

YORK LOCAL PLAN

EXAMINATION OF THE CITY OF YORK LOCAL PLAN 2017 – 2033

**Schedule of Matters, Issues and Questions for the Examination
Phase 4 Hearings**

Made on Behalf of Barratt and David Wilson Homes

Matter 4 – Placemaking, Design, Heritage, and Culture

Introduction

4.1 These representations are made on behalf of Barratt and David Wilson Homes (Yorkshire East). Our Client has a number of strategic allocations and housing allocations across the city and has made representations at all stages of the plan, together with appearing at the Examination in Public. These representations should be read in conjunction with those representations and also our separate responses to the Councils housing needs assessment.

4.1 Is Policy D1 soundly based as a general approach?

4.2 The general approach to the policy in the introduction sets out a number of schemes that will be supported and others, which will not be supported. Our Client agrees with this basic principle, however do raise concerns over the way in which this is worded. Reference to refusing schemes that 'fail to make a positive design contribution to the city' should be reworded as this implies that all schemes have to improve an area through their design quality.

4.3 This places a higher level of test on schemes in the city than statutory provisions in a conservation area requires, which is to preserve or enhance the character of the area. York has a city has a variety of design and character, from its historic city, to inner areas, the suburbs within the ring road and villages outside the ring road.

4.4 Applying a 'positive design contribution to the city' when the city includes the historic centre implies a significantly higher level of design than national policy. In developing sites, an analysis of the surrounding character should be considered and in some areas, particularly in some sub urban areas, continuing the existing character is more appropriate. On this basis the assessment should be amended to one of local character rather than the city as a whole.

4.5 It is considered that this local approach is reflected in the five more detailed sections of the policy, which makes references to neighbouring context. The amendment does not seek to reduce the design quality of schemes but to apply a more localised assessment.

4.4 Is the way in which Policy D4 treats conservation areas and their settings, well founded?

- 4.6 Policy D4 (i) replicates the statutory test to preserve or enhance the special character and appearance of the conservation area. However it thereafter adds that it must also enhance or better reveal its significance. This additional test moves from the statutory test of not harming the conservation area to a requirement to positively enhance it. Whilst this may be an aspiration it cannot be a policy requirement and as drafted the policy is unsound.
- 4.7 The policy also references the tests in the framework, with regards to allowing public benefits to outweigh harm, however it only applies this to developments that lead to substantial harm, excluding developments that lead to less than substantial harm.
- 4.8 In order to comply with national policy, the wording should be amended to reference public benefits to all developments and remove the added requirement for improving development in or near to conservation areas.