base.
21. In determining the structure of the consultation, officers have sought to identify:

- What is currently happening, including the approach in the adopted Local Plan
  - What is new and influences our approach
  - The key challenge the Local Plan will need to consider
  - Questions to draw out views.
22. Critically, the key questions are phrased to identify whether we have identified the right evidence and key challenges to consider in the new Local Plan.
23. Officers have also identified the following key areas to explore as part of the scoping consultation:
- Housing and specialist accommodation needs
  - Economy, jobs and investment
  - Education and skills
  - Retail, tourism and culture
  - Design
  - Heritage
  - Environment, climate and Green Infrastructure
  - Health, well-being and inequalities
  - Transport, movement and active travel
  - Spatial Strategy

## Consultation

24. At this stage, no formal consultation has yet been undertaken. However, the proposed scoping consultation will need to conform to Regulation 20 of the Local Planning Regulations<sup>3</sup>, which involves:
- Engagement with ‘specific consultation bodies’ (statutory consultees) including neighbouring authorities, infrastructure providers, and government agencies
  - Early engagement with ‘general consultees’ including local communities, interest groups, businesses, and landowners
  - Any other persons/groups the authority considers appropriate.
25. The consultation must run for a minimum of 21 days and will be designed to maximise accessibility, including digital platforms and clear supporting materials.

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<sup>3</sup> [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2026](#)

26. As part of the consultation and engagement strategy for the Local Plan we consider it appropriate for the scoping consultation to be released citywide so that residents can engage with the consultation. We also intend to have targeted consultation with key stakeholders including developers, environmental groups, public service providers and under-represented groups. The approval of the final consultation and engagement strategy is pending and delegated to the Director of City Development.
27. We have a requirement to record who was invited and how the consultation was undertaken in a consultation summary. The feedback received will be analysed and the consultation report reported to Members as part of the next stage of Local Plan preparation. This includes demonstration of this process as part of proceeding through Gateway 1.

## Options

28. Executive agreed to the initiating a New Local Plan and progressing to meet Gateway 1 by October 2026. On this basis, a scoping consultation must take place. Members are consequently presented with the following options:
  - **Option 1:** Endorse the proposed scoping consultation approach
  - **Option 2:** Suggest a revised scoping approach or targeted engagement

## Analysis

29. **Option 1: Endorse the proposed approach**

The suggested approach reflects upon the recently adopted Local Plan and the emerging national legislative reforms and is recommended. The key advantages are considered to be:

  - Provides a clear, structured start to plan-making based on looking back at the previous approach and looking ahead to what's coming;
  - supports compliance with national expectations and expected changes in the NPPF;
  - identifies the existing evidence base and asks for further evidence submissions;
  - Will have transparency and engagement citywide.
30. **Option 2: Revised approach**

A revised approach to scoping will need to consider what is emerging through local policy. However, Members could choose this option to which would allow further tailoring of the consultation to local circumstances or the engagement to be undertaken. A significantly different approach may introduce delays to the process and impact on overall timescales.

## **Council Plan**

31. The preparation of a new Local Plan directly supports the Council Plan (2023–2027) priorities, including:
  - Delivering sustainable and inclusive growth
  - Addressing housing needs
  - Tackling climate change and promoting environmental sustainability
  - Supporting economic development and infrastructure delivery
32. The scoping consultation contributes to these priorities by ensuring that the Local Plan is evidence-led, community-informed, and aligned with strategic objectives.

## **Implications**

33. Financial- Costs will be associated with consultation design, engagement activities, and evidence gathering. These will be met from existing planning policy budgets.
34. Human Resources (HR) - Staff resources within the Strategic Planning Policy team will be required to prepare and manage the consultation.
35. Equalities - The consultation will be designed to ensure inclusive engagement, including accessible materials and targeted outreach.
36. Legal -The Local Plan process is governed by statutory requirements. Early consultation supports compliance with legal duties, including the duty to cooperate.
37. Crime and Disorder- There are no direct crime and disorder implications.
38. Information Technology (IT) - Digital platforms will be used to facilitate consultation and improve accessibility.
39. Property- There are no direct property implications at this stage.

40. Other- There are no other significant implications identified.

## Risk Management

41. Key risks include:

- Insufficient engagement leading to a weak evidence base
- Delays impacting the Local Plan timetable
- Changes in national policy during plan preparation

42. These risks will be mitigated through early consultation, robust project management, and ongoing monitoring of policy changes.

## Contact Details

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01904 551467 Alison.cooke2@york.gov.uk	<b>Report Approved</b>	✓	<b>Date</b> 27/05/2026
<b>Wards Affected:</b>		<b>All</b>	X
<b>For further information please contact the author of the report</b>			

## Background Papers:

Executive 14 April 2026 - [Decision - Plan-making activity and Local Plan Review](#)

## Annexes

Annex A – MHCLG 30-month plan-making overview

Annex B – Local Plan Scoping: draft challenges to address.

## List of Abbreviations Used in this Report

- Local Plan (LP)
- National Planning Policy Framework (NPPF)
- Levelling Up and Regeneration Act 2023 (LURA)

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## Guidance

# 30-month local plan process: an overview

Draft process of creating a local plan under the new plan-making system which covers getting ready, preparing the plan, examination, adoption and monitoring.

From: **Ministry of Housing, Communities and Local Government**  
**(/government/organisations/ministry-of-housing-communities-local-government)**

Published 27 November 2025

Last updated 26 March 2026 —

**Applies to England**

## Contents

- For plans under the legacy plan-making system
- Principles to apply when preparing your plan
- Process overview
- Before the 30-month process starts
- Months 1 to 23: prepare the plan
- Months 24 to 29: submit your plan for examination
- Month 30 to 31: adopt plan and publish policies map
- Month 31 onwards: monitor your plan
- When to start preparing your new plan

We will review this guidance and make any necessary revisions and updates as the new system is implemented and related policy is confirmed.

## For plans under the legacy plan-making system

If you are submitting your plan under the legacy system, use the [create or update a local plan legacy system guidance](https://www.gov.uk/government/collections/create-or-update-a-local-plan-using-the-legacy-system) (<https://www.gov.uk/government/collections/create-or-update-a-local-plan-using-the-legacy-system>).

The legacy system covers plans to be adopted under the Planning and Compulsory Purchase Act 2004, excluding the amendments made by the LURA, and [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2026](https://www.legislation.gov.uk/uksi/2026/186/contents/made) (<https://www.legislation.gov.uk/uksi/2026/186/contents/made>).

Local planning authorities (LPAs) must prepare a single local plan and should adopt it within 30 months.

This guidance is aimed at LPAs. Read it to understand:

- the high-level process of preparing a plan in the new system
- where you can find more detailed guidance on each stage of preparing a plan

## Principles to apply when preparing your plan

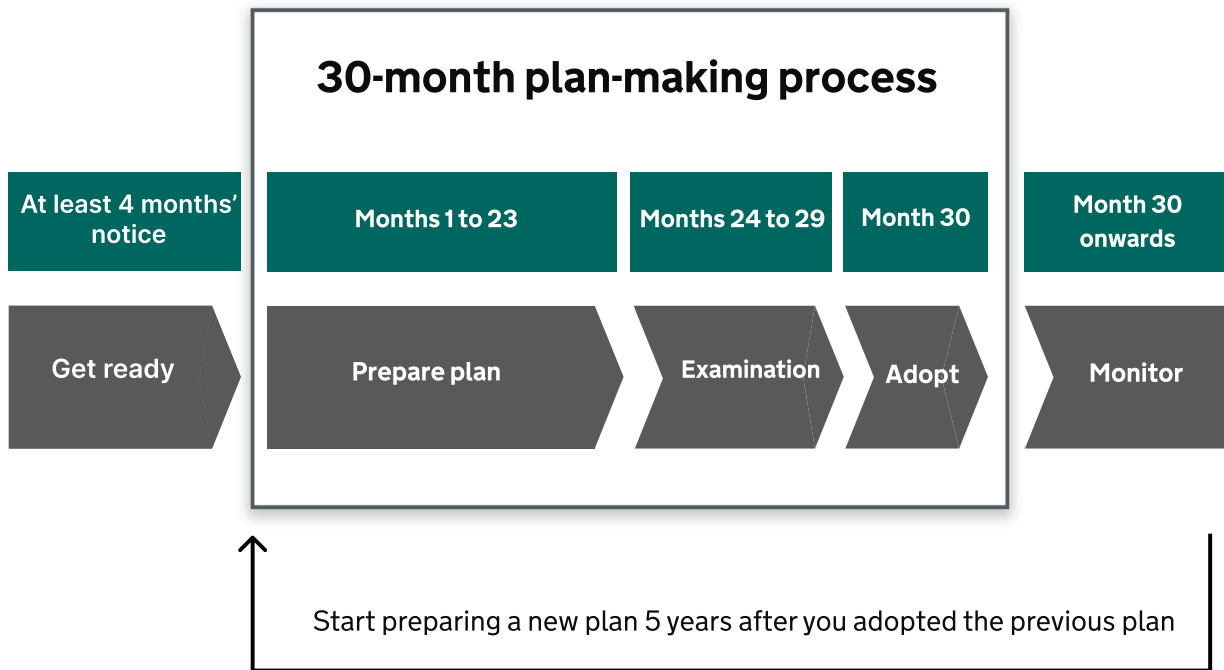
You should design your plan-making process so you can prepare a plan that will be found sound and adopted within 30 months. Following these principles should help:

- use the mandatory consultations to consult in a meaningful yet proportionate way – try to maximise the effectiveness of them and only hold extra formal consultations where it's critical to delivering the plan
- hold proactive ongoing conversations with key stakeholders that are critical to delivering the plan
- start creating the required plan content and supporting information as early as you can, and build on this as you go
- use any templates provided in the GOV.UK guidance published on [Create or update a local plan using the new system](#)

<https://www.gov.uk/government/collections/create-or-update-a-local-plan-using-the-new-system>

- take a digital-first approach, prioritising digital formats and complying with defined data standards
- consider how you will engage councillors and council senior leaders to shape the plan and secure their support, keeping them up to date as much as possible throughout the process
- secure efficient sign offs at key stages of the process - to make this happen, work with senior leaders to plan effective delegation and identify necessary changes (for example, to change the council’s constitution or standing orders)

## Process overview



This diagram illustrates the main stages and timings in the 30-month process.

## Sequencing

In this guidance, we specify where:

- tasks must happen in a certain sequence as required by law
- it’s expected that you’ll follow a certain sequence but it’s not mandated

- you can decide on the best approach for your LPA based on your specific local circumstances

These are the tasks where the sequence is required by law:

Tasks in local plan-making where the sequence is required by law

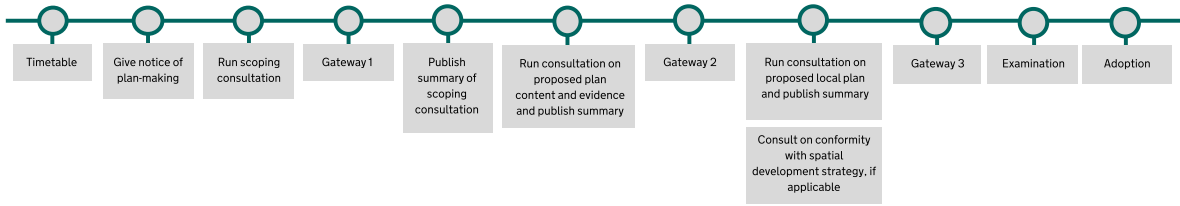


Diagram showing tasks along a timeline in the following order: timetable, give notice of plan-making, run scoping consultation, Gateway 1, publish summary of scoping consultation, run consultation on proposed plan content and evidence and publish summary, Gateway 2, run consultation on proposed local plan and publish summary and consult on conformity with spatial development strategy if applicable, Gateway 3, examination, adoption.

### Before the 30-month process starts



This diagram illustrates the main tasks to complete when you are 'getting ready' to prepare a new plan before the 30-month process starts.

There are some tasks you must complete before the 30-month process starts, and which must happen in a certain order. There are other tasks that

we recommend starting early, as doing so will maximise your chance of preparing a sound plan.

While there's no strict time limit on this stage, it's important that you plan to start the 30-month plan-making phase by the point at which you're required to do so. Read more in the [rollout of the new local plan-making system](https://www.gov.uk/government/publications/rollout-of-the-new-local-plan-making-system) (<https://www.gov.uk/government/publications/rollout-of-the-new-local-plan-making-system>).

An overview of the tasks in this stage is set out below. You also can read more detail about this in our guidance on [getting ready to prepare a new plan](https://www.gov.uk/guidance/getting-ready-to-prepare-a-new-plan) (<https://www.gov.uk/guidance/getting-ready-to-prepare-a-new-plan>).

## **Confirm you need to carry out a Strategic Environmental Assessment (SEA)**

SEA is a process for the environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.

Your plan will need to carry out SEA if it meets certain criteria set out in [regulation 5 of The Environmental Assessment of Plans and Programmes Regulations 2004](https://www.legislation.gov.uk/uksi/2004/1633/regulation/5) (<https://www.legislation.gov.uk/uksi/2004/1633/regulation/5>). We expect that all local plans will need to carry out SEA.

## **Prepare and publish your local plan timetable**

Publish the first version of your [local plan timetable](https://www.gov.uk/guidance/creating-a-plan-timetable) (<https://www.gov.uk/guidance/creating-a-plan-timetable>). This will help your community know when they can get involved with the plan. You must keep the timetable up to date.

You should not require full council approval each time you update your timetable.

## **Give at least 4 months' notice of plan-making**

You must:

- give a minimum of 4 months' notice before you begin preparing your plan and give this notice publicly (called your 'notice to commence')
- set out where your timetable is published
- publish your timetable on the same day as the notice, if not before.

Read more in the guidance on [giving notice of plan-making](https://www.gov.uk/guidance/giving-notice-of-your-plan-making) (<https://www.gov.uk/guidance/giving-notice-of-your-plan-making>).

## Decide your project management arrangements

To help you manage the plan-making process effectively, we recommend that you consider topics such as governance, resourcing and risk management at this stage. To help, you should complete a project initiation document (PID). We recommend you use the [template provided by the Planning Advisory Service \(https://www.local.gov.uk/pas/plans/new-plan-making-system-what-we-know-so-far/local-plan-project-initiation-document-pid\)](https://www.local.gov.uk/pas/plans/new-plan-making-system-what-we-know-so-far/local-plan-project-initiation-document-pid).

## Run a scoping consultation to invite early engagement

You must run a scoping consultation and invite feedback throughout the plan-making process. You'll invite feedback on matters including [how to engage \(https://www.gov.uk/guidance/engaging-the-public-when-preparing-a-local-plan\)](https://www.gov.uk/guidance/engaging-the-public-when-preparing-a-local-plan) with them throughout the plan-making process and what the plan should contain.

## Gather baseline information

Alongside the other tasks in this 'getting ready' stage, you should:

- [gather baseline information, knowledge and understanding about the area \(https://www.gov.uk/guidance/gathering-baselining-information-to-inform-a-local-plan\)](https://www.gov.uk/guidance/gathering-baselining-information-to-inform-a-local-plan)
- review monitoring information from your previous plan
- gather baseline environmental information to help establish the baseline for the environmental report to support your SEA

## Start working on your vision, land availability and evidence

You do not have to start these tasks at this point, but we recommend that you do. This will help you deliver a plan in 30 months.

You could:

- use the information you've obtained, plus your early engagement, to start shaping your draft vision
- start to understand the availability of land in your area, including running a call for sites – this is the first stage in the [site assessment process \(https://www.gov.uk/guidance/selecting-identifying-and-assessing-sites-for-local-plans\)](https://www.gov.uk/guidance/selecting-identifying-and-assessing-sites-for-local-plans)
- start to gather the evidence you'll need to support your plan

- upload your evidence to your draft statement of compliance – this will help you track your progress towards producing a legally compliant plan and guide discussions at later gateways

## **Self-assess that you're ready to start to 30-month process and pass through Gateway 1**

Once you've done the preparation tasks during the (minimum) 4 months' notice period, you need to pass through Gateway 1.

Gateway 1 helps ensure you are ready to prepare and adopt a plan within 30 months. It's also intended to increase the transparency of the preparation of your plan for your external stakeholders and communities.

To pass through Gateway 1, you must publish a self-assessment summary of what you've done to get ready. You should do this following a set template, which you'll find in the [Gateway 1: what you need to do](https://www.gov.uk/guidance/gateway-1-what-you-need-to-do) (<https://www.gov.uk/guidance/gateway-1-what-you-need-to-do>) guidance.

See [guidance on transitional arrangements](https://www.gov.uk/government/publications/rollout-of-the-new-local-plan-making-system/rollout-of-the-new-local-plan-making-system#plans-submitted-under-the-2024-nppf-transitional-arrangements) (<https://www.gov.uk/government/publications/rollout-of-the-new-local-plan-making-system/rollout-of-the-new-local-plan-making-system#plans-submitted-under-the-2024-nppf-transitional-arrangements>) for when to publish your Gateway 1 summary for your first new-style local plan.

You must publish your Gateway 1 self-assessment summary:

- no later than 5 years after adopting your existing plan
- no sooner than 4 months after you gave notice of your plan-making, or the day after your scoping consultation ends – whichever comes later

Read more in the [guidance on Gateway 1](https://www.gov.uk/guidance/gateway-1-what-you-need-to-do) (<https://www.gov.uk/guidance/gateway-1-what-you-need-to-do>).

## **Months 1 to 23: prepare the plan**

At the point you pass through Gateway 1, the 30-month timeframe begins and you can start preparing your plan.

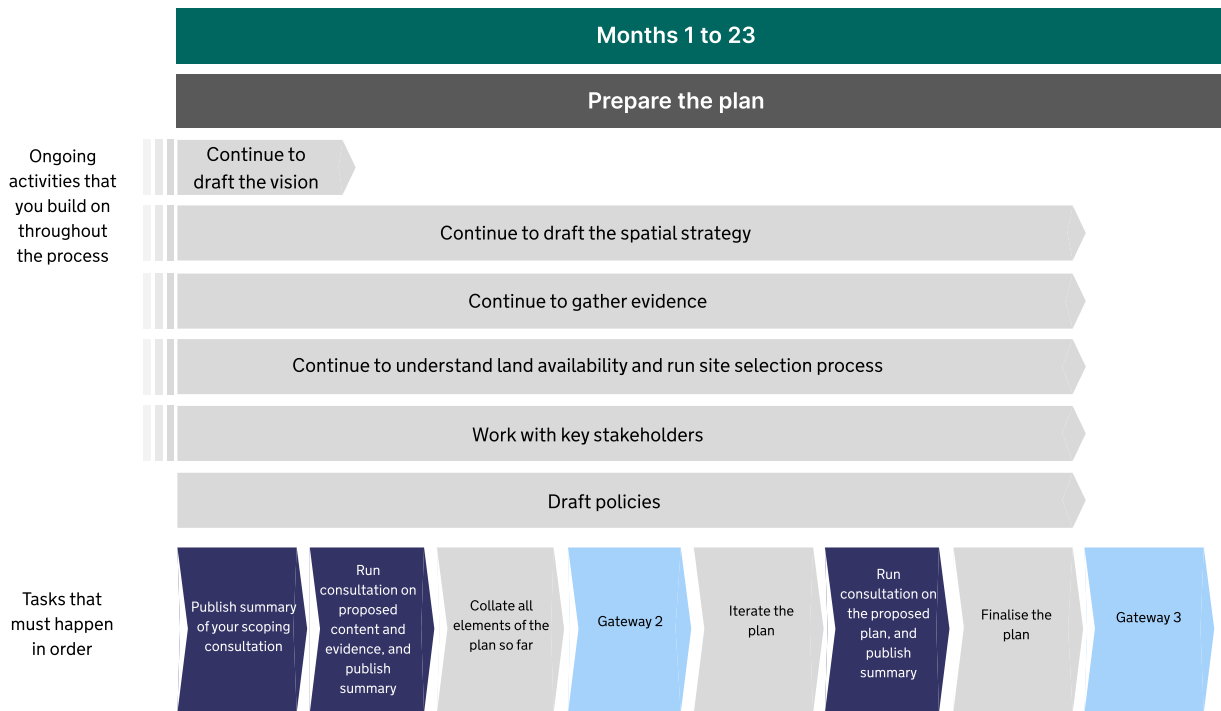


Diagram illustrating the 'prepare the plan' part of plan-making.

## Publish a summary of your scoping consultation

After you've passed through Gateway 1, you must publish a summary of your scoping consultation. The summary must set out matters including:

- a summary of the main issues raised in any responses you received
- how you have had regard to any responses you received at the point at which you publish the summary

You must publish this before you start the consultation on the proposed local plan content and evidence.

## Continue to work on your vision, spatial strategy, sites and evidence

At the start of the 30-month process, you'll need to look ahead and think about the long-term goals and aspirations for your community and local area.

Building on the work done before the 30-month process started, you should:

- finish producing a draft vision for the future of the area
- consider and agree on any aims and objectives
- identify the spatial strategy options

You'll need to continue to gather evidence relating to general aspects of the plan, regardless of which spatial strategy you choose, which will inform the spatial strategy. A key part of this is continuing with your site selection process.

These 'general aspects' could include retail, and employment land reviews, a strategic flood risk assessment, and a strategic housing market assessment. This evidence will inform your strategy on things like employment land need, open space needs, flood risk considerations and infrastructure delivery.

You should develop and refine spatial strategy options, taking account of alternatives and assessing how your choice of sites may result in environmental effects.

### **Start thinking about your policies**

You could start thinking about your policies at this point, taking account of national policy and guidance, including any relevant legislative requirements.

### **Work with key stakeholders throughout**

Throughout the plan-making process, collaborating with key stakeholders will help to address issues across LPA boundaries and challenges that can only be resolved with the support of others. This might include other LPAs, highway authorities or organisations like Natural England.

At the earliest stages of plan-making, we recommend you contact key individuals and stakeholders who are likely to be critical to the successful delivery of the plan. This will help build trust and strengthen the relationship.

You could supplement formal consultations with informal interactions on a more ongoing basis, to maintain progress and resolve challenges more proactively. This might involve regular meetings, video calls or even site visits to develop shared understanding and identify common ground.

To support the engagement work you carry out, you should work with stakeholders to prepare and maintain one or more 'statements of common ground' to record:

- the cross-boundary matters you're addressing
- your progress towards addressing them

If you cannot get the assistance or information you need from other organisations, we intend that you will be able to use the 'requirement to

assist' as a last resort.

## **Consult on the proposed plan content and evidence**

Once you've got a draft vision and spatial strategy, and after you have published the summary of your scoping consultation, carry out a public consultation.

You must make the following information available and invite representations on it:

- your draft vision and any proposed aims and objectives
- your proposed spatial strategy
- a summary of the evidence you intend to gather and details of any evidence you have already gathered
- any other elements you'd like to consult on, which may include initial draft policies

The consultation must last for a minimum period of 6 weeks. Once it's finished, you must publish a summary of the consultation before you can move onto Gateway 2 which sets out matters including:

- a summary of the main issues raised in any responses you received
- how you have had regard to any responses you received at the point at which you publish the summary

For your SEA, we recommend that you consult on the level of detail and scope of your environmental report at the same time as the consultation on the proposed plan content and evidence.

You must have regard to the public consultation feedback as you continue to prepare your plan. We recommend that you use the feedback to inform your plan and to identify and test spatial options and local priorities.

We expect that this is all the consultation you will need to do before you run the next consultation on the proposed plan. While we encourage you to have continuous dialogue with key stakeholders, we do not expect in general that you would need to run additional consultation periods outside of the mandatory ones set out in this guidance.

## **Collate elements of the plan**

Having regard to the feedback received from the consultation, you'll bring together the elements of the plan that you've worked on so far and start setting this out in the draft plan document.

You need to:

- decide on the preferred spatial strategy option using your evidence about site availability and other relevant matters – use this to inform the scope and content of your local policies and site allocations and to write your local policies
- decide the specific sites you propose to allocate
- continue to gather specific evidence to support your proposed policies and site allocations
- record the evidence you've gathered in your statement of compliance to help guide discussions at Gateway 2
- gather evidence to inform, explain, and demonstrate soundness of the plan
- develop your map of proposed local plan policies, which will show people where the policies in your draft plan are to apply in your area.
- further develop the environmental report, using the feedback from the consultation to help predict and evaluate the cumulative effects of the plan

## **Gateway 2: check your progress with the Planning Inspectorate**

Once you have published your summary of the consultation on proposed local plan content and evidence, and have decided you're ready, you must seek observations and advice from the Planning Inspectorate on aspects of your proposed plan.

The Planning Inspectorate will appoint a gateway assessor to look at the documentation you provide and give you their observations and advice.

The purpose of Gateway 2 is to support:

- early resolution of potential soundness issues
- progress towards meeting the 'prescribed requirements' (the things you need to do to pass through Gateway 3)

You must start Gateway 2 after publishing your summary of the consultation on the proposed plan content and evidence, and before the consultation on the proposed local plan. Other than that, you can choose when to start it.

When deciding when to start Gateway 2, consider when you'll be able to get the most out of it. It will be helpful for the assessor to see work in progress. For Gateway 2 to be useful, you should have enough information for the assessor to give you meaningful advice on soundness and progress towards the prescribed requirements. However, leaving it too late may mean you can't incorporate the advice sufficiently and may have to re-do work.

Gateway 2 should normally take between 4 and 6 weeks. You can continue working on your plan during this time.

At Gateway 2 you will:

- provide your documents
- tell the assessor which issues you'd like to discuss with them
- take part in a workshop led by the assessor to discuss the topics you identified

The assessor will give you their observations and advice in the workshop and then in a formal report. They will identify practical steps that you could take to progress the plan, and where you may need further support.

You must publish the observations and advice on your website as soon as is reasonably practicable.

Following Gateway 2, make any necessary changes to your draft plan having regard to the observations and advice you received.

## **Consult on the proposed local plan**

Once you've published the Gateway 2 observations and advice and have updated your plan as needed, you must carry out a public consultation on the proposed local plan. You must make available and invite representations on documents including:

- your proposed local plan
- a map of proposed local plan policies, site allocations and designations
- details of the evidence you have gathered

Consult with the community, statutory bodies and other relevant stakeholders (<https://www.gov.uk/government/case-studies/using-automation-to-save-time-processing-consultation-responses>).

The consultation must last a minimum of 8 weeks.

## **Other matters to consult on**

We recommend that you consult on your SEA environmental report at the same time.

You must also consult the authority of any spatial development strategy (SDS) that covers your area (for example, the London Plan for Greater London) on whether your plan generally conforms with the strategy. You

must carry out the SDS consultation at the same time as the consultation on the proposed plan and they must both end on the same day.

## After the consultation

After the consultation, analyse the feedback and have regard to it while making any appropriate changes to finalise your plan and submission material for Gateway 3.

You must publish a summary of the consultation (<https://www.gov.uk/government/case-studies/using-automation-to-save-time-processing-consultation-responses>), setting out matters including a summary of the main issues raised in any responses you received and how you have had regard to any responses you received at the point at which you publish the summary.

We anticipate this is all you need to do at this point. Extra consultations will add significant delays to your plan-making process, so we recommend avoiding them if possible. We recommend that you do not plan to run any extra consultations unless you have strong reasons to do so, for example, if after receiving feedback you want to make significant changes to your plan like removing or adding sites.

If changes to the plan require changes to the environmental report, you may also need to consider further consultation where the changes are significant.

## Gateway 3: check you're ready to go to examination

You must pass through Gateway 3 after you have:

- published your summary of the consultation on the proposed local plan
- finalised your plan
- decided that you consider you've met the prescribed requirements

You must provide the version of your plan you intend to submit for examination and other supporting documents, including your completed statement of compliance.

The Planning Inspectorate will appoint a gateway assessor to provide observations and advice and decide whether the plan is ready to be submitted for examination. The plan will be ready if it meets the prescribed requirements (set out in post regulations). These requirements will relate to:

- legal compliance

- whether all submission documents have been prepared
- whether you are ready to proceed to examination

Gateway 3 should take 4 weeks or up to 6 by exception.

At Gateway 3:

- you'll provide documents to show how your plan meets the prescribed requirements
- the assessor will review the documents and produce a report to say if you're ready to proceed to examination

You must submit your plan for examination once you've successfully passed through Gateway 3. If you do not successfully pass through Gateway 3, you cannot proceed to examination at this stage – you'll need to make the necessary changes and re-do the gateway.

You need to make available the observations and advice you receive as soon as is reasonably practicable.

After you have successfully passed Gateway 3 you must also make available:

- the documents you submitted to the gateway assessor
- a Gateway 3 completion statement confirming the date you successfully passed it

## **Months 24 to 29: submit your plan for examination**

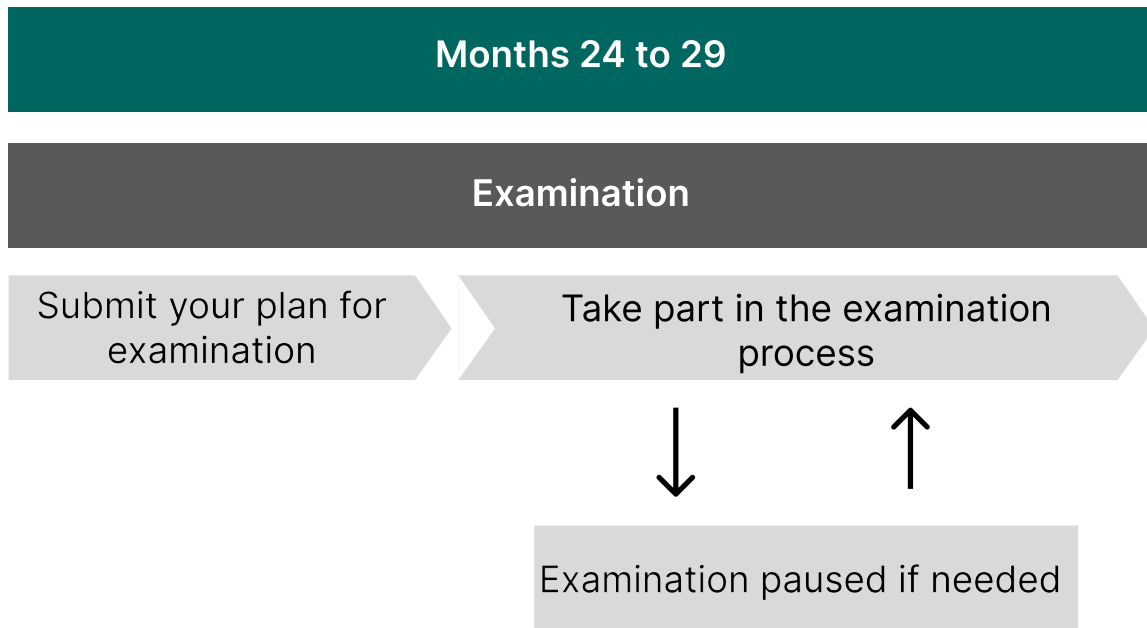


Diagram illustrating the 'examination' part of plan-making.

When the assessor advises that you can submit your plan and supporting documents to the Planning Inspectorate for examination, you have passed through Gateway 3. An inspector will be appointed to carry out an independent examination of the plan.

The examination will assess whether the plan is sound – meaning it meets the test of soundness set out in national planning policy.

Those who have made representations on the plan during its preparation will have the right to present their views to the inspector. The inspector may recommend that you need to modify the plan for it to be found sound. If this is the case, you may need to consult interested parties on the proposed modifications. This will also likely extend the 6-month timeframe for the examination.

If the inspector finds that you need to do more work on the plan, the examination may be formally paused for up to 6 months for you to carry that work out.

## Month 30 to 31: adopt plan and publish policies map

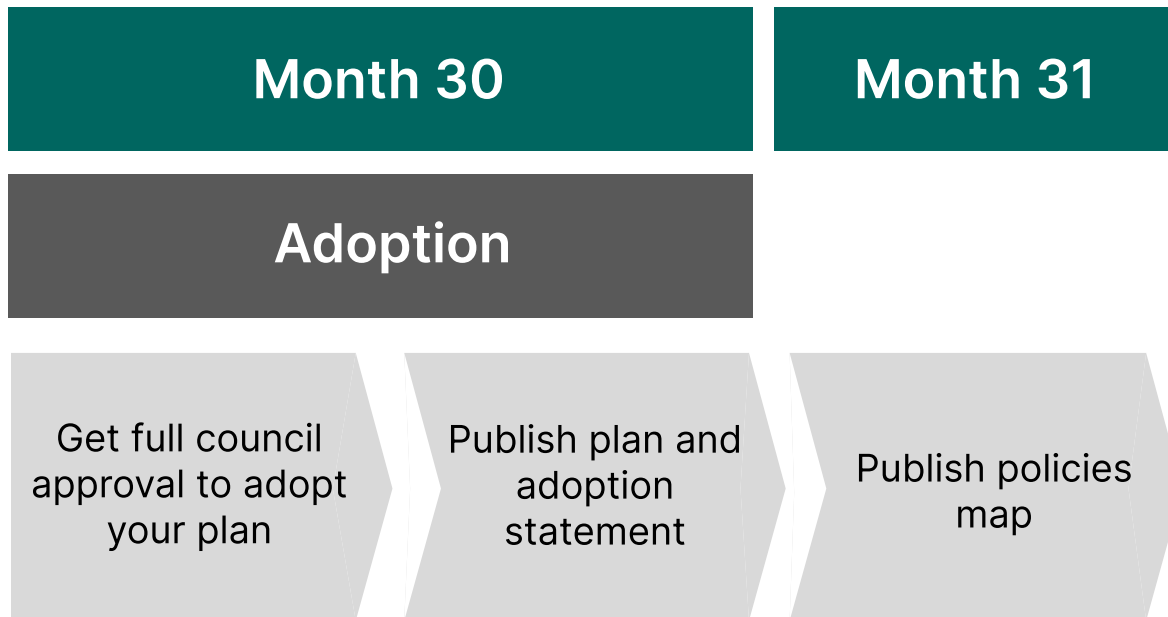


Diagram illustrating the 'adoption' part of plan-making.

After the examination has taken place, the inspector will provide you with their recommendations and reasons. If they find that the plan is sound or could become sound if you make certain modifications, we expect you to adopt the plan (incorporating the modifications where necessary). You must publish the recommendations and reasons of the inspector as soon as is reasonably practicable after you receive them.

You must get full council approval to adopt your plan.

Once you have adopted your plan, you must make it available. You must also publish an adoption statement that includes the date of adoption and the date by which you must start preparing your next local plan. The details you need to include are set out in regulations.

You must also publish the information about SEA set out in [regulation 16 of the SEA regulations](https://www.legislation.gov.uk/uksi/2004/1633/regulation/16) (<https://www.legislation.gov.uk/uksi/2004/1633/regulation/16>).

Within 1 month of adoption, you must also publish a policies map. This is different to the 'map of proposed local plan policies' you prepared earlier. The earlier map only showed the policies and allocations in your local plan, whereas the policies map must bring together your local plan policies with the rest of the policies in the development plan. You must keep your policies map up to date and revise it at the required times (are set out in regulations).

## Month 31 onwards: monitor your plan

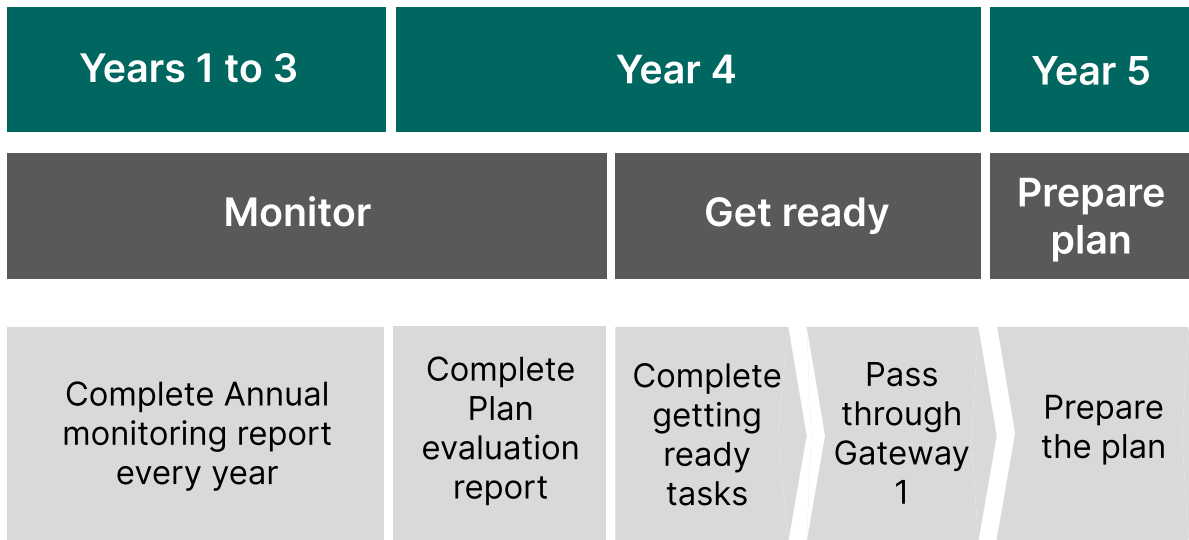


Diagram illustrating the steps involved in plan monitoring.

Once your plan is adopted, you need to monitor it over time. The purpose of monitoring is to review progress against your plan's policy vision and objectives, as well as other key planning matters.

There are 2 types of monitoring.

Annual monitoring:

- happens on the same date every year for all LPAs
- monitors your plan against a list of nationally prescribed metrics to assess how key policies are being implemented
- monitors the implementation of the plan against measurable objectives in the local plan vision

The plan evaluation report:

- must be carried out in year 4 from when you adopted the plan
- informs the next version of the plan and considers which policies and sites you can take forward into the next version

As part of the SEA process, you must also monitor the significant environmental effects of the implementation of your local plan.

## When to start preparing your new plan

You must start preparing a new plan, at the latest, every 5 years following the adoption of the previous plan. However, you should consider starting earlier than this in certain situations. For example, where:

- there has been a significant change in the local or national context which informed your existing plan
- an area's housing requirement has significantly increased following the adoption of a spatial development strategy
- there is no spatial development strategy in place and there is a significant change to the assessed level of housing needed for the area (for example, set through the standard method)
- an inspector examines the current plan and recommends that you prepare a new plan earlier
- planning decisions in your area are being assessed against the presumption in favour of sustainable development
- your annual monitoring indicates that you might not maintain a 5-year housing land supply through to adoption of your next plan

By 'start preparing', we mean you must have passed through Gateway 1 for your new plan.

A 'new plan' does not necessarily mean that you must start the whole plan from scratch every 5 years. For example, where policies and content in your existing plan remain relevant and consistent with national planning policies, you may bring them into the new plan – unless there is evidence suggesting otherwise.

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## Local Plan Scoping

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## **Housing and Specialist Accommodation Needs**

### **Challenges for the Local Plan**

The key challenges our new Local Plan will need to deal with are:

- Meeting the standard housing requirement while reflecting local constraints.
- Maintaining a deliverable housing land supply, including a robust five-year supply and longer-term pipeline.
- Identifying sufficient and suitable sites, including a mix of small, medium, large-scale and strategic allocations.
- Balancing development distribution, including provision for neighbourhood areas and rural locations.
- Meeting a wide range of housing needs, including different sizes, types and tenures.
- Delivering sufficient affordable housing, including setting viable contribution and tenure requirements.
- Ensuring scheme viability, including when and how viability review mechanisms are applied.
- Providing for specialist housing needs, including older people, students, self-build and traveller accommodation.
- Maximising use of previously developed (brownfield) land while recognising capacity limits.
- Achieving accessible and adaptable homes, including meeting M4(2) and M4(3) standards.
- Planning for large-scale development opportunities, such as urban extensions or new communities.
- Coordinating housing delivery with wider strategic planning (e.g. SDS, cross-boundary needs).

### **Consultation Questions**

#### **General questions**

1. Have we identified the correct challenges facing York in terms of housing? Are there any other locally specific issues that should be addressed with policies in York's new local plan?
2. Is there any further evidence needed to inform our approach to housing?

#### **Specific questions**

3. Which types of development would you prefer was prioritised in order to meet our housing needs? Please rank from most to least preferred:

- New towns and villages on large greenfield sites, often centred around existing or newly proposed train stations
  - Large scale urban extensions on the edge of the existing built-up area
  - Urban and suburban intensification (upwards extensions, replacing houses with flats, redeveloping individual houses on larger plots for multiple homes, small infill sites in existing residential areas)
  - Large brownfield regeneration sites (such as York Central)
  - Conversions of existing offices or other non-residential uses to flats
4. Do you think York should meet all of its identified housing need within the city, or are there constraints that should limit growth? If so, what are they?
  5. What types of homes are most needed in York (e.g. affordable homes, family housing, smaller homes, accessible homes), and how can these best be delivered?
  6. How important is it that new homes are built to higher accessibility standards (e.g. wheelchair accessible or adaptable), why and in what circumstances?
  7. What types of housing and locations are most suitable for older people, and how can downsizing be better supported?
  8. What should developers be expected to provide as part of new housing (e.g. affordable housing, infrastructure, accessible homes), and how can we ensure development remains viable?
  9. How should the Local Plan balance the need for permanent housing with other uses such as student accommodation, short-term lets, and hotels?
  10. Do you have any other comments on housing and accommodation in York to influence how we approach future policy and decision-taking?
  11. How can the local plan help support the delivery of all forms of affordable housing?

## **Economy, Jobs and Investment**

### **Challenges for the Local Plan**

The key challenges our new Local Plan will need to deal with are:

- Supporting delivery of a vibrant, resilient, inclusive and diversified economy that works for all.
- Delivery of the YNYCA Local Growth Plan objectives, supporting businesses to grow and prosper.
- Retaining talent trained and nurtured in the city to support our industries, providing opportunities for young and old.
- Delivery of land to support a mix of different sectors and businesses, which is sufficient, flexible and well-located to meet the needs of a wide range of sectors and business types.
- Balancing demand for employment land and the economy with competing pressures for housing and environmental constraints.
- Consider how planning could address barriers to economic participation, including infrastructure requirements (digital connectivity), affordability of housing and transport, to positively influence access to jobs and workforce mobility
- Managing the long-term transformation of the city centre, maintaining vitality while adapting to reduced retail demand and evolving visitor behaviour.

### **Consultation Questions**

#### **General Questions**

1. Have we identified the correct challenges to inform our approach for placemaking York's economy?
2. Do you have any further evidence which could help inform our approach?

#### **Specific Questions**

3. Are there any job or industry sectors we concentrate on supporting through the Local Plan?
4. Are there any barriers to employment growth in York?
5. How can we create healthier workplaces?

## **Education and Skills**

### **Challenges for the Local Plan**

The key challenges our new Local Plan will need to deal with are:

- How to facilitate Higher and Further Education growth ambitions within the city, remaining an attractive place to study.
- Retaining talent trained and nurtured in the city to support our industries, providing opportunities for young and old, including the cost of accommodation preventing graduates remaining in the city.
- Ensuring we identify opportunities to support, uplift and retain the correct skills in the city to support future growth.
- How to tackle unequal access to opportunities to avoid reinforcing spatial inequality and limiting inclusive growth.

### **Consultation Questions**

#### **General Questions**

1. Have we identified the correct challenges to inform our approach to education and skills?
2. Do you have any further evidence which could help inform our approach?

#### **Specific Questions**

3. Does our current approach support our higher and further educational establishments?
4. How should the Local Plan respond to the future growth of York's universities and colleges, both in terms of student accommodation needs and other land requirements?
5. How can we support the education and skills sector through Local Plan policies?

## **Retail, Tourism and Culture**

### **Challenges for the Local Plan**

The key challenges our new Local Plan will need to deal with are:

- How to support evolving trends in the retail sector to secure the viability of our centres following declining high street demand, online retail and changing consumer behaviour.
- How to protect and enhance primary retail areas while allowing diversification (to more experiential, leisure, residential).
- Safeguarding and expanding cultural infrastructure, supporting the spread of visitor activity spatially and seasonally beyond the historic core.
- Managing related activities such as accommodation, coach parking, day visitors, and footfall concentration.
- How to support sustainable tourism models (longer stays, higher value, lower impact).
- Balance requirements with York's extensive historic fabric constraints with any redevelopment and intensification.
- Ensuring a diverse evening offer and supporting York's positioning as a year-round cultural destination.
- Masterplanning in retail and cultural facilities into new strategic development.

### **Consultation Questions**

#### **General Questions**

1. Have we identified the correct challenges to inform our approach to addressing placemaking for retail, tourism and culture in York?
2. Do you have any further evidence which could help inform our approach?

#### **Specific Questions**

3. How should York's city centre evolve over the next 10–20 years to remain vibrant, while responding to changes in shopping and leisure habits?
4. What do you think are the main benefits and challenges of tourism in York, and how should future growth be managed?
5. What cultural activities, venues, or experiences are most important to York's identity, and what is currently missing?
6. In what ways should the Local Plan spatially embed retail, tourism and culture?

## Design

### Challenges for the Local Plan

The key challenges our new local plan will need to address are:

- Balancing growth with heritage protection, ensuring new development enhances York's historic character while avoiding harm to its extensive heritage assets (e.g. conservation areas, listed buildings, archaeology).
- Responding sensitively to townscape constraints by working within York's fine urban grain, narrow streets and medieval morphology, which limit building scale, massing and materials.
- Protecting important views and skyline by safeguarding key views, particularly towards York Minster and other landmark features, while accommodating new development.
- Managing pressure for higher density development, delivering increased densities or urban intensification (especially in accessible locations) without compromising character, amenity or design quality.
- Addressing flood risk through integrating flood resilience into layouts, building types and public realm without undermining placemaking quality.
- Ensuring locally distinctive rather than generic design, avoiding formulaic development by requiring strong evidence-led understanding of York's character and identity ("what makes York special").
- Aligning local policy with national design frameworks while navigating tighter national control (NPPF/PPG, design codes) yet still expressing local distinctiveness where justified.
- Securing consistent design quality across all scales from strategic masterplanning to individual buildings and public spaces, maintaining a high and consistent design standard implementing design detail through design codes, guides and masterplans.

### Consultation Questions

#### General Questions

1. Have we identified the correct challenges to inform our approach for placemaking and design in York?
2. Do you have any further evidence which could help inform our approach?

#### Specific Questions

3. What outcomes should good design deliver at a strategic level in York?
4. What design principles speak of 'Yorkness'?
5. Are there examples of places (locally or elsewhere) that you think demonstrate the kind of design quality the Local Plan should aim for? If yes, why?
6. Which parts of the authority area would benefit most from area-specific design guidance or codes, and why?
7. How should the Local Plan address design in areas expected to experience significant change, such as regeneration zones, growth corridors, or town centres?
8. Which areas of change are likely to generate the need for local design policy?

## **Heritage**

### **Challenges for the Local Plan**

The main challenges facing heritage in the context of the Local Plan are:

- Balancing growth with conservation managing development pressures while conserving and enhancing York's highly sensitive and extensive historic environment.
- Embedding heritage as a positive driver of growth, using York's "heritage capital" to support economic vitality, wellbeing and place identity, rather than treating it as a constraint.
- Responding to strengthened national policy requirements by integrating new NPPF expectations for proactive heritage strategies, including identifying key assets, risks and opportunities.
- Maintaining a robust and up-to-date evidence base, ensuring Conservation Area Appraisals, characterisation work and archaeological evidence remain current and effective.
- Managing change in Conservation Areas, addressing increasing development pressures in areas of high historic sensitivity and ensuring up-to-date boundaries and management plans.
- Protecting and recognising non-designated heritage assets, developing clear criteria and maintaining Local Lists to ensure locally valued assets are consistently identified and safeguarded.

- Addressing archaeological sensitivity and uncertainty by managing York's exceptional archaeological resource, including areas where significance is not yet fully understood.
- Integrating heritage into site allocations and design tools, through ensuring heritage informs masterplans, design codes and site-specific policies from the outset.
- Defining and applying local concepts of significance and harm, maintaining locally specific thresholds (e.g. for archaeological harm) alongside national policy requirements.

### Consultation Questions

#### General Questions

1. Have we identified the correct challenges to inform our approach to heritage in York?
2. Do you have any further evidence which could help inform our approach?

#### Specific Questions

3. What 'main heritage features' should the Plan identify, and what issues do they face?
4. Is the current range of local evidence sources (e.g., Conservation Area Appraisals, Historic Environment Characterisation, Archaeology Study) sufficient to support plan-making and decision-making?
5. Are there particular Conservation Areas or parts of the city where pressures for change require updated or strengthened policy guidance? This could also relate to non-designated heritage assets.
6. How should neighbourhood plans support planning for heritage? Should they identify non-designated heritage assets (including local list)?
7. Are there areas of the city where archaeological significance is not currently well understood and where further study is needed?

## **Environment, Climate and Green Infrastructure**

### **Challenges for the Local Plan**

The key issues the plan will need to deal with are:

- Reducing climate emissions while planning for growth.
- Protect and enhance the natural environment by safeguarding important habitats and landscapes, improving biodiversity, and protecting air and water quality, ensuring developments work with nature and support health and wellbeing.
- Address impacts of climate change including water scarcity, increased flood risk, higher temperatures, and wildfire risk.
- Identifying opportunities to enhance green infrastructure.
- Support improvements to air quality and environmental quality.
- Reduce or minimise impacts of flooding and ensure this is a key consideration for development and design.
- Address the absence of a comprehensive Green Infrastructure (GI) strategy, to ensure we can plan in a coordinated and strategic way.

### **Consultation Questions**

#### **General Questions**

1. Have we identified the correct challenges to inform our approach for environment, climate, and green infrastructure within York?
2. Do you have any further evidence which could help inform our approach?

#### **Specific Questions**

3. What should the Local Plan prioritise to reduce carbon emissions (for example, building design, renewable energy, or location of development)?
4. What types of green spaces are most important to you, such as parks, woodland, green corridors, play areas, allotments or spaces for nature?
5. Do you think managing flood risk and preparing for climate change impacts (such as heavier rainfall, wildfires and heatwaves) should be a key focus of the new Local Plan?
6. How can the Local Plan better support healthier environments, for example by improving air quality, access to nature and opportunities for outdoor recreation?

## **Health, Wellbeing and Inequalities**

### **Challenges for the Local Plan**

The main challenges facing health, wellbeing and inequalities in the context of the Local Plan are:

- Moving from “supporting health” to “planning for health outcomes by moving beyond “health as a theme” to systematically embedding health outcomes across all policies (housing, transport, economy, climate), with clear causal links.
- Ensuring the Local Plan actively reduces spatial inequalities, rather than inadvertently reinforcing them through land use, infrastructure provision, or housing distribution.
- Translating evidence into deliverable infrastructure via site allocations, CIL and S106.
- Scaling up healthy placemaking principles across all development, not just major sites.
- Ensuring consistent quality and enforceability, not just design aspirations.
- Aligning planned growth with health infrastructure capacity (including GP provision and potential rationalisation), avoiding geographic gaps in provision.
- Designing neighbourhoods that support independence, mobility, and social inclusion for all groups.
- Making Health Impact Assessment effective and embedded in the process, avoiding them being tick box exercise.

### **Consultation Questions**

#### **General Questions**

1. Have we identified the correct challenges to inform our approach for health, wellbeing and inequalities for York?
2. Do you have any further evidence which could help inform our approach?

#### **Specific Questions**

3. Are we taking into account the right strategies and information sources to help build a picture of health and wellbeing for all sections of York’s communities?
4. Help us to build up a record of health infrastructure, community facilities, built sports facilities and their function. Where is there demand that isn’t being met?
5. How can we embed health and well-being further into our local planning policy?

## Transport, Movement and Active Travel

### Challenges for the Local Plan

The main challenges facing transport, movement and active travel in the context of the Local Plan are:

- Addressing congestion in response to persistent congestion issues contributing to poor air quality, noise and reduced connectivity across the city.
- Balancing a compact historic city with transport capacity constraints, where York's compact form and historic environment limit opportunities to expand highway infrastructure.
- Delivering a modal shift away from private car use, achieving a significant shift towards walking, cycling and public transport in line with local and national policy ambitions.
- Ensuring new development is located in highly accessible locations, aligning land use with sustainable transport networks to reduce reliance on cars.
- Accommodating growth without worsening transport issues, supporting housing and employment growth while avoiding increased congestion and pressure on infrastructure.
- Improving accessibility and inclusivity of the transport network, through ensuring movement works for all users, including those with mobility challenges, and addressing known accessibility issues.
- Delivering high-quality active travel infrastructure at scale by implementing comprehensive walking, wheeling and cycling networks that are safe, connected and attractive.
- Integrating transport with wider place-making objectives, supporting a shift to less car-dominated streets and creating healthier, more attractive public spaces.
- Aligning land use planning with a 'vision-led' transport approach, moving away from predict-and-provide to planning transport around desired place outcomes.
- Coordinating cross-boundary transport planning and infrastructure, managing impacts of growth across authority boundaries and working with the YNYCA.
- Securing and delivering transport infrastructure alongside development, ensuring funding, phasing and delivery mechanisms are in place (e.g. through development contributions).
- Responding to climate change and decarbonising transport, supporting the transition to low-emission travel (including EVs) while prioritising sustainable modes.

- Balancing car parking provision with objectives to reduce car dependency, particularly in accessible areas.
- Ensuring the evidence base and modelling supports spatial choices by updating transport modelling to reflect growth scenarios and test the impacts of development options.

### Consultation Questions

#### General Questions

1. Have we identified the correct challenges to inform our approach for transport, movement, and active travel for York?
2. Do you have any further evidence which could help inform our approach?

#### Specific Questions

3. Do you agree that the new Local Plan should focus on making it easier and safer to walk, cycle and use public transport, rather than increasing road space for cars?
4. Do you think new homes and jobs should be located in places where people can easily travel without using a car?
5. Are there areas in York where transport access should be a key factor in deciding where development happens?
6. Should the new Local Plan limit the amount of car parking in areas with good public transport, walking and cycling links?
7. What transport improvements are most important to help people get around York (e.g. buses, cycling routes, walking routes, or road improvements) now and in the future?

## Spatial Strategy

### Challenges for the Local Plan

The main challenges for the development of spatial strategies in the context of the Local Plan are:

- Balancing growth with York's historic character and setting, managing development pressures while protecting the city's unique heritage, compact form and landscape setting.
- Reconciling development needs with significant environmental constraints, within a limited land supply due to Green Belt, historic character and setting, -flood risk areas and green infrastructure network.

- Accommodating housing and employment growth sustainably, by meeting objectively assessed need (housing and jobs) while ensuring delivery is viable and well-located.
- Determining the most appropriate spatial distribution of growth, balancing development between the main urban area, urban extensions and satellite settlements.
- Moving from a flexible site-based approach to a clearer hierarchy that guides density and growth distribution.
- Making more efficient use of land in a constrained city, through increasing densities in accessible locations (e.g. around stations and centres) without harming character or liveability.
- Managing pressure on the Green Belt while ensuring long-term defensible boundaries, balancing release of land for development with long-term permanence and protection of York's setting.
- Aligning growth with sustainable transport objectives through supporting a shift to walkable, transit-oriented development and reducing reliance on the private car.
- Coordinating cross-boundary growth and infrastructure planning, responding to emerging sub-regional Spatial Development Strategies, housing apportionment and infrastructure requirements.
- Ensuring infrastructure provision keeps pace with development, planning for transport, utilities and social infrastructure alongside growth.
- Developing robust "spatial portraits" to reflect differing roles, needs and constraints of neighbourhoods and settlements.
- Selecting sites that are deliverable, viable and sustainable, through balancing brownfield reuse with necessary greenfield release while ensuring delivery.
- Adapting to changes in national policy and plan-making system, by responding to emerging NPPF reforms, including strategic spatial planning at a wider geography.
- Establishing a clear, evidence-led basis for spatial choices, ensuring decisions on distribution of growth are transparent, justified and robust at examination.
- Monitoring and demonstrating effectiveness of the spatial strategy, evidencing delivery, defending decisions at appeal, and tracking whether the strategy is working in practice.

### **Consultation Questions**

#### **General Questions**

1. Have we identified the correct challenges to inform our approach to the spatial strategy and delivery of development for York?

2. Do you have any further evidence which could help inform our approach?

**Specific Questions**

3. What spatial aspects do you think should be strategic (considered by the SDS) and what do you think should be considered local (informing the Local Plan)?
4. What evidence would help us to understand how different places in York work, their opportunities and constraints?
5. What should determine a 'settlement' (e.g. scale, access to services, openness)?
6. How should we seek to apportion housing requirements across neighbourhood plan areas?
7. What tests or measures should be used to compare options? Should any measures be prioritised?
8. How do we create self-sustaining settlements and neighbourhoods (including what range of facilities as important, and what size to ensure these are viable)?

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**Planning Policy and Local Plan Advisory Group****9 June 2026**

Report of the Head of Strategic Planning Policy.

**Implementation of Non-Statutory Planning Guidance****Summary**

1. This report seeks Members' views on the proposed approach to the preparation and implementation of non-statutory planning guidance to support the emerging Local Plan. Non-statutory guidance will provide clarity to applicants, decision-makers and stakeholders on the interpretation and application of Local Plan policies prior to the adoption of formal Supplementary Planning Documents (SPDs).
2. The draft non-statutory guidance prepared for discussion is set out in Annexes A-E.

**Recommendations**

3. The Committee is asked to:
  - 1) Note the reasons for preparing non-statutory guidance in preference to Supplementary Planning Documents
  - 2) Endorse the approach to the non-statutory guidance currently under preparation.
  - 3) Recommend amendments or further work prior to taking to an Executive Member Decision Session for approval.

Reason: To inform the final guidance and allow progression to an Executive Member Decision Session for approval for publishing.

**Background**

4. The adopted Local Plan identifies areas where Supplementary Planning Documents (SPDs) were to be used to provide more detailed planning

advice regarding policy implementation. Previously, Executive has sought to prioritise the production of the following SPDs:

- Housing Supplementary Planning Document
- Planning for Health Supplementary Planning Document
- Planning for Green Infrastructure Supplementary Planning Document
- Planning for York's Gypsy and Traveller Communities
- Climate Change (sustainable design and construction) SPD
- Transport SPD

5. Where SPDs are produced they must adhere to the statutory process during their preparation, which includes a citywide consultation and formal approval. Whilst progress was made on the production of the SPDs, none had reached the statutory consultation or approval stages.
6. As part of the reforms to the plan-making system, the Government intends for a transition away from traditional SPDs. The guidance linked to the implementation of the Levelling-up and Regeneration Act reforms sets a deadline for all Supplementary Planning Documents (SPDs) in production under the existing regime to be adopted by 30 June 2026. After this date the ability to adopt new SPDs is curtailed and replaced with detail in a new Local Plan or in a new style Supplementary Plan.
7. Additionally, we are expecting a new National Planning Policy Framework (NPPF) to be released during the Summer 2026. This follows a consultation held earlier in the year for a significantly different approach. Further, Building Regulations have been updated significantly to require a focus on improved energy efficiency under the Future Homes Standard and for building safety. Both of these supersede some of the detail being pursued in our SPDs under production.
8. Consequently, Executive<sup>1</sup> endorsed an approach to progress with non-statutory planning guidance to support the adopted Local Plan policies. These carry material weight in decision-making but are not part of the statutory development plan. They can cover specific land-use topics or area-based guidance and are:
  - ✓ Faster to produce and update
  - ✓ Have no statutory consultation requirements
  - ✓ Still a material consideration in planning decision.

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<sup>1</sup> [Decision - Plan-making activity and Local Plan Review](#)

## Consultation

9. There is no statutory requirement for consultation on non-statutory guidance. However, we can choose a targeted consultation approach, where considered necessary. A formal decision to endorse the guidance will be taken via an Executive Member Decision Session, which will allow public participation, to ensure material weight through the decision-making process. A consultation strategy was endorsed via officer decision<sup>2</sup> setting out the planned approach to preparation.
10. To prepare the draft guidance set out in the annexes, Strategic Planning Policy team have worked with relevant internal technical officers including Development Management, Design and Conservation, Public Health and Housing teams.
11. Targeted consultation has been undertaken with registered affordable housing providers on the Affordable Housing Guidance.

## Options

12. The following options for the committee are:
  - Option 1: endorse the approach taken to the delivery of non-statutory guidance
  - Option 2: recommend changes or further work prior to proceeding to an Executive Member Decision Session for approval

## Analysis

13. Option 1 supports the consultation approach as well as the content provided for each guidance piece set out in the annexes. Option 2 allows for the discussion by the Group to be enacted into the guidance prior to publishing and approval at an EMDS session; this is recommended.

## Council Plan

14. The preparation of non-statutory planning guidance supports the implementation of York's adopted Local Plan. This in turn support the Council Plan 2023–27 priorities including economy, environment and communities.

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<sup>2</sup> [Decision - To approve a consultation strategy for planning guidance documents.](#)

15. The specific guidance presented at Annexes A-E will specifically meet priorities associated with the delivery of affordable housing and health.

## **Implications**

16. Financial – There are no financial implications
17. Human Resources (HR) – There are no HR implications; preparation of the guidance is being undertaken by internal teams
18. Equalities –
19. Legal – the guidance will not be part of the statutory development plan but should be referred to and have material weight in decision-making.
20. Crime and Disorder – there are no implications for crime and disorder
21. Information Technology (IT) – There are no IT implications other than publishing on the City of York Council website.
22. Property – there are no implications for Property.
23. Other – there may be implications specifically relating to the areas relevant to the guidance.

## **Risk Management**

8. The following risks have been identified:
  - Limited weight in decision-making - Non-statutory guidance does not form part of the statutory development plan and therefore carries less weight than adopted SPDs. There is a risk that its influence may be challenged by applicants or given limited weight in appeals if not clearly aligned with Local Plan policy and national guidance. A lack of clear guidance may also weaken the Council's position at appeal, particularly where detailed expectations (e.g. design, viability, climate requirements) are not clearly articulated.  
*Mitigation:* Ensure all guidance is firmly rooted in adopted/emerging policy, evidence-based, and where appropriate endorsed through Executive Member Decision Sessions (EMDS).
  - Risk of inconsistency or misinterpretation - If guidance is unclear, overly complex, or not kept up to date, there is a risk of inconsistent interpretation by Development Management officers,

applicants, and Inspectors. Without supporting guidance, there is a significant risk that Local Plan policies will be open to differing interpretations, leading to inconsistent decision-making across applications.

*Mitigation:* Apply robust internal review processes, clear drafting standards, and regular updates to guidance.

- Legal or procedural challenge - where guidance could be perceived as introducing new policy requirements rather than interpreting existing policy, leading to potential legal challenge.  
*Mitigation:* Clearly distinguish between policy and guidance, and seek Legal input where necessary.
- Delays to development and decision-making - Applicants may submit incomplete or suboptimal proposals where expectations are unclear, resulting in delays, protracted negotiations, or refusals.  
*Mitigation:* Prepare and release guidance in a timely manner to support decision-make.
- Inefficient use of resources - Without non-statutory guidance, greater officer time may be spent providing bespoke advice through pre-application discussions and application negotiations, leading to inefficiencies.  
*Mitigation:* Prioritise guidance topics, align with Local Plan workstreams, and use proportionate formats (e.g. web guidance, technical notes).

## Contact Details

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**Report Date 27/05/2026**  
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**Wards Affected:**

All

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**Background Papers:**

Executive 14 April 2026 - [Decision - Plan-making activity and Local Plan Review](#)

**Annexes**

- Annex A – Draft Affordable Housing non-statutory planning guidance
- Annex B - Draft Hot Food Takeaways non-statutory planning guidance
- Annex C – Draft Masterplanning and Garden Village non-statutory guidance
- Annex D – Draft Self Build non-statutory guidance
- Annex E – Draft Houses in multiple occupation non-statutory guidance

**List of Abbreviations Used in this Report**

- SPD – Supplementary Planning Document
- NPPF – National Planning Policy Framework

# DRAFT Affordable Housing Planning Guidance

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## 1. Affordable housing policy site thresholds and requirements

Affordable housing policy provisions are determined by application thresholds summarised below. Applications that meet these requirements would be supported from an affordable housing perspective. Early engagement with the Housing Team is encouraged as they may be able to identify possible sources of grant funding to increase affordable housing provision on development.

In accordance with recent changes to the National Planning Policy Framework, major development on sites within the Green Belt should provide affordable housing in accordance with the Golden Rules (see NPPF 2024 paragraphs 156-158<sup>1</sup>). These require affordable housing at 15 percentage points above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of 50%. In York this equates to a requirement for 45% (30% as the highest existing affordable housing range plus 15%) on site affordable housing on Green Belt sites.

**Table 1: Affordable Housing Policy Expectations**

Threshold	Policy provision requirement	Affordable tenure mix / other provisions
<b>Brownfield</b> sites of 15 or more dwellings	<b>20%</b> of total homes, on site	80% social rent 20% intermediate tenure
<b>Greenfield</b> sites of 15 or more dwellings	<b>30%</b> of total homes, on site	80% social rent 20% intermediate tenure
Sites of <b>5-10 dwellings</b> where the combined gross floorspace is more than 1,000m <sup>2</sup>	<b>10%</b> provided as commuted sum using specified calculation below	Outbuildings are excluded from the floor area calculation
Sites of <b>11-14 dwellings</b> : any floorspace	<b>10%</b> provided as commuted sum using specified calculation below	n/a

<sup>1</sup> <https://www.gov.uk/guidance/national-planning-policy-framework/13-protecting-green-belt-land>

Threshold	Policy provision requirement	Affordable tenure mix / other provisions
<p><b>Green Belt</b> sites where the NPPF <b>Golden Rules</b> are applicable</p>	<p><b>45%</b> of total homes, on site</p>	<p>A minimum of 24% of homes on greenfield sites must be delivered as social rent.</p> <p>This reflects the policy requirement for 30% affordable housing on greenfield sites, of which 80% must be social rent: 30% x 80% = 24% social rent minimum, of the minimum 45% Golden Rules affordable provision.</p>
<p>Off-campus purpose built student accommodation</p>	<p>Off-site financial contribution in line with the calculation in policy H7</p>	<p>n/a</p>
<p><b>Note 1:</b> This policy will apply if a development proposal below the thresholds is followed by an obviously linked proposal at any point where the original permission remains extant, or up to 5 years following completion of the first scheme, and the combined total of dwellings is 5 or more dwellings.</p> <p><b>Note 2:</b> Tenure mix will be applied in accordance with the current Local Housing Needs Assessment (LHNA) [<a href="https://www.york.gov.uk/downloads/file/8270/ex-cyc-92-local-housing-needs-assessment-by-iceni-july-2022">link to https://www.york.gov.uk/downloads/file/8270/ex-cyc-92-local-housing-needs-assessment-by-iceni-july-2022</a>] evidence base. Build to Rent schemes will provide Affordable Private Rent – further information on this is available in our Supported and Specialist Housing Planning Guidance</p> <p><b>Note 3:</b> Where the LHNA is referred to within this Guidance, as in Local Plan policy, it is the most up-to-date version which should be used.</p> <p><b>Note 4:</b> To achieve the policy expectations affordable housing on site provision must be ‘rounded up’ to achieve to achieve the relevant percentage.</p>		

## **Securing Affordable Housing**

Section 106 of the Town and Country Planning Act 1990 provides the statutory basis for planning obligations. The Council will expect applicants to enter into an appropriate s106 Agreement securing all necessary provisions for the delivery, management and long-term affordability of the affordable housing required on the site.

Where necessary the s106 Agreement will include provisions relating to:

- Affordable housing definitions - the definition of affordable housing and the specific affordable tenures to be secured.
- Tenure mix and dwelling schedule - the agreed tenure mix, number of bedrooms, and the location of affordable dwellings within the development.
- Registered Provider details - confirmation of the affordable housing provider and any requirements relating to their appointment.
- Phasing - the timing and phasing of affordable housing delivery in relation to the wider development.
- Financial contributions - milestones for payment of any commuted sum or financial contribution.
- Nomination rights - nomination arrangements and any criteria relating to the allocation of affordable homes.
- Safeguarding affordability - measures to ensure the homes remain affordable to eligible households in perpetuity.
- Recycling of receipts - expectations regarding the recycling of any receipts or grant arising from the disposal of affordable housing units.
- Council costs - payment of the Council's reasonable legal and monitoring costs in preparing and administering the Agreement.
- Overage / viability review - where less than policy compliant affordable housing or a reduced commuted sum is accepted, an overage clause requiring a viability review [prior to occupation] and payment of any additional commuted sum if viability has improved.

The Council recognises that the content of s106 Agreements can vary considerably from site to site to reflect specific circumstances, including any proposed phasing of a development.

### **Pre-application discussions**

Pre application discussion with the Housing Strategy and Performance Team is encouraged to allow for clarity on the expected size, type and tenure mix of the affordable provision and to help ensure efficiency of the application process. This approach is also supported in the NPPF.

## **2. Affordable housing tenures and affordability**

The Council will apply a tenure split in accordance with Local Plan Policy H10 and the current LHNA evidence base. This currently equates to a split by tenure into 80% social rented, and 20% intermediate tenure, which typically will be shared ownership. This tenure split is the current default position unless site-specific circumstances, updated LHNA evidence, or viability considerations justify otherwise. The position of each tenure set out in the NPPF definition of affordable housing is summarised below. Compliance with NPPF and Regulator of Social Housing requirements must be maintained for affordable housing in all cases.

For applications proposing affordable housing in excess of the policy requirement provisions, applicants should demonstrate that social rented tenure has been maximised within site constraints, and in all cases the equivalent policy minimum social rented proportion must be provided. For example, if 50% affordable housing is proposed in a greenfield, it would not be acceptable to provide below 24% of the site as social rent, as this is the social rent proportion that would have been provided at 80% tenure split of the 30% minimum overall affordable provision requirement.

### **Definitions**

#### **Social rent**

Social rent is for households assessed as having a high level of need and generally unable to afford other forms of housing such as private rent or Intermediate tenure affordable housing. Rent must be set in accordance with government formula rent requirements as currently described in the Rent Standard guidance, meeting all regulatory obligations. Lettings will usually be made through nomination from the Council's own assessed list, the statutory housing register under Part 6 of the 1996 Housing Act.

#### **Affordable rent**

Affordable rent is a tenure with rent charges set at up to 80% of market rent. Affordable Rent is generally discouraged unless justified by viability or site-specific circumstances, reflecting LHNA evidence. Rent must be set in accordance with rent setting requirements as currently described in the Rent Standard guidance, meeting all regulatory obligations.

If accepted due to viability constraints as evidenced in section 6, Economic Viability, the affordable rent level must include all service charges, and will be generally at a maximum comprising the lower of:

- Local Housing Allowance for the City of York published by the government for the purposes of Housing Benefit and Universal Credit entitlement; or any successor scheme, and
- 80% of local market rent for an equivalent property

Further guidance is available in the City of York Living Rent that forms part of the Tenancy Strategy for the City.

<https://www.york.gov.uk/housing-plans-strategies/housing-tenancy-strategy>

It is important to note that in the event that the level of Local Housing Allowance or equivalent scheme reduces, Affordable Rent levels must match this in order to ensure affordability for tenants in receipt of Housing Benefit/Universal Credit.

Lettings will usually be made through nomination from the Council's own assessed list, the statutory housing register under Part 6 of the 1996 Housing Act.

**Affordable private rent or “discounted market rent”** is the NPPF term for what is often known as discounted market rent (DMR). **This tenure is used for Build to Rent schemes only.** Where APR is proposed to meet the same requirements as Affordable Rent above, lettings will usually be made through nomination from the Council's own assessed list, the statutory housing register under Part 6 of the 1996 Housing Act.

APR will be considered an intermediate tenure provision where it does not meet these requirements.

Discount levels will be set by reference to government guidance and local evidence as described in section 4, Rent to Buy and Affordable Private Rent levels and eligibility.

### **Shared Ownership**

Shared Ownership offers homes where an initial share can be bought between 10% and 75% with the option to increase the share in the future, known as 'staircasing'. Rent is paid on the remaining share.

Shared Ownership properties should be sold using the relevant model Homes England lease and under the terms of the Homes England programme, with the exception that rental charges should be restricted to a maximum 2.5% to support affordability for occupants.

Older People's Shared Ownership schemes that include an age-related occupancy restriction will apply the terms of Homes England's Older Persons Shared Ownership model.

Capital receipts from 'staircasing' should be reinvested in affordable housing development or improvements within the City of York area.

### **Service charges**

Applicants should ensure that service charges do not compromise the affordability of the scheme for residents with a need for affordable housing.

The service charge is the amount payable on an affordable housing unit in addition to the rent/mortgage due. It should include all estate management charges, ground rents, services, repairs, regular and cyclical maintenance of communal areas such as cleaning and grounds keeping, and the insurance of the building.

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Contributions to sinking funds may be charged additionally to service charges. Such charges should only be made to recover the costs of replacing items or areas of a building at their expected 'end of life' as part of programmed repairs for that building.

Applicants must engage with the Housing Strategy and Development Team at an early stage for all schemes where service charges are likely to be significant.

Applicants will be expected to demonstrate that high service charge levels would meet Housing Benefit / Universal Credit eligibility requirements to support the affordability of the homes. It is also expected that applications will take service charge impacts of design choices into consideration and that affordable housing service charges will be minimised wherever possible.

### 3. Approved RP list and allocations

Affordable housing must be transferred to a Registered Provider (RP) from the Council's approved list and then will be managed in line with the Regulator of Social Housing and Homes England rules. Provider approval by the Council will be reviewed periodically and will be assessed against criteria including:

- compliance with nominations agreements
- satisfactory Regulator assessment
- housing management and maintenance performance
- compliance with Tenancy Strategy expectations [link to <https://www.york.gov.uk/housing-plans-strategies/housing-tenancy-strategy> ]

If an RP is interested in providing social housing in York they will need to contact the Housing Strategy and Performance Team to ensure they meet the criteria and are accepted to be on the list.

There are restrictions placed on who is eligible to purchase or rent affordable housing to ensure that priority is offered to local people. Applicants on the Local Authority waiting list for an affordable rented property must have been a resident within York for six out of the past 12 months, or 3 out of the 5 past years, or have local connection. The eligibility criteria will be applied in accordance with the Housing Act 1996, statutory guidance, and the Council's adopted Allocations Policy. There will be a Section 106 obligation to ensure RPs enter into a Nominations Agreement that will allocate affordable homes in accordance with the Council's Allocations Policy [link to <https://www.york.gov.uk/council-homes/can-apply-council-house> ].

Social Rent transfer values are not fixed, as they are set by a competitive tender process between approved Registered Providers. This is carried out by the developer and the procedure is detailed in the s106 agreement.

Applicants should work with Registered Providers and should aim to achieve the York and North Yorkshire Affordable Homes Standard [ link

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to <https://www.yorkshirehousing.co.uk/media/l2xgtk1v/ynyhp-affordable-homes-standard.pdf> ] for affordable housing provision.

## 4. Rent to Buy and Affordable Private Rent levels and eligibility

Rent levels for Affordable Private Rent should be indexed to earnings, with reference to the Council's most up to date housing needs assessment. This provides a more effective approach to affordability than a fixed market rent discount. There would also be a minimum 20% discount in the event that wages increased at an unexpectedly more rapid rate than market rents. Maximum rents include service charges within the calculation.

Affordability is benchmarked against income scenarios of households that are expected to be typical low income, in-work eligible households for the Affordable Private Rent tenure. Median rent levels are also considered an upper ceiling for an affordable housing product. The City of York Living Rent approach should also be taken into account.

[link to <https://www.york.gov.uk/housing-plans-strategies/housing-tenancy-strategy> ]

Up to date Office of National Statistics or successor data will be applied for this purpose. Rent [link to <https://www.ons.gov.uk/peoplepopulationandcommunity/housing/dataset/s/privaterentalmarketsummarystatisticsinengland> ] and income [link to <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/datasets/placeofresidencebylocalauthorityashetabl e8> ] levels at the time of publishing are shown below, for illustrative purposes.

### References and data from the Office of National Statistics (ONS)

#### a. ONS data on City of York private rents and incomes: 1-bed

Reference data for 1-bed Affordable Private Rented property:

- Single full-time earner on Lower Quartile income: **£24,985/year**
- Lower Quartile rent for 1-bed: **£695/month**

#### b. ONS data on City of York private rents and incomes: 2-bed

Reference data for 2-bed Affordable Private Rented property:

- 2-person household: 1 full-time earner on Lower Quartile income and 1 part-time earner on median income, total **£37,914/year**

- Median rent for 2-bed: **£865/month**

**Table 2: illustrative local housing and labour market data**

	<b>Proposed rent</b>	<b>% of reference income</b>	<b>Proportion of total rent [discount]</b>	<b>Market valuation</b>
<b>1-bed</b>	<b>£695/month</b>	33.4%	<i>Calculated from valuation</i>	<i>Applicant to provide</i>
<b>2-bed</b>	<b>£865/month</b>	27.4%	<i>Calculated from valuation</i>	<i>Applicant to provide</i>

The calculations to be updated at time of application assessment.

Annual rent increases are restricted to a maximum of CPI + 0.5%.

## 5. Future sustainability and provision in perpetuity

Rented affordable homes must be retained in perpetuity, with exceptions limited to:

- Mortgagee-in-possession provisions in accordance with the agreed Section 106. Registered Providers should ensure that their finance terms for the properties can accommodate these requirements.
- Affordable Private Rent properties may be sold as part of a whole block transfer provided an appropriate commuted sum is paid.
- Rent to Buy is treated as a low-cost home ownership tenure for these purposes and the process is set out below.

Discount Market Sale properties must be maintained as affordable homes with resale restricted to the proportion of the initial price to market valuation.

For any properties generating a market receipt such as Shared Ownership and Rent to Buy tenures, the sale receipts must be retained by the Registered Provider and re-invested in affordable housing within the City of York Council area.

## 6. Economic viability

The supporting text to **Local Plan policy H10** describes the approach to assessment of viability in respect of affordable housing, with the process summarised in the table below. Viability assessments must be published in full in accordance with national government expectations unless exceptional circumstances justify redaction.

The **National Planning Policy Guidance** on [viability](#) should be followed in preparing and reviewing viability appraisals, including methodology and standardised inputs. Future updates to national policy will be incorporated into decision making where relevant.

Process Stage	Responsibility
1. The applicant believes because of development viability that a site cannot meet the requirements of the policy	<b>Applicant</b>
2. Open book appraisal submitted with application that complies with national planning guidance on decision making	<b>Applicant</b> including bearing costs of appraisal
3. Review of appraisal submission and notification of either: a. Acceptance of submission, or b. Need for further review	<b>Local Planning Authority (LPA)</b> <b>Local Housing Authority:</b> consultee during process
4. If a need for further review is identified, the LPA will instruct either the Valuation Office Agency or, where needed, an alternative suitably qualified surveyor to review the appraisal submission. The applicant will undertake to pay all costs of doing this.	<b>LPA:</b> instruction of surveyor <b>LHA:</b> housing-specific guidance <b>Applicant:</b> bearing costs of appraisal and related reviews (including any required by the LPA)

Process Stage	Responsibility
<p><b>5.</b> The parties will work to achieve an agreed position, with the support of the instructed valuers.</p> <p>Viability review mechanisms will be utilised for Outline applications and for other applications with a longer development timescale.</p>	<p><b>LPA and LHA</b></p> <p><b>Applicant</b> including bearing costs of appraisal and related reviews</p>
<p><b>6.</b> Where non-viability and non-compliance with policy requirements is agreed, options will be assessed to maximise affordable housing provision:</p> <p><b>a.</b> Seek Homes England or other capital funding sources to enable additional affordable housing</p> <p><b>b.</b> Consider alternative tenure provision mixes that can enhance viability, within the priorities of the LHNA</p>	<p><b>LPA and LHA</b></p>
<p><b>7.</b> Decision issued taking into account outcome of assessment and options pursued to address affordable housing shortfall.</p>	<p><b>LPA</b></p>

### Viability review mechanisms

All review mechanisms are upwards-only. This means that if conditions have improved, the surplus is used to progress towards (or reach) policy compliance. Whereas if conditions have worsened and a deficit arisen, there is no reduction in planning obligations. Viability assessments allow for developer's profit to accommodate market risk; it is not the role of the planning system to insulate developers against market downturns.

Viability review mechanisms will only be utilised when the application viability appraisal is likely to be significantly obsolete by the time the development has been completed. They will be used for all Outline applications and where the development is expected to take place on a

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longer timescale for example, due to being larger, phased developments.

Government guidance and evidence-based practice will be used to determine viability review mechanisms.

## 7. Affordable housing mix

Early engagement with the Housing Strategy and Performance Team is encouraged to ensure that the design and layout of the affordable housing is appropriate. In providing affordable housing, applicants should deliver an appropriate mix for the location and consider the evidenced mix in the latest Local Housing Needs Assessment (LHNA). The most appropriate size and type of affordable housing will be determined on a case-by-case basis reflecting the context of the site, the LHNA, the current housing register, existing affordable housing stock and relevant planning guidance.

The requirements of Policy H3 must be met in respect of affordable housing mix which also depends on an appropriate wider mix across the site to achieve good quality, sustainable provision.

Details of the mix and affordable provision should be provided with any planning application in spreadsheet format in addition to a clearly identifiable layout plan. This must cover the details shown in Table 3, as a minimum.

**Table 3: Affordable Housing Mix Schedule**

Bedrooms	Type	Size	Accessibility Part M	Social Rent	Discount Sale	Market	Total

### Layout

The affordable houses are to be 'pepper-potted' evenly throughout the development and visually indistinguishable from the open market dwellings. Different tenures should also be evenly distributed throughout the site.

Smaller house types should not be clustered together within the development if doing so would make the above principles unachievable. Any affordable flats shall be distributed evenly throughout the blocks by the same principle, where possible.

It is recognised that freehold sale of apartment blocks may be necessary in order to achieve on site delivery via a Registered Provider, offering a whole block for the purpose of better housing management. In this case, the block(s) will not be of excessive size and if there are multiple

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affordable blocks, they will not be located directly next to one another. Apartment blocks should be designed with consideration of freehold transfer where this is the most suitable option, providing an appropriate scale, quality and level of amenity for any blocks which may be identified as affordable housing.

### **Accessibility standards**

Building Regulations stipulate that all new homes must meet the requirements for M4(1) Category 1 – Visitable Dwellings.

The Council recommends that as much as possible all affordable homes should be built to an a M4(2) accessible and adaptable dwelling standard as a minimum. This is supported by evidence in the current LHNA. The LHNA also highlights there are higher number wheelchair users in social housing than the private sector and that approximately 25% of affordable homes should be M4(3) to meet this need.

In the development of M4(2) and M4(3) homes, it is encouraged that developers use Accessible York's accessible homes rating checklist [link to <https://www.livewellyork.co.uk/information-and-advice/you-and-your-home/assessing-and-adapting-your-home/>] to test accessibility.

The Nominations Agreement for a scheme should ensure that households with an assessed need for the M4(3) homes will be prioritised for all initial and future allocations.

## 8. Affordable housing quality and design

The Council seeks to achieve high quality and inclusive affordable housing. It is expected that developers ensure that affordable housing is well integrated into the development so that “no tenure is disadvantaged” in line with the National Design Guide [link to [https://assets.publishing.service.gov.uk/media/602cef1d8fa8f5038595091b/National\\_design\\_guide.pdf](https://assets.publishing.service.gov.uk/media/602cef1d8fa8f5038595091b/National_design_guide.pdf) ] and NPPF.

These requirements represent strong expectations for all qualifying schemes. However, the Council may apply appropriate flexibility where applicants provide clear and robust justification based on site-specific circumstances, updated evidence, or viability considerations.

### Property size

The recommended mix of bedrooms for affordable housing is established in the LHNA and reflects the city-wide need. Each individual site will have varied expectations based on the nature and character of the local area. The Council monitors the delivery of the housing mix and up to date evidence of need may impact the affordable mix of development sites as referenced in the LHNA.

Local Plan Policy H3 requires that all homes must be “suitable for the intended occupiers in relation to the quality and type of facilities”. This has implications for social and affordable rented provision, for example due to central government welfare policy 2+ bed social and affordable rented properties will often be occupied by families. Consequently, there is an expectation that 2-bed affordable homes should predominantly be provided as family houses that are indistinguishable from equivalent open market homes on the scheme. Approved Registered Providers in York and North Yorkshire have co-produced an [Affordable Housing Standard](#) to define the requirements for any affordable units they acquire through S106 agreements and developers should have regard to these requirements and the following house types:

- 1 bed: minimum 2 person
- 2 bed: minimum 3 person
- 3 bed: minimum 5 person
- 4 bed: minimum 6 person

### Other design considerations

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Applicants are encouraged to provide private outdoor space for all homes wherever possible given site constraints, with an individual garden or a suitably sized balcony/terrace for apartments. For apartment blocks including homes of 2+ bedrooms, access to suitable children's play space on a 'doorstep play' basis should be demonstrated.

Open Space and related aspects such as central parks, children's play areas and linear gardens should be designed to fully accommodate and integrate residents of affordable homes within the scheme. Residents of affordable homes must have full and equal access to all amenity space, in addition to other relevant amenities such as car and bike parking and communal areas.

Wherever possible, private drives/highway to affordable homes should be avoided, with adopted highways up to the curtilage of affordable properties. This is due to the service charges and maintenance implications for Registered Providers.

There should be no difference between the amount and quality of car and cycle parking provision between the market and affordable houses, or access to any other shared amenities of the development.

Active and public transport links are especially important to residents of affordable housing in the City and evidence should be provided with any planning application to support assessment of how the site performs in relation to these considerations.

If electric heating and hot water are provided, these should be provided by a suitable system such as heat pump provision of heating and hot water or efficient district heating systems. This will minimise fuel poverty risks for residents of affordable housing.

## **9. Delivery of affordable housing through the planning system**

For applications of 15 homes or more, the Council's clear expectation is that affordable housing is delivered on site in all but exceptional cases. This is the most effective means of delivery of urgently needed affordable housing for our city and can facilitate new communities that are diverse and mixed tenure.

Off-site forms of provision for sites of 15 homes or more will only be agreed where it is demonstrated that there is no suitable means of delivering appropriate affordable housing within the application development: "*Any other off-site provision or commuted payment in lieu of on-site provision for affordable housing will only be acceptable if it is robustly justified*" (Local Plan Policy H10 supporting text). The presumption is that this would not be suitable and any applicant concerns relating to affordable housing should be discussed at an early stage to reduce the risk of delay to the application.

In the event that off-site provision is agreed it may take one of several forms:

- Equivalent delivery on an alternative site
- Transfer of land supported by a commuted sum sufficient for affordable development
- Payment of a commuted sum equal to the value of the affordable housing that would have been provided

### **Equivalent delivery on an alternative site**

In those exceptional cases where it is accepted that on-site delivery is not possible in accordance with policy, affordable housing of equivalent type and quality may be provided on an alternative site. Considerations in determining the acceptability of the proposal would include:

- Size, type and design quality of affordable homes provided
- Suitability of alternative location

- Integration of the affordable housing within mixed and sustainable communities
- Deliverability: planning permission should already be secured, with a robust plan to deliver the homes on a similar schedule to the application site
- Overage provisions may be included where the alternative homes are of lower market value
- A “backstop” would be required for a full commuted sum payment in the event that the homes are not delivered within the agreed timescale (Table 4 below)
- The homes provided must be delivered in addition to any section 106 requirement for the alternative site itself

### **Payment of a commuted sum equal to the value of the affordable housing that would have been provided**

In the event that all other options have been explored and it is accepted that no delivery of affordable homes or provision land is possible, a commuted sum will be provided instead – “calculated as the difference between the transfer price and the market value of the specific home(s) on that site.” (Policy H10 supporting text) This is shown in the formula set out below.

Committed sums will be secured via S106 agreement and spent by the Local Authority within 10 years of receipt. They can be used for a range of costs in providing alternative affordable housing, including staff, project management and consultancy costs in development of the pipeline and on-site delivery. A schedule of payments will include a proportion of payment prior to start on site and at regular intervals thereafter.

#### **Table 4:**

<b>Sites of 15+ dwellings with a commuted sum requirement</b>
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This formula will be used to calculate commuted sums **for sites of 15+ homes** in the event these are agreed in lieu of on-site affordable housing provision.

**MV:** Market Value of application development affordable requirement

**ATV:** Transfer Value of affordable housing requirement, with no public subsidy

**Formula A:** Commuted sum = MV – ATV

Valuations obtained at the applicant's expense from a suitably qualified (e.g. RICS) surveyor will be required for MV. The LPA may either provide the ATV based on existing data or may decide to accept an ATV provided by the surveyor.

Commuted sum payments are required for sites of 5-14 dwellings as defined in Policy H10. This is calculated as set out in Table 5.

**Table 5: Policy H10 Calculation of a commuted sum for affordable housing**

**Sites of 5-14 dwellings with a commuted sum requirement**

On sites of 5-14 homes an off-site financial contribution (OSFC) is required in accordance with the approved formula:

**OSFC per dwelling =**

**[Average York Property Price] - [Average York RP Price] x 10%**

Average York RP (Registered Provider) Price represented the typical affordable housing transfer value in York.

## **Annex A: Vacant Building Credit**

### **1. Introduction**

1.1. This section provides guidance on the Council's approach in applying the vacant building credit, to supplement Paragraph 5.72, Policy H10 of the Council's Local Plan.

### **2. Application of the vacant building credit (VBC)**

2.1. The VBC was introduced by the government with the aim of stimulating the development of vacant buildings on brownfield sites. A financial credit, equivalent to the existing gross floorspace of any vacant buildings within the redline boundary of the application site brought back into any lawful use or demolished for re-development, will be deducted from the calculation of any affordable housing contributions sought from relevant development schemes where the VBC applies. This will not however apply to vacant buildings which have been abandoned.

2.2. In order to apply for the VBC seeking reduced affordable housing contribution, a VBC Statement must be submitted alongside a planning application. The following information will need to be included in the Statement:

- Evidence that any referenced building is a 'vacant building'. A building is not considered as 'vacant' if the building has been in continuous use for a period of six months during the last three years up to the date that the planning application is submitted. The whole building must be vacant to apply for the VBC.
- A viability appraisal or other evidence which demonstrates that the VBC is necessary in order for development to be brought forward (Local Plan Policy H10). VBC will not be applied for buildings that have been made vacant in order to deliver viable developments.
- Evidence that any referenced building is not an 'abandoned building' or vacated solely for the purpose of redevelopment. The obligation will be on the applicant to demonstrate this. The factors the Council will take into account include:
  - a) the physical condition of the building;
  - b) the length of time that the building had not been used;

- c) whether it had been used for any other purposes; and
- d) the owner's intentions

- Information on the existing Gross Internal Floor Area(GIFA) and the proposed GIFA. GIFA is the area of a building measured to the internal face of the perimeter walls at each floor level. The Royal Institution of Chartered Surveyors (RICS) definition of GIFA will be used for the purposes of assessing VBC.

2.3. The LPA will determine on a case by case basis whether a building is vacant or abandoned. VBC will not be applied where it is not necessary to incentivise the scheme, in line with Policy H10.

2.4. At outline planning application stage it may not be clear what the actual number of dwellings, or the size of those dwellings, may be. Therefore, it will be difficult to quantify what VBC will be applicable. Where the LPA agrees that the VBC may be applicable, the applicant will be expected to enter into a S.106 Agreement at the outline stage to enable the matter to be deferred to a later stage when the relevant details of the scheme have been finalized. If the VBC is applicable to the proposed site, the information on floor space will inform the level of affordable housing contributions.

### **3. Formula for calculating Vacant Building Credit**

P = Proposed Gross Internal Floor Area

E = Existing Gross Internal Floor Area

A = Affordable Housing due under the policy prior to any VBC application

C = Proportion of "credit" applied under VBC, as a percentage

H = Affordable Housing due net of the VBC

$$C = E / P \times 100$$

$$H = A \times (100 - C)$$

3.1 Rounding: the number of AH units will be rounded up to the nearest whole number for [n].5 and over e.g. 13.5 units becomes 14

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units. Anything below [n].5 will be rounded down e.g. 13.4 units becomes 13 units.

3.2 Tenure: where the adjusted AH contribution is below the “high needs rented tenure” (or social rented tenure) requirement, the adjusted AH contribution will be required entirely in the high needs rented/social rented tenure.

3.3 Where the adjusted AH contribution is greater than the “high needs rented tenure” (or social rented tenure) requirement, the full requirement for this tenure will be provided with any remainder in intermediate tenure.

#### 4. Examples of Vacant Building Credit calculation

<b>Example 1</b>	<b>Housing development on a brownfield site:</b> <b>Affordable Housing requirement 20%</b> 50 dwellings The <b>Proposed</b> Gross Internal Floor Area(GIFA): <b>6,000 sq m [P]</b> The <b>Existing</b> Gross Internal Floor Area(GIFA): <b>1,500 sq m [E]</b>	
<b>Step 1</b>	Calculate the affordable housing contribution based on the total number of eligible dwellings and the affordable housing percentage (20%) required by the Council’s planning policy [A]	Affordable housing contribution [A] $50 \text{ units} \times 20\% = \mathbf{10 \text{ units}}$
<b>Step 2</b>	Calculate the credit to apply: i.e. amount of existing floorspace as a proportion of the	$1,500 \text{ sq m} / 6,000 \text{ sq m} \times 100 = \mathbf{25\% [C]}$

	floorspace provided by the development: $C = E / P \times 100$	
<b>Step 3</b>	Calculate the number of affordable housing units to be provided net of VBC [H] $H = A \times (100 - C)$	$10 \text{ units} \times (100\% - 25\%)$ $= 10 \text{ units} \times 75\%$ $= \mathbf{7.5 \text{ units [H]}}$  <b>8 social rented units to be delivered on site*</b>

<b>Example 2</b>	<b>Mixed use development on a brownfield site: Affordable Housing requirement 20%)</b> 80 Flats (5,000 sqm) and Office space (2,500 sqm) The <b>Proposed</b> Gross Internal Floor Area(GIFA): <b>7,500 sq m [P]</b> The <b>Existing</b> Gross Internal Floor Area(GIFA): <b>2,000 sq m [E]</b>	
<b>Step 1</b>	Calculate the affordable housing contribution based on the total number of eligible dwellings and the affordable housing percentage (20%) required by the Council's planning policy [A]	Affordable housing contribution [A] $80 \text{ units} \times 20\% = \mathbf{16 \text{ units}}$
<b>Step 2</b>	Calculate the credit to apply: i.e. amount of existing floorspace as a proportion of the floorspace provided by the development: $C = E / P \times 100$	$2,000 \text{ sq m} / 7,500 \text{ sq m} \times 100 = \mathbf{26.67\% [C]}$

<b>Step 3</b>	Calculate the number of affordable housing units to be provided net of VBC [H] $H = A \times (100 - C)$	16 units x (100% - 26.67%) = 16 units x 73.33% = <b>11.73 units [H]</b>  <b>12 social rented units to be delivered on site*</b>
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\* The number of AH units will be rounded up to the nearest whole number

<b>Example 3: Off-site commuted sum provision</b>	<b>Smaller brownfield site: commuted sum affordable sum only</b> 11 flats (850 sqm) The <b>Proposed</b> Gross Internal Floor Area(GIFA): <b>850 sq m [P]</b> The <b>Existing</b> Gross Internal Floor Area(GIFA): <b>400 sq m [E]</b>	
<b>Step 1</b>	Calculate the affordable housing contribution calculated as per policy provision as set out in Section 1 [A]	Affordable housing contribution [A] calculated as per Section 1: e.g. <b>£230,000</b>
<b>Step 2</b>	Calculate the credit to apply: i.e. amount of existing floorspace as a proportion of the floorspace provided by the development: $C = E / P \times 100$	400 sq m / 850 sq m x100 = <b>47.06% [C]</b>
<b>Step 3</b>	Calculate the commuted sum to be provided net of VBC [H] $H = A \times (100 - C)$	£230,000 units x (100% - 47.06%) = £230,000 units x 52.94% = <b>£121,764.71 [H]</b>  <b>£121,764.71 to be paid as a commuted sum in lieu of affordable housing</b>

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# City of York Council Hot Food Takeaways and Fast Food Outlets Planning Guidance

## About this guidance

This guidance sets out how York will assess planning applications for hot food takeaways and fast-food outlets (Sui Generis). It responds to clear evidence [see Annex 1] that takeaways can harm health, undermine amenity and weaken the quality and character of neighbourhoods.

While takeaways can provide convenient services, their negative impacts are well documented. Evidence shows that such patterns of rising numbers of fast-food outlets are closely linked to poorer health outcomes [link to <https://www.gov.uk/government/publications/health-matters-obesity-and-the-food-environment/health-matters-obesity-and-the-food-environment--2> ]. Takeaway foods are typically high in calories, salt, sugar and fat and their ready availability encourages frequent consumption of energy dense options [link to <https://link.springer.com/article/10.1186/s12966-017-0589-5> ]. This contributes to higher rates of overweight, obesity and diet related diseases such as type 2 diabetes and cardiovascular conditions. They generate noise, odour, traffic, parking pressures and litter and can contribute to anti-social behaviour and reduced perceptions of safety. These issues erode residential amenity, disrupt the daytime economy and diminish the overall quality of local centres.

These harms are not experienced equally. Children, young people and residents in more deprived communities are disproportionately exposed to unhealthy food environments and have fewer accessible alternatives. In areas of deprivation:

- Children are [twice as likely](#) to develop obesity by age five and [one in three](#) do so by the time they leave primary school.
- There are up to [five times more](#) fast-food outlets than wealthier areas, limiting access to healthier food options.

There are also economic implications. [Research shows](#) that managing the concentration and location of takeaways can deliver net economic benefits for local authorities. This is mainly due to the relatively low economic contribution of takeaways on high streets and the higher value generated when premises are occupied by a broader mix of uses.

In 2024, York already had a higher than average density of fast food outlets at [119.5 per 100,000](#) population compared with an England average of [115.9 fast food outlets per 100,000](#) and this continues to rise. In 2017 the density in York was [104.4 per 100,000 population](#), showing a sustained upward trend over time.

The cumulative effect of these issues, including poor diet, reduced neighbourhood quality, increased nuisance and widening health inequalities, provides a clear justification for intervention. This guidance therefore establishes a proportionate and evidence based framework for managing the location, scale, design and cumulative impact of hot food takeaways and fast food outlets. Its purpose is to:

- protect public health and reduce health inequalities
- safeguard residential amenity and community wellbeing
- maintain vibrant balanced and attractive centres
- ensure that hot food takeaways and fast food outlets contribute positively to their surroundings
- prevent harmful clustering and manage cumulative impacts
- address and minimise impacts on road safety and the highway network

Through targeted controls, design expectations and operational conditions this guidance supports York's ambition to create healthier, safer and more equitable neighbourhoods while recognising the legitimate role that takeaway businesses can play within a balanced local economy.

## Relevant planning policy

The National Planning Policy Framework 2024 [[link to https://www.gov.uk/guidance/national-planning-policy-framework](https://www.gov.uk/guidance/national-planning-policy-framework)] gives councils responsibility to act in the best interest of their communities and on hot food takeaways and fast food outlets it states:

“Local planning authorities should refuse applications for hot food takeaways and fast food outlets:

- a) within walking distance of schools and other places where children and young people congregate, unless the location is within a designated town centre; or
- b) in locations where there is evidence that a concentration of such uses is having an adverse impact on local health, pollution or anti-social-behaviour”

This guidance note therefore provides further detail around how the City of York Council will apply these national policy requirements when considering proposals for hot food takeaways and fast food outlets.

### **Use Class Order**

Hot food takeaways and fast food outlets fall outside the use classes identified in the Town and Country Planning (Use Class) Order 1987 (as amended). This is known as a 'sui generis' use.

The proposed layout of the premises will provide a clear guide as to whether a proposal is a restaurant (falling within use class E(b) of the Use Class Order) or a hot food takeaway or fast food outlets (and not falling within any class of the UCO). In assessing premises consideration will be given to:

- The proportion of space designated for hot food preparation and other servicing in relation to designated customer circulation space; and/or
- The number of tables and chairs to be provided for customer use;
- The hours of opening;
- The percentage of the use to the overall turnover of the business

The applicant will be expected to provide detailed floor plans to demonstrate the above and that the proposed use will be the primary business activity.

For clarity, we set out below examples of uses which are considered to be hot food takeaways, and those which are not. This list is not exhaustive and applications will be considered on a case by case basis.

Examples of Hot Food Takeaways:

- Fish and chip shops
- Pizza takeaway
- Chinese or Thai takeaway
- Indian takeaway
- Burger takeaway
- Fast food drive through
- Chicken or southern fried chicken shops
- Kebab takeaway

Examples of other uses not covered by this guidance:

- Restaurants, snack bars, cafes
- Sandwich and deli shops
- Bakeries
- Coffee shops
- Public houses and wine bars
- Ice cream shops and parlours
- Night clubs
- Shisha bars

## Guidance for considering planning applications

To help create healthy environments, all planning applications (new, variation of condition, extension or amendment) relating to Hot Food Takeaways and Fast Food Outlets will be determined according to the following considerations:

### **1. Sites outside designated centres which are within walking distance of schools and other places where children and young people congregate**

Outside York's City Centre and Acomb and Haxby District Centres (the designated centres), planning applications will normally be refused within **800 metres walking distance** of the entrance to a primary school or secondary school and other places where children and young people congregate. These places include but are not limited to: Early Years Settings (including registered childcare providers), Best Start Family hubs, play areas, community centres, libraries and parks. The 800 metre exclusion buffer is considered reasonable as it broadly equates to a 20 minute return

walk, allowing for physical barriers and typical route choices and has been widely accepted as a reasonable walking distance.

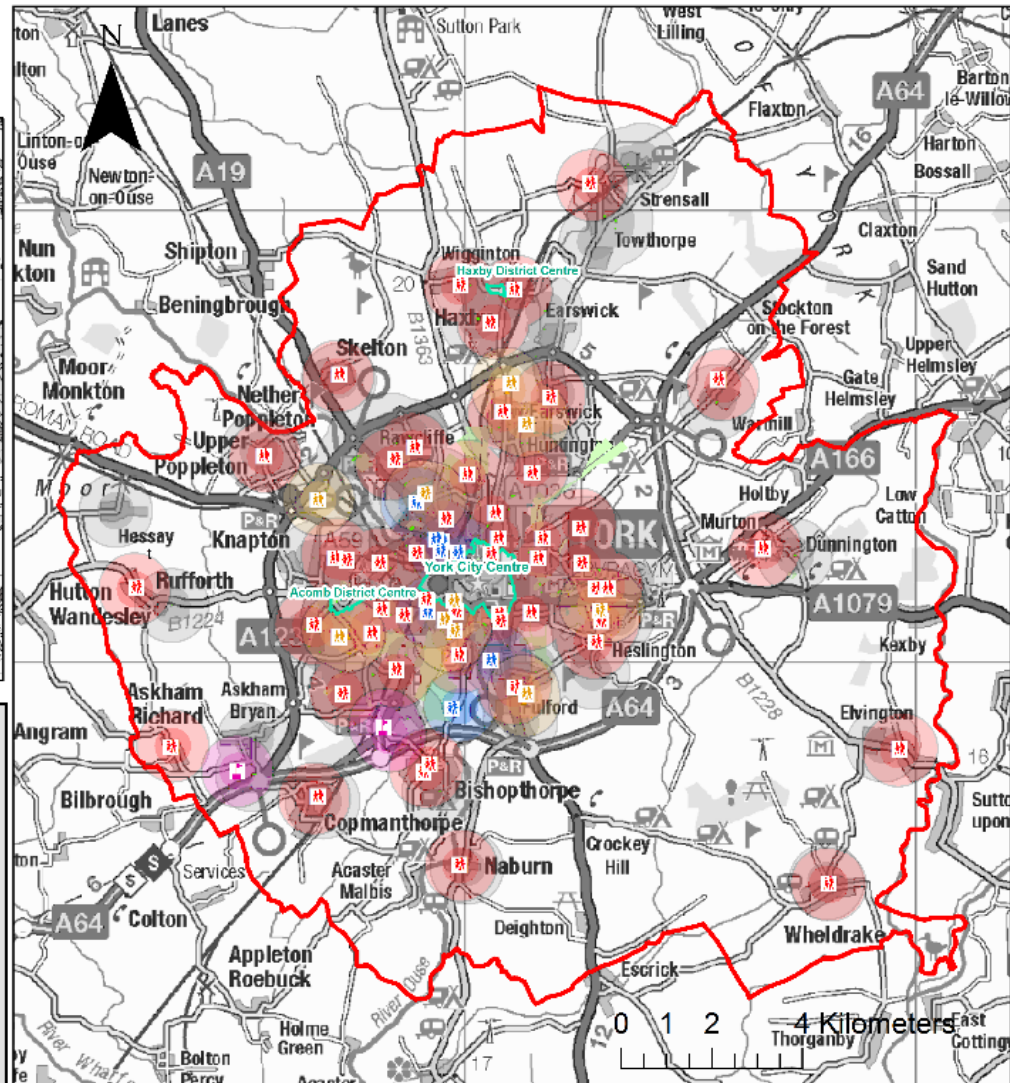
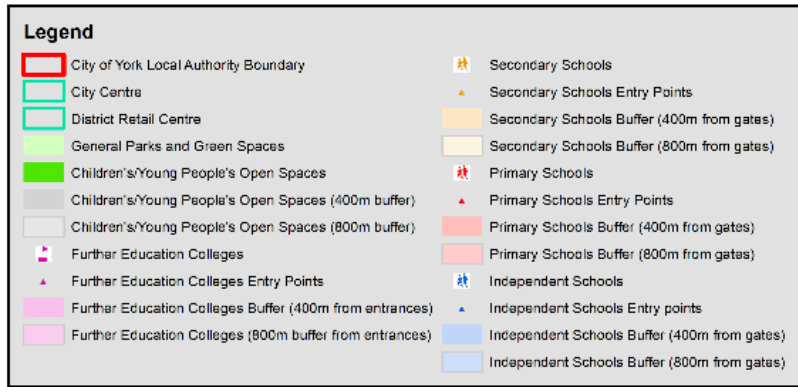
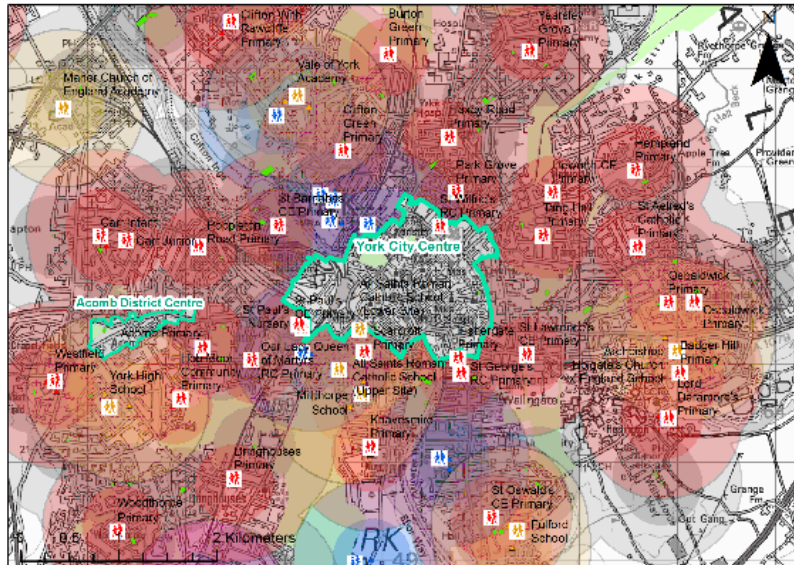
The exclusion zones are shown on the Hot Food Takeaway Exclusion Zones Map.

### *Hot Food Takeaway Exclusion Zone*

In exceptional circumstances where a proposal within 800 metres meets all other planning policy requirements, planning permission will only be granted subject to the following restricted opening hours:

- **Primary schools:** not open to the public between 3pm and 5pm on weekdays, with no over-the-counter sales during this period.
- **Secondary schools:** not open to the public before 5pm on weekdays, with no over-the-counter sales before this time.

# Healthy Places SPD: Hot Food Takeaways Exclusion Zones Map



Date: 24/02/2026

## **2. Sites in designated centres or outside the exclusion buffers.**

To prevent concentrations of hot food takeaways and fast food outlets having an adverse impact on local health, pollution or anti-social-behaviour, planning applications will be determined on a case by case basis, against the following considerations:

### **Concentration Issues**

- Does the proposal contribute to clustering of 2 or more adjacent hot food takeaways?

### **Health Impact**

- Is the proposal likely to have an adverse impact on local health? In line with NPPF guidance “local planning authorities should refuse applications for hot food takeaways and fast food outlets in locations where there is evidence that a concentration of such uses is having an adverse impact on local health”. Therefore to determine areas where hot food takeaways are likely to impact adversely on health assessment we will draw on a range of relevant health indicators. These are likely to include: Adult obesity at GP level; excess weight in 5-year-olds at ward level; excess weight in 11-year-olds at ward level; Diabetes Prevalence (QOF) at GP level; and Coronary Heart Disease (QOF) prevalence at GP level, alongside any other metrics considered pertinent to understanding local health impacts.
- Applications for hot food takeaways and fast food outlets are encouraged to include a Health Impact Assessment (see <https://www.york.gov.uk/planning-policy/health-impact-assessment-guidance> ) which will be taken into account during the assessment of the application.

### **Noise and Disturbance**

- Proposals will be assessed in relation to noise, disturbance, highway safety, parking, hours of operation, odours, litter, waste disposal, crime and anti-social behaviour. Applicants should submit evidence and mitigation measures addressing adverse impacts.
- In line with NPPF paragraph 187(e), proposals must demonstrate that they will not contribute to or be adversely affected by unacceptable levels of pollution or noise.
- Hot food takeaway activity often peaks late at night. Planning permission is unlikely to be granted where nearby residential amenity would be adversely affected.
- Where permission is granted, opening hours may be restricted to avoid noise and disturbance at anti-social hours. In residential areas, earlier closing times may be required, and premises may be required to close no later than 11pm.
- Hot food takeaways can cause noise issues where they share a party wall with a residential property; the impact of this will be assessed on a case by case basis. The presence of residential accommodation above or adjacent

does not automatically preclude permission where the area is primarily commercial, provided residential amenity can be protected.

- Proposals will be refused where on street parking or vehicle movements would create highway safety problems which cannot be mitigated.
- Due to the high volume of short-stay delivery vehicle movements often associated with hot food takeaways, applicants must demonstrate measures to mitigate noise and air quality impacts on neighbouring residents.
- All delivery drivers (including third-party couriers) shall switch off their engines immediately upon parking at or near the premises. Engines must remain off until the vehicle is ready to depart. Continuous engine idling by delivery drivers is considered a public nuisance and is strictly prohibited.
- The business operator is responsible for the conduct of all drivers delivering on their behalf. Applicants for new hot food takeaways that include a delivery service shall provide a statement outlining how they will enforce a 'No Idling' policy. This may include specific instructions in all driver contracts, providing an anti-idling briefing as part of a driver induction, and procedures for monitoring driver behaviour in designated waiting areas.
- Any customers parking, albeit temporarily, on property associated with the takeaway business, shall be required to switch off their engines whilst waiting to be served. Appropriate signage should be clearly displayed requesting customers to do this.

### **Smells, Extraction and Ventilation**

- Applicants must submit full details of the design and siting of fume extraction systems.
- Extraction systems must comply with EMAQ guidance "Control of Odour and Noise from Commercial Kitchen Exhaust Systems (September 2018) from Commercial Kitchen Exhaust Systems and any relevant technical standards.
- Flues must be located and designed to minimise visual impact and prevent noise and odour nuisance to neighbouring premises, including upper-floor residential accommodation.
- A grease trap may be required to prevent drainage issues.

### **Design and Community Safety**

- Proposals must achieve a high standard of shopfront design that contributes positively to the street scene and maintains active frontages.
- Solid external roller shutters will generally be resisted; where security measures are required, they should be integrated and designed to maintain visual interest and natural surveillance.
- Appropriate external lighting and, where necessary, CCTV should be provided to support community safety, avoid creating dead frontages and help deter crime and anti-social behaviour.

- Design should have regard to relevant community safety guidance, including Secured by Design principles, where applicable.

### **Storage of Waste Products and Litter Management**

- Suitably sized, sited and screened refuse stores must be provided and accessible at all times.
- Applicants must submit full details of waste storage systems.
- A litter management plan may be required, including:
  - Provision of litter bins outside the premises;
  - Regular litter patrols within the vicinity of the premises;
  - Measures to prevent litter accumulation.

### **Further Advice**

For pre-application discussion contact [planning.enquiries@york.gov.uk](mailto:planning.enquiries@york.gov.uk) or visit <https://www.york.gov.uk/PlanningAdvicePreApp>

For advice on the control of:

- Noise email: [neo@york.gov.uk](mailto:neo@york.gov.uk)
- Odours email: [public.protection@york.gov.uk](mailto:public.protection@york.gov.uk)
- Food hygiene email: [food.safety@york.gov.uk](mailto:food.safety@york.gov.uk)
- Licensing of late night refreshments email: [licensing@york.gov.uk](mailto:licensing@york.gov.uk)

## Annex 1 – Evidence base

### Health Impacts of Hot Food Takeaways

#### National Health

The nation is experiencing a severe challenge around excess weight. [Almost two thirds of adults are now classified as overweight](#) or obese, and rates of childhood obesity are also escalating rapidly. Around [one in four children](#) begin primary school already overweight or obese and this increases to more than [one in three by year 6](#). Obesity increases the risk of early death and raises the likelihood of serious health problems such as heart disease, stroke, some cancers, high blood pressure, type 2 diabetes and depression. Most new cases of type 2 diabetes are linked to excess weight, obesity contributes to thousands of deaths each year from heart and circulatory diseases, and it plays a role in more than one in twenty cancers in the UK. For children, obesity affects far more than physical health. It can harm emotional wellbeing, confidence and social development, and can influence long term life chances.

Obesity is one of the most complex public health challenges of our time. It is shaped by biology, environment, mental health, trauma and the social and economic inequalities people experience every day. It is also driven by wider structural factors, including a commercial food environment that makes unhealthy options cheap, easy to access and heavily promoted, [particularly to children and in more deprived areas](#).

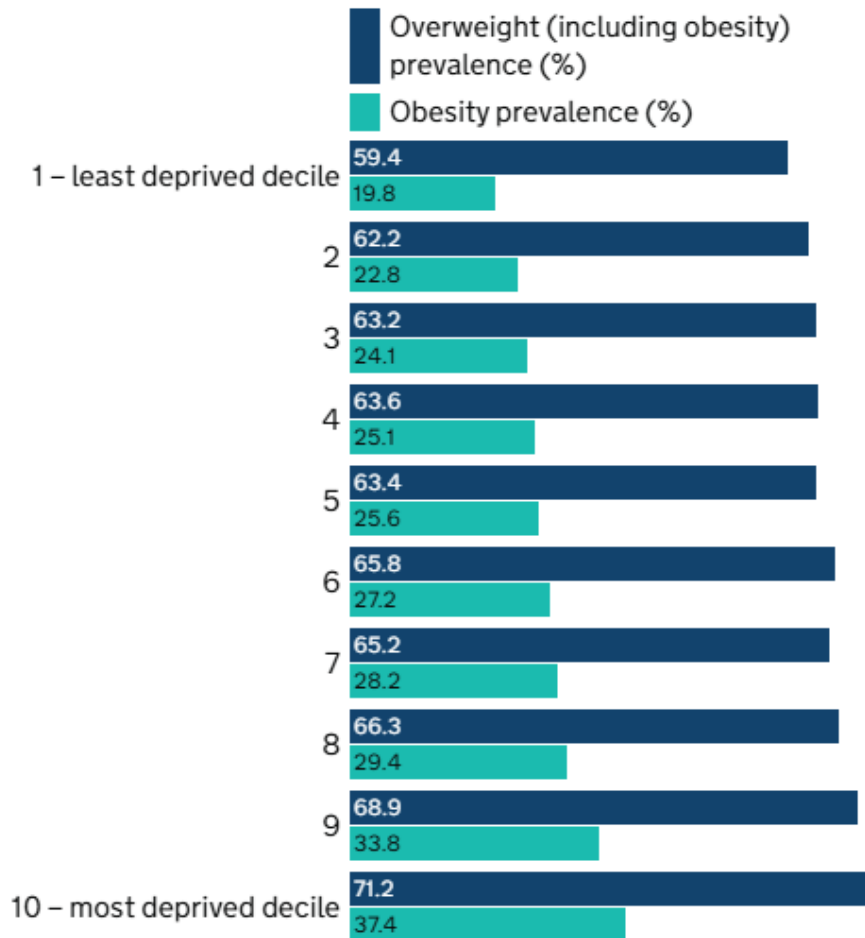
Rising obesity also places a heavy financial burden on public services. The NHS spends an estimated [£11.4 billion each year](#) treating conditions linked to obesity, and this cost is expected to grow as rates increase. When wider impacts such as reduced productivity, sickness absence, unemployment and social care needs are included, the total cost to society is estimated at more than [£74 billion a year](#). Without effective action, these pressures will continue to rise.

#### **Inequity in healthy weight in England**

In 2023–24, [64.5%](#) of adults in England were overweight or living with obesity. These patterns vary by sex, age, ethnicity and deprivation, and are closely linked to differences in local food environments, which includes the density of hot food takeaways.

Adults living in the most deprived areas have the highest prevalence of overweight ([71.2%](#)) and obesity ([37.4%](#)), and these are the same areas where hot food takeaways are most concentrated. The gap between local authorities with the highest and lowest prevalence of excess weight is 34.6 percentage points, reflecting stark differences in environmental exposure to unhealthy food options.

Figure 1: prevalence of overweight and obesity in adults (aged 18 years and over) by lower layer super output area (LSOA) deprivation decile



Source: [Office for Health Improvement and Disparities \(OHID\)](#), based on [Sport England Active Lives Adult Survey data](#).

When looking at different ethnic groups, the prevalence of overweight (including obesity) and obesity in adults is highest among those who identified as Black (73.4% and 33.1% respectively) or White British (65.7% and 27.8% respectively).

### **Inequity in access to healthy food**

Access to healthy, affordable food is unevenly distributed. People experiencing poverty are significantly more likely to consume diets high in sugar, fat and salt, and low in fruit, vegetables and wholegrains<sup>1</sup>. This pattern is not simply the result of individual preference. It reflects the food environments people are exposed to and the structural constraints that shape everyday choices<sup>2</sup>. For example, ultra processed and foods that are high in fat, salt and sugar are often cheaper than buying fresh, more nutritious produce. Healthier foods are twice as expensive per calorie as less healthy foods, with the gap widening by 21% between 2022 and 2024<sup>3</sup>. Additionally lower-income communities typically face higher concentrations of

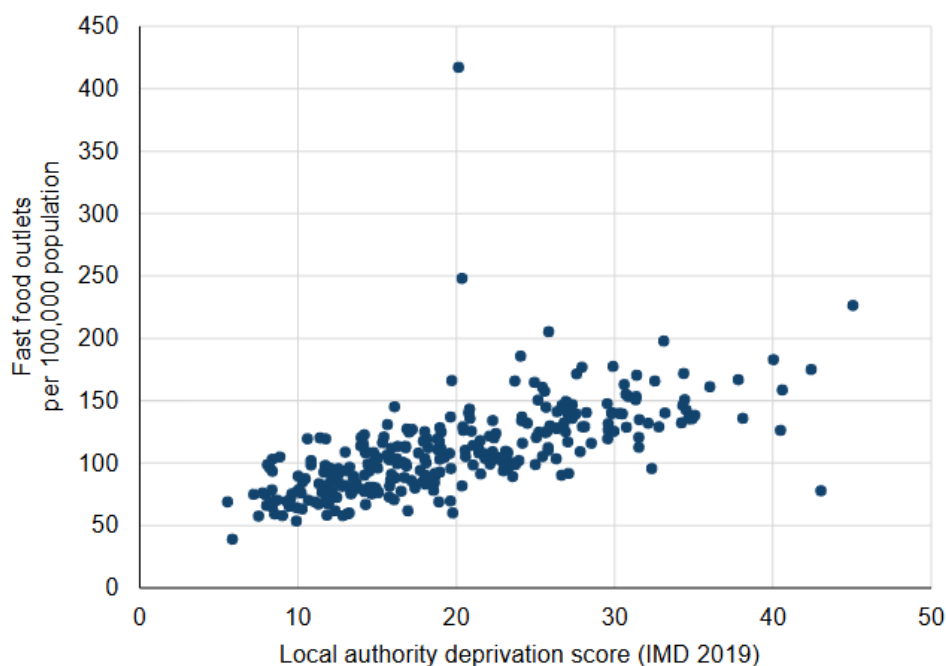
<sup>1</sup> [From purse to plate: implications of the cost of living crisis on health](#) – Food Foundation, [Diet related health inequalities](#) – Uk Parliament research Briefing 2022

<sup>2</sup> [The Food Foundation Broken Plate Report 2025](#)

<sup>3</sup> [The Food Foundation Broken Plate Report 2025](#)

fast-food outlets, fewer affordable healthy options, limited access to fresh produce and greater marketing of energy-dense, nutrient-poor foods. As a result, people with the least financial flexibility are routinely steered towards cheaper, more accessible and more heavily promoted foods that undermine long-term health. National mapping ([Figure 2](#)) shows a clear association between deprivation and the concentration of fast-food outlets.

**Figure 2:** association between fast food outlets per 100,000 population and deprivation by lower tier local authority (City of London excluded from chart)



This is reflected as inequalities are seen in fruit and vegetable consumption. Only [20%](#) of adults in the most deprived areas eat five portions a day, compared with [38.6%](#) in the least deprived areas.

### Evidence to reduce Hot Food Takeaways and Fast Food Outlets around Schools

[UK evidence](#) shows that hot food takeaways and fast food outlets located close to schools contribute to unhealthy eating patterns and rising obesity rates. [Modelling by the University of Cambridge](#) indicates that introducing exclusion zones, such as preventing new takeaways within 400 metres of a school, could reduce obesity prevalence by 1.5 to 2.3 percentage points by 2040 and lower the incidence of BMI related diseases, with the greatest impact seen in type 2 diabetes.

Evidence also shows that small reductions in daily calorie intake can have a meaningful impact on population health. [A decrease of just 50 calories a day could lift an estimated 340,000 children and 2 million adults out of obesity](#). Policies that shape the food environment are proven to help achieve these reductions. National measures such as the Soft Drinks Industry Levy, which led to a 46 percent fall in the sugar content of drinks within its scope, and Transport for London's restrictions on junk food advertising, which were associated with a 7 percent drop in household purchases of foods high in fat, salt and sugar, demonstrate how environmental

controls can shift behaviour at scale. Restricting the location and concentration of hot food takeaways operates on the same principle by reducing routine exposure to calorie dense food options, particularly for children, and supporting healthier default choices in the places people move through every day.

### **Public Opinion on Hot food Takeaways and Fast food Outlets**

Public attitudes also support stronger controls. A 2024 [YouGov poll](#) of 2,273 UK adults found that more than half, 52 percent, support a ban on new hot food takeaways opening near a school or playground.

Local insight reinforces this position. In a Humber and North Yorkshire ICB survey of 200 York residents, 79% expressed support for limiting fast-food outlets close to schools. When the survey was expanded to 1,200 participants across the wider Humber and North Yorkshire region, 74% of respondents supported the same approach.

This demonstrates consistent public support for tighter controls.

### **Health in York**

#### **Key Information**

- 60.1% of York's adult population is overweight or obese
- There are increasing numbers of people, including children who are overweight or living with obesity.
  - In 2024/25 23% of children in York were overweight or obese in reception year and 35% in Year 6 (NCMP data)
- York has a higher density of fast food outlets than the England average. In 2024 there [were 119.5 fast food outlets per 100,000 population in York](#). This compares to an [England average of 115.9](#).

Evidence shows that the local food environment plays a significant role in shaping dietary behaviours and long term health outcomes. In York, the density and accessibility of hot food takeaways, combined with high levels of excess weight among adults and children, provide a clear rationale for strengthened planning controls.

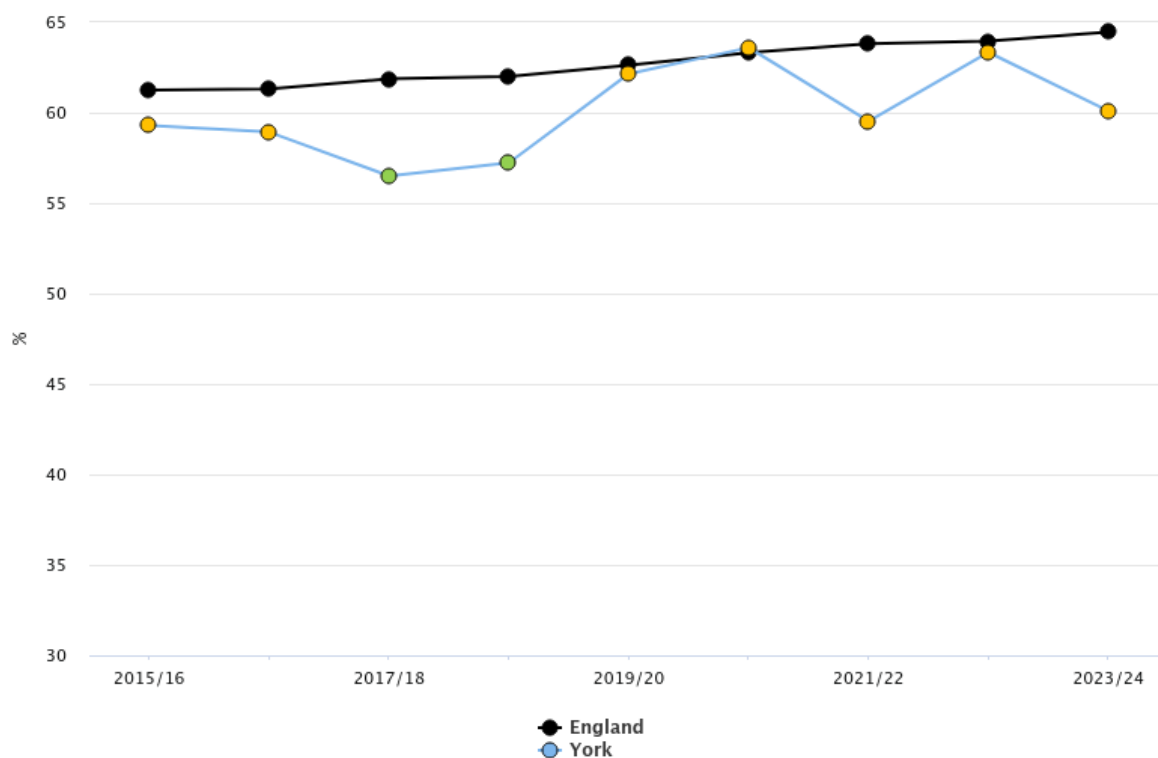
### **Density of fast food outlets in York**

York has a higher density of fast food outlets than the England average, indicating a more prominent presence of hot food takeaway provision within the local food environment. In 2024, York had 119.5 fast food outlets per 100,000 population compared with an England average of 115.9 per 100,000. These are generally concentrated in the more urban parts of York but can be easily accessed by all residents through mobile phone apps and online ordering. A higher concentration of fast food outlets is recognised as a contributing factor to unhealthy dietary patterns, particularly in areas where children and young people regularly travel, learn and socialise. This pattern suggests that York's food environment is contributing additional pressure on population health compared with national norms.

### **Adults overweight (including obesity)**

Despite being marginally below the national average, the prevalence of overweight and obesity for adults in York remains unacceptably high and continues to rise. As shown in Figure 3 below, in 2023/34 60.1% of adults in York are overweight or obese, compared to an England average of 64.5%. For obesity specifically, 25% of adults in York were classified as obese in 2023/24, compared with 26.5% nationally.

Figure 3 – Overweight (including obesity) prevalence in adults, (using self-reported height and weight (18+years for York)



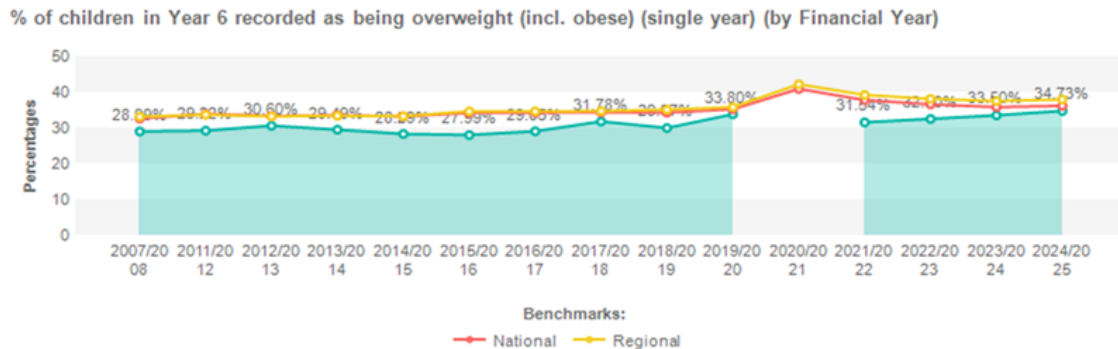
Source: [OHID, based on Sport England data](#) (As this dataset is updated regularly, please refer to the link for the latest information)

### **Children's healthy weight**

The National Child Measurement Programme (NCMP) is a nationally mandated initiative that measures the height and weight of children in Reception and Year 6 across all state-funded primary schools in England. It provides one of the most comprehensive and reliable datasets on childhood weight status, thanks to its national coverage, standardised measurement methods, and large annual sample size.

According to the National Child Measurement Programme (NCMP), in 2024/25, 23% of children in Reception in York were classified as overweight or obese, increasing to 35% of children in Year 6. The overall trend for both reception and year 6 rates of overweight including obesity is that the York values have consistently increased over time. For example the last 3 years Year 6 rate has increased from 31.54% in 2021-22 to 34.73% in 2024/25, see [Figure 4](#) below. The upward trend mirrors national trends.

**Figure 4** – % of children in Year 6 recorded as being overweight (including obese) (single year)



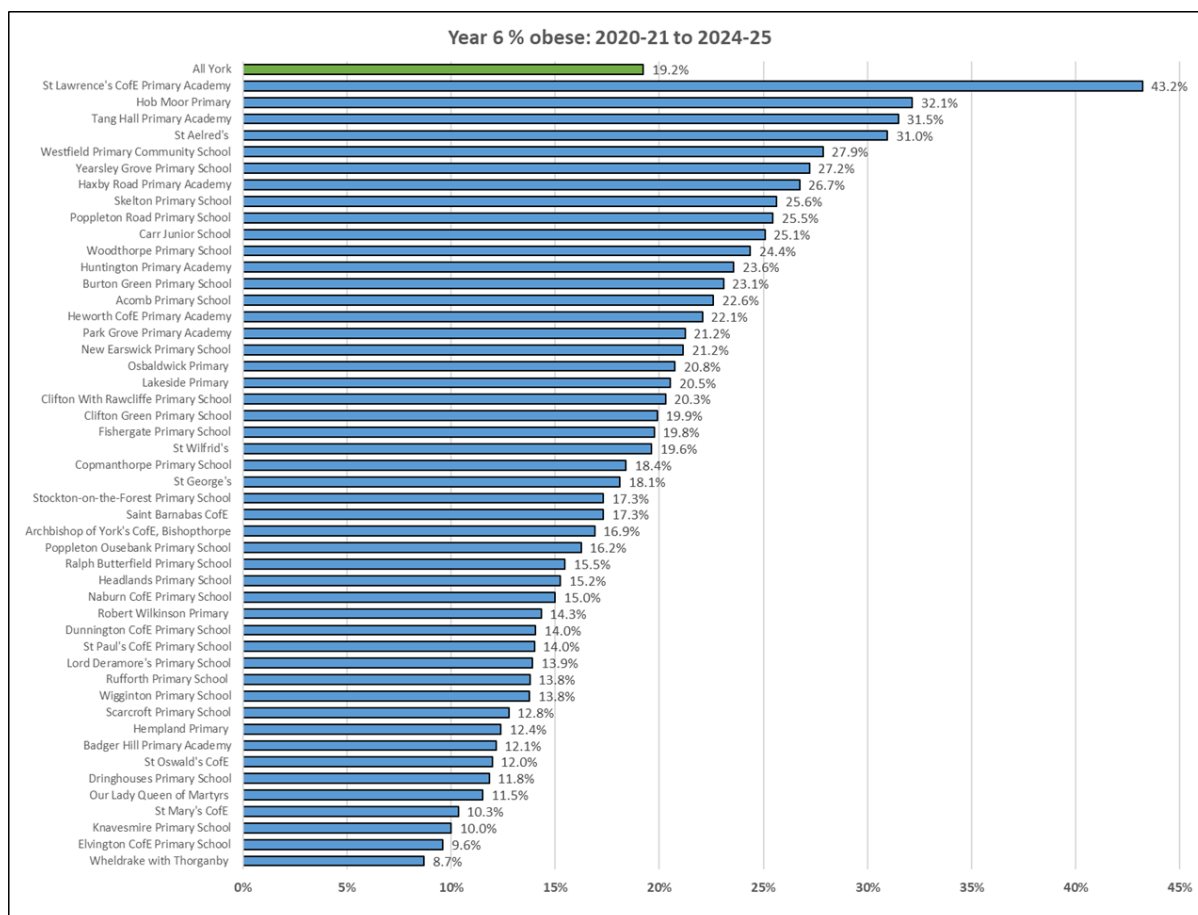
There are wide inequalities in this data too. For children in Year 6 overweight (including obesity) there is a gap of 18.58% between the highest (Westfield) and lowest (Micklegate) ward values. This data is available annually and as such for updated data requests please contact - [enquiries.publichealth@york.gov.uk](mailto:enquiries.publichealth@york.gov.uk).

Additionally, when comparing schools in York, there are clear differences in weight status. These inequalities mirror existing inequalities with schools in the more deprived areas of York typically experiencing the highest levels of children living with obesity. The summary below presents five-year aggregated data for the period 2020–21 to 2024–25.

- Reception – % overweight (including obese):
  - Ranges from 13.3% at Rufforth Primary to 40.4% at Saint Barnabas, with a York average of 22.7%.
- Reception – % obese:
  - Ranges from 0% at Naburn CofE Primary School to 20.9% at St Lawrence's CofE Primary Academy, with a York average of 9.0%.
- Year 6 – % overweight (including obese):
  - Ranges from 15.0% at Naburn CofE Primary School to 63.0% at St Lawrence's CofE Primary Academy, with a York average of 33.2%.
- Year 6 – % obese:
  - Ranges from 8.7% at Wheldrake with Thorganby to 43.2% at St Lawrence's CofE Primary Academy, with a York average of 19.2%.

Figure 5 illustrates the variation in Year 6 obesity prevalence across schools. Similar graphs can be produced for other metrics within NCMP data on request.

Figure 5: Year 6% obese (aggregated 5 year data 2020-21 to 2025-25).



Source: NCMP data. This data is available annually and as such for updated data requests please contact - [enquiries.publichealth@york.gov.uk](mailto:enquiries.publichealth@york.gov.uk).

## **York's approach to Healthy Weight**

This guidance forms one component of York's wider whole systems approach to supporting a healthy weight. Obesity is influenced by a complex interplay of social, economic, environmental and behavioural factors, and hot food takeaways represent only one aspect of that broader system. Alongside planning policy, the Council works across transport, education, public health, leisure, community food partnerships and local businesses to help shape healthier food environments and promote active, healthy living.

In 2026 City of York Council has adopted a [Compassionate Approach to Healthy Weight](#). This approach recognises obesity as a complex condition shaped by interactions between genetic, social and environmental factors, including changes in transport, urban form, road safety, access to green space, working patterns and food production. Obesity is a chronic, relapsing medical condition, and local systems need to respond accordingly. It also acknowledges the close relationship between obesity and mental health, and the importance of compassion in how services and policies are designed.

This approach is informed by the 2025 [More Than Weight report](#), published jointly by the Humber and North Yorkshire and West Yorkshire ICBs, which highlights the lived experiences of people with obesity in our region. Participants described obesity not only as a cause but also as a consequence of trauma, bereavement, poverty,

neurodivergence and emotional distress. Their insights reinforce the need for supportive, non-stigmatising environments and policies that address the wider determinants of health.

# Masterplanning and Garden Village Planning Guidance

## Introduction

The aim of this Planning Guidance Note is to add further detail to our expectations for masterplanning sites which is required by the strategic policies in the City of York Local Plan.

The guidance is intended to signpost to best practice. It has been developed in conjunction with officers across the Council and should be read alongside other local and national planning policy.

## Garden Villages

Three sites are identified within the Local Plan for new 'garden village' development with the intention that they deliver exemplar new sustainable communities. In total these sites will deliver 5,532 new homes for York, over a third of the total new homes to be delivered by the Plan.

Policies SS9 (Site ST7: Land East of Metcalfe Lane), SS12 (Site ST14: Land West of Wigginton Road) and SS13 (Site ST15: Land West of Elvington Lane) provide detail on the specific requirements for the sites and establish the use of garden village principles when planning for them.

The original garden villages, places like Saltaire near Bradford and New Earswick in York, were self-contained communities with good quality housing, access to greenspace, and provision of community activities and facilities. While there is no formal definition of a garden village, these qualities are still relevant and should form part of the planning of any good residential development.

The Town and Country Planning Association (TCPA) have identified the following principles<sup>1</sup> as key to designing successful garden villages:

- **Holistically planned** - a masterplan for the site should be developed which is comprehensive enough to guide investment but flexible enough to respond to changes over the lifetime of the development. Policies across the entire Local Plan are relevant but of particular importance are policies SS9: Land East of Metcalfe Lane, SS12: Land West of Wigginton Road, and SS13: Land West of Elvington Lane, also D1: Placemaking, D2: Landscape and setting and G16: New open space provision;
- **Small in scale** – the scale of the three new garden village settlements in York has been determined as part of the Local Plan process and responds to the

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<sup>1</sup> [https://www.tcpa.org.uk/wp-content/uploads/2021/11/TCPA\\_Guide\\_-\\_Understanding\\_Garden\\_Villages\\_Jan\\_2018.pdf](https://www.tcpa.org.uk/wp-content/uploads/2021/11/TCPA_Guide_-_Understanding_Garden_Villages_Jan_2018.pdf)

evidence base that underpins the Plan. Settlements are of a scale appropriate to the character and setting of the historic city. They should reflect the requirements of policy D1: Placemaking by taking account of York's special qualities, making a positive design contribution to the city, and ensuring that the development is appropriate for its neighbouring context. The Heritage Topic Paper pulls together evidence relating to York's historic environment and how it can be used to develop an understanding of the city's special qualities and characteristics, including its strong urban form, compactness, and landscape and setting.

<https://www.york.gov.uk/downloads/file/1044/heritage-topic-paper>

- **Planned for healthy living** – new communities should be planned to encourage active forms of transport and high quality urban and natural environments. The Local Plan (policy HW7) requires Health Impact Assessments for all strategic sites and further guidance on these can be found at <https://www.york.gov.uk/planning-policy/health-impact-assessment-guidance>;
- **Provision for a vibrant social life** – Social and cultural vibrancy should be a key characteristic of garden villages. Policies SS9, SS12 and SS13 all require the provision of community facilities, and policy D3: Cultural provision supports the delivery of new cultural facilities. Further information on our ambitions for cultural provision in the city can be found in our Culture Strategy [ link to: <https://www.makeityork.com/culture/york-culture-strategy/> ];
- **Designed with high-quality materials and attention to detail** – New garden villages should be designed to be sensitive to local character whilst creating places which are distinctive and recognisable. A palette of local recognisable materials, designs and landscaping should be utilised and the requirements of policies D1: Placemaking and D2: Landscape and Setting should be fully integrated in the scheme, and the Heritage Topic Paper referenced where it relates to the significance of York's architectural character  
<https://www.york.gov.uk/downloads/file/1044/heritage-topic-paper>
- **Designed to provide affordable homes close to employment** – Garden villages should provide a mix of housing suitable for all members of the community. This is reinforced in policy H3: Housing Mix Policy. H10: Affordable Housing outlines the levels of affordable housing provision required on the sites, and further information is provided within this SPD. While it is not anticipated that the sites will include significant employment provision, as sites are sustainably located in proximity to existing employment opportunities, a proportion of homes could be designed for flexible working;
- **Provision of services for day-to-day needs within walking distance of homes** – New local centres should be planned to be centrally located and provide appropriate facilities for the community. Good access for pedestrians

and cyclists should always be incorporated. Policy R1: Retail hierarchy and Sequential Approach notes that an impact assessment is not required for strategic sites where the new retail provision is designed solely to serve the day to day shopping needs of site residents, while policy T1: Sustainable access requires safe and appropriate links to local services via walking and sustainable means of travel;

- **Land ownership and long-term stewardship** - Early consideration of how long term stewardship of the assets provided on the development will be managed on behalf of the community in perpetuity.

## Masterplanning

In the introduction to the Strategic Housing sites policies, the Plan notes that each site has its own policy which covers relevant planning principles and details issues that must be addressed as part of the development of the site including access, ecology, and green infrastructure. These matters should generally be covered through a masterplan.

Masterplanning provides an opportunity to embed high quality design into new developments which meet the needs of the city and results in well designed, high quality, sustainable and well-connected environments. By outlining principles and requirements for development, a masterplan guides development and helps ensure sites are delivered in a comprehensive and well-planned manner.

The masterplan should set out how key considerations including site-specific requirements will be integrated into the overall design and delivery of the development.

### What is a good Masterplan?

A successful Masterplan will set out how to create and sustain an excellent place to live, work and play, and will determine the overall quality of the place and its inherent sustainability as a development. It should demonstrate a good level of understanding of the site and its wider surroundings; provide a holistic vision for the development of the site; properly plan for key infrastructure (including green infrastructure) in a coordinated way across ownerships; and it should have been through a stakeholder engagement process.

### When is a Masterplan required?

As set out in the Strategic Sites section of the Local Plan (Para 3.45), we expect all our strategic sites to be covered through an approved masterplan. The only instances where masterplanning would not be required are where the planning application relates to minor changes to an approved scheme. We recognise that other sites may come forward with a masterplanned approach and this guidance would still be relevant in such instances.

Masterplanning is a staged and iterative process commencing at project inception and progressing through visioning, concept and framework plans, with increasing levels of detail incorporated at each stage. We encourage early engagement from developers to identify potential constraints and to determine the appropriate scope and extent of masterplanning required. The Masterplanning process you undertake should be proportionate and reflect the scale and complexity of your site.

Typically, we would expect masterplanning to follow the following stages:

- Visioning for project inception
- Concept masterplan to support pre-application submission
- Detailed masterplan with outline planning application
- Detailed design for reserved matters submission

## **What should a Masterplan include?**

While a number of considerations should be incorporated into masterplanning new communities, as a minimum we consider that a masterplan should:

- Set out the vision and objectives for the site;
- Establish the extent and distribution of land uses and infrastructure;
- Identify suitable transport linkages and movement hierarchy;
- Establish core design concepts for the sites, which will be based on the principles set out within each individual site policy i.e. green infrastructure, drainage and SUDS, location and development type, sustainability, and phasing and delivery of the site.

Based on the minimum requirements, and the individual requirements of each strategic site, it is expected that a masterplan would include the following:

### **Vision and Objectives**

- Align with the agreed vision, principles, and objectives of the garden village principles outlined above.
- Demonstrate how the masterplan delivers distinctive character and sense of place.
- Plan for Green Infrastructure to be integral to the design and quality of the development.

### **Land Use and infrastructure requirements**

- Provide a clear spatial framework showing land uses and densities.
- Include a mix of uses (housing, employment, community facilities) supported by evidence.
- Define fixed elements vs flexible areas for future adaptability.
- Identify critical infrastructure requirements (transport, utilities, schools, health facilities).

- Ensure digital connectivity and future-proofed utilities.

## **Transport linkages and movement hierarchy**

- Set out phasing and delivery strategy for infrastructure and development.
- Plan for modal shift targets: prioritise walking, cycling, and public transport.
- Translate intended movement hierarchy on plan into instinctively understood street/route design types that also support greened streets, placemaking and natural wayfinding.

## **Core design concepts:**

### ***Sustainability and Resilience***

- Embed sustainability objectives:
  - Energy efficiency and low-carbon design
  - Water management and flood resilience
  - Biodiversity and green infrastructure // ecology space round the edge
- Provide green spaces and public realm that are inclusive and adaptable. // Greenspace in centre preferred, also to serve as buffering around edges of design.
- Situate open space away from roads so it is safer for children – importance of open space to health and environment.
- Street trees.
- Enable local food growing, play areas, and social spaces.

### ***Community and Health***

- Design for healthier lifestyles and active travel.
- Facilitate community interaction and social cohesion.
- Reference NHS Healthy New Town principles and guidance for children and young people.

### ***Delivery and Stewardship***

- Demonstrate viability and deliverability of proposals.
- Include long-term stewardship arrangements for community assets.
- Commit to design review processes and use of design codes.

### ***Design Quality Tools***

- Apply recognised frameworks for designing neighbourhoods and homes, high quality infrastructure and locally developed design guides and design codes.
- Incorporate local distinctiveness and heritage considerations.
- Engage with Quality Review Panels for independent design advice.

## **More ideas & recommendations**

- We recommend that you use the [Homes England Masterplan checklist](#) to test your masterplan.
- Providing evidence of previous iterations of your masterplan can help to show how decisions have been made.
- Early engagement both with local communities, other stakeholders and the Local Planning Authority can help in development of an effective masterplan.
- We recommend that you review the available guidance for masterplanning and design as a starting point when masterplanning strategic sites. The following websites provide useful information:



Homes England guidance for masterplanning and design in relation to garden communities  
<https://www.gov.uk/guidance/garden-communities/masterplanning>



TCPA guidance on masterplanning  
<https://www.tcpa.org.uk/resources/guide-3-design-and-masterplanning/>

# Self and Custom Build Housing Planning Guidance



City of York Council has a strong ambition to promote and deliver self and custom build housing within the district, as well as a duty to deliver self and custom build plots through the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016). Self-build and custom-built homes could be a route for some to get on to the property ladder and for others to build their 'dream home'.

Every year, around 11,000 people build their own house. Whilst self and custom housebuilding are still relatively unusual in the UK, this method of building houses is considered the norm in countries such as Austria and the Netherlands.

The Council recognises the benefits self and custom build housing has to offer York residents over mainstream developer models of delivery. These may include:

- Opportunity to create a home that perfectly suits your lifestyle;
- Increased housing choice;
- Enhanced diversity of supply;
- Effective way of increasing the mix of housing types and tenures;
- Custom-builders are more likely to be more innovative, build sustainable homes with high energy efficiency and to use green technology;
- Improved build quality;
- Custom-builders are more likely to use local suppliers and trades people supporting the local economy and creating a strong sense of community;
- Lower development costs;

As set out in Policy H4: Custom and Self Build Housing, all Strategic Sites identified in our Local Plan should provide at least 5% of dwelling plots for sale to custom house builders or individual self-builders. The phrase “at least” means that any part of a whole number will be rounded up to the nearest whole number.

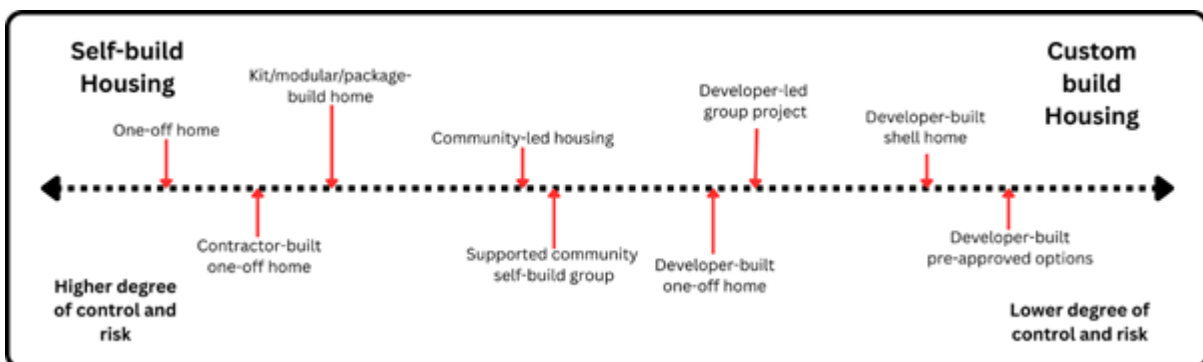
The plots should be sold with outline planning permission and be in line with the serviced plot definition within this document. Due to this the council expects all strategic site planning applications to be hybrid applications with the self-build element to remain as outline until the plots are sold. Following this, purchasers of the plots will need to submit reserved matters applications on a site-by-site basis.

## What is Custom and Self-build Housing?

Custom and self-build housing, as distinct from other forms of housing, offers a greater degree of design freedom which can help meet occupants’ needs and desires, and can lead to higher quality homes with improved energy efficiency standards. Custom and self-build housing can therefore deliver greater choice in the housing market and diversify housing supply, which can help speed up housing delivery.

Custom and self-build housing share the same legal definition, as set out in [section 1 of the 2015 Act](#), which can be broadly defined as housing whose initial occupants have a primary input into its final design and layout. Notwithstanding the single legal definition, the differences between custom and self-build housing can be best understood as a spectrum of design and delivery control.

The 2015 Act makes clear that homes built wholly or mainly to plans or specifications decided or offered by someone other than the initial occupant are not custom or self-build homes. In other words, the initial occupant must have the primary input into the final design and layout of the home. The 2015 Act also requires custom and self-build homes to be occupied as a sole or main residence.



A full description of the different types of self and custom build housing is available [in Annex 1](#) below.

Please be aware that the council has a preferred self-build and custom build hierarchy for the types of plots delivered on strategic sites. This preferred hierarchy has come from feedback from those on the council's self-build register.

1. Individual serviced self-build plots
2. Serviced self-plots with a packaged design and build approach
3. Community led self-commissioned homes
4. Custom build through a specialist custom and self-build enabling firm
5. Large scale house builder custom build homes

### **Information on our Self-Build Register**

The Housing and Planning Act 2016 introduced a 'Right to Build' which requires that all 'relevant authorities' in England have a legal duty to keep a register of individuals and associations of individuals who are seeking to acquire serviced plots of land in the authority's area. The requirements to maintain a Self-Build Register and have regard to it when carrying out planning, land disposal and regeneration functions derives from the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016). The register monitors interest and quantifies the volume of plots for which suitable planning permission should be granted and runs in base periods of 12 calendar months (commencing 31st October – 30th October).

The legislation imposes a duty upon the Council to grant sufficient 'development permissions' to meet the demand for self-build and custom housebuilding in their area on a rolling three-year basis. The demand is that which is evidenced on the register (i.e. the number of entries). The register is open to all who have an interest in self and custom build within the City of York.

In accordance with this requirement, the Council established a [Self-Build Register](#) in April 2016. The Self-build Register is used to measure the demand for self-build in the district, collect information on the types, sizes and locations of the plots sought, and to contact prospective self-builders when plots become available.

Currently the Council does not apply a local connection test to those wishing to be on the register, however, the council does reserve the right to do so in the future depending on the level of demand generated from residents and those living outside of the boundaries of the city of York. This would require applicants to confirm their local connection by providing documentation (each member of an association will be required to meet the local connection criteria).

The Council's Self-build Register shows a strong demand for self and custom build plots in York, and due to this there is a need to deliver plots efficiently to ensure the demand is met.

The Council is required to monitor all applications for new dwellings to identify whether they count as self or custom build dwellings to ensure that the Council are meeting the necessary demand on their register.

## **Making a planning application for Self-Build Housing**

Planning application forms for Full and Outline planning permission include a question on the number of residential units and the type of units that are being proposed (i.e. market, social, affordable, starter homes, and self and custom build, and so on).

Applications for self and custom build can also be identified in the proposal description or Planning Statement. In accordance with our local planning [validation requirements](#), applications involving any self and custom build housing and those that trigger policy H4 (5% of total dwellings requirement) should submit a Self-build and Custom Housing Statement.

## **Monitoring Progress on Self and Custom Build**

The council maintains a database of all planning applications submitted to the Council that involve residential developments. Applications that involve self and custom build plot provision or are single home applications are monitored. The council is required to submit the number of permissions granted each year to the Ministry of Housing, Communities and Local Government.

With the introduction of the Community Infrastructure Levy, the part 1 and part 2 exemption forms will also be used to actively monitor the number of self-build and custom build dwellings being delivered.

## **CIL Exemptions**

City of York Council introduced a [Community Infrastructure Levy](#) in February 2026. However, the [CIL Regulations 2010](#) (as amended 2014) have introduced an exemption for people building or commissioning their own home, providing it is occupied as their sole or main residence (see Regulations 54A –54D). These Regulations define self-build housing for CIL exemption purposes, as:

*Housing built or commissioned by a person and occupied by that person as their sole or main residence for the duration of the clawback period (3 years).*

Qualifying Self Build developments will still be required to accept liability for the CIL and declare that their development is intended to be Self Build, prior to the commencement of development.

**The self-builder must remain as the occupant of the dwellings for a minimum of 3 years after completion.** If the dwelling is sold or let within 3 years of completion, the Council will claw back the CIL liability, meaning the owner will have to pay the full CIL charge for the dwelling. Since the CIL is a land charge, this will appear on any 'search' a potential buyer carries out regarding the property. Occupancy will be monitored through Council tax and electoral roll records. Further information is available at <https://www.york.gov.uk/CommunityInfrastructureLevy> .

**CIL exemption for Self-build dwellings will only be permitted where the appropriate evidence is provided to demonstrate the development is genuinely a self-build or custom build development and in the spirit of the CIL Self-build exemption regulations.** Where a speculative developer is considered to be seeking to avoid CIL, for example by selling off-plan dwellings with customised features via a full or reserved matters planning application, the Council will not consider this to be true self build for the purposes of gaining exemption from CIL.

It is also important to note that for developers reverting Self Build plots back to speculative or regular open market plots (possible after 12 months) under policy H4, the CIL exemption will no longer apply, and the dwellings will be liable for the appropriate CIL.

## **Serviced Plots**

The Housing and Planning Act 2016 amended the Self-build and Custom Housebuilding Act 2015 to define a serviced plot of land as:

“a plot of land that

- a. Has access to a public highway and has connections for electricity, water and wastewater, or
- b. Can be provided with those things in specified circumstances or within a specified period;”



Image: Section from Lowfield Green Illustrative Masterplan showing the location of the 6 self-build plots (image credit – [BDP](#))

Custom and self-build housing must therefore be serviced for electricity, water, and wastewater and have access to a public highway. If a private road is proposed to connect plots to a public highway it will be expected that the private road be secured through the planning permission. It will also be expected that custom and self-build housing be serviced for telecommunications, with fibre optic broadband to the plot boundary. Early engagement with infrastructure providers is recommended to ensure the timely delivery of infrastructure and other development.

Given that custom and self-build housing on serviced plots can take longer to build out than developer housing, it is important that early consideration is given to the approach and likely timescales for finishing the construction of access roads to the serviced plots and whether access roads will be private roads or adopted by City of York Council as the Highway Authority. Early phasing of custom and self-build housing on developer led sites is recommended. This will help ensure that custom and self-build housing is completed before the site wide developer has moved off the site. Consequently, the site wide developer will be on site to complete the access roads as required. The objective is to complete access roads as early as possible, although not so early that the completed street will carry a significant volume of heavy construction traffic.

Custom and self-build housing can be marketed before being serviced; however, the minimum 12-month marketing period referenced in policy H4 will only commence when the agreed marketing strategy has been initiated, the plot has been serviced, has defined boundaries, and is available for immediate purchase.

## Plot Sizes

It is good practice for plot providers to seek to provide a mix of serviced plot sizes to meet the range of demand and affordability. The council publishes a set of statistics for the demand created from questions asked to those on the self-build register and are updated every annually. These statistics can be found [xxxxxxx](#).

This may include plots suitable for bungalows for people with limited mobility, smaller plots which provide opportunities for households seeking lower cost market housing, and larger plots suitable for semi-detached properties to cater for extended families wishing to build together. Plot providers may also choose to consult with the local community and consider the immediate demand. The use of design codes (discussed elsewhere in this document) can ensure the development works as a cohesive whole.

The range of plots provided should be informed by market research including statistics from the council's Self-build Register.

## Plot Delivery

Plots will need to be accessible to heavy vehicles required for construction. Where necessary, developers will need to engage with the Highway Authority (DCC) to explore if alternative or temporary access arrangements can be made to the Self Build element of a scheme in order to promote early delivery of plots and tackle any site safety issues.

Where necessary the Council and/ or Highway Authority may require the serviced plot provider (the applicant who secures outline planning permission) to enter into a Section 278 agreement to ensure the provision of safe roads, access routes and junctions. This will ensure roads can be brought up to a suitable standard as development is completed. On smaller scale projects this may more simply be dealt with via planning conditions.

On large sites the Council will expect the early delivery of parcels of self-build plots. The Council will work with developers to understand any challenges to the early phasing and release of the Self Build element of developments. Where clear justification is provided to demonstrate why parcels of serviced self-build plots may not be delivered early in the build programme, the Council will expect custom and self-build plots to be released when not more than 50% of the total dwellings are commenced. However, the Council accepts this will vary from site to site and is subject to access options and size of the overall development.

It is not expected that the master developers on all the strategic sites will directly deliver the self and custom build obligations themselves. As a specialist form of housing delivery the council encourages developers to seek out self and custom build partner developers often referred to as enablers. While the council can not and will not recommend any particular enabler it is suggested that the National Custom and Self-Build Association (NaCSBA) or The Right to Build Taskforce are engaged to obtain a list of enablers who have and do work in the area. Different enablers have

different delivery models and it is recommended that early engagement with the LPA is undertaken to understand which models would be supported on any particular site.

## Phasing

Custom and self-build housing must be delivered in individual plot phases to ensure that:

- a. Custom and self-build housing is delivered in a timely manner,
- b. Self-build plots can benefit from CIL exemption,
- c. Custom and self-build plots do not unnecessarily hold back later development phases, and
- d. Custom and self-build plots are not required to deliver any part of the site wide infrastructure.

Where custom and self-build housing is to be delivered as part of a larger development, the Council will expect either the early delivery of custom and self-build plots or for the plots to be delivered incrementally in line with the phasing. However, where clear justification is provided to demonstrate why parcels of custom and self-build plots may not be delivered early in the build programme, the Council will expect all custom and self-build plots to be marketed in accordance with the agreed marketing strategy and available for immediate purchase when not more than 50% of the total dwellings are occupied. This will be dealt with via a section 106 agreement.

Delivery of a custom and self-build plot means providing access, servicing to the plot boundary, making the plot available for immediate purchase, and marketed in compliance with any marketing requirements. It is also important that each custom and self-build plot, or the plots taken together, has access to a construction compound/s and material storage area/s.

Early attention in the design process must be given to how the phasing best enables access and servicing of custom and self-build plots. Such plots should be designed in a way which avoids conflicts with construction arrangements with the main developer(s) and ensure suitable access, site safety and security. Furthermore, care needs to be taken in how different build out rates of custom and self-build plots might interact with the main development site and amenity of new residents.

As set out in the CIL section (section 6), self-build housing can gain exemption from CIL provided the correct statutory procedure is followed.

If self-build plots are not identified on the phasing plan as individual phases that can be delivered independently of other elements of the development, any commencement of the development could result in the loss of potential CIL exemption on self-build plots other than those for which CIL exemption has been already granted. In this situation the CIL burden will be required to be taken on by the developer.

Custom and self-build housing can take longer to deliver than housing delivered by mainstream housebuilders for many reasons even where there are requirements for

the plots to be built out in a specific timescale. Therefore, consideration needs to be given at the design stage to ensure that future phases of a development are not compromised or held up by waiting for self-build homes to be completed.

For sites obligated to deliver more than 8 plots, consideration will need to be given to delivering clusters of plots to avoid flooding the market with self-build plots and resulting in plots remaining unsold after the minimum 12-month marketing period.

Site wide infrastructure requirements such as transport infrastructure, sustainable drainage systems, and Biodiversity Net Gain must be delivered by the site wide developer and must not trigger the commencement of development on custom and self-build plots. The phasing plan must therefore ensure that site wide infrastructure is not part of any custom and self-build housing phase.

## Design Quality

CSB housing provides a unique opportunity to create an exciting and vibrant development with a large array of different houses designs and types. The council expects that all outline applications including self-build plots will come forward with a design code that details what can be and, more importantly, what cannot be built on the plot. This applies to individual single plot sites, plots being brought forward as a part of a 5% obligation on a strategic site, and everything in between and should be applicable for all plots on the development site.

The design code will cover overarching parameters across all the plots on a single development and enables developers to ensure that the homes designed and built on the plots respond successfully to the local context and deliver at least the same level of sustainability as the rest of the main development. The council expects design codes to be as free as possible and to only restrict what needs to be restricted. As self-builders will still need to secure a reserved matters planning permission for their home, the detailed style and materials can be left to the LPA to secure.

Example parameters that could be agreed at outline planning stage and explained through the design code:

- Plot form including plot size, width, depth.
- Build form with details of massing, height, number of storeys.
- Building orientation - Orientation to the sun, location on plot, overlooking, active frontages.
- Materials – Either a palette of materials or detailing a free choice.
- Density - site coverage including buildings and hardstanding.
- Developable footprint including build zone and location of building on plot.
- Building type - Detached, semi-detached or terrace.
- Building line – Where should the property be located on the frontage?
- Views and vista's
- Parking standards - Especially if this differs from the LPA's parking standards policy.

- Waste collection details including what bins are required and where they are to be kept and collected from.
- Townscape features.
- Soft landscaping requirements - Percentage or curtilage to be soft landscaped, boundary treatments.
- Sustainability U-values, water consumption figures, energy consumption.

Achieving high quality design that responds to climate change is a very important consideration that is embedded in the design and construction of new housing. It is essential that all new housing is built to extremely high sustainability standards as per policy CC2 in the Local Plan.

The council would encourage all new build housing to aim for 'net zero carbon' in use as set out in our [Housing Delivery Programme Design Manual](#).

## Annex 1: Detailed definitions of Self build and custom housing

### Self-build

**A one-off home:** The owner manages the design and construction process and undertakes a proportion of the building work too;

**Contractor-built one-off home:** The owner manages the design process and selects a contractor to build the home;

**Kit/modular/package-build home:** The owner selects the kit home which is erected by the kit home manufacturer;

### Custom Build

**Community-led housing:** Schemes involve groups of local people in housing need building homes for themselves with external support and managing the process collectively. Individual self-build is not widely regarded as community-led housing. There are now a number of iterations of CLH;

**Supported community self-build group:** Project is often organised by a social landlord, a local authority, a community land trust or a charity and this approach tends to suit people on low incomes who like the idea of someone coordinating the group on their behalf.

**Developer-built one-off home:** Undertaken by a developer/enabler, the design is commissioned by the plot owner. The plot owner is integral to the design of the home. The developer/enabler takes care of the whole process start to finish, on behalf of the plot owner;

**Developer-led group project:** A developer organises a group and builds the homes;

**Developer-built shell home:** Undertaken by a developer/enabler, the external envelope of the home is built speculatively before being sold at first fix stage with all internal walls yet to be installed. The plot owner has control over the internal layout within the confines of window, services and staircase locations.

**Developer-built pre-approved options:** Undertaken by a developer/enabler, the plot owner chooses from a set of pre-approved options for layouts. The plot owner has limited choice and the developer/enabler takes care of the whole process start to finish;

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## Annex E:

## Houses in Multiple Occupation Planning Guidance – updating the ‘Houses in Multiple Occupation’ draft Supplementary Planning Document (2012, amended 2014)

This Planning Guidance Note provides background and detail to the methodology used in Local Plan policy H8 and guidance on residential amenity criteria used to assess planning applications for HMOs.

Information around the Council’s approach to HMO licensing is available online at <https://www.york.gov.uk/private-landlords-tenants/apply-hmo-licence>

### Background

Houses in Multiple Occupation, or HMOs as they are commonly referred, represent a significant and growing proportion of the mix of housing in York. They make an important contribution to York’s housing offer, providing flexible and affordable accommodation for students and young professionals alongside lower income households. HMOs are regarded as a valuable asset to the city’s housing offer, but there is concern about the wider impacts that concentrations of HMOs are having on neighbourhoods and increasing rental costs. This debate has mainly been driven by the increasing number of student households in the city and focuses on the detrimental impact large concentrations of HMOs can have on neighbourhoods, such as the loss of family and starter housing.

### What is an HMO?

On 6 April 2010, amendments were made to the Use Classes Order and the General Permitted Development Order to introduce a new class of type C development – C4 ‘Houses in Multiple Occupation’. These are commonly referred to as ‘small HMOs’ and consist of houses containing between three and six unrelated occupants who share basic amenities. ‘Sui Generis’ HMOs, where there are 6 or more unrelated people, are still considered as HMOs, but these are now commonly referred to as ‘large HMOs’ which, in broad terms, consist of more than six occupants .

A house or flat is a house in multiple occupation (HMO) if:

- occupants share basic amenities (toilet, bathroom and/or kitchen)
- it is occupied by at least three people (adults and children)
- they form at least two households

- it is their only or main residence (includes full-time students and use as a refuge from domestic violence)
- the house is used as a home only (this means a residential house or flat and not a commercial unit)
- rent is payable (includes when accommodation provided instead of wages)

If one or two people live together (whether related or not) this is NOT an HMO. The threshold for creating an HMO is three or more people. Children are counted as equal to adults when determining whether a property is an HMO.

A household is defined as:

- (i) a single person; or
- (ii) several members of the same family

The same family means:

- A married couple or equivalent co-habiting arrangement'
- A relative (parent, grandparent, child, grandchild, sibling, uncle, aunt, niece, nephew or cousin)
- Relationship of half-blood is treated as whole blood
- Stepchildren and foster children are treated as own children,

Examples:

1. You rent a flat with your friend – this is TWO people in TWO households = NOT HMO
2. You rent a house with your partner and your partner's brother – this is THREE people in ONE household = NOT HMO
3. You rent a house with your partner and a friend – this is THREE people in TWO households = HMO

The Housing Act 2004<sup>1</sup> gives a detailed definition of what constitutes an HMO.

## Scope

An Article 4 Direction (<https://www.york.gov.uk/Article4Direction>) came into force in York on 20 April 2012 to remove permitted development rights, requiring a planning application to be submitted to change a property into an HMO within the area covered by the Direction<sup>2</sup>.

This guidance applies to all planning applications for development consisting of a change of use of a building from a use falling within the Use Class 'C3' (a

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<sup>1</sup> <https://www.legislation.gov.uk/ukpga/2004/34/part/7/crossheading/meaning-of-house-in-multiple-occupation>

<sup>2</sup> <https://www.york.gov.uk/private-landlords-tenants/article-4-direction-relation-houses-multiple-occupation-hmo>

family dwelling house or flat for example) to Use Class 'C4' (small HMO) or sui generis (large HMO) within the main urban area (the Article 4 area)<sup>3</sup>. It also applies to changes to sui generis HMOs, and flexible permissions from Use Class C3 to C3/Sui Generis large HMOs, outside the Article 4 area.

Neither the policy nor guidance apply to PBSA student accommodation. Existing HMOs will not be subject to the Article 4 unless a new planning application is made.

## Policy Approach

Policy H8 of the adopted City of York Local Plan 2017-2033 (February 2025) seeks to control the number of HMOs to ensure that communities do not become imbalanced. The policy approach is guided by the Local Plan Vision to build strong communities. A key element of the Local Plan is its role in meeting the needs of specific groups, including students, and supporting development which helps to balance York's housing market.

Policy H8 utilises a threshold-based approach and identifies a 'tipping point' when issues arising from concentrations of HMOs become harder to manage and a community or locality can be said to tip from balanced to unbalanced.

Within the Article 4 area, in assessing change of use planning applications (from Use Class C3 to Use Class C4 and Sui Generis), development will only be permitted where:

- it is in a **neighbourhood area** where less than 20% of properties are HMOs;
- less than 10% of properties within 100m of **street length** either side of the application property are HMOs;
- the accommodation provided is of a high standard which does not detrimentally impact on **residential amenity**.

The Council maintains a database which pulls together information from as many different types of shared accommodation as possible, including properties entirely occupied by full time students (excluding university managed/owned Halls of Residence on or off-campus); those recorded on the Council's Licensed HMO database; those benefitting from C4/Sui Generis HMO planning permission; or, those known to the Council to be HMOs. Further detail, including on the scope of impact on residential amenity, is set out in the supporting text to Policy H8 and below

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<sup>3</sup> <https://www.york.gov.uk/downloads/file/2635/article-4-direction-boundary-plan>

The full HMO database used for planning purposes is not made public due to sensitivities around data protection. Extracts are provided to Development Management case officers and Councillors to aid decision making.

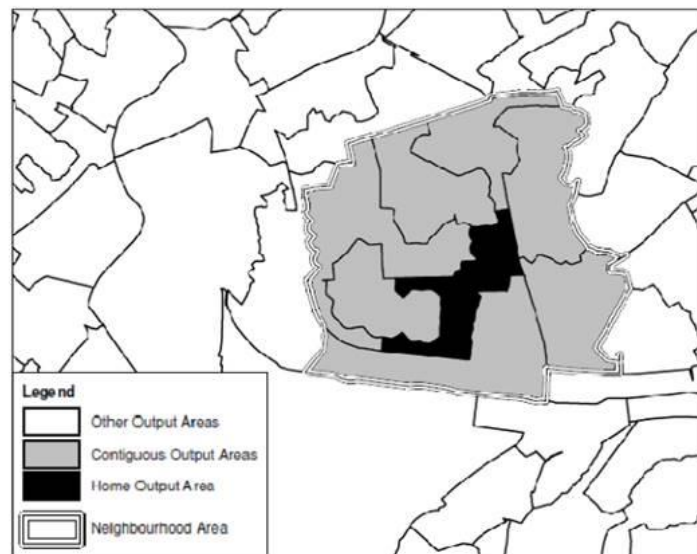
The HMO database is updated on a regular basis to provide reliable data for better decision making.

## Approach to assessing concentrations of HMOs

### Neighbourhood Level

As highlighted in the evidence base underpinning the Article 4 Direction, some issues arising from concentrations of HMOs can be a neighbourhood matter, going beyond the immediate area of individual HMOs. This includes a decreasing demand for local schools and changes in type of retail provision, such as local shops meeting day to day needs becoming take-aways. We have developed a consistent and robust approach to help assess how HMO density would be affected by new HMO development.

Figure 2: Neighbourhood Area



A cluster of contiguous output areas will be used to identify a neighbourhood. The number of contiguous output areas varies depending upon local circumstances but typically comprise between 5 and 7 output areas, capturing 625 to 875 households. An example of a cluster of output areas is shown at Figure 2. The 'home output area' is where the planning application is located. To ensure a consistent and robust approach, all adjoining output areas to the output area where the planning application is located will be used to form the neighbourhood area in all cases.

## Street Level

An assessment of concentrations of HMOs at street level will allow the Council to manage the clustering of HMOs along streets, to avoid the situation where whole streets or large sections of streets change use to HMOs; the effects of which are most keenly felt out of term time when properties are empty.

A street by street approach will address the impacts large concentrations of HMOs can have on increased levels of crime and the fear of crime, changes in the nature of street activity, street character and natural surveillance by neighbours and the community outside of term times, standards of property maintenance and repair, increased parking pressures, littering and accumulation of rubbish, noise between dwellings at all times and especially music at night. It is important to note that it is not suggested that these impacts can be attributed to the occupants of HMOs, such as students, who can often be the victims of crime for example or suffer from a poor-quality environment.

It is considered that a length of 100 metres of street frontage can reasonably be considered to constitute a property's more immediate neighbours and is therefore the distance threshold used for assessing concentrations of HMOs at street level. This is measured along the adjacent street frontage on either side, crossing any bisecting roads and also continuing around street corners and is illustrated at Figure 3.

Figure 3: Street Level



### Legend

- 100m starting point
- 100 metres
- ← 100 metres
- Properties not included
- Properties within 100m on application street on opposite side of the road
- Properties within 100m on same side of the road
- Properties within 100m that turn the corner from application street
- Application Property

## Residential amenity

In assessing planning applications for HMOs the Council will seek to ensure that the change of use will not be detrimental to the overall residential amenity of the area. In considering the impact on residential amenity the following matters will be considered:

- **Is the dwelling large enough to accommodate an increased number of residents?**

When considering planning applications for new HMOs, poorly designed internal spaces will not be acceptable. This includes ensuring that rooms benefit from reasonable standards of amenity including windows with an acceptable outlook and that the floorspace is configured such that it provides a usable space with access to bedrooms from circulation areas.

Room sizes required for HMO Licensing (See <https://www.york.gov.uk/downloads/file/2632/hmo-licensing-application-form-guidance-notes>) will be taken into account when assessing bedroom floorspace.

- **How much space is available for potential additional cars to park?**

The external areas of the site are just as important in the assessment of a proposal for HMO occupation, but which are often overlooked when considering occupancy numbers. External areas often cause design and layout issues as they are generally not capable of accommodating a high number of occupiers living independently of each other and therefore careful consideration of creating appropriate workable external environments is required when considering the number of occupants.

When assessing development proposals for HMO's it is essential not only to secure the provision of car parking spaces of an appropriate size but also a car parking layout that allows for maintenance, loading/unloading, etc. to be undertaken within the site, and for cars to be able to manoeuvre in and out of spaces independently of each other, thereby helping to ensure that the spaces are suitable and realistic for use in an HMO context, and that on-street parking is avoided as much as possible.

The lifestyle and work patterns of the occupants of an HMO often differ to those of a family. Occupants of HMOs often operate separately and use independent modes of transport such as cars or cycles. The provision of sufficient parking for both cycles and cars is therefore important and a dwelling operating as an HMO should ordinarily provide a minimum of 1no. car parking space per 2no. bedrooms.

When designing external space a 1m wide access to the rear or front door should be maintained for pedestrian and cycle access and for manoeuvring wheelie bins.

- **Can appropriate provision be made for secure cycle parking?**

Department for Transport guidance in LTN 1/20, requires 1 cycle storage space per bedroom. Cycle storage is generally required to be covered and securely contained, which often takes the form of a cycle shed. This would be secured by condition.

- **Is the condition of the property of a high standard that contributes positively to the character of the area and will the condition of the property be maintained following the change of use to HMO?**

Where an application for planning permission is approved then this will include a planning condition to secure a management plan covering property and garden maintenance, refuse disposal, and noise complaints.

- **Can the increase in number of residents be shown not to have an adverse impact on noise levels and the level of amenity neighbouring residents can reasonably expect to enjoy?**

Assessed by thresholds in policy H8 - Concentration of HMOs likely to lead to impacts on neighbouring amenity through noise and disturbance through cumulative effects of number of HMOs

- **Is there sufficient space for storage of waste/recycling containers in a suitable enclosure area within the curtilage of the property?**

Bin storage should be sufficient for the appropriate number of waste bins and be secure and in a location hidden or not visually intrusive in the surrounding street scene. There should be space to manoeuvre in and out of the bin store. Further information is available at <https://www.york.gov.uk/HMOWaste>.

- **Will the proposal result in the loss of a front garden to hard standing for parking and refuse areas which would detract from the existing street scene?**

When providing car parking areas, care should be taken to retain as much of the garden boundary and existing vegetation as possible. Barren hard surfaced gardens which serve only as car parking areas erode the character of the street, detract from the security of the site and can increase flood risk through high levels of surface water run-off and are unlikely to be acceptable.

Regard should also be given to the storage of bins and recycling boxes. Bin storage to the front of the property is unlikely to be acceptable because of its impact on the

character of the street. Provision should be made for bin storage within a sensitively designed external area preferably to the side or rear of the property.