

Annex B: Consultation summary

Non-statutory planning guidance

Consultation Scope and process

1. Internal consultation was undertaken on all the proposed non-statutory guidance in accordance with the approved consultation strategy¹. This noted that there is no statutory process for consultation on non-statutory planning documents and so internal consultation of the more appropriate technical officers for each piece of guidance would be undertaken. External consultation would be considered where it was considered beneficial.
2. Documentation was circulated to the required officers via email with a minimum of 2 weeks response time. Deadlines were clearly stated with information on how to provide comments, however responses were accepted after the consultation period had finished.
3. For the Affordable Housing guidance a workshop was held with representatives from the Registered Providers. The draft guidance was circulated before the session and participants were led through a series of questions inviting response on the different sections of the guidance. Comments from the session have been captured and opportunity was given for further comments to be provided following the workshop.
4. Details of the consultees for each piece of guidance are provided with each section below. We also note how this has been taken forward in the guidance.
5. Draft documents were taken to Planning Policy and Local Plan Advisory Group on 9 June 2026. Amendments required to the draft documents are included with a response in the following sections.

¹ <https://democracy.york.gov.uk/ieDecisionDetails.aspx?ID=7703>

Affordable Housing

Process:

- Internal CYC teams engagement: Housing, Development Management and Legal teams.
- Early engagement workshop session in February 2026 with Development Management.
- Workshop session with Registered Providers May 2026 alongside Housing Team.

Feedback:

Consultee	Comment	Response
CYC legal officer	Consider including introductory paragraph regarding status of non-statutory guidance.	This will be included on the webpage to cover all the non-statutory guidance.
CYC legal officer	Remove references to using CYC S106 template as there is currently not one. Include text to cover S106 provisions.	Agreed
CYC legal officer	Several locations – amend text to clarify that details in guidance are a preference not a requirement.	Agreed
CYC legal officer	Include text to clarify that eligibility criteria will be applied in accordance with the Housing Act, and CYC’s allocations policy.	Agreed
Registered providers’ workshop	Guidance is comprehensive, clear and well-structured	Noted
Registered providers’ workshop	There is a demand for an increase in 3 and 4 bed social rented houses.	Noted – policy requires provision in accordance with the most up to date LHNA
Registered providers’ workshop	S106 mortgages staircasing to 100% - it’s difficult to ringfence receipts to spend in a particular area. Could	Agreed

	this be worded to specify using best endeavours to spend locally?	
Registered providers' workshop	For shared ownership rental charge of 2.5% is lower than the current model used by RPs.	Noted, text has been amended to allow flexibility for higher rent charge where justified.
Development management workshop	Include requirement for viability assessment to be published as per PPG.	Agreed
Development management workshop	Clarity around how to achieve minimum requirements as identified in part (i) of policy H10	The guidance notes that on-site affordable housing requirements will be rounded up to ensure that schemes deliver at least the minimum level of affordable housing on site. Policy wording will be reviewed for new Local Plan.
Planning Policy Advisory Group 9 June 2026		
	Ensure links to evidence. Link to Local Housing Needs Assessment (LHNA) missing in section 7 for example.	Links added
	Need clarity re '2.5% rental charges' – redraft to clarify what this means	Text updated
	Consider the wording and language around Service Charges for affordable housing – what is the role of planning/ authority in this?	Service charges fall outside the remit of planning. The York and North Yorkshire

		Affordable Homes Standard (developed in partnership with the RPs), notes that service charges should be affordable, transparent and offer value for money.
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Hot food takeaways

Process:

- Internal CYC teams engagement: Education, Public Health, Public Protection, Waste Management, Highways Development Management, and Development Management.

Feedback:

Consultee	Comment	Response
Public Health	Supportive of breadth of evidence included	Noted
Assistant Director Education, Skills and SEND	Supports the broad thrust of guidance in the context of research showing the linkages between fast food and educational attainment, cognitive development and nutrition. Important to make clear that data highlights that health inequalities in the city are linked to the impact of deprivation with our more affluent wards/schools having the higher percentages of children at a healthy weight.	Noted and additional text included to clarify this point.
Public Health	Potential to specify Early Years settings specifically registered childcare providers and Best Start Family Hubs?	NPPF paragraph 97 identifies schools and other places where children and young people congregate. While this could include Early Years settings, we note that the existing mapping (buffering

		schools) excludes much of the urban area already.
Environmental Protection	<p>Section 4: Noise and Disturbance, suggested additional text:</p> <p>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.</p> <p>Delivery drivers should be encouraged / required (where near to schools, hospitals, care homes, residential premises) to use zero emission (electric) vehicles.</p> <p>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.</p> <p>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</p>	Additional text included to require this information to be submitted with applications.

	<p>a driver induction, and procedures for monitoring driver behaviour in designated waiting areas.</p> <p>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.</p>	
Environmental Protection	<p>Section 4: Smells, Extraction and Ventilation:</p> <p>Please note that DEFRA's guidance has now been withdrawn and replaced by the EMAQ guidance "Control of Odour and Noise from Commercial Kitchen Exhaust Systems (September 2018)".</p>	Noted, and updated.
Environmental Protection	<p>Potential to address 'Dark Kitchens', although recognise that the majority run without applying for planning consent. From a public health aspect, it's concerning as these businesses are all online and therefore the customer orders from home, and its delivered...no collection. The concerns are that this type of purchasing is impacting on people's health, unhealthy food and no exercise. Many are not inspected by Environmental Health Officers.</p>	This type of development falls outside the remit of the non-statutory planning guidance.
NHS Humber and North Yorkshire ICB	<p>Provides summary of consultation from the HNY Public Survey, showing the following:</p>	Data incorporated in guidance.

"In a typical week, how often do you eat or drink the following? - Takeaways or fast food". Results were:

	Never	Less than weekly	1-2 times a week	3 or 4 times a week	5 or more times a week
York	16%	56%	25%	2%	0%
Humber & NY	19%	47%	28%	4%	1%

"Support for restricting fast food outlets near schools"

	Strongly Agree	Agree	Disagree	Strongly Disagree	Not sure
York	35%	44%	14%	2%	5%
Humber & NY	42%	32%	17%	4%	5%

"Banning junk food advertising on TV before 9pm"

	Strongly Agree	Agree	Disagree	Strongly Disagree	Not sure
York	32%	40%	21%	2%	4%
Humber & NY	41%	29%	19%	5%	6%

Highways Development Management	<p>Include text in introduction: Its purpose is to:....</p> <ul style="list-style-type: none"> • address and minimise impacts on road safety and the highway network 	Agreed
Highways Development Management	Query whether the layout of the premises provides sufficient information to judge whether the site is a restaurant or hot food takeaway. Delivery drivers from restaurants cause highway related issues.	The guidance refers only to sui generis takeaways for the sale of hot food where consumption of that food is mostly undertaken off the premises, not restaurants Use Class E.
Highways Development Management	Further queries about uses in Table 1 – specifically where food courts and cafes where food can be taken away to eat might fall to be considered.	<p>The guidance relates only to sui generis hot food takeaways as it is based on policy in the NPPF related to this particular use. See also</p> <p>https://www.gov.uk/government/publications/healthy-weight-environments-using-the-planning-system/addendum-hot-food-takeaways-use-in-the-new-use-class-order</p>
Highways Development Management	Queries about coverage of buffer zones in the mapping.	The 800m buffer is widely accepted as a definition of a reasonable walking distance . It's used by DfT in Manual for Streets, Sustrans in their

		Walkable Neighbourhoods guidance and was referenced by Matthew Pennycook as the government's working assumption of a reasonable walking distance in reference to the proposed NPPF changes.
Highways Development Management	Are buffers shown around private school, colleges and universities?	The buffers are shown around private schools and colleges. The final interactive mapping should allow layers to be turned on and off.
Highways Development Management	The guidance highlights concentration of hot food takeaways as an issue, this is not always the case in highways terms where it can lead to shared parking spaces and multiple driver pick ups.	Noted, but consideration of clustering of hot food takeaways is only one of a number of considerations when assessing schemes.
Development Management	Queries why 800m buffer has been shown, not 400m which is more usually used in DM.	The 800m buffer is widely accepted as a definition of a reasonable walking distance . It's used by DfT in Manual for Streets, Sustrans in their Walkable Neighbourhoods guidance and was referenced by Matthew Pennycook as the government's working

		assumption of a reasonable walking distance in reference to the proposed NPPF changes.
Development Management	What is considered to be a cluster of hot food takeaways, and how can this be assessed?	Text has been amended to clarify that a cluster refers to 2 or more adjacent hot food takeaways.
Development Management	Requested amendments to 'Applicants must submit full details of the design and siting of fume extraction systems before work commences' as information may be needed earlier as part of the application process.	'before work commences' deleted.
Development Management	Requested amendments to 'Applicants must submit full details of waste storage systems and demonstrate compliance with relevant waste regulations.' as this is covered by other legislation.	'and demonstrate compliance with relevant waste regulations' deleted.
Planning Policy Advisory Group 9 June 2026		
	Provide more evidential basis and information on why 800m buffer was chosen vs 400m buffer.	Completed; Background paper prepared (Annex C)
	Clarify where the centre point of the buffer is taken from	Completed; Background paper prepared (Annex C)
	Be clear as to what is in and out of scope within guidance.	Completed; Background paper prepared (Annex C)

Masterplanning and Garden Villages

Process:

- Internal CYC teams engagement: Regeneration, Design & Conservation, Highways Development Management, and Development Management.
- Workshop session with Design & Conservation team in December 2025.

Feedback:

Consultee	Comment	Response
Regeneration	Comments made suggesting that the guidance should be clear about its status in making planning decisions	This will be included on the webpage to cover all the non-statutory guidance.
Regeneration	Include reference to including cultural engagement alongside the delivery of cultural facilities	Agreed
Highways Development Management	Could text be included to address accessibility and inclusive environment/design requirements?	Agreed
Highways Development Management	Could text be included to address transport integration with surrounding areas/ existing services and facilities?	Agreed
Design & Conservation	Masterplanning key principles: Under “Holistically planned”, it currently says “..comprehensive but flexible enough..” but better to say more like the RTPI text it quotes from ie “comprehensive enough to guide investment but flexible enough...”	Agreed
Design & Conservation	Transport linkages and movement hierarchy:	Agreed

	Consider adding “Translate intended movement hierarchy on plan into instinctively understood street/route design types, that also support greened streets, placemaking and natural wayfinding”	
Planning Policy Advisory Group 9 June 2026		
	Ensure includes as far as possible accessibility requirements in all development schemes	Text requires that schemes provide public realm that is inclusive and adaptable; that the design is accessible for all with inclusive environment considerations; early engagement with local communities and other stakeholders is recommended.
	More text around active travel and connectivity to the wider community	Text updated
	Biodiversity and water management considerations need more mention	Text updated
	Signpost to existing best practice where possible	We have included links to Homes England and TCPA guidance.

Self Build Housing

Process:

- Internal CYC teams engagement: Housing, Regeneration and Development Management.

Feedback:

No technical officer comments received.

Planning Policy Advisory Group 9 June 2026		
Consultee	Comment	Response
	Simplify to ensure clarity in relation to what is defined as self build.	Done
	CIL exemption – provide clarity around this regarding legislation and definitions of self and custom build	CIL exemption section now signposts to CYC CIL webpages
	Take a paper to Executive around including a local connection requirement for self build	Noted

Houses in Multiple Occupation

Process:

- Internal CYC teams engagement: Regeneration, Design & Conservation, HMO Licensing, and Development Management.

Feedback:

Consultee	Comment	Response
Development Management	More detail on the definition of an HMO for planning purposes.	Agreed
Development Management	More detail on how to interpret part (iii) of the policy and paragraph 4.44 of the supporting text around amenity considerations.	Following further work with Development Management this section has been expanded to reflect current practice and appeal decisions.
Development Management	Include more information about the impacts of intensifying the use of a site.	Details of need for appropriate parking and bin storage included. Expectation for usable internal layouts.
Regeneration	Comments made suggesting that the guidance should be clear about its status in making planning decisions.	This will be included on the webpage to cover all the non-statutory guidance.
HMO Licensing	Include information about HMO Licensing.	Agreed
Planning Policy Advisory Group 9 June 2026		

	Include in background section a sentence around the impact on local amenities from an imbalanced community	Additional text included
	Move further information re demographic spread to beginning	Done
	HMO Database – clarify what information is publicly available (licensing) and how this differentiates from Planning HMO database.	Information included signposting to publicly available data informed by the Housing Standards team
	Provide clarity to state that parking should be off-street/within red-line with a minimum of 1 offstreet parking space per dwelling.	Additional text included