

Annex B - Examiner's Recommended Modifications

Huntington Neighbourhood Plan Policy	Examiner's Report Reference	Recommended Modification	CYC Consideration/ Justification
H1: Meeting Housing Need	Para. 7.14-7.21	<p>Replace the opening part of the policy with: ‘As appropriate to their scale, nature and location within the neighbourhood area development proposals for new residential development should:’</p> <p>In criterion 1 replace ‘Provides’ with ‘Provide’ and delete ‘in Huntington’</p> <p>Replace criterion 2 with ‘Be well-related to the existing urban area of Huntington in terms of their location, design and internal layout’</p> <p>In criterion 3 replace ‘Provides’ with ‘Provide’</p> <p>In criterion 4 replace ‘Considers’ with ‘Consider’</p> <p>Replace criterion 5 with ‘Delivers any necessary new school provision, new or enhanced medical facilities and sports and recreational facilities;’</p> <p>In criterion 6 replace ‘Promotes’ with ‘Promote’ and ‘accommodates’ with ‘accommodate’</p> <p>In criterion 7 replace ‘Provides’ with ‘Provide’</p> <p>In criterion 8 replace ‘Includes’ with ‘Include’ and delete the second part of the criterion after the semi-colon</p> <p>In criterion 9 replace ‘Retains.....improves’ with ‘Retain and where practicable improve’</p>	Agree with the modifications for the reasons set out in the Examiners Report.

In criterion 10 replace ‘Seeks to create’ with ‘Result in’

In criterion 11 replace ‘Has an’ with ‘Incorporate an’

In criterion 12 replace ‘Includes satisfactory’ with ‘Include appropriate and site specific’

In criterion 13 replace ‘Provides for adequate parking’ with ‘Incorporate car parking arrangement to the most up to date City of York Council standards’

At the end of paragraph 54 add:

‘In this context Policy H1 has been specifically designed to have a general effect. It incorporates a series of design and planning criteria which will apply to new residential developments in the Plan period. The policy comments they that they should be applied in a way that takes account of the scale, nature and the location of development proposals on a case-by-case basis. This will ultimately be a matter of judgement for the City of York Council throughout the Plan period. In the event that the adopted Local Plan includes strategic housing sites in the neighbourhood area the various criteria would be applied to detailed development proposals that emerge on those sites insofar as they are consistent and/or not overtaken by detailed criteria in the detailed site-by-site policies in the Local Plan. In this context the proposed strategic site at Monk’s Cross as currently included in the emerging Local Plan is proposed to be separated from the existing urban area at Huntington by a green wedge to protect the setting of Huntington. This will reinforce the special circumstances found in the wider City where the general extent of the green belt provides a landscape and visual context for component settlements such as Huntington in order to protect the special character of the historic city. In these circumstances the second criterion in the policy would not apply to the Monks Cross site. Its development would be determined primarily by its detailed policy in the emerging Local Plan’

In paragraph 56 replace the second sentence with:

		<p><i>'In the context already set out in paragraph 54 of this Plan Policy H1 has general effect. Nevertheless, it has been designed to accommodate the development of a strategic housing allocation to the north of Monks Cross (subject to the contents of paragraph 54 of this Plan) in the event that such a development is included in the adopted version of the currently emerging City of York Local Plan.</i></p> <p><i>In paragraph 56 delete the third sentence.</i></p> <p><i>Delete paragraph 57.</i></p>	
H2: Housing Mix	Para 7.22-7.27	<p>At the beginning of the first sentence add: 'As appropriate to their scale, nature and location'</p> <p>In the second sentence replace 'will be required to' with 'should' and delete 'in the Parish'</p> <p>In the third sentence:</p> <ul style="list-style-type: none"> • replace 'Priority will be given to the provision of' with 'Development proposals that deliver' • add at the end 'will be particularly supported' <p><i>At the end of paragraph 67 add: 'Policy H2 seeks to ensure that new residential development in the Plan period responds to these important matters. It recognises that larger developments will have greater potential to provide a focus for the delivery of smaller homes. In this context any strategic sites which may come forward in the neighbourhood area will, by definition, be catering for City-wide needs rather than simply those which exist in the neighbourhood area'</i></p> <p><i>In paragraph 69 replace 'December' with 'October'</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
H3: Affordable Housing	Para. 7.28-7.33	<p>Delete 'To support.....the Parish'</p> <p>Delete the second sentence.</p>	Agree with the modifications for the reasons set out in

		<p>In the third sentence insert ‘for the delivery of affordable housing’ between ‘The focus’ and ‘should’</p> <p><i>At the end of paragraph 79 add: ‘The Plan recognises that detailed discussions will need to take place with the City of York Council on a site-by site-basis. Nevertheless, the Parish Council’s aspiration, in line with the findings of the Strategic Housing Market Assessment, is that [at this point insert the deleted second sentence of the policy]’</i></p>	the Examiners Report.
H4: Design Principles	Para. 7.34-7.37	<p>In the first paragraph of the policy replace:</p> <ul style="list-style-type: none"> • ‘the local character’ with ‘the character of their local environment’; and • ‘as appropriate’ with ‘as appropriate to their to their nature and location’ <p>In the second part of the policy replace ‘They’ with ‘Development proposals’</p>	Agree with the modifications for the reasons set out in the Examiners Report.
H5: Character Buildings and Sites of Local Heritage Interest	Para 7.38-7.41	<p>Delete the first component of the policy (second paragraph)</p> <p>In the second component of the policy (third paragraph) delete ‘including important views towards and from them’</p> <p>At the end of second component of the policy (third paragraph) add: ‘The effect of a proposed development on the significance of the non-designated heritage assets shown in Table 3 and on Map 1 should be taken into account in determining planning applications. In determining planning applications that directly or indirectly affect the identified non-designated heritage assets, a balanced judgement will be made having regard to the scale of any harm or loss and the significance of the heritage asset concerned’</p> <p>Delete the third component of the policy (fourth paragraph).</p>	Agree with the modifications for the reasons set out in the Examiners Report.

		<p><i>At the end of paragraph 97 add: ‘Where it is practicable to do so development proposals should take account of the wider visibility and accessibility of the non-designated heritage assets. This may include views both to and from the local heritage assets’</i></p> <p><i>In paragraph 99 add ‘draft’ before ‘local heritage list’</i></p>	
H6: Business and Employment	Para 7.42-7.46	<p>Replace the policy with: ‘Insofar as planning permission is required, proposals for the diversification of businesses uses and the extension and/or adaptation of business premises will be supported subject to the following criteria:</p> <ul style="list-style-type: none"> • they are appropriate in terms of their design, height, scale and massing; • they provide parking to the most up-to-date City of York Council parking standards and the parking provision itself is well-designed and integrated into the wider development; • they can be satisfactorily incorporated into the local road network; and • they do not have an unacceptable impact on the amenity of any residential properties in their immediate locality’ <p><i>In paragraph 105 replace ‘The Plan’ with ‘Policy H6’</i></p> <p><i>Replace paragraph 106 with ‘National Planning policy attaches considerable importance to supporting a competitive economy. In particular paragraph 80 of the NPPF comments that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Policy H6 seeks to provide an important local dimension to this approach in general, and to the premises outlined in Section 4.3 of this Plan in particular. The Plan recognises that amongst other things paragraph 118 of the NPPF comments that plans and planning decisions should ‘give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.

		<i>appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land'. In the event that any such development proposals arise they will be determined on their merits and in the context of national and local planning policies.'</i>	
H7: Existing Community Facilities and Buildings	Para. 7.47-7.49	<p>Reverse the order of the two parts of the policy.</p> <p>In the second part of the policy (as submitted) replace 'above' with 'in Table 4'</p> <p><i>In Table 4 replace 'Flag and Hogs Head' with 'The Hogs Head'</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
H8: New and Enhanced Community Facilities and Buildings	Para. 7.50-7.53	<p>In the first part of the policy delete 'to City of York Council' and replace 'it meets' with 'they meet'</p> <p>Delete the second part of the policy</p>	Agree with the modifications for the reasons set out in the Examiners Report.
H9: Assets of Community Value	Para. 7.54-7.55	<p>Replace the policy with:</p> <p>'Proposals that would safeguard, enhance or otherwise assist in securing the long-term accessibility and effectiveness of registered Asset of Community Value will be supported'</p> <p><i>At the end of paragraph 117 add:</i></p> <p><i>'Policy H9 seeks to provide a supporting context towards securing the longevity of assets of community value. It has been designed to have general effect given that additional assets may be designated throughout the Plan period'</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
H10: Vangarde/Monks	Para. 7.56 - 7.58	<p>Replace the policy with:</p> <p>'Proposals for non-retail uses or other uses which would detract from the retail vitality of the Vangarde and Monks Cross Shopping Parks will not be supported'</p>	Agree with the modifications for the reasons set out in

<p>Cross Shopping Parks</p>		<p>unless it can be demonstrated that the continued retail use of the premises concerned is not viable and that they have been professionally marketed for alternative or replacement retail use.'</p> <p><i>Merge paragraph 123 and 124 into a single paragraph.</i></p> <p><i>Replace paragraph 124 with:</i> <i>'Policy H10 seeks to consolidate the existing roles of the Vangarde and the Monks Cross Shopping Parks and to retain their retail functions. Nevertheless, it recognises that there may be circumstances where the continued retail use of all the various premises may not be viable as the national and local retail environments evolve through the Plan period. The policy requires that any such premises have been professionally marketed for alternative or replacement retail use and that no such uses have been found as a result. The marketing period should be for a minimum of six months and relevant details should be included with the relevant planning applications. The policy has been designed to be complementary to the approach in the emerging Local Plan on future retail provision. Whilst the emerging Local Plan recognises that developments such as these two retail parks are part of the established retail offer in the City, Policy R4 of that Plan sets out to protect the role of York city centre and to direct any new retail floorspace initially to the city centre through the application of a sequential test process'</i></p>	<p>the Examiners Report.</p>
<p>H11: Brockfield Park and North Moor Neighbourhood Shopping Parades</p>	<p>Para. 7.59 – 7.60</p>	<p>Replace the policy with: 'Proposals for retail, retail - related uses and community uses will be supported within the defined Brockfield Park and North Moor Neighbourhood shopping parades (as shown on Map 3) where, as appropriate to their scale and nature they would:</p> <p>At this point include the four bullet points from paragraph 131 with the following modifications:</p> <ul style="list-style-type: none"> • replace 'consolidates.... upon' with 'consolidate, maintain or improve' (first bullet point); • replace 'is of' with 'are of' (second bullet point – first part); 	<p>Agree with the modifications for the reasons set out in the Examiners Report.</p>

		<ul style="list-style-type: none"> • replace ‘maintain or enhances’ with ‘maintain or enhance’ (second bullet point – second part); • break the second bullet point into two separate bullet points; • replace ‘contributes’ with ‘contribute’ (third bullet point); and • replace ‘does not.... detrimental impact’ with ‘do not have an unacceptable detrimental impact’ <p><i>Replace paragraph 131 with: ‘Policy H11 sets out a policy context that will help to support the role and vibrancy of the two neighbourhood shopping parades. It has been designed to be consistent with the City of York Council’s Retail Study’</i></p>	
H12: Other shops	Para. 7.61-7.62	Delete ‘to the...Parish Council’	Agree with the modifications for the reasons set out in the Examiners Report.
H13: Hot food takeaways	Para. 7.63 - 7.65	<p>In the first part of the policy add ‘subject to the provisions of Policies H10 and H11 respectively’ after ‘Parades’</p> <p>Delete the second part of the policy.</p> <p>Insert a new element of the policy to read: ‘Proposals for new hot food takeaways elsewhere in the neighbourhood area will not be supported’</p> <p><i>At the end of paragraph 134 add: ‘As appropriate to their scale and location [at this point insert the deleted element of the submitted policy]’</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.

H14: Green Belt	Para. 7.66-7.69	<p>Delete the first sentence of the first paragraph of the policy.</p> <p>Incorporate the retained second sentence of the first paragraph of the policy into the beginning of the second paragraph of the policy.</p> <p><i>In paragraph 142 replace '2007' with '2008'</i></p>	<p>Alteration to Policy H14 wording recommended.</p> <p>Annex C to this report sets out proposed additional recommended modifications to this policy.</p>
H15: Local Green Spaces	Para. 7.70-7.75	<p>Replace the opening part of the policy with: 'The Plan designates the following green spaces as shown on Maps [insert numbers] as Local Green Spaces:'</p> <p>After the schedule of sites add: 'Development proposals that would affect the designated Local Green Spaces will only be supported in very special circumstances'</p> <p><i>Replace Map 3 with the maps provided by CYC and the Parish Council as a response to the clarification note</i></p>	<p>Agree with the modifications for the reasons set out in the Examiners Report.</p>
H16: River Foss	Para. 7.76-7.78	<p>In a) replace 'and enhance' with 'and where practicable enhance'</p> <p>In b) replace '8-metres' with '9-metres'</p> <p>In the final sentence of paragraph 160 replace 'enhances' with 'conserves and where practicable enhances'</p> <p><i>In paragraph 161:</i></p> <ul style="list-style-type: none"> • <i>replace '8-metres' with '9-metres'</i> • <i>replace the final sentence with: 'The 9-metres should be measured from the</i> 	<p>Agree with the modifications for the reasons set out in the Examiners Report.</p>

		<p><i>top of the riverbank to any proposed development. This approach will safeguard land both for ecological and conservation purposes (as recommended by the Environment Agency) and for maintenance purposes (as recommended by the Foss Internal Drainage Board)</i></p> <p><i>In paragraph 162 replace '8-metres' with '9-metres'</i></p>	
H17: Biodiversity	Para. 7.79-7.82	<p>In the opening part of the policy replace 'will be expected to' with 'should, as appropriate to their scale, nature and location'</p> <p>In a) inset 'where practicable' between 'and' and 'enhance'</p> <p>At the beginning of b) add 'Where practicable'</p> <p><i>In paragraph 164 replace 'UK Biodiversity Action Plan (BAP) priority....UK BAP' with 'Priority Species and Habitats included in section 41 (England) of the Natural Environment and Rural Communities Act (2006).'</i></p> <p><i>In paragraph 167 delete 'white-clawed crayfish'</i></p> <p><i>In paragraph 168 replace the final sentence and the following bullet point with: 'A review of the SINCs in 2017 ratified the Huntington Field and the New Lane Meadows sites. The North Lane Meadows site is considered to be a candidate SINC'</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
H18: Flooding and water management	Para. 7.83-7.85	<p>Replace 'where required by the City of York Council' with 'where appropriate'</p>	Agree with the modifications for the reasons set out in the Examiners Report.

H19: Transport and traffic management	Para. 7.86-7.90	<p>At the beginning of the policy add: ‘Insofar as planning permission is required’ Replace ‘the expansion of.... Monks Cross’ with ‘strategic developments’</p> <p><i>In paragraph 188 insert the following text between ‘that’ and ‘the’ in the first sentence: ‘strategic developments within the Plan period could have an impact on the capacity of the local highway network. This could include’</i></p> <p><i>Thereafter:</i></p> <ul style="list-style-type: none"> • add ‘which’ after ‘Monks Cross)’ • replace ‘will severely’ with ‘will have the ability to’ 	Agree with the modifications for the reasons set out in the Examiners Report.
H20: Car Parking	Para. 7.91-7.94	<p>In the first part of the policy replaced ‘agreed’ with ‘the most up to date’</p> <p>Delete the second sentence of the first part of the policy.</p>	Agree with the modifications for the reasons set out in the Examiners Report.
Policy H21 Walking and cycling	Para. 7.95-7.98	<p>Replace the first sentence with: ‘As appropriate to their scale and location development proposals should be designed to provide safe and convenient connections to the network of footpaths and cycleways in the immediate locality’</p> <p>In the second sentence delete (iii).</p> <p>Add a separate component of the policy to read: ‘As appropriate to their scale and location development proposals may be required to contribute to improvements to the network of footpaths and cycleways outside the development site and in the immediate locality’</p> <p><i>At the end of paragraph 194 add:</i> <i>‘Policy H21 sets out an approach to ensure that, where it is practicable to do so, new development is designed in a fashion to provide safe and convenient connections to</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.

		<i>the network of footpaths and cycleways in the immediate locality. This will require that consideration is given to how new developments are arranged both internally, and in their relationship with the surrounding environment. In some cases, this could be achieved through developer contributions towards off-site improvements. In other cases, the connectivity sought could be achieved through a combination of both onsite and off-site improvements and connections. In the event that the proposed Monks Cross strategic site comes forward as currently incorporated in the emerging Local Plan it will provide particular opportunities for such connectivity improvements.'</i>	
H22: Developer contributions	Para 7.99-7.102	<p>Replace the first part of the policy with:</p> <p>'Subject to other development plan policies proposals will be supported which would, as practicable and appropriate to their scale, nature and location, provide improvements to any or all of the following facilities in the neighbourhood area:</p> <ul style="list-style-type: none"> • open space, sport, community and recreation facilities; and/or • community infrastructure including medical facilities; and/or • traffic management and pedestrian enhancements in Huntington Village' <p>Delete the second part of the policy.</p> <p><i>At the end of paragraph 196 add the deleted section of the policy. Thereafter add: 'This will also provide the opportunity for the approach to be consistent with the wider means by which the City of York Council will administer this process through the development management system.'</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.
Monitoring and Review	Para. 7.103-7.104	<i>At the end of paragraph 199 add: 'The eventual adoption of the emerging City of York Local Plan would represent an initial opportunity to assess whether any elements of a made neighbourhood plan need to be reviewed at that time'.</i>	Agree with the modifications for the reasons set out in the Examiners Report.

Other matters - General	Para. 7.105	<i>Modification of general text (where necessary) to achieve consistency with the modified policies.</i>	Agree with the modifications for the reasons set out in the Examiners Report.
Other Matters – Factual Updates	Para. 7.106 -7.108	<p><i>Paragraph 19 – at the end of the text in the second bullet point (on the emerging Local Plan) add: ‘The emerging City of York Local Plan initial examination hearings took place in December 2019. The adoption date is currently unknown and will depend on outcome of the examination hearing sessions’</i></p> <p><i>Paragraph 47 – replace ‘841’ with ‘790’</i></p> <p><i>Paragraph 47 – replace the penultimate sentence with: ‘There is a proposal for development over 15 years (2017-2032/3) with the exception of Green Belt Boundaries which will endure up to 2037/38’</i></p> <p><i>Paragraph 49 – replace ‘52’ with ‘approximately 40’ and replace ‘and cultural facilities’ with ‘retail and health facilities’</i></p>	Agree with the modifications for the reasons set out in the Examiners Report.