



EXAMINATION OF THE CITY OF YORK LOCAL PLAN

2017-2033

PHASE 1 HEARINGS

Matter 1: Legal Requirements

Duty to Cooperate

CITY OF YORK COUNCIL STATEMENT

Duty to cooperate

1.1 What are the strategic, cross boundary issues of relevance to the Local Plan ('the Plan)? How does the strategy address them?

Response

- 1.1.1 The strategic, cross boundary issues of relevance to the Plan have been considered in the following documents:
- CD020 'City of York Local Plan Submission Draft Statement to demonstrate compliance with Duty to co-operate' (April 2018)¹;
 - EX/CYC/7a Annexes to CD020, including 'Leeds City Region Statement of Co-operation for Local Planning' (March, 2016) and 'City of York Local Plan Duty to Co-operate Matrix'; and
 - EX/CYC/23 'City of York Submission Draft Statement to demonstrate compliance with the Duty to co-operate Addendum' (September 2019).
 - The Council is also finalising a Statement of Common Ground between City of York Council and the Authorities of Selby, Hambleton, Ryedale, Harrogate and East Riding of Yorkshire, and North Yorkshire County Council that will provide further evidence of the strategic issues considered by the authorities, confirming that the Council has met the Duty to Co-operate and that there are no outstanding areas of disagreement.
- 1.1.2 The Duty to Cooperate and its context is set out of the City of York Local Plan Submission Draft Statement to demonstrate compliance with Duty to co-operate (CD020). Paragraphs 178-181 of the National Planning Policy Framework 2012 (NPPF) sets out how the provisions of the Localism Act should be implemented, in relation to the Duty.
- 1.1.3 The principal record of the scope of issues identified under the Duty, and actions/outcomes arising, is through the City of York Duty to Co-operate Matrix, the format of which has been developed from the Leeds City Region duty to co-operate table. The matrices appended to the Annexes to CD020 [EX/CYC/7a] and Addendum [EX/CYC/23] detail the ongoing actions taken in relation to the Duty to Co-operate, the areas affected, resolution or mitigation involved and outcomes resulting from those actions.
- 1.1.4 During the production of the Plan the following strategic, cross boundary issues have been identified. Further detail on these issues is provided in Appendix 1 to this hearing statement.
- Extent of the housing market area;
 - Scale of housing growth;

- Functional economic area;
- Scale of employment growth;
- Retail growth;
- Leisure;
- Transport
- Waste and minerals
- Renewable Energy;
- Flood Risk/River Corridors;
- Green Infrastructure;
- Gypsies, Travellers and Showpeople;
- Education Establishments;
- Approach to the Green Belt;
- Historic Environment; and
- Climate change.

1.1.5 A number of non-strategic matters eliminated for consideration under the Duty are discussed in the Statement to Demonstrate Compliance with Duty to co-operate (CD020)¹ and include healthcare, emergency services and utilities (gas, electricity, water and telecommunications).

1.1.6 The outcomes arising from the identified strategic, cross boundary issues have been taken into account in the local plan evidence base and translated into the strategic approach of the plan and in individual policies. This is covered in answering questions 1.3 and 1.4, which sets out how the plan has addressed the outcomes arising from the duty to cooperate.

1.2 What actions have been taken in relation to the ‘duty to co-operate’?

Response

1.2.1 The City of York Council has a long history of joint working and co-operation with its neighbouring authorities and key stakeholders. The Local Plan is no exception. The Statement to Demonstrate Compliance [CD020] sets out a detailed explanation of how cross boundary working has influenced the Local Plan, leading to positive outcomes and providing the foundation for proving that the relevant cross-boundary issues have been identified and addressed. The geographical and functional extent for co-operation is set out in the Statement to Demonstrate Compliance [CD020]².

¹ See Paragraphs 4.15 – 4.24

² See Paragraph 4.04 – 4.14

- 1.2.2 City of York Council has engaged on an ongoing basis through a series of recorded meetings with neighbouring authorities, bodies and organisations. For York this comprises, principally, the local planning authority areas of Ryedale, Selby, Harrogate, Hambleton and the East Riding of Yorkshire, alongside North Yorkshire County Council and the West Yorkshire Combined Authority. Other public bodies subject to the Duty, most relevant to the City of York Council, include the Environment Agency, Historic England, Natural England and Highways England. A full list can be found in the Statement to Demonstrate Compliance [CD020]¹.
- 1.2.3 Table 4.1 from the Statement to Demonstrate Compliance [CD020] sets out the methods of co-operation through the plan making process. This includes a number of groups meeting regularly, such as heads of planning and transport boards, strategic planning groups and technical officer groups. The main role of these groups is to co-ordinate and develop sub-regional planning and transport responses and inputs to strategic matters. Through the various groups, partnership working between authorities on spatial planning and transport related issues has involved sharing information and approaches to work collaboratively to seek to ensure consistency between authorities. City of York Council is an active member of these groups.
- 1.2.4 As can be seen in Table 4.5 of the Duty to Co-operate Statement [CD020] extensive discussions have taken place in relation to infrastructure with numerous prescribed bodies and other organisations in preparing the City of York Local Plan. For example:
- discussions with utilities (e.g. Northern Powergrid and Yorkshire Water) have identified whether there is a need for strategic infrastructure and the infrastructure needed to support development, particularly on the larger strategic sites;
 - discussions with Highways England have identified schemes on the Strategic Road Network (SRN) it is intending to implement in future investment programmes that would deliver its desired outcomes for the SRN and also assist in delivering Local Plan (e.g. upgrading the A64/1237 at Hopgrove);
 - discussions with the health sector (CCG, Trusts and the Council's Public Health Team) have established the needs for clinical accommodation at York District Hospital, mental health facilities, GPs and dentists; and
 - through discussions with Council's education team and the North Yorkshire Education Authority the plan seeks to ensure there are sufficient modern education facilities across the city. Policy ED6 sets out that in doing so, subject to detailed viability and deliverability work as part of site masterplanning, this will include new provision to support strategic housing allocations. The strategic site policies (SS4 to SS20) seek to identify specific educational requirements for the strategic allocations including the provision of new primary schools where

¹ See Paragraph 3.04

necessary or appropriate contributions for nursery, primary or secondary education.

1.2.4 Since submission of the plan in May 2018, engagement has continued, as summarised in the addendum to the Statement to Demonstrate Compliance [EX/CYC/23]¹. This has included consulting with relevant bodies as part of the proposed modifications consultation, alongside continuing the formal approaches for co-operation as discussed at paragraph 1.2.3. The Council has also engaged on an on-going basis through an extensive series of recorded meetings with Historic England, Highways England, Environment Agency and Natural England on a one-to-one basis.

1.3 What have been the outcomes of the actions taken in relation to the ‘duty to co-operate’?

Response

1.3.1 Joint working and co-operation undertaken with neighbouring authorities and key stakeholders has allowed a series of planning objectives and considerations to be identified and considered through the preparation of the plan. Drawing on the City of York Local Plan Duty to Co-operate Matrix² and update³, the following table summarises the outcomes of cross boundary working in relation to the duty. How these outcomes have been addressed in the Plan is set out in answering question 1.4.

Table 1: Outcomes of actions in relation to Duty to co-operate

Issue	Outcome
<u>Extent of the Housing Market Area</u>	The SHMA 2016 [SD051] sets out that the HMA which covers City of York extends to include Selby. The authorities have worked together through the duty to ensure that housing needs are fully met across the HMA. This process included examining (as per the PPG) migration and commuting patterns and house price dynamics, which established that self-containment rates for York and Selby exceed the typical 70% threshold as set out in PPG (id 2a-011-20140306). Further, it was recognised, consistently with the PPG (ID 2a-007-20150320), that where LPAs are at different stages in plan-making they can build upon

¹ See Table 2

² See Annex 2 of the Statement to Demonstrate Compliance [EX/CYC/7a]

³ See Appendix 1 of the Addendum to the Statement to Demonstrate Compliance [EX/CYC/23]

Issue	Outcome
	<p>the existing evidence base of partner LPAs in their HMA. When York commissioned the SHMA 2016 Selby had already completed their SHMA (2015) but the methodology was aligned. Selby were progressing a Site Allocations DPD to provide sufficient sites to meet the housing need (450 dpa) which had previously been established in the adopted Core Strategy (2013). It was established through the duty to co-operate discussions that York should identify through the SHMA the proportion of need to be met in the remaining part of the HMA and for York to meet its own OAHN. This took into account the two LPAs being at different stages of plan production, and also recognised the relative degree of self-containment as regards housing needs in the City of York.</p> <p>It was agreed through discussions with neighbouring authorities that York should meet its own needs within its own boundaries.</p>
<p><u>Scale of Housing Growth</u></p>	<p>Discussions took place between York and neighbouring authorities through the Duty to co-operate to explore whether a joint SHMA commission should be pursued. York, Ryedale, Hambleton and North York Moors authorities agreed a joint commission, aligned to the methodology already undertaken for Selby and Harrogate. The spatial strategy set out in the Local Plan provides sufficient land in sustainable locations to meet the identified OAHN over the plan period as identified in the SHMA 2017 [SD050] and updated in the Housing Needs Update 2019 [EX/CYC/9]. There is no unmet need from York to be accommodated in neighbouring local authority areas. Through the duty to co-operate none of York's neighbouring authorities have approached the Council about accommodating any unmet housing needs within York. Authorities have agreed through the duty that each individual authority will meet their identified OAHN within their own administrative areas and that there are no outstanding housing duty to co-operate issues.</p>
<p><u>Functional Economic Area</u></p>	<p>The ELR (2016) [SD064] sets out the functional economic area for York. In recognition of York's position in the regional economy the Council is a member of two Local Enterprise Partnerships (LEP), the Leeds City Region and the York, North Yorkshire and East Riding LEPs.</p> <p>York is identified as a strategic economic centre in the Strategic Economic Plans that underpin the Growth Deals of both LEPs. In particular, it is recognised as a knowledge hub, with</p>

Issue	Outcome
	<p>university, research and talent, able to support to regional strategic objectives of improving productivity and delivering quality jobs. The city's positioning on the rail network also provides further opportunity for York to develop in its role as an economic centre for the wider region, particularly into North Yorkshire and East Riding. Building on the existing net inflow of travel to work to the city, the LEP strategies focus on improving transport infrastructure into regional hubs such as York.</p> <p>Both LEPs identify key regional sector strengths which can be further developed including agri-food and bio-renewables, healthcare innovation, financial & professional services which align closely with York's economy. Both LEPs also acknowledge the need for, and are directly investing, unlocking and fast tracking employment sites suitable for high value sectors and jobs, specifically identifying York Central as a priority in the Leeds City Region growth deal, and by Enterprise Zone status gained through York, North Yorkshire and East Riding LEP.</p> <p>These considerations have been reflected in the policy approach and the land supply in the Local Plan, which take into account the city's role in the wider regional economy, and role in helping deliver regional priorities, as part of the duty to cooperate. The Local Plan has been prepared to enable York to realise its economic growth ambitions as set out in the York Economic Strategy (2016) contributing to a vibrant economy. This includes York fulfilling its role as a key driver in the Leeds City Region and the York, North Yorkshire and East Riding LEP.</p> <p>The DTC Annexes [EX/CYC/7] include at Annex 6 the LCR Strategic Economic Plan (SEP) Self Assessment template for the York Local Plan. The LCR LEP/WYCA representation to the York Local Plan Regulation 19 consultation (2018) and to the Proposed Modifications Consultation (2019), as summarised in the Regulation 22 Consultation Statement and Addendum, confirms that the Plan is sound and has met the duty to co-operate requirements.</p> <p>The YNYER LEP representation to the Publication Draft (Regulation 19) considers the Plan is sound and meets the duty to co-operate requirements stating that the quantum and nature of the proposed development will be of great strategic benefit to</p>

Issue	Outcome
	<p>this LEP area and it is important that the Local Plan is advanced to adoption quickly to allow delivery of these sites.</p> <p>Overall, the policy approach in the Plan and the employment land supply reflect York’s role in the wider regional economy and its role in helping to deliver regional priorities identified in the strategic economic plans for the Leeds City Region (LCR) and York, North Yorkshire and East Riding (YNYER) Local Enterprise Partnerships (LEPS). The Local Plan has been prepared to enable York to realise its economic growth ambitions as set out in the York Economic Strategy (2016) [SD070] and to fulfil its role as a key driver in the LCR and YNYER LEPS. Both LEPS have confirmed that the York Local Plan meets the growth requirements identified and will be of strategic benefit to the LEP area.</p>
<p><u>Scale of Employment Growth</u></p>	<p>Key strategic issues relate to York fulfilling its role as a sub-regional city and driver for the sub-regional economic strategy and to the overall level of employment provision and the associated infrastructure to support the employment land need to support a more balanced provision of jobs and new homes.</p> <p>The York Local Plan will meet the full identified employment land needs identified in the Employment Land Review 2016 [SD064] and ELR Update 2017 [SD063] with an appropriate level of employment land allocations to ensure flexibility. In doing so economic growth is focussed in the City Centre and other sustainable locations. The Plan seeks to provide sufficient housing allocations within the City of York to enable people to live and work in York thereby seeking to minimise any increase in inward or outward commuting. The plan provides sufficient land to accommodate an annual provision of 650 jobs per annum and in doing so enables York to realise its economic growth ambitions as a key driver in the LCR and YNYER LEPS. This includes provision of a new central business district as part of an exemplar mixed used development at York Central (ST5) which is identified as a key spatial priority in the LCR and YNYER SEP.</p>
<p><u>Retail Growth</u></p>	<p>The Plan establishes a retail hierarchy policy and more specific policies relating to York City Centre, district and local centres and out of centre retail locations. This seeks to ensure that the vitality and viability of York City Centre and district and local</p>

Issue	Outcome
	<p>centres should be maintained. The Local Plan seeks to control out of centre retailing to ensure that the potential for negative impacts upon the vitality and viability of centres in surrounding authority areas is minimised. The Local Plan seeks to reduce travel by private car and increase the use of more sustainable forms of travel.</p>
<p><u>Leisure</u></p>	<p>There is a recognised international, national and regional draw of York as a leisure (tourism) destination. As part of this, York is the 'gateway' to Yorkshire which creates linked trips; a wider tourist accommodation offer in neighbouring areas; and a need for wider tourism promotion. No specific cross boundary issues raised through duty to cooperate discussions. The Plan seeks to maximise the use of more sustainable forms of transport for leisure trips through improving the public transport offer through strategic public transport improvements.</p>
<p><u>Transport</u></p>	<p>City of York Council (CYC) has undertaken transport modelling to assess at a strategic level the impacts of employment and housing growth at on the local road network and the strategic road network (SRN), namely the A64. CYC has discussed the outputs from the transport model with its neighbours, as necessary and appropriate (e.g. Harrogate Borough Council for the A59 (including the A1 Jct. 47), and Selby District Council for the A19). CYC has also worked in Partnership with HE to determine the impacts of the local plan on the operation of the A64 and its junctions with the primary road network any future mitigation requirements on the SRN. This includes the creation of a bespoke Mesoscopic 'baseline model' of the A64 commissioned by both parties for both parties to use for the purposes of producing future year traffic forecasts on the A64 and thereby determine the impacts of the LP on the A64.</p> <p>CYC has been in discussion with East Riding of Yorkshire Council (ERC) to determine their Local Plan development impacts on the A64/A166/A1079/Elvington Lane junction at Grimston Bar with a view to determining each respective authority's contribution to these impacts and their mitigation. Highways England was also party to these discussions. Further to these discussions, the Local Plan Infrastructure Delivery Plan (IDP) [SD128] contains 'Junction upgrade A64 / A1079 / A166 at Grimston Bar' in Level 2 - Community / Neighbourhood</p>

Issue	Outcome
	<p>Infrastructure, with a cost estimate of £10 million. The CYC contribution is expected to be largely funded by developer contributions from a cluster of strategic sites that have an impact on this junction.</p> <p>East-west connectivity (A59/A1237/A64/A1079) and north-south connectivity (A19) has also been considered. NYCC and Harrogate Borough Council (HBC) are exploring options for futureproofing the A59. In this regards CYC/HBC are sharing modelling outputs as appropriate.</p> <p>The IDP [SD128] also contains in Level 1 - Strategic Infrastructure 'Junction upgrades to A1237 Junctions.' These improvements are funded through the West Yorkshire Transport Fund + and some of these junction upgrades have already been completed.</p> <p>Also included in the Level 1 - Strategic Infrastructure is 'At Grade Dualling of A1237'. Whilst this scheme is promoted by city of York Council, North Yorkshire County Council (NYCC) and the York, North Yorkshire and East Riding Local Enterprise Partnership recognised the importance of upgrading the A1237 through dualling and appropriate junction improvement and West Yorkshire Combined Authority funded a pre-feasibility study for dualling the A1237 Outer Ring Road .In October 2019 it was announced that the first phase of dualling the A1237 (A19 – Hopgrove) had been granted Programme Entry status by the Department for Transport (to be funded through DfT, York North Yorkshire and East Riding LEP and CYC funding).</p> <p>At a sub-regional level a Memorandum of Understanding for A64 Trunk Road York - Scarborough Improvement Strategy has been signed by CYC, The Highways Agency, North Yorkshire County Council/ The York North Yorkshire and East Riding LEP and the local planning authorities within North Yorkshire through which the A64 runs.</p> <p>An agreement was made between City of York Council (CYC), Harrogate Borough Council (HBC) and North Yorkshire County Council (NYCC) for improved rail services between York Harrogate and Leeds. Funding is currently available through the LEP Local Growth fund and NYCC funding to increase the frequency of services between York and Harrogate. Arriva Rail</p>

Issue	Outcome
	<p>North through its franchise agreement has increased frequency between Harrogate and Leeds. LNER will be operating 6 direct trains in each direction between Harrogate/Leeds/London. Further franchise commitments will increase frequency and capacity across the sub-region (including services to/from/through York).</p> <p>Transport for the North (TfN) is now established as a statutory sub-national transport body for the North. Local transport authorities (including CYC) are now members of TfN</p> <p>It should also be noted that CYC has prepared a 'Check List for Strategic Transport Assessments' as advice for promoters / developers of strategic sites on what CYC expects to be provided in Transport Assessments (TAs) for strategic developments identified in the Local Plan, with a focus on maximising travel by sustainable modes before looking at residual private car journeys and mitigation the additional traffic impacts.</p>
<p><u>Waste and Minerals</u></p>	<p>Alongside the Local Plan the Minerals and Waste Joint Plan has been prepared with North Yorkshire County Council and North Yorks Moors National Park Authority which is currently at examination. The JMWP will ensure that all three authorities can make decisions on planning applications for minerals and waste development over the period to 2031. The decision to prepare a joint plan was taken in 2013 recognising the benefits and efficiencies of joint working.</p> <p>For municipal waste the Council works closely with North Yorkshire County Council through an Inter Authority agreement. The councils have worked jointly to secure a waste treatment facility to divert biodegradable municipal waste from landfill at Allerton Waste Recovery Park. No other sites will be required for the treatment of residual municipal waste arising in City of York Council area in the plan period.</p> <p>The Minerals ad Waste Plan identifies suitable alternative capacity for municipal waste and suitable capacity for all other work streams as may be required during the lifetime of the joint Plan.</p>

Issue	Outcome
<u>Renewable Energy</u>	<p>Effective cooperation and joint working required to avoid proliferation or uncoordinated provision of renewable energy facilities.</p> <p>Through the duty to co-operate discussions took place on the potential effect of renewable energy schemes in York on neighbouring authorities. Discussions have allowed the Plan to ensure that suitable projects are identified and supported subject to identified criteria. Policy CC1 encourages the development of renewable and low carbon energy generation. The policy includes criteria against which proposals would be assessed which includes the sensitivity of the scheme to the surrounding landscape and other sensitive land use including conservation areas, impacts on local communities and residential amenity resulting from development, construction and operation including air quality, atmospheric emissions, noise, odour, water pollution and the disposal of waste and impacts on nature conservation sites and features, biodiversity and geodiversity including protected sites and other sites of nature conservation importance and potential effects on setting, habitat or species and the water supply and hydrology of such sites.</p>
<u>Flood Risk/River Corridors/Water environment</u>	<p>It was recognised that policy would need to avoid creating flood management issues in neighbouring authorities. York's Local Plan seeks to manage flood risk and reduce surface water run-off. Joint working took place on the development of the Catchment Flood Management Plans for the Yorkshire and North East region. Council has also worked with the Environment Agency, who highlighted the need for the Plan to require developments to meet the requirements of the Water Framework Directive. Reference to the WFD was added to the plan and specific policies regarding managing flood risk and drainage are incorporated.</p>
<u>Green Infrastructure</u>	<p>Impacts of recreational disturbance and urban edge effects on Strensall Common SAC, Lower Derwent Valley SPA and Skipwith Common SAC were considered through Habitats Regulation Assessment and consultation with Natural England. A regional approach to green corridors was highlighted as important for consideration in York's evidence base. Policies for dealing with green infrastructure, including green corridors, is set</p>

Issue	Outcome
	<p>out in the plan and the spatial strategy uses the key evidence base is directing the location of future development.</p>
<p><u>Gypsy, Travellers and Showpeople</u></p>	<p>Uncoordinated provision of suitable sites could lead to over-provision or under provision at the Sub-regional/Sub-area level. The impact would extend to surrounding Districts if York does not meet its own needs. None of the adjoining authorities have approached the Council about accommodation needs.</p>
<p><u>Educational Establishments</u></p>	<p>Consideration has been given for travel to education establishments outside York and travel into York's education establishments from outside the authority area. The need to co-ordinate school catchment plans to assess any cross boundary issues has also been considered. This has included identifying the location of any new/enlarged education establishments in relation to housing allocations. Site specific policies for the strategic sites identified in the Plan seek to ensure the provision of new or enlarged education establishments to meet the needs identified from the site/s. The Regulation 19 consultation response from NYCC acknowledges changes made to some policies and allocations since comments were made at Pre-publication draft consultation. These comments specifically referred to cross boundary impacts from site 183 in Escrick village which is close to the boundary with Selby District Council. This site is not included in the Publication Draft Local Plan. There are no outstanding cross boundary issues in relation to education provision.</p>
<p><u>Approach to the Green Belt</u></p>	<p>Whilst the general extent of the York Green Belt is already established by way of the saved policies of the Yorkshire and Humber RSS, there is a need to define inner and outer Green Belt boundaries and give permanence to them. The Plans seeks to define the inner and remaining outer boundaries of the York Green Belt and to create a green belt boundary that will ensure for a minimum of 20 years meeting longer term development needs beyond the end of the plan period. Discussions with other authorities recognised that green belt boundaries had already been established in a number of locations where authority boundaries aligned with CYC administrative boundaries.</p> <p>As a result of Duty to Co-operate discussions it was agreed that York should meet its housing needs within its Local Plan, as described above.</p>

Issue	Outcome
<u>Historic Environment</u>	<p>There was a general recognition of the need for the evidence base to describe the special characteristics (the significance) of York, noting the potential impacts of growth on those qualities.</p> <p>A Heritage Topic paper describing the principle characteristics of strategic importance to the significance of York has been prepared to support the Local Plan. The plan is also supported by a heritage impact appraisal (HIA), guiding the levels and location of growth in York. Historic England have indicated their support for the topic paper and the methodology for the HIA.</p>
<u>Climate Change</u>	<p>The strong policy linkages between climate change, renewable energy, flood management, green infrastructure and minerals planning agendas were recognised. A policy thread running through the Local Plan is minimising and adapting the effects of climate change.</p>
<u>Air Quality</u>	<p>There was a need to undertake air quality assessment to address the impacts of traffic emissions on nationally and internationally designated nature conservation sites.</p> <p>The Council commissioned an air quality assessment to determine air quality impacts on designated nature conservation sites in the authority as a result of the development in the Local Plan. This assessment used traffic modelling data to assess cross boundary trips to incorporate consideration for consequent concentrations of pollutants relevant to the identified nature conservation sites. The outcomes were used as evidence base for the Habitat Regulation Assessment. Policy ENV1 also reflects the outcomes of this wherein development will only be permitted if the impact on air quality is acceptable.</p>

1.4 How does the Plan address those outcomes?

- 1.4.1 The outcomes identified in Table 1 above have been taken into account in the local plan evidence base and translated into the strategic approach of the plan and in individual policies, including those identified in the table above.
- 1.4.2 In relation to the HMA and the scale of housing growth, the discussions explained above led to CYC meeting its own OAHN through the Plan. The spatial strategy (Policy SS1) set out in the Local Plan provides sufficient land in sustainable locations to meet the identified OAHN over the plan period as identified in the SHMA 2017 [SD050] and updated in the Housing Needs Update 2019 [EX/CYC/9]. Specific allocations for housing are made through policy H1 to meet the identified need and

this is set out in a detailed housing trajectory showing the phasing of individual sites over the plan period [CYC/EX/16].

- 1.4.3 In relation to the Functional Economic Area and the scale of economic growth, to allow York to fulfil its role as a Sub-Regional City and a driver for the sub-area's economy Policy SS1 sets out a priority for development during the plan period to provide sufficient land to provide for the forecast growth in the York economy, and protects this land (and existing employment sites) from other competing uses. Policy EC1 sets out the sites that will provide for a range of employment uses during the plan period. When considering the loss of employment land, Policy EC2 requires evidence that the site is no longer appropriate for employment use. Any proposal which would lead to the loss of a site allocated through EC1 will be resisted unless there is compelling evidence to demonstrate the site is no longer needed. The plan proposes to allocate sufficient housing sites through Policy H1, with good access to services and public transport to meet the housing needs of the current population and the future population linked to the city's economic growth ambitions. This will enable people to live and work in York, thereby minimising any increase in inward or outward commuting.
- 1.4.4 In relation to retail growth, Policy SS3 recognises the city centre as the economic, social and cultural heart of York. It is identified as the principle location for the delivery of economic growth in the tourism, leisure and cultural sectors. In doing so, the plan will strengthen York City Centre's role as a shopping and leisure destination within the wider Yorkshire and Humber region. York City Centre will remain the focus for main town centre uses through Policy R1 which applies a retail hierarchy and sequential approach. The vitality and viability of the city centre will be maintained and enhanced through Policy R3 which recognises that the continued success of the city centre is important to the continued economic success of York and the wider region.
- 1.4.5 In relation to leisure, York City Centre will remain the focus for main town centre uses through Policy R1 which applies a retail hierarchy and sequential approach. Proposals for leisure development, as a main town centre use, will be directed to the city centre in the first instance in accordance with the retail hierarchy. Tourism in York will contribute to a diverse economy, through Policy EC4 which supports proposals that continue to creatively develop York's tourism and cultural offer and raise the city's profile as a quality visitor destination. This includes maintaining and improving the choice and quality of visitor accommodation to encourage overnight stays, particularly by higher spending visitors.
- 1.4.6 In relation to transport, several of the Spatial Strategy policies require site promoters / developers to 'Demonstrate that all transport issues have been addressed, in consultation with the Council and Highways England, as necessary, to ensure sustainable transport provision at the site is achievable including policy SS9 (Site

ST7), policy SS10 (Site ST8), policy SS12 (Site ST14) and policy SS13 (Site ST15). In addition, a number of these policies also require the developer to assess the impacts of the site individually and cumulatively with other specified strategic sites for example policies SS9, 10, 11, 12 and 13.

- 1.4.7 In relation to waste and minerals, North Yorkshire County Council, CYC and the North York Moors National Park Authority have worked together to produce a Minerals and Waste Joint Plan, setting out planning policies for minerals and waste developments across all three areas and guiding decisions on planning applications up to 2030. Local Plan Policies WM1 and WM2 support the Joint Plan in safeguarding existing facilities, identifying suitable alternative capacity for municipal waste and for all other waste streams.
- 1.4.8 In relation to renewable energy, The Plan through policy CC1 encourages renewable and low carbon energy generation and storage and seeks to ensure that suitable projects are identified and supported. Policy CC1 also includes criteria for how applications should consider the impact the scheme may have on several aspects including York's historic character and setting including the sensitivity of the scheme to the surrounding landscape and proximity to sensitive land uses and impacts on local communities and residential amenity.
- 1.4.9 In relation to flood risk/water, flood risk management is established in the Local Plan as a spatial principle to guide development through Policy SS1, which seeks to ensure flood risk is appropriately managed. Flood risk has been taken into account throughout the plan to ensure that new development is not subject to, nor contributes to unacceptable levels of flood risk. The plan responds to the opportunities offered by the city's natural resources and safeguards water resources to protect and improve water quality, with an overall aim of getting water bodies to 'good' status under the Water Framework Directive. Policy ENV5 seeks restricts surface water runoff from new development. Measures to restrict surface water run off rates shall be designed and implemented to prevent an unacceptable risk to groundwater and to ensure there is no pollution of the water environment including both ground and surface waters.
- 1.4.10 In relation to green infrastructure, the Habitat Regulation Assessment (HRA) of the Plan [CD012] has been revised following further visitor survey evidence [EX/CYC/14c]. The Council cannot conclude that the proposed site allocations ST35 (Queen Elizabeth Barracks) and H59 (Land at Howard Road, Strensall) and the associated site specific Policy SS19 would not adversely affect the Strensall Common SAC. As indicated through the proposed modifications consultation, it is proposed that sites ST35 and H59 should be removed from the plan, alongside Policy SS19. It is also proposed to modify Policy GI2 to clarify the planning approach to internationally and nationally significant nature conservation sites. In addition, the Council uses the regional Green Corridors map prepared by Natural England and

partner organisations as a key evidence base to underpin factors that shape growth (policy SS1) and policies within section 7 pertaining the green infrastructure in the plan.

- 1.4.11 In relation to education, the plan must ensure there are sufficient modern education facilities across the city. Policy ED6 sets out that in doing so, this will include new provision to support strategic housing allocations.
- 1.4.12 In relation to the Green Belt, as explained above the Local Plan has for the first time defined the inner and outer boundaries of the Green Belt. Detailed boundaries shown on the policies map follow recognisable physical features that are likely to endure such as streams, hedgerows and highways. As set out in Policy SS2, the Green Belt boundaries will safeguard the special character and setting of the historic City.
- 1.4.13 In relation to gypsies, travellers and showpeople, the identified needs for gypsy, travellers and travelling showpeople are being met in the Local Plan through policy H5.
- 1.4.14 In relation to the historic environment, the policies of the plan have been strategically influenced by the Heritage Topic Paper and Heritage Impacts Appraisal evidence base. In addition, consideration for the historic character and setting of the city forms a key factor in shaping the location of development. Historic England also welcome the Plan's strategic approach to accommodating its development needs set out in Policy SS1. This approach, limiting the amount of growth which is proposed around the periphery of the built-up area of the City, safeguards key elements identified in the Heritage Topic Paper as contributing to the special character and setting of the historic city.
- 1.4.15 In relation to climate change, policies are included in the plan which address climate change (see below). The spatial strategy directs development away from areas of importance for green infrastructure and high flood risk and to the main urban area or where there is, or can create, access to services and transport.

1.5 Overall, has the Plan been prepared in accordance with the 'duty to co-operate' imposed by Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended)?

Response

- 1.5.1 Yes. It is the Council's view that the Plan has been prepared in accordance with the duty to cooperate. This is supported by neighbouring authorities as set out in the Consultation Statement [CD013A] and Consultation Statement Addendum [EX/CYC/22]. The Council has demonstrated that in preparing the Local Plan it has

co-operated with neighbouring authorities and prescribed bodies through constructive and on-going engagement. This has taken place at all stages of plan preparation. The basis and results of this co-operation mean that the relevant cross boundary issues have been identified and addressed within the submitted Plan. The Statement to Demonstrate Compliance with the Duty to Co- Operate [CD020] and Addendum [EX/CYC/23] provides evidence of the engagement that has taken place and an explanation of how that this co-operation has influenced the plan. This has led to positive outcomes and provided the foundation for proving that the relevant cross boundary issues have been identified and addressed within the plan. The Council is also finalising a Statement of Common Ground with neighbouring authorities to confirm that the Council has met the duty.

- 1.5.3 The Council's view that it has complied with the requirements of the Duty to co-operate is reinforced by the views expressed by the Leeds City Region Planning Portfolios Board and the North Yorkshire and York Spatial Planning and Transport Board as member level boards in the two sub-regional areas in which the City of York is a constituent authority. Both of these boards endorsed the approach taken by City of York Council in meeting the requirements of the Duty to co-operate in the plan making process.
- 1.5.4 In order to ensure this compliance is ongoing, the Council is committed to continuing to meet with other authorities and relevant bodies to discuss strategic cross boundary issues.

In answering the above questions, we ask that the Council includes specific reference to identifying Housing and Functional Economic Market Areas, meeting housing needs, the Green Belt approach and the delivery of necessary infrastructure (e.g. school places).

These issues have been addressed in the above responses.