

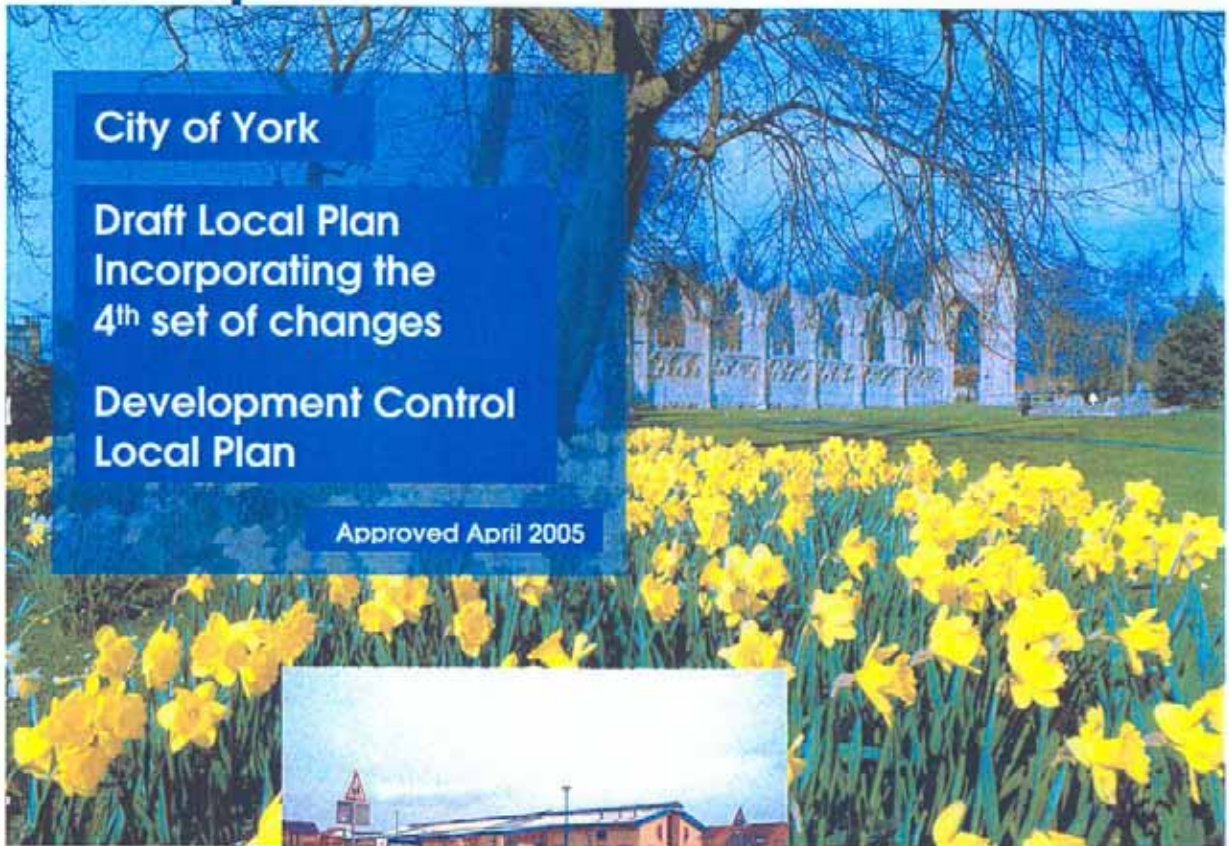


City of York

Draft Local Plan
Incorporating the
4th set of changes

Development Control
Local Plan

Approved April 2005



This document was approved at a meeting of the City of York Council on 12th April 2005. It has two key roles reflected in its title.

Firstly, it represents the most advanced stage of the draft City of York Local Plan. In this role, it comprises the 1998 deposit draft of the Local Plan amended up to and including a fourth set of changes.

In addition, and quite separately, it was also approved for the purpose of making development control decisions in the City, for all applications submitted after the date of the Council meeting (12th April 2005). It will be used for this purpose until such time as it is superseded by elements of the Local Development Framework.

For both purposes, it is accompanied by a set of proposal maps entitled 'Development Control Local Plan Proposal Maps'.

For the purposes of clarity, policy numbers have been carried forward throughout the whole Local Plan process. Where new policies have been added they include a suffix. Where policy numbering does not run sequentially this is because a policy has been deleted (see 'How to use this Local Plan' for full details).

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APPENDIX E	Car And Cycle Parking Standards
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How to use this Plan

OBJECTIVES:

- To preserve and enhance the character and appearance of conservation areas, listed buildings and historic parks and gardens whilst at the same time promoting sustainable development.
- To safeguard the City of York's archaeological heritage

← The 'Objectives' box sets out what the Plan is seeking to achieve through the policies in that particular Chapter of the Plan

HE6 : Shopfronts in Historic Locations

Planning permission will only be granted for new, or alterations to existing, shopfronts in conservation areas or on listed buildings where the proposed design preserves or enhances the character of the area or building.

← This is the policy number and title of the policy. The first letters of the policy number relate to the specific Chapter title and the number refers to the individual policy number within that Chapter.

← The relevant policy follows immediately after the policy title. This sets out the criteria against which planning applications will be considered.

See also: GP16

← Where applicable, policies are immediately followed by a reference to other policies to which this policy should be read in conjunction with.

4.21 Retail uses and their shopfronts form part of the character and appearance of the Central Historic Core and other conservation areas. Well designed sympathetic shopfronts can make a positive contribution to the appearance of a conservation area, whilst those that are insensitive or obtrusive can damage it. The promotion of good shopfront design is therefore essential to the preservation and enhancement of the historic City of York.

← The paragraphs following each policy explain why that policy has been included in the Plan, and include any relevant supporting information that may be taken into account when considering proposals under that particular policy heading.

4.22 ← Modern needs and conservation objectives need not be in conflict. There will be circumstances where a modern shopfront may be appropriate and can contribute to the character and appearance of a conservation area. High quality, imaginative architectural design will be encouraged in such locations. Detailed advice on the design of shopfronts will be available to applicants through supplementary planning guidance.

← The paragraphs are numbered for ease of reference and should be quoted wherever possible.

PLEASE NOTE THAT POLICIES IN THE PLAN SHOULD NOT BE INTERPRETED IN ISOLATION. INSTEAD, THE PLAN (TOGETHER WITH THE PROPOSALS MAP) SHOULD BE INTERPRETED AS ONE SINGLE DOCUMENT.

How to use this Plan

POLICIES DELETED OR SUPERSEDED SINCE THE DEPOSIT DRAFT 1998

Since the Deposit Draft City of York Local Plan was published in May 1998, four Sets of Changes to the Local Plan have been made. These were dated as follows:

- Changes 1: March 1999
- Changes 2: August 1999
- Changes 3: February 2003
- Changes 4: April 2005

The following section is a list of all the policies which have been deleted or superseded since May 1998, set out in Chapter order. The list is intended to allow the reader to track any policies which have been deleted or superseded during the various changes to the Local Plan.

Chapter 1. Local Plan Strategy

- **SP1: General Principles** - Deleted March 1999
- **SP4: Housing Land Provision** - Deleted Feb 2003
- **SP5: Employment Land Provision** - Deleted Feb 2003
- **SP7: The Sequential Approach to Development** – Deleted Feb 2003, and replaced by new policy **SP7a: The Sequential Approach to Development**
- **SP7b: York City Centre and Central Shopping Area** - New policy added Feb 2003.
- **SP9: Action Areas** – New policy added Feb 2003
- **SP10: Strategic Windfalls** – New policy added Feb 2003

Chapter 2. General Policies

- **GP2: Amenity** - Deleted March 1999
- **GP4: Environmental Sustainability** – Deleted Feb 2003, and replaced by new policy **GP4a: Sustainability**
- **GP4b: Air Quality** – New policy added Feb 2003
- **GP8: Amenity and Open Space** - Deleted Feb 2003, and amalgamated into new policy **L1c: Provision of New Open Space in Development**
- **GP15: Protection From Flooding** – Deleted Feb 2003, and replaced by new policy **GP15a: Development and Flood Risk**
- **GP24: Safeguarded Land** - Deleted Feb 2003, and replaced by new policy **GP24a: Land Reserved for Possible Future Development**

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Chapter 3. Nature Conservation and Amenity

- **NE4: Statutory Nature Conservation Sites** - Deleted Feb 2003, and replaced by new policy **NE4a:International and National Nature Conservation Sites**
- **NE5: Non Statutory Nature Conservation Sites** - Deleted Feb 2003, and replaced by new policy **NE5a:Local Nature Conservation Sites**
- **NE5b: Avoidance of, Mitigation and Compensation for Harm to Designated Nature Conservation Sites** – New policy added Feb 2003.

Chapter 6. Transport

- **T2: Cycle/Pedestrian Network** – Deleted April 2005, and replaced by new policy **T2a: Existing Pedestrian/Cycle Networks**, and **T2b: Proposed Pedestrian/Cycle Networks**
- **T7: Public Transport** – Deleted Feb 2003 and replaced by policy **T7b: Making Public Transport Effective**
- **T7c: Access to Public Transport** – New policy added Feb 2003.
- **T13:Car Parking Standards** – Deleted Feb 2003, and replaced by new policy **T13a: Travel Plans and Contributions**
- **T14: Public Car Parking** – Deleted Feb 2003, and replaced by new policy **T14a: Off Street Parking In The City Centre**
- **T15: Piccadilly Multi-Storey Car Park** – Deleted April 2005
- **T16: Long Stay Car Parking** – Amended Feb 2003 to read **T16: Private Non-residential Parking**.
- **T19a: York Outer Ring Road** - New policy added Feb 2003.

Chapter 7. Housing

- **H2: Affordable Housing** – Deleted Feb 2003, and replaced by new policy **H2a: Affordable Housing**
- **H3: Phasing** – Deleted March 1999 and replaced with **H3: The Sequential Approach to New Housing Developments**, subsequently deleted Feb 2003, and replaced by new policy **H3b: Managed Release of Allocated Housing Sites**
- **H3a: Mix of Dwellings on Housing Sites** – New policy added August 1999. Deleted Feb 2003 and replaced with new policy **H3c: Mix of Dwellings on Housing Sites**.
- **H4: Housing Development in Existing Settlements** – Deleted Feb 2003, and replaced by new policy **H4a: Housing Windfalls**
- **H5: Residential Density** – Deleted Feb 2003, and replaced by new policy **H5a: Residential Density**
- **H6: Residential Development** – Deleted March 1999

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- **H8: Conversions** - Deleted Feb 2003 and replaced with new policy **H8a: Conversions**
- **H10: City Centre Housing** – Deleted Feb 2003
- **H13: Houseboats** – Deleted March 1999
- **H14: Accessible Housing** – Deleted Feb 2003, and amalgamated into new policy **H3c: Mix of Dwellings on Housing Sites**
- **H15: Student Housing** – Deleted Feb 2003, and replaced by new policy **ED10: Student Housing**

Chapter 8. Employment

- **E1: Employment allocations** – Deleted Feb 2003, and replaced by new policy **E1a: Premier Employment Sites**
- **E2: Prestige Employment Sites** – Deleted March 1999
- **E3: Existing Employment Sites** – Deleted Feb 2003, and replaced by new policy **E3a: Standard Employment Allocations**, and **E3b: Existing and Proposed Employment Sites**
- **E5: York City Centre B1 (office) Allocations** – Deleted Feb 2003, and incorporated into new policies **E1a: Premier Employment Sites**, and **E3a: Standard Employment Allocations**.
- **E6: Mixed Use on York City Centre B1 (office) Allocations** – Deleted Feb 2003, and incorporated into new policies **E1a: Premier Employment Sites**, and **E3a: Standard Employment Allocations**.
- **E9: Safeguarding Existing Premises and Sites** – Deleted Feb 2003, and incorporated into new policy **E3b: Existing and Proposed Employment Sites**.
- **E11: Major Exceptions** – Deleted Feb 2003.

Chapter 9. University of York – Deleted Feb 2003, and incorporated into **Chapter 9. Educational Establishments**

- **U1: Existing Heslington Campus** – Deleted Feb 2003, and replaced by new policy **ED6: University of York Heslington Campus**
- **U2: Existing University Science Park** – Deleted Feb 2003, and replaced by new policy **E7: University Science Park**
- **U3: City Centre Expansion** - Deleted Feb 2003, and replaced by new policy **ED8: City Centre Expansion**
- **U4: New Campus** – Deleted Feb 2003, and replaced by new policy **ED9: University of York New Campus**

Chapter 10. Shopping

- **S3: Mix of Use in Shopping Streets** – Deleted Feb 2003, and replaced by new policy **S3a: Mix of use in Shopping streets**
- **S13: Car Showrooms** – New policy added Feb 2003.

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Chapter 11. Leisure and Recreation

- **L1: Provision of Open Space in New Residential Development** – Deleted Feb 2003, and replaced by new policy **L1c: Provision of Open Space in Development**
- **L1a: Leisure Development:** New policy added March 1999.

Chapter 13. Community Facilities

- **C2: St. Barnabas' Centre** – Deleted Feb 2003, and replaced by new policy **ED2: St. Barnabas' Centre**

Chapter 14: Minerals and Waste

- **MW8: Waste Handling** – Policy deleted Feb 2003

Chapter 15: York Central

- **New chapter added Feb 2003**

CHAPTER 1: LOCAL PLAN STRATEGY

LOCAL PLAN STRATEGY

Background

1.1 York is a modern commercial city renowned for its heritage. A number of elements combine to define the character of the City. The important core of historic buildings, mostly within and around the City Walls, that give the City its international reputation as a heritage centre, is supplemented by a rural setting of open countryside and generally small villages that emphasise the compact urban form of York.

1.2 A critical element that defines and limits the urban expansion of York is the open countryside that runs right into the heart of the built-up area. These green wedges, including the historic strays and river corridors, are an extremely important part of the historic character and setting of the City. This is further enhanced by areas of open countryside that provide views of the historic features such as York Minister and the historic villages that surround the City.

1.3 Protecting the historic character of York is the primary purpose of the York Green Belt. To achieve this, the boundary of the Green Belt has been drawn close to the urban area of York. In assessing the location of future greenfield development sites the Council has undertaken extensive work to ensure that the historic character and setting of the City is preserved.

1.4 The City's role as a major tourist destination, as a sub-regional shopping centre and its proximity to the rapidly growing Leeds conurbation together with the availability of a skilled workforce have combined to bring strong development pressures for a wide range of uses.

1.5 In 1998 the UK Minister for Science launched Science City York, an initiative designed to stimulate the further growth of clusters of knowledge-based businesses that have grown in the city, of which 3 specific sectors are identified:

- Bioscience and Healthcare
- Information and Communication Technology
- Heritage and Arts Technology

1.6 Recent structural changes in the economy have emphasised the vulnerability of an economic dependence on traditional industries. This has highlighted the need for continued diversification and the attraction of investment into the City, particularly through Science City

York, to ensure it has continued prosperity and thereby long term sustainability.

Planning Context

1.7 Government Guidance is provided, in the main, by the Planning Policy Guidance Notes, but also by Mineral Policy Guidance Notes (MPG's), Government Circulars, Statutory Instruments, White Papers and Ministerial Statements. These sources set an overall context within which planning policies should conform. The key element within national policy is the need to ensure that development, conservation, growth and change are sustainable. These principles stem from the Government's sustainability objectives devised and following on from the Summits for Sustainable Development (at Rio de Janeiro in 1992 and in Johannesburg in 2002). Four broad sustainability objectives are identified in the Government's Better Quality of Life (1999), as being:

- Social progress which recognises the needs of everyone;
- Effective protection of the environment;
- Prudent use of natural resources; and
- Maintenance of high stable levels of economic growth and employment.

1.8 The Government also sets out its commitment to construction 'Building a Better Quality of Life - A Strategy for more sustainable construction (2000)' and has consolidated this in changes to the building regulations in 2002, the communities plan in 2003 and the Energy White Paper in 2003. Sustainability is at the heart of national planning guidance.

1.9 Beneath the over-riding framework of guidance provided by Central Government the detailed policies within the City of York Local Plan are guided by the Regional Planning Guidance for Yorkshire and the Humber together with the North Yorkshire Structure Plan. At a regional Level the Yorkshire and Humber Regional Assembly have agreed (in 2003) 15 interrelated sustainable development aims for the region and 4 cross cutting themes to be applied when working towards these aims (contained in '*Advancing Together-Working towards a sustainable development framework*')

1.10 Regional Planning Guidance for Yorkshire and the Humber (RPG12) was published by the Government Office in October 2001. The document addresses, among other

CHAPTER 1: LOCAL PLAN STRATEGY

issues, future growth in the region for the period until 2016.

1.11 What is apparent within guidance at every level is an absolute commitment to the principles of sustainable development. This commitment is welcomed by the Council and is the over-riding aim of this Local Plan.

Sustainable Development

1.12 Achieving Sustainable Development is clearly at the forefront of the Planning agenda and is the key vision of this plan. A widely accepted definition is:

“development which meets the needs of the present without compromising the ability of future generations to meet their own needs”.

1.13 Sustainable development is about ensuring a better quality of life for everyone, now and for generations to come. It recognises that our economy, environment and social well-being are interdependent. It means protecting and enhancing the environment whilst meeting people’s basic need in areas such as housing and employment. It also requires a strong economy that will create the prosperity to allow residents’ needs to be satisfied.

York’s Vision

1.14 For York, sustainable development means a vision of a vibrant historic city where modern life and business develop in harmony with the environment, while preserving the city’s unique heritage for the future. This is reflected in York’s community strategy ‘York: A City making History’ Its themes are:

1. York-The Thriving City;
2. York-The Sustainable City;
3. York-The Healthy City;
4. York-The Inclusive City

The vision is York a City making history making our mark by:

- Building confident, creative and inclusive communities;
- Being a leading environmentally friendly City;
- Being at the forefront of innovation and change with a prosperous and thriving economy;

- Being a world class centre for education and learning for all; and
- Celebrating our historic past whilst creating a successful and thriving future.

1.15 The appeal of the City’s historic centre will be strengthened by sympathetic development, which maintains the traditional, varied character of its streets while adding new life. Only by both developing and preserving York’s character can we safeguard its role as both a successful tourist and shopping centre, maintaining its vitality and vibrancy.

1.16 Provision of housing is a high priority for the city, along with extending employment opportunities. Both of these can be achieved by bringing in new, high quality business and housing development on the York Central site. This will be linked to some expansion of the main city centre, supported by transport networks that allow for good walking, cycling and public transport routes.

1.17 At the same time, York’s green areas will be extended, especially along the historic strays and river corridors, which extend from the countryside into the heart of the city. These green wedges contribute to York’s rich environment through nature conservation, ecological diversity, recreational opportunities and fresh airflow, as well as being part of the city’s historic character and setting.

1.18 City of York Council recognises its role in sustainable development, and the scope of this plan does not cover all the changes and new policy directions required. However, it makes an important contribution, being the spatial demonstration of the York Community Strategy and, through policy, can directly influence the type, style and sustainability of new development. By tying in with other plans, such as the York Local Plan, Agenda 21 Strategy and the Local Transport Plan, it can take account of such things as the relationship between land use and energy consumption.

1.19 The Local Transport Plan meets the government’s requirements for a five-year transport strategy, together with a proposed programme of works. The aims of the Local Transport Plan are reflected in the transport chapter of the City of York Local Plan. The key target for achieving sustainable transport is to cut down use of private cars, by ensuring that communities have ready access to good routes for walking, cycling and public transport.

CHAPTER 1: LOCAL PLAN STRATEGY

1.20 A vision for a more sustainable city was outlined in the York Local Agenda 21 Plan, and adopted by the council in March 2000, updated through two biennial reviews in 2002 and 2004. During the consultation for this plan, York residents and organisations prioritised 15 key issues, which could improve quality of life. Sustainability indicators have been developed to measure if the City is becoming more or less sustainable over time.

1.21 Recent research undertaken by the Stockholm Environment Institute, based at the University of York, has produced a document entitled 'The Eco Footprint of York – York Lifestyles and their environmental impact' (August 2002). The findings of the study presents options for City of York Council and York businesses to plan for a more sustainable environment and contributes to the Local Agenda 21 Strategy. A top level objective of the York Community Strategy is that York should be a model sustainable City with a quality built and natural environment and modern integrated transport network. One of the Community Plan's strategic aims is to significantly reduce the adverse impact on the environment of current lifestyles. A key action is to encourage local businesses and organisations to reduce their impact on the local and global environment and to assess their environmental performance. This will be actively supported by the Stockholm Environmental Institute who are based at the University of York. In addition, the City of York Council will continue to support work of the Energy Efficiency Advice centre and will seek to adopt an Environmental Policy that commits the Council to an Environmental management system.

1.22 The City of York Council adopted its Community Strategy '*York-A City making History*' in April 2004 and launched it in July of the same year. The plan was developed by the Without Walls Board and a group of partnerships representing the above mentioned themes. The partnerships contained residents, organisations and businesses around the City. Work during the festival of ideas in 2003 involved the general public and obtained their views.

1.23 The Key Sustainable Themes that underpin the Local Plan are summarised below. For each chapter of the plan, the relevant aspects of these themes are used to create broad objectives, which set the context for our policies.

Figure 1 Key Sustainable Themes

City Centre

York city centre contains a wealth of historic buildings, creating an environment that defines York and supports a vigorous tourism economy. It is also a commercial centre, including major employers such as Norwich Union and Jarvis; it is home to many residents, and it is a regional shopping centre.

We want to sustain and enhance the vitality of this area, preserving its unique environment whilst enabling continued economic, social and commercial development. An important part of the vision is the York Central project, offering a rare opportunity for large-scale employment development and sustainable housing close to the centre, which would be impossible to accommodate in the city centre itself.

Access & Movement

Due to its compact centre, York has increasing problems of congestion at certain times of the day. We want to ensure that everyone has easy access to key facilities, whilst reducing the need for the private car and encouraging the use of public transport, walking and cycling in the city. This means ensuring that new development, whether for business or housing, is located and designed to reduce car usage.

York is also an important railway centre. We aim to encourage increased use of rail travel by visitors, as well as freight transport by rail to reduce the impact of lorries on the environment.

Land for Homes

Providing future housing for York in the most sustainable way will involve appropriate design, ready access to services and public transport and making the best use of brownfield sites – while providing the right type of housing to meet the needs of the residents.

In recent years, house prices in York have increased dramatically, especially due to its link with the West Yorkshire conurbation. Our aim therefore is to make sure that there is enough affordable housing available for local residents, particularly those on comparatively low incomes, who would otherwise be excluded from the housing market.

Land for Business

York's economy is traditionally based on the confectionary industry and the railways. The City

CHAPTER 1: LOCAL PLAN STRATEGY

provides an attractive location for inward investment and is at the forefront of knowledge base industries known as Science City York. These industries, centred on bioscience, information and communication technology and heritage and arts technology are major contributors to the city's economy.

Our aim is to encourage the city's economic growth whilst making sure it happens in a sustainable way. This involves ensuring that small-scale indigenous businesses are encouraged, new development is linked to sustainable transport options and that enough job opportunities are provided for local residents both now and in the future.

Tourism

Tourism is an important part of the Local economy. We want to see continued, sustainable development of the tourism industry, while balancing the needs of this sector with the needs of residents, and the preservation of the city's unique environment.

Rural Communities

The plan takes into account needs of the more remote areas of the district. It is important to ensure that development in rural areas benefits the rural economy and safeguards the environment. The provision for rural employment will encourage suitable diversification, to counter problems brought about by a changing agricultural industry and the loss of essential rural services. Green belt and countryside policies seek to protect the countryside, to safeguard the character and setting of individual settlements and protect the character of individual settlements.

Urban Quality

While it is vital that the city's unique historical environment is preserved, conservation is not the only factor to consider. Urban quality is about creating contemporary, attractive environments, making sure that existing environmental quality is enhanced through good urban design in all areas, residential and commercial. Good urban design should also address the issues of community safety.

Recreation, Open Space and Community Facilities

The City benefits from many attractive green spaces particularly the strays and river corridors. However, some areas of the city lack different types of open space. We want to both protect

existing open spaces and promote new ones, to see that all residents have access to safe, attractive and useable public open space. In addition, we recognise the importance of safeguarding and enhancing biodiversity in the City both for its own sake and to provide accessible natural, green spaces for all. The plan also recognises the need for an appropriate range of community and cultural facilities to be achieved both through protecting current facilities and providing new ones.

1.24 To ensure that the Strategy is implemented, all development should accord with the Plan's policies. Section 54A of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991 identifies that all development should be in accordance with the development plan unless material considerations indicate otherwise. The policies of the Plan have been carefully formulated to achieve the desired balance between economic growth and environmental protection.



1.25 All policies in the Local Plan could at some point in the future be subject to Supplementary Planning Guidance. This will amplify and explain policies in the plan and provide more detailed advice on topics or areas. Such guidance would be a material consideration in the assessment of a planning application.

1.26 Where a development proposal does not accord with the Local Plan other material considerations may have to be taken into account. In considering such applications, the local planning authority will have particular regard to the contribution the proposal will make in achieving the sustainability objectives outlined in Policy GP4a.

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SP2 The York Green Belt

The primary purpose of the York Green Belt is to safeguard the setting and historic character of the City of York and is defined on the Proposals Map.

1.27 The Local Plan seeks to support national policy guidance as set out in PPG2 (Green Belts) PPG7 (The Countryside - Environmental Quality and Economic and Social Development) PPG15 (Historic Environment) and PPG16 (Archaeology) in protecting the open countryside around York both for its own sake and its role in safeguarding the historic character of the City.

1.28 The main purpose of the Green Belt around York is to preserve the setting and the special character of the historic City. A review of the green belt has been undertaken with the aim of establishing permanent boundaries for at least the next 20 years. This has enabled the Council to map out future land-use in the city. The guiding principle behind the Review has been the desire to protect York's strategic green spaces whilst encouraging sustainable development. Equally, the pattern of green wedges, such as the 'strays' and the 'ings' are reinforced and extended.

1.29 Although the rural part of the Local Plan area is predominantly open countryside and protected for its own sake, virtually all land outside the main settlements is designated as Green Belt in this Local Plan. Whilst separate national planning guidance exists for both the open countryside (Countryside - Environmental Quality and Economic and Social Development (PPG7) and Green Belts (PPG2), a general presumption against unnecessary or inappropriate development runs through both sets of guidance, combined with the objective of redirecting this development towards existing settlements.

SP3 Safeguarding the Historic Character and Setting of York

A high priority will be given to the protection of the historic character and setting of York. When considering planning applications the Council will apply the following principles:

- a) The protection of key historic townscape features, particularly in the City Centre, that contribute to the unique historic character and setting of the City.
- b) The protection of the Minster's dominance, at a distance, on the York skyline and City Centre roofscape.
- c) The protection of the environmental assets and landscape features which enhance the historic character and setting of the City. These comprise the river corridors and the green wedges, both existing and extended. They also include areas of open countryside, which provide an impression of a historic city, such as locations which allow good views of the Minster or an urban edge including a Conservation area, and views into the City from a number of main transport routes.
- d) The protection of the main gateway transport corridors into York from development which, cumulatively, could have an adverse impact on the character and setting of the corridor and the surrounding environment. If development is allowed, early and substantial planting of sensitive boundaries will be required.

1.30 The most critical elements contributing to the historic character of York are the core of historic buildings within and immediately adjacent to the City Walls and other conservation areas and the series of green wedges (essentially the strays and floodplains) which run into the heart of York from the surrounding areas of open countryside. In particular, the historic core is characterised by the street pattern and linear plot size (burgage plots) together with the scale, quality and diversity of buildings. In addition to statutory Listed Buildings, other buildings of historic or architectural importance, such as those on local lists, can also contribute to the setting and character of an area. The Council will develop and approve policy which will be supported by Supplementary Planning Guidance for a Local List.

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1.31 The historic centre of York and the City's countryside setting are distinct and separate elements that nonetheless combine to give York its unique environment. In particular, the extension of the green wedges into the urban area offers a sense of openness when approaching the historic core along the main transport corridors. They represent a substantial tract of open land within the built-up area and provide outdoor recreational opportunities for residents. They also help prevent the coalescence of different parts of the City, thus helping to maintain the local identities of existing communities and linking the countryside around York to the historic core. The green wedges running into York have a special significance in defining the shape and character of the City.

1.32 The landscape in the vicinity of the main radial routes leading to the built up areas of York (particularly the 'A' roads and railway lines) attract development due to their accessibility. However, this can have an adverse impact on the character, openness and greenness of the area, particularly when development takes place. The policy therefore, attempts to protect such areas by ensuring that proposed developments do not have an adverse impact on the character of the area.

1.33 Applications for planning permission will be required to include sufficient information to enable proposals to be determined in relation to their context. Accordingly, proposals should have regard to;

- a) existing landforms and natural features;
- b) scale and proportion of existing buildings and structures;
- c) opportunities to improve the character and appearance of the area;
- d) opportunities to manage and reduce the impact of traffic.

1.34 To ensure that the City continues to achieve balanced and sustainable growth, the Local Plan draws upon the City of York Landscape Appraisal and City of York Biodiversity Audit. These studies are publicly available and identify areas of landscape and nature conservation importance within the District.

See also NE8 (Green Corridors)

SP6 Location Strategy

Development will be concentrated on brownfield land within the built up urban area of the City and urban extensions, followed by surrounding settlements and selected existing & proposed public transport corridors.

Outside defined settlement limits, planning permission will only be given for development appropriate to the Green Belt or the open countryside.

1.35 The Strategy seeks to protect sensitive areas from development by focusing development in areas of greatest need, maximising the use of previously developed land, whilst conserving the natural environment and quality of life for the City's citizens. This is based on principles of maintaining choices for future generations, accommodating development needs, yet minimising the need for car travel. The City of York Transport Strategy is fundamental to achieving this objective of the Plan.

1.36 Other proposals that may emerge over the Plan period and do not conflict with development control criteria will be directed to brownfield sites within existing settlements.

1.37 In particular the Plan prioritises the need to:

- i) make full and effective use of land within the York urban area by promoting development at locations highly accessible by means other than the private car;
- ii) locate major traffic generators at points close to existing or proposed public transport infrastructure;
- iii) strengthen existing local centres by promoting community, shopping and employment opportunities to protect their viability and vitality, and
- iv) maintain and improve choice for people to cycle, walk or use public transport rather than drive between home and facilities they travel to regularly.

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SP7a: The Sequential Approach to Development

To ensure development outside York City Centre is highly accessible by non-car modes of transport, a sequential approach will be taken in assessing planning applications for new retail, commercial, leisure and office development.

Planning permission will be granted for new retail, leisure and office development over 400m² floor space (net) in accordance with the following hierarchy:

- a) The defined Central Shopping Area for retail and York City Centre (as defined on the City Centre Inset map) for leisure and office; then in
- b) Edge of City Centre sites or Acomb or Haxby District Centre, where it can be demonstrated that all potential City Centre locations have been assessed and are incapable of meeting the development requirements of the proposal; then in
- c) Other out of centre locations genuinely accessible by a wide choice of means of transport, where it can be demonstrated that criterion (a) and (b) locations have been assessed and are incapable of meeting the development requirements of the proposal.

Proposals for individual retail units within criterion (c) will not be permitted to have a net sales floor space of less than 1,000 square metres.

In the case of applications for major shopping developments (including retail warehousing), outside the Central Shopping Area, evidence of retail impact will be required to show that the proposal would not, together with other recent or proposed developments, undermine the vitality and viability of York City Centre's predominant role as a sub-regional shopping centre, defined central shopping area, or the Acomb or Haxby District Centres.

See also: H3; S2; S10

1.38 A key element in achieving the Plan's Strategy will be directing new commercial development to York City Centre and District Centres.

1.39 The Plan will seek to locate most new commercial and office development in York City Centre to ensure that maximum benefits are derived from existing infrastructure and the need to make additional journeys is minimised. The provision of new dwellings within the City Centre will be particularly encouraged where these bring back into use vacant upper floors or redundant buildings. Policy H3 outlines a sequential approach

to housing development in line with government statements on planning for communities of the future and PPG3.

1.40 Policy SP7a draws upon government advice by identifying a hierarchy of centres with clear priority being given to York City Centre as the main focus of commercial activity within the City of York. The City Centre and Acomb and Haxby District Centres are defined on the Proposals Map and provide a suitable focus for new commercial activity, particularly retail development. These centres are well served by public transport and provide convenient access for pedestrian and cycle journeys from nearby residential areas. This contrasts with the out of town developments at Clifton Moor and Monks Cross which function primarily as retail parks serving a car borne clientele. Further development at out of town retail parks such as these will only be considered where other options have been exhausted.

1.41 Information on the likely impact on the vitality and viability of existing retail centres and the likely impact on travel patterns will be required to determine whether or not shopping proposals will affect existing centres.

1.42 There is a need to ensure that where development is acceptable every consideration is given to maximising opportunities to use transport modes other than the car.

SP7b: York City Centre and Central Shopping Area

York City Centre, as defined on the City Centre Inset Map, is to remain the main focus for commercial, leisure and tourism and retail development to ensure its continuing role as a major sub-regional shopping centre and commercial centre for North Yorkshire, benefiting from its location at the focus of public transport routes.

Planning permission for development in the City Centre will be granted, in accordance with other policies in the Local Plan, where it enhances the attractiveness and vibrancy of the centre, and promotes accessibility by non-car modes of transport.

The Central Shopping Area, as shown on the proposals map (City Centre Inset) is to be considered the City Centre for retailing purposes in terms of the sequential test as set out in PPG6, and will be the focus for retailing activity.

1.43 In addition to the Central Shopping area, as shown on the Proposals Map, there are a number of streets that the Council recognises as playing an important role in providing a diverse range of specialised goods. These streets are Micklegate, Gillygate, Walmgate and Hungate.

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SP8 Reducing Dependence on the Car

Applications for large new developments, such as housing, shopping, employment, health or leisure proposals, must be able to demonstrate that they will reduce dependence on the private car by providing for more environmentally friendly modes of transport.

In particular, a proposal must demonstrate that:

- a) it is well related to the primary road network, and;
- b) i) within an Air Quality Management Area (AQMA), defined in Appendix K, and does not compromise the achievements of air quality improvement targets and;
ii) outside an AQMA it does not give rise to an unacceptable increase in vehicular traffic, air pollution or parking on the public highway; and
- c) it is immediately accessible to existing or proposed pedestrian, cycle and public transport networks; and
- d) adequate provision is made for car and cycle parking in accordance with the standards set out in Appendix E; and
- e) measures are incorporated to control traffic speeds and provide appropriate priority and a safe environment for pedestrians and cyclists; and
- f) it does not give rise to an unacceptable deterioration in air quality.

Planning applications exceeding the site area and traffic generation thresholds set out in Appendix F of the Plan should be accompanied by evidence of the likely traffic impact on the public highway.

Planning applications for developments at which more than 30 persons will be employed, and particularly high trip generating development should be accompanied by a Green Travel Plan (see Appendix F).

See also: T13a

1.44 New developments should be designed and located to minimise the need to travel. Large increases in vehicular traffic as a result of a development will not be acceptable because existing road capacity is highly constrained and parts of the principle highway network in and around the city and the approaches into York City Centre have poor air quality which needs to

be improved. The scope for new road construction is limited due to the environmental constraints of the City's built and natural environments, and the need to avoid attracting more traffic on to the City's highway network.

1.45 In accordance with the thresholds set out in Appendix F of the Local Plan, developers will be required to submit a Traffic Impact Assessment with particular types of planning application. These assessments will assist the authority in quantifying the overall impact made by the proposal to the City's transport infrastructure and whether any additional capacity will be required as a direct result of the development.

1.46 Developers will, therefore, be required to incorporate appropriate provision for additional traffic generated by the development and for pedestrian, public transport, and cycle access with regard to the Plan's Hierarchy of Users. In considering whether special facilities or improvements are required, regard will be had to Circular 1/97 that they should be directly and reasonably related to the development proposal.

1.47 Adverse environmental effects can be minimised by careful design and location and by providing other improvements and facilities. These may include speed reduction measures, park and ride facilities, pedestrian or cycle facilities or junction improvements. In appropriate circumstances developers will be required to enter into an agreement under the Highways Act 1980 to secure such measures or make an appropriate financial contribution.

1.48 This policy is consistent with the guidance of PPG13 to promote development within urban areas at locations highly accessible by means other than the private car. To ensure major developments are pedestrian friendly a pedestrian audit will be undertaken. Policy GP11 of the Local Plan emphasises the importance of safe and convenience access for pedestrians and those with mobility problems.

1.49 The main focus of this policy is to create the conditions necessary to minimise the worst aspects of car travel, to provide alternatives to the private car and to achieve the Council's duty to take action to improve air quality. This may preclude some high private vehicle trip generating developments, or require radical restrictions on them to allow development to proceed. However, the policy acknowledges that the car is an important aspect of most peoples' lives and that reducing dependence on car travel is a longer-

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term objective.

1.50 To complement this approach it is proposed that new housing schemes will be at a higher density than in the past (policy H5) and mixed residential and employment schemes will be encouraged. New development will be directed to areas served by public transport and footpath and cycle links will be a requirement within and between new developments. New road construction should be minimised as a result. Traffic management, parking standards together with Green Travel Plans will also play a complimentary and key element in reducing the use of cars and journeys to work.

1.51 Whilst local planning authorities can exercise general control over the location of development, there is no compulsion for individuals to travel to their nearest employment area or shopping centre or to use public transport. Therefore, the achievement of PPG 13's long-term aims will be largely reliant on influencing public attitudes to travel and in particular improving the options and quality of public transport through projects such as park and ride, together with bus and rail based travel. The Local Plan Strategy views this change in attitudes as crucial to its long-term success.

1.52 To assist with the achievement of these aims the Local Plan sets out a requirement for all new developments employing more than 30 staff to submit a Green Travel Plan alongside their planning application, setting out the measures they intend to implement to encourage employees to use cycling and public transport for their work activities.

1.53 PPG13 states that location policies can only work if supported by other measures. One of these measures is for organisations "to promote choice by increasing the relative advantage of means of transport other than the car, especially walking, cycling and public transport". The Green Travel Plan is seen as integral to achieving this aim and is discussed in more detail in Appendix F of this Plan.

1.54 By focusing development within the York urban area, by reusing brownfield sites, and by encouraging higher density development in appropriate circumstances, modes of transport other than the car should become more viable.

1.55 The Plan Strategy sets out the key issues for future land use and development in the City of York. These issues are dealt with in more detail in the following chapters of the Local Plan. The Strategy should be read in

conjunction with all relevant Plan policies to determine the authority's likely approach toward particular proposals for new development in the City.

SP9: Action Areas

The following sites have been identified on the proposals map, for the use indicated, as action areas. Development of these sites will be undertaken in a comprehensive and sustainable way in accordance with detailed development briefs for each. These briefs will be approved by the Council and adopted as supplementary planning guidance.

Planning permission will not be granted for any development, which could prejudice the implementation of their comprehensive redevelopment.

a) Huntington

E1a.2: North of Monks Cross: 21.9ha premier employment and leisure facilities

E1a.3: South of Monks Cross: 13ha premier employment

Park and Ride: 5ha

Open Space

b) A59, Poppleton

E1a.1: A59/Northminster Site: 14ha premier employment

Park and Ride

Open Space

c) Hungate

S1, E1a.5, H1.12: 1ha premier employment within a total of 3.9ha for mix of residential, retail, community, cultural and leisure uses.

d) Heworth Green

E3a.6, H1.35: 2.4ha mixed use development for standard employment, retail, leisure and residential (subject to dealing with contamination issues).

e) Castle Piccadilly

S1, H1.17: 2.2ha mixed use development for retail, residential and employment, public transport facilities, car parking and quality civic open space.

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f) Donnelley's

H1.45: 7ha mixed use development for employment, residential, private nursery and open space.

g) Germany Beck

H1.24: 18ha new residential urban extension and open space.

h) Metcalfe Lane:

H1.6: 14ha new residential urban extension and open space.

i) Tenneco

H1.43: 7.4 ha mixed use development comprising residential (potential for sheltered housing), medical use, live/work units and open space.

j) University Campus 3

ED9: 65ha new uses associated with the University of York, including Science City and open space.

k) York Central

YC2, H1.52, E1a.8: 30-35 ha new central business district around York rail station including premier employment, residential and appropriate uses relating to the needs of the community.

1.56 Policy SP9 sets out those areas in the City that have been identified as 'Action Areas'. Each 'Action Area' includes a single or several allocations and has been identified due to their physical size or importance in relation to key objectives of the plan.

1.57 Given the importance of these areas it is considered that development of the individual sites they contain should be carried out in a comprehensive and sustainable way taking account of all the relevant planning and transport issues affecting the area. In this way it can be ensured that individual developments do not prejudice the development of the area as a whole. The comprehensive development of 'Action Areas' should help maximise the quality and sustainability of development through ensuring that development issues are not considered in isolation.

1.58 Comprehensive development will be achieved through the production of development briefs for these areas. These briefs will involve a substantial amount of public consultation. Development Briefs will be approved by the Council and adopted as Supplementary Planning Guidance.

Any individual development proposals coming forward within the sites specified will be required to conform fully with the relevant Supplementary Planning Guidance planning briefs.

SP10: Strategic Windfalls

Where it is proposed to redevelop City Centre sites, or sites over 0.2ha that are located in the most sustainable areas, from the point of view of reducing the need to use the private car they should initially be considered for major travel generating uses. These areas are defined as locations within 400 metres of a transport node or Park and Ride.

Suitable Uses for such sites include major/strategic leisure, retail or employment where this is consistent with other Local Plan Policies. Developers would be required to demonstrate such uses are inappropriate before other proposals would be considered acceptable.

For other windfall sites, not meeting the above criteria, reuse for housing will be a high priority".

1.59 Policy SP10 ensures that the approach taken to strategic windfalls follow the plan's guiding principle of achieving sustainable development. The policy aims to ensure that sites in the most sustainable locations from a transport point of view are initially considered for major travel generating uses. The policy defines what is meant by the most sustainable locations and provides examples of appropriate uses. The aim of the policy is to reduce the need to use the private car and is thus consistent with advice provided in Planning Policy Guidance Note 13 'Transport' (2001).



CHAPTER 2: GENERAL POLICIES

GENERAL POLICIES

OBJECTIVE:

To ensure that development proposals conform to all relevant aspects of the Local Plan unless relevant planning reasons can be put forward which indicate why the provisions of the Local Plan should be set aside.

To enhance the health, safety and amenity of the public, improve the natural and built environment and to achieve more sustainable forms of development. When considering planning applications the intention is to seek a standard of development that maintains or enhances the general amenity of the area and provides a safe and attractive environment for all.

Development proposals should aim to:

- a) enhance the health, safety and amenity of the public;
- b) improve the natural and built environment.

Introduction

2.1 Section 54a of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991 indicates that the determination of planning proposals must be made in accordance with the Local Plan, unless material considerations support an alternative approach. Every new development will be expected to conform to all relevant policies in the Local Plan, and in addition resolve detailed planning considerations. All other material considerations relating to the development and use of land and buildings will also be taken into account. Where developments are proposed that are contrary to any policies/proposals in the Local Plan, the responsibility will be on the developer to demonstrate why the approach of the Local Plan should not be followed.

GP1 : Design

Development proposals will be expected to :

- a) respect or enhance the local environment;
- b) be of a density, layout, scale, mass and design that is compatible with neighbouring buildings, spaces and the character of the area, using appropriate building materials;

- c) avoid the loss of open spaces, important gaps within development, vegetation, water features and other features that contribute to the quality of the local environment;
- d) where appropriate incorporate informative landscapes design proposals, where these would clearly have an influence on the quality and amenity and/or ecological value of the development;
- e) retain, enhance and/or create urban spaces, public views, skyline, landmarks, the rural character and setting of villages and other townscape features which make a significant contribution to the character of the area, and take opportunities to reveal such features to public view;
- f) design outdoor lighting schemes, which are energy efficient and provide the minimum lighting level required for security and working purposes, taking into account any adverse impact on residential amenity, the character of the area and night sky illumination and ecological systems;
- g) provide and protect private, individual or communal amenity space for residential and commercial developments;
- h) provide individual or communal storage space for waste recycling and litter collection;
- i) ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures;
- j) accord with sustainable design principles (GP4a) and incorporate the principles of the Building for Life Standard as a fundamental part of the design;
- k) provide disabled toilets/parent baby changing facilities in public, non-residential buildings;
- l) Where opportunities exist, new open space/landscape treatment should be incorporated to close gaps between green corridors and take account of ecological principles through habitat restoration/creation.

CHAPTER 2: GENERAL POLICIES

2.2 Design issues are a very important consideration for the City of York. Much of the unique attractiveness of the City as a place to live and work, and for leisure and tourism arises from its historical assets and special relationships between its buildings, streets, squares and open spaces. This special character is equally important both in the City Centre and in many of the outer urban areas and villages in the City of York. Moreover, it is a key advantage for the economic future of the City.

2.3 The revised version of PPG1 (1997) raises the profile of design in the consideration of planning applications. It places a responsibility on developers to be able to demonstrate that they have taken account of design in their proposal and have had regard to relevant local plan policies. When considering planning applications the intention is to seek a standard of design that will secure an attractive development and safeguard or enhance the environment. House builders and developers are encouraged to follow the assessment criteria of the Building for Life Standard in order to improve the quality and sustainability of the design of new housing projects in the City. A general design policy at the outset of the Local Plan confirms the Council's priority to maintain design as a key planning consideration in the City of York. Supplementary planning guidance will be prepared to support the criteria set out in GP1 to assist developers when considering design issues.



2.4 Amenity is one of the key issues outlined in PPG12 as having to be dealt with by local plans. It is recognised that applications for a wide range of proposed uses may impinge upon local amenity and this general policy sets out the Local Plan's intention to use the planning system to enhance the quality of life for residents and visitors to the City of York.

GP3 : Planning Against Crime

New development will be required, where deemed appropriate, to incorporate crime prevention measures to achieve:

- a) natural surveillance of public spaces and paths from existing or proposed development; and
- b) secure locations for any associated car and cycle parking; and
- c) satisfactory lighting; and
- d) provision of CCTV, where the proposal would include the consumption of alcohol or the congregation of large crowds or would contribute to a significant increase in traffic, pedestrian activity, or the parking of significant numbers of vehicles.

2.5 The principle of reducing opportunities for crime by means of careful design of buildings and the spaces between them is widely acknowledged (e.g. PPG1) and is capable of being a material planning consideration. Circular 5/94 (Planning Out Crime) outlines that the type of environment created by development can be closely related to the causes of crime and violence. Attractive, well-managed and vibrant environments that are designed to take into account the security of residents and property can help to reduce the potential for crime. The variation and mix of different land uses in the same vicinity can also go some way to create environments that are lively and well used, especially in the evenings.

The Crime and Disorder Act 1998 now places a statutory obligation on Local Authorities to consider the implications for crime and disorder in exercising their various functions, including the planning process. Crime prevention can be a material consideration when a planning application is determined. Good planning alone cannot solve the problem of crime, but it is widely accepted that environmental factors can have a significant part to play.

2.6 Crime prevention may have little or no cost implications where the issues are as simple as choice of landscaping design, routing of footpaths and the siting of car and cycle parking, buildings and public spaces to promote natural surveillance. The planning system is only one factor in any crime prevention strategy, but all new development will be encouraged to adopt designs that make crime more difficult to

CHAPTER 2: GENERAL POLICIES

commit, increase the risk of detection and provide people with a safe, secure living environment. Discussions on potential crime prevention aspects of any new development will in most cases need to be initiated at the outset of the design process.

2.7 Through its housing policies the Local Plan will encourage a mix of house types on new housing developments. This will not only facilitate greater choice and availability for prospective residents but also achieve a balance of occupancy throughout the development. This could potentially help crime prevention through the increased likelihood that residents will be at home throughout the day in different parts of the area.

2.8 CCTV can make a significant contribution to ensuring a safe environment. Some developments can lead to a significant increase in pedestrian/vehicular activity and ensuring adequate CCTV coverage is important in creating a safe and attractive environment in line with Policy S7. Where provision towards CCTV coverage is appropriate then the type and level of contribution will depend on a number of factors including type of use proposed, whether the serving of alcohol is involved, its floorspace, the likely numbers of customers, in relation to the areas character and physical constraints hours of operation, its proximity to other similar uses, and proximity to existing CCTV cameras and their field coverage. Contribution towards CCTV will normally only be requested where a current system exists for the area. In some circumstances applicants may be allowed to install their own CCTV to their premises, operated independently of the Council's own network.

GP4a : Sustainability

Proposals for all development should have regard to the principles of sustainable development as summarised in criteria a-i below.

All commercial and residential developments will be required to be accompanied by a sustainability statement. The document should describe how the proposal fits with the criteria listed below and will be judged on its suitability in these terms.

Development should:

- a) provide details setting out the accessibility of the site by means other

- b) than the car and, where the type and size of the development requires, be within 400m walk of a frequent public transport route and easily accessible for pedestrians and cyclists;
- b) contribute toward meeting the social needs of communities within City of York (including, for example, housing, community and recreational facilities, car clubs, recycling facilities and communal laundry blocks) and to safe and socially inclusive environments;
- c) maintain or increase the economic prosperity and diversity of the City of York and maximise employment opportunities (including supporting local goods and services providing training and employment for local unemployed and young people);
- d) be of a high quality design, with the aim of conserving and enhancing the local character and distinctiveness of the City;
- e) minimise the use of non-renewable resources, re-use materials already on the development site, and seek to make use of grey water systems both during construction and throughout the use of the development. Any waste generated through the development should be managed safely, recycled and/or reused. The 'whole life' costs of the materials should be considered;
- f) minimise pollution, including that relating to air, water, land, light and noise;
- g) conserve and enhance natural areas and landscape features, provide both formal and informal open space, wildlife areas and room for trees to reach full growth;
- h) maximise the use of renewable resources on development sites and seek to make use of renewable energy sources, such as heat exchangers and photovoltaic cells;
- i) make adequate provision for the storage and collection of refuse and recycling.

2.9 The over-arching aim of this Local Plan is to promote sustainable development. Sustainable development is commonly defined, using the Bruntland (1987) definition, as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs".

CHAPTER 2: GENERAL POLICIES

2.10 The policy introduces nine criteria that covers a wide spectrum of environmental, social and economic issues that should be used to judge the sustainability of a site. These criteria clearly relate to the key sustainable themes outlined in Chapter 1.

2.11 As part of the process of producing this Plan for the City of York all policies have been considered as to their contribution to the promotion of sustainable development. Therefore, while this policy sets out the major principles which come under the heading of sustainable development, it should be considered within the context of the plan as a whole and any supporting advice notes.

2.12 All developments from domestic extensions to larger proposals will be expected to provide a sustainability statement. However, these will vary in length depending on the size and complexity of the development. An SPG will provide information on the amount of detail to be covered. The issues that are addressed in the statement need to cover the lifetime of the development.

2.13 The reuse and recycling of waste will be encouraged wherever possible to reduce the need for new sites for landfill disposal. The use of secondary aggregates, in preference to primary aggregates, will be encouraged for new development schemes wherever practical. Similarly the inclusion of insulation in all new buildings will be encouraged to minimise energy loss.

2.14 The use of suitable and safe materials in new development will be encouraged in order to reduce the possibility of future contamination.

2.15 The Council has a statutory duty to improve air quality in the City. By increasing the level of air quality monitoring and the continued promotion of sustainable traffic management measures, the Plan aims to minimise the environmental impact of new development in the City. As part of the process of producing this Plan for the City of York all policies have been considered against their contribution towards the City's environmental objectives, including the minimisation of air and water pollution.

GP4b: Air Quality

Proposals for development in an AQMA (Air Quality Management Area) are required to assess their impact on air quality.

Proposals for development outside an AQMA will be required to assess their impact on air quality, where:

- a) there is a cumulative significant impact of traffic generation (an increase of more than 5% traffic flow) or
- b) there is a significant number (300 or more spaces) of additional parking to be provided, or
- c) coach and lorry parking is to be provided, or
- d) there is already a recognised congestion or air quality problem in the area, or
- e) there will potentially be significant emissions to the air from sources other than traffic.

When considering the air quality impacts from developments, it is important that full account is taken of impacts on recreational areas such as parks, gardens, play areas and open spaces. In addition, when considering future locations for such facilities, it is important that full account is taken of the existing air quality.

Where mitigation measures are required as a direct result of new development, applicants will be requested to enter a S106 agreement to implement measures to offset any increase in local pollutant emissions, and/or make an appropriate financial contribution towards improvement measures or air quality monitoring.

See Also: Transport Chapter

2.16 The Government published its National Air Quality Strategy in March 1997, which requires Local Authorities to periodically review and assess air quality against the government's health based objectives. Where the objectives are unlikely to be met an Air Quality Management Area (AQMA) must be declared and an Air Quality Action Plan (AQAP) implemented to improve air quality. The council declared its first Air Quality Management Area (AQMA) in January 2002 (see Appendix K) due to predicted exceedances of the annual average objective for nitrogen dioxide (NO₂) in some areas of the city. The annual average objective for nitrogen dioxide (NO₂) is 21ppb (40µg/m³) to

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be achieved by the end of 2005. The main source of nitrogen dioxide in York is traffic.

2.17 The declaration of the AQMA placed a legal obligation on the council to produce an Air Quality Action Plan (AQAP). The document was finalised in July 2004 and sets out how the council intends to improve air quality in the city through 36 general measures and 29 key action points. The improvement measures and key action points are based around the following 8 themes:

- Reducing the need to travel
- Encouraging walking and cycling
- Encouraging the use of public transport
- Reducing the number and distance of trips within the AQMA
- Encouraging the use of smaller more fuel efficient vehicles
- Improving traffic management and reducing congestion
- Reducing emissions from heavy goods vehicles and buses
- Reducing emissions from non-transport related sources

2.18 The Council has a legal obligation to 'pursue' the air quality objectives at all locations in the city. On this basis it may reject, or require amendments, to proposals which are considered likely to result in a significant deterioration in air quality and/or which are likely to introduce new opportunities for exposure in existing areas of poor air quality. In considering the impact on local air quality the following will be considered:

- Existing air quality in the vicinity of the proposed development
- Likely impact on local air quality as a result of the proposed development (including the impact of additional traffic movements and/or the introduction of other new emission sources)
- Proposed measures for mitigating the air quality impact of the development and the compatibility of these measures with the Air Quality Action Plan (AQAP)
- Level of increased exposure to air pollutants by members of the public as a result of the development
- Mitigation measures proposed to limit public exposure to air pollutants such as; distance of facades from roads; orientation of habitable rooms and provision of mechanical ventilation.

2.19 Further advice will be made clear in a separate guide for developers, which will explain more fully the requirements with respect to policy GP4b.

GP5: Renewable Energy

The development of renewable energy will make a vital contribution to the reduction of carbon dioxide emissions, facilitating the delivery of the Government's commitment on climate change. Proposals for the development of renewable energy facilities will therefore be encouraged provided there is no significant adverse effect on the existing landscape, air quality, biodiversity, water resources, agricultural land (defined as grades 1, 2 or 3a) or sites of archaeological or historic importance.

See also: GB1

2.20 Renewable energy sources, such as wind power or solar energy, offer the possibility of increasing diversity and security of supply, and of reducing harmful emissions to the environment from non-renewable sources.

2.21 In assessing applications for renewable energy facilities the potential impact of the proposal on the local environment will be balanced against the wider contribution to reducing emissions of greenhouse gases (and also improving air quality) in the City of York. Proposals within the City of York Green Belt would have to demonstrate (in line with policy GB1) very special circumstances why they should be located there as opposed to elsewhere in the City.

GP6: Contaminated Land

Planning applications for development on, or adjacent to, land which may have been contaminated by a previous use should, as a minimum, include a preliminary assessment (desk study) of the potential for contamination. The assessment should consider the potential impacts on all receptors as detailed in Part II A of the Environment Protection Act 1990. Should this preliminary assessment indicate the potential for contamination, a more detailed site investigation should be submitted prior to determination of the application. This should be undertaken in line with the British Standard BS 10175: 'Investigation of potentially Contaminated Sites: Code of Practice'. This assessment should assess risks to the environment and human health and establish remediation objectives for the site. Planning conditions will

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normally be used to secure site remediation and where appropriate post remediation monitoring and validation, for sites affected by contamination. However, in some cases, applicants may be expected to sign an agreement under Section 106 of the Town and Country Planning Act 1990 to secure appropriate remediation of the site.

2.22 The efficient reuse of urban land is one of the key elements of the Local Plan Strategy in meeting the requirements for new housing and employment land during and beyond the Plan period.

2.23 Existing vacant or underused sites may be contaminated because of the way they have been used in the past, but this can often be overcome. In order to ensure that new developments are free from any contaminants within a site, it is essential that, where appropriate, a full investigation takes place and remedial measures (if necessary) are included as part of the planning application.

2.24 Very few sites are so badly contaminated that they cannot be reused. In particular instances the range of possible developments on the site may be limited because of the type of contamination that exists, for example employment use may be possible on sites where new housing would be unacceptable. PPG23 (Planning & Pollution Control) states that, although it would be preferable for the planning authority to be aware of any contamination constraints that may apply to the Local Plan's allocated sites, the responsibility of assessing whether a site is contaminated rests with the site owner. The local authority is then obliged to consider whether a planning application for development of such a site takes proper account of the likely level of contamination and includes remedial or mitigation measures to overcome this.

2.25 Where sites are located within 250m of former landfill sites a minimum of 3 months of gas and leachate monitoring should be undertaken to allow the appropriate gas and leachate mitigation measures to be recommended. In some instances this monitoring period maybe increased up to 12 months, depending on the suspected risks of gas migration and proximity to the former landfill.

GP7: Open Space

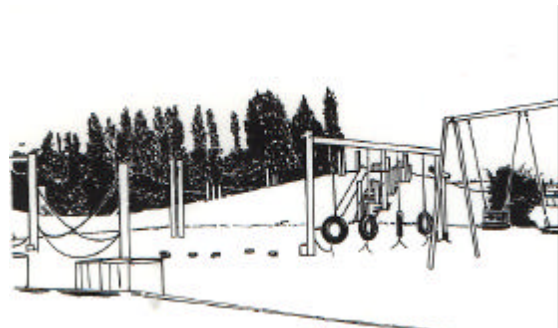
The development of land designated as open space on the Proposals Map, or any other areas of open space that are provided in conjunction with a planning permission during the Plan period, will only be permitted where:

- a) there will be no detrimental effect on local amenity or nature conservation; and
- b) compensatory provision of an equivalent size and standard is provided by the applicant in the immediate vicinity of the site proposed for development.

See also: L1c

2.26 Significant areas of the City of York's open spaces are designated as Green Belt and protected by the policies outlined in Chapter 5 of this Plan. However, other important open spaces, while not satisfying the criteria for Green Belt designation, contribute significantly to the form and character of the City.

2.27 Open spaces can serve several functions at once; often combining opportunities for recreation with general amenity or nature conservation value. It is the aim of this Local Plan to only allow development of these sites in exceptional circumstances. However, circumstances may arise where existing open space of relatively lower quality could be developed in return for open space of equivalent or higher quality in a location better suited to meeting the needs of the local community. In such cases proposals will be considered, in consultation with local residents, on their individual merits. For the purposes of this policy immediate vicinity will be taken as no further than 800 metres from the development site.



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2.28 One of the main attractions of York as a location for jobs and a place to visit is the quality of the built and natural environment. The Plan aims to enhance this reputation by encouraging new developments to contribute towards the provision of general amenity space. Policy L1c of the Local Plan deals with the specific requirements for open space provision in association with new developments.

GP9: Landscaping

Where appropriate development proposals will be required to incorporate a suitable landscaping scheme, and this must:

- a) be planned as an integral part of the proposals; and
- b) include an appropriate range of indigenous species; and
- c) reflect the character of the locality and surrounding development; and
- d) form a long term edge to developments adjoining or in open countryside. Where landscaping is adjacent to a key transport corridor providing access to the city, or other visually sensitive location, it must be ensured that it enhances the attractiveness of the route with substantial planting provided in the initial phase of any development.
- e) include an outline specification in the landscape proposal where planting is an essential component of the development.
- f) state that all planting is to be protected from rabbits where this is a known problem.
- g) include a feasibility study where planting is proposed on contaminated or 'difficult sites'.

Where appropriate applicants will be expected to sign an agreement under Section 106 of the Town and Country Planning Act 1990 to ensure the long term maintenance of landscaping.

See also : NE1

2.29 The balance between the natural and built environment is a crucial consideration in assessing planning applications. Where concentrations of built development occur in urban areas it is vital that landscape features are integrated with development to soften its

impact and create a more pleasant and healthy environment. Proposals for new development should respect existing landscape features and include its treatment as an integral part of the design process. Landscaping schemes should utilise natural features such as ponds, trees and hedges where appropriate and, if possible, enhance their ecological value. Good use of existing and new landscape features invariably adds to the quality and desirability of built development.

2.30 The best landscaping schemes are derived from analysis of the locality and landscaping should be planned with reference to its surroundings. Well landscaped spaces can provide several benefits, including the creation of habitats, a setting for buildings, attractive spaces for a range of different activities, screening of unattractive areas and the visual assimilation of buildings into the landscape. Supplementary planning guidance on landscaping will be produced to illustrate how it can be best integrated into development schemes. Once available, applicants will be expected to have regard to this guidance when submitting proposals.

GP10: Subdivision of Gardens and Infill Development

Planning permission will only be granted for the sub-division of existing garden areas (or plots) or infilling, to provide new development, where this would not be detrimental to the character and amenity of the local environment.

2.31 Many residential areas in the City of York have been developed at relatively high densities. The space between and around existing buildings in such areas often contributes significantly to the character of the area and to maintaining residential amenity. When considering planning applications for new development on small infill sites, or in existing gardens, regard will be given to the impact of the proposed development on the surrounding area and wildlife and the setting of the building to which the garden is attached. Where development would lead to over development, the proposal will be strongly resisted.

2.32 Where development is permitted, it must incorporate significant landscape components, in line with Policy GP9, including the retention of important trees and other features. Buildings for uses other than residential on infill plots will also be resisted where these would have a detrimental effect on

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the character and amenity of the local environment.

GP11: Accessibility

In order to achieve satisfactory access to new development and the new or existing open spaces and landscaped areas associated with them, planning applications will be required to demonstrate that suitable provision will be made for access and facilities for people with mobility problems sensory impairment and carers with children, including parking facilities and pedestrian routes to and from those parking facilities.

2.33 Proposals for development offer the opportunity to secure a more accessible environment for everyone, including people with mobility problems, the visually impaired, people with other disabilities and carers with young children. Those involved in the development process should consider the mobility requirements of these groups at an early stage of the design process. This will include access into buildings, the treatment of space around buildings, links to new or existing open spaces and access from any car or cycle parking facilities. Reference should be made to the advice contained in "Designing to Enable" by the Gateshead Access Panel" (2001) which is available in central libraries. Layouts of new development should reflect the Plan's Transport Hierarchy of Users (e.g. parking for those with mobility problems and cycle parking should be located closer to a building's access point than a bus stop or other car parking spaces). Large retail developments will be encouraged to include shop mobility schemes where appropriate.

2.34 There will be very few cases where it is not practical or reasonable to design new buildings, extensions and their associated facilities to at least the minimum accessible standards. Part M of Schedule 1 of the Building Regulations 1991 imposes requirements on how non-domestic buildings should be designed and constructed to secure specific objectives for people with disabilities.

2.35 The revised version of PPG1: (General Policy & Principles 1997) stresses the need to provide more accessible environments through planning decisions. The guidance advises local authorities to seek imaginative and flexible solutions to creating higher levels of accessibility in their areas for people who may be faced with mobility difficulties.

2.36 An environment, which provides for safe and convenient access for people with mobility problems and carers is likely to benefit all users. The provision of gentle gradients, dropped kerbs, handrails, sufficient lighting and a clutter free arrangement of street furniture can go some way to improving these access requirements. The highway authority will aim to implement this policy in its programmes for highway and footpath maintenance.

GP12: Access to Upper Floors

Proposals for the alteration of shopfronts and other ground floor areas and for changes of use, will be required to retain any existing independent ground floor access to the upper floors and wherever possible facilitate new independent accesses where there is none currently.

2.37 The Plan aims to promote further residential development in or near the City Centre. Properties with unoccupied space on upper floors represent a large potential floorspace, which could be put to beneficial use. In some buildings access has either been removed or severely impaired during previous alterations to the building. This policy, therefore, seeks to ensure that development proposals retain existing access points or provide new access facilities in order to maximise the future potential of upper floors.

GP13: Planning Obligations

Where appropriate, the Council will expect developers to enter into planning obligations to provide for the infrastructure, archaeological, environmental and other significant consequences of a proposed development. Appropriate financial contributions will be sought from developers towards integrated public transport and other green mode linkages, and necessary community facilities, relevant to planning, directly related to the proposed development, and fairly and reasonably related in scale and kind to the proposed development, overcoming or mitigating against the effects or deficiencies resulting from the proposed development

2.38 Planning obligations offer a mechanism through which such development proposals may in certain circumstances be made acceptable by legally committing applicants to matters which cannot properly be dealt with by conditions attached to a planning permission. These obligations can allow development to

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proceed with safeguards or commitments. However, they do not constitute a device to enable unacceptable development to be permitted through unrelated benefits offered by an applicant.

2.39 Circular 1/97(Planning Obligations) outlines that agreements between the Council and developers under Section 106 of the 1990 Town & Country Planning Act can:

- * restrict the development or use of land in any specified way;
 - * require specified operations/ activities to be carried out;
 - * require the land to be used in a specified way;
 - * require a sum or sums to be paid to the Council on a specified date(s) or periodically;
- but only where they are:
- a) necessary to the granting of planning permission; and
 - b) relevant to planning; and
 - c) directly related to the development to be permitted.

GP14: Agricultural Land

Planning permission will only be granted for development that would result in the loss of the best and most versatile agricultural land (defined as grades 1, 2 and 3a) if an applicant can clearly demonstrate that very special circumstances exist which determine that the proposal can not be located elsewhere.

2.40 In spite of recent changes in government policy to reduce crop surpluses and encourage diversification of the rural economy, a large proportion of the countryside around York will continue to be used for agricultural production. Whilst PPG7 The Countryside: - Environmental Quality and Economic and Social development)) states that it is no longer necessary to protect agricultural land for its own sake, the best quality agricultural land is highlighted as retaining its importance as a national resource, and therefore considerable weight should be given to its protection from irreversible development.

2.41 Of the land in agricultural use in the City of York, the majority is classified as either grades 1, 2 or 3a. It is inevitable, therefore, that proposals will come forward over time for development on agricultural land that will have an impact on this

quality. The fact that there may be limited alternative locations for the proposal will be taken into account when assessing applications involving grades 1, 2 or 3a agricultural land. All development proposals involving agricultural land must be accompanied by a site survey, illustrating the quality of agricultural land affected by the development.

GP15a: Development and Flood Risk

There will be a presumption against built development (except for essential infrastructure) within the functional floodplain outside existing settlement limits.

Proposals for new built development on previously undeveloped land outside defined settlement limits will only be granted where it can be demonstrated that the development will not result in the net loss of floodplain storage capacity, not impede water flows and not increase flood risk elsewhere.

All applications in the bw to medium risk² or high risk³ areas should submit a Flood Risk Assessment (FRA) providing an assessment of additional risk arising from the proposal and the measures proposed to deal with these effects. Developers must satisfy the Local Planning Authority that any flood risk will be successfully managed with the minimum environmental effect and ensure that the site can be developed, serviced and occupied safely.

The use of sustainable drainage systems to mimic natural drainage will be encouraged in all new developments in order to reduce surface water run-off.

Discharges from new development should not exceed the capacity of existing and proposed receiving sewers and watercourses and long-term run-off from development sites should always be less than the level of pre development rainfall run-off.

Where required the provision and future maintenance of flood mitigation and defence measures will be sought from the developer.

¹ Low risk areas are defined (PPG25) as having an annual probability of flooding (river) less than 0.1%

² Low to medium areas of flood risk are defined (PPG25) as having an annual probability of flooding (river) 0.1-1.0%

³ High risk areas of flood risk are defined (PPG25) as having an annual probability of flooding (river) greater than 1.0%

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2.42 Flooding is an important land use planning consideration for the City of York, and work has been undertaken in recent years to achieve flood protection in an environmentally friendly manner. Given that the Rivers Ouse and Foss both run through the centre of York it will continue to be important to balance the pressure for new development with the alleviation of potential flooding. There is also a need for the beneficial effects of flooding on the natural environment to be effectively managed.



2.43 Unless carefully sited and designed, new development or redevelopment adjacent to rivers can exacerbate the risk and problems of flooding, erosion and pollution downstream by increasing surface water run off from impermeable surfaces or by reducing flood plain capacity. Accordingly, the Environment Agency, British Waterways and the relevant Internal Drainage Board will be consulted before planning applications, which might increase the risk of flooding, are determined.

2.44 If development is allowed in a location liable to flood, proposals will be expected to take this potential into account when designing the development (e.g. locating parking areas and access points in such a way that allow buildings to continue to be used during a flood). Important considerations will be:

- * the capacity of the floodplain;
- * flood heights;
- * the contribution of existing or proposed alleviation measures;
- * access for emergency services.

GP16: Shopfronts

Planning permission will be granted for new, or alterations to existing, shopfronts where they respect the scale, proportion, materials and architectural style of the building to which they are attached and the area in which they are located.

See also: GP17

2.45 The display of goods through well designed shopfronts, which create an attractive environment, is an essential element of the retail centres in the City of York. Consequently, the pressure to modernise shopfronts is strong and constant. In designing new or modified shopfronts, it is important that the style of the new shopfront relates well to both the building of which it is part, and to adjoining buildings. Corporate styles can clash with the style and character of individual buildings and their surroundings.

2.46 In recent years there has been a rise in the number of applications for the use of standardised aluminium shopfronts which, together with unsympathetic plastic "Dutch" canopies, poorly proportioned illuminated signs and externally mounted roller shutters, are considered detrimental to the amenity of the street scene and will not normally be permitted.

2.47 New shopfronts should be considered as part of the architectural composition of the building and the street, providing a visible support of the building above, and generally including provision for an integral fascia sign and stallriser of traditional height. The important consideration is that the shopfront should be designed and detailed to respect the period and style of the building and area into which it is fitted.

GP17: Security Shutters

Planning permission for external solid roller shutters will only be granted where the shutters do not cause an adverse impact on the appearance of the building to which they are to be attached or its locality. Where external shutters are used, particularly in the City Centre, shopping areas and Conservation Areas the shutter and its housing shall be coated and installed so as to minimise its visual impact. Innovative, sympathetic designs will be encouraged that incorporate appropriate materials and colouring. In terms of internal shutters in listed buildings and Conservation Areas, the above applies.

See also: GP16

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2.48 There are many cities and towns where the character and appearance of shopping areas has suffered from the installation of security shutters on commercial properties. Until now the impact of such shutters in the City of York has been limited, but more extensive use could seriously undermine the character and attractiveness of the City especially during evenings and weekends. The aim of the policy is to balance the security requirements of local businesses with a desire to preserve the quality of the local townscape.

2.49 Some types of security shutter, particularly the solid roller type, can have a seriously detrimental effect upon the appearance of a building. If a number of retail units in a street has them installed they can have a drastic effect upon the townscape in non-business hours when in the closed position. They are particularly damaging in conservation areas and on listed buildings, because of the visual impact of the shutters. In developments, which involve new retail outlets or shopfronts, it is important that any necessary security arrangements are provided as part of the initial design proposals.

2.50 On existing retail outlets the method of security will depend upon the type of retailer and the character of the area and building. In conservation areas, and on listed buildings, the method of security should be as discreet as possible. When the retailer is of the 'high risk' type, such as a jeweller, the increased security requirements need to be acknowledged and balanced with protecting the character of both the building and area. The location of bollards outside shop units, as a means of protection, will not be acceptable.

2.51 A leaflet (Keeping Up Appearances: A Guide to the Security of Business Premises in York; Nov 1993) is available from City of York Council offering further information on when permission may be required, and design guidance for various types of security measures.

GP18: External Attachments to Buildings

Where planning permission or listed building consent is required for external attachments to buildings, such as security alarms, CCTV cameras, light fittings and roller blinds, permission will be granted where their design, location, materials and colouring do not significantly detract from the visual appearance of the building or the visual amenity of the area,

or the character and appearance of conservation areas.

2.52 The visual amenity and appearance of buildings and areas, especially conservation areas, can be significantly altered by the presence of external attachments. Many such items are small but they can have a significant effect (particularly if several attachments are made to the same building) and care needs to be taken in siting such equipment so that any detrimental impact is minimised.

2.53 Any alteration, which materially affects the external appearance of a property potentially, requires permission unless permitted development rights apply. Therefore attachments will only be acceptable where they are well designed and integrated so as not to detract from the building or the street. Equipment such as alarm boxes and meter boxes should be sympathetically integrated and coloured so as to blend in with its background.

GP19: Satellite Dishes and Antennae

Planning permission will be granted for satellite dishes and antennae provided:

- a) the diameters of dish antennae are kept to the minimum necessary to achieve their purpose; and
- b) dish antennae are of a suitable colour which minimises their visual impact and enables them to merge into the background; and
- c) dish antennae are positioned so as to minimise their effect on the external appearance of the building or structure to which they are attached; and
- d) they are not sited on roofs above ridge lines; and
- e) the apparatus is not used primarily as a means of advertising; and
- f) they do not have an adverse effect on the character of a listed building or conservation area.

2.54 The technology associated with telecommunications is rapidly changing and the size of apparatus reducing. Some minor telecommunications apparatus does not require planning permission. When planning permission is assessed for large dish antennae, consideration will be given to a temporary permission so that the opportunity can be taken

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to review the proposal in the context of evolving technological developments which are likely to reduce the size of antennae required in the future.

2.55 Antennae on listed buildings will generally be resisted but in exceptional circumstances may be considered where they can be, with certainty, hidden from view, for example, in rear gardens or roof valley-gutters and if they are of a suitably small size.

2.56 It is intended that supplementary planning guidance will be produced on this topic to assist applicants.

GP20: Telecommunications Developments

Planning permission will be granted for telecommunications developments, including tall masts, provided:

- a) it can be demonstrated that all efforts have been made to explore the possibilities of erecting the equipment on existing buildings or masts; and
- b) the visual intrusion and proliferation of such equipment has been minimised and the proposal does not result in a significantly adverse effect on the character of the area; and
- c) there would be no adverse effect on the historic character of the City or its skyline.
- d) that applicants have provided sufficient evidence that the proposed apparatus will meet the latest Government approved guidelines for public telecommunications equipment.

2.57 Telecommunications installations can have a significant visual impact on an area. This is especially true in an area of acknowledged built environment quality such as the City of York. Therefore, careful consideration needs to be given to the impact of new technology on the character of the City and, in particular, to its effect on important public views and on the City's skyline.

2.58 Minor telecommunications development is, in many cases, permitted without the need for planning permission to be obtained. However, under this policy, these installations will also need to give consideration to the possibility of sharing existing facilities.

2.59 Government advice in PPG8 (Telecommunications) attaches considerable importance to keeping the numbers of radio and telecommunication masts and sites for such installations to a minimum. Sharing masts will help achieve this and applicants for new installations will be expected to provide evidence to show that they have explored the possibility of erecting antennae on an existing mast, building or other structure. The Government's overall policy is to facilitate the growth of new and existing systems, whilst taking account of the need to protect countryside and urban areas.

2.60 This policy will be supported by Supplementary Planning Guidance which will be developed and approved by the Council.

GP21: Advertisements

Where advertisement consent is required, it will be granted for signs, hoardings and large advertising panels where their size, design, materials, colouring and any form of illumination does not detract from the visual amenity of the areas in which they are displayed, particularly with regard to the character of listed buildings or conservation areas, and

- a) there is no adverse effect on public safety, and
- b) in residential areas and on sites clearly visible from roads, the advertisement is in keeping with the scale of surrounding buildings and public areas.

2.61 The display of advertisements is controlled under the Town and Country Planning (Control of Advertisements) Regulations 1992. These require that a formal application be made to the local authority for certain types of advertising display. The Council recognises the need for advertising by the business community and many signs do not require express consent. Those signs that do require consent from the Council will normally be acceptable provided that they do not detract from the appearance of the premises themselves or from the immediate environment, especially in residential and conservation areas and provided there is no adverse effect on public safety. Public safety refers to the safety of any person using the highway, or the likelihood of signs obscuring any road traffic sign or railway signal.

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2.62 Supplementary planning guidance will be prepared to give further advice and information on advertisements.

GP22: Banners

Advertisement consent will only be granted for the display of banners on or between buildings, structures or trees where they are of a high quality and are maintained as such, and there would be no adverse effect on highway safety or visual amenity.

2.63 Hanging banners can have a visually damaging effect on the historic character of the District due to their size, prominence and temporary nature. The Plan seeks to resist their display where it is clear that they would have a poor appearance in relation to adjacent buildings and would be out of keeping with the character of the surrounding area.

2.64 Exceptions may be made where traditional types of signing would be inappropriate for a building because of its detailed design, and where a high quality and sensitively located banner type sign is the only acceptable alternative. Exceptions may also be made for special one-off or annual events, which promote the City's economy.

GP23: Temporary Planning Permission

Planning permission will be granted for the temporary use of land or the erection of temporary buildings for a limited period, provided:

- a) there would be no loss of amenity to the occupants of adjacent property as a result of the proposal; or
- b) the applicant can demonstrate that there is no viable permanent alternative immediately available; and
- c) where appropriate, plans are to be brought forward for permanent development; and
- d) that the period for which consent is sought is the minimum required to allow the permanent development proposal to be implemented; or
- e) a trial period is necessary for the development, to allow an assessment of its character or effects.

2.65 It is sometimes necessary for applicants to make temporary use of land or erect temporary buildings in advance of permanent development of their sites. Where this is the case, it will be often be necessary for applicants to demonstrate that a permanent solution is being developed and that this is the clear reason for such a temporary permission being sought. Where the permanent solution is acceptable, the proposed temporary building must be suitably designed, sited where it is least conspicuous, and screened if necessary. Suitable screening will normally be required to ensure that there is no loss of amenity. There may be exceptional circumstances when a temporary proposal is not related to a permanent scheme. In this case it is necessary to ensure there is no adverse visual or traffic impact and no loss of amenity for nearby occupants.

2.66 It may also be necessary to grant consent for a temporary period, in order to allow a "trial run" for the proposal so that its effects on the area can be assessed. A second temporary permission will not normally be granted in these circumstances, and such proposals will then be assessed on the basis of the policies and proposals in the Local Plan.

GP24a: Land Reserved for Possible Future Development

Until such time as the Local Plan is reviewed, planning permission on sites designated as reserved land (table 2.1), will only be granted for development that is required in connection with established uses, or alternative uses which will preserve the open nature of the land and will not prejudice the potential for the future comprehensive development of the site (post 2011). It will be for the applicant to demonstrate that any proposal meets these requirements.

Table 2.1: Reserved Land after 2011

Site	Size (Ha)
Strensall	6
Naburn Designer Outlet	9
West of Grimston Bar Park & Ride	10
North Minster Business Park	36

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2.67 Policy GP24a relates to reserved land, this term is used to refer to 'safeguarded land' as defined in Planning Policy Guidance Note 2 'Green Belt' (paragraph 2.12)

2.68 The proposed Green Belt for the City of York relates to a timescale longer than that proposed for the Local Plan i.e. after 2011. In order to ensure that Green Belt boundaries will not need to be altered at the end of the plan period it is proposed that the land indicated in table 2.1 be reserved for possible future development after 2011. In allocating this land consideration has been given to long term development needs and the identification of sustainable locations.

2.69 It is important to recognise that Reserved Land is not allocated for development at the present time but will be brought forward with a review of the plan. It is therefore essential that it be kept free from any development that would prejudice future development following the review of the Local Plan.

2.70 PPG2 states quite clearly that safeguarded (reserved) land should not be made available for development before a review of the Local Plan is undertaken and longer term land requirements can be clearly established.

CHAPTER 3: NATURE CONSERVATION & AMENITY

NATURE CONSERVATION AND AMENITY

OBJECTIVES:

- To conserve species and habitats of significance in order to maintain biodiversity;
- To ensure new development is compatible with nature conservation and biodiversity;
- To promote public awareness, understanding and the general accessibility of existing nature conservation sites, to restore degraded habitats, and to create new wildlife habitats wherever possible and improve biodiversity;
- To promote the provision of new woodland and increased tree and vegetation cover.
- To conserve wetland habitats of importance for nature, wildlife and biodiversity.

Introduction

3.1 The Plan seeks to protect and enhance the nature conservation and biological diverse resources of the City by ensuring that there is a properly balanced consideration of nature conservation and biodiversity interests against the need for development and economic growth. Considerable weight will be given to the protection of designated sites. This commitment to sustainable development makes the enhancement of existing wildlife habitats and the creation of new habitats an important part of its approach. Wherever possible, opportunities will be taken to enhance the ecological diversity of the District.

3.2 Within a relatively small area the City of York boasts a range of sites and habitats which provide for some of Britain's rarest breeding birds and a diverse range of plant life and are recognised as being of exceptional nature conservation value. They include:

- * ancient flood meadows;
- * species-rich grasslands;
- * lowland heath;
- * woodlands; and
- * wetlands;

3.3 The City of York's Biodiversity Audit was completed in November 1996. It offers an in-depth survey of all-existing sites, species and habitats of nature conservation value in the City

of York. The results of the Audit form the basis for the Plan's policies relating to the natural environment. In order to ensure that the data is still current a partial review of the Biodiversity Audit was undertaken during July 2002 – July 2003.

3.4 The countryside of the City of York does not, at first glance, appear to have significant variation in its landscape character. However, its landscape is the result of the interaction of many influences, which combine to create differences across the City, some of which are subtle and which tend to merge gradually from one area into another, and some which are quite distinctive in their characteristics.

3.5 The City of York Landscape Appraisal (January 1997) offers a broad description and analysis of the landscape character types within the City of York, their relative qualities and a means of assessing their potential to accommodate development in the longer term. The information from this Appraisal has also proved useful in helping formulate the policies outlined in this chapter.

3.6 Public opinion research undertaken during the Green Belt Review identified the public wish to increase the amount of woodland, trees and vegetation covering the City. York only has a 3.3% tree cover compared to the national average of 7.7%.

National Planning Guidance

3.7 PPG9: Nature Conservation (1994) sets out a hierarchy of nature conservation sites (international, national and local importance) against which development proposals will normally be considered. Local plans, according to the advice, should ensure the protection and enhancement of all nature conservation interests, through policies that can be applied to designated sites. Where there would be a risk of damage to a designated site the local authority may wish, before considering refusal of the proposal, to consider imposing conditions to prevent any damaging impact to nature conservation interests.

3.8 PPG9 also includes a comprehensive list from the European Commission's Birds Directive (1979) and Habitats Directive (1992) of birds, animals, plants and habitats which are considered to be of international importance and, therefore, requiring special protection. Accompanying this is a schedule of all currently designated nature conservation sites of international importance in the UK. Derwent Ings,

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part of the Lower Derwent Valley, is listed in this schedule as both a Special Protection Area (intended to protect threatened species of wildlife) and a Ramsar site (designed to protect wetlands of international importance).

NE1: Trees, Woodlands and Hedgerows

Trees, woodlands and hedgerows, which are of landscape, amenity, nature conservation or historical value, will be protected by:

- a) refusing development proposals which will result in their loss or damage; and
- b) requiring trees or hedgerows which are being retained on development sites to be adequately protected during any site works; and
- c) making tree preservation orders for individual trees and groups of trees which contribute to the landscape or local amenity; and
- d) making hedgerow retention notices where appropriate to protect important hedgerows and;
- e) ensuring the continuation of green/wildlife corridors

All proposals to remove trees or hedgerows will be required to include a site survey indicating the relative merits of individual specimens. An undertaking will also be required that appropriate replacement planting with locally indigenous species will take place to mitigate against the loss of any existing trees or hedgerows. Developments should make proper provision for the planting of new trees and other vegetation including significant highway verges as part of any landscaping scheme. In addition, other proposals to bring forward such provision will be actively encouraged.

See also NE8

3.9 Trees and hedgerows are important to the District's environment in that they provide habitats, help reduce air pollution and soften and enhance built development. It is therefore important that, where they are of landscape, amenity, nature conservation or historical value, they are retained. This policy will offer a safeguard to trees and hedgerows outside conservation areas, which are not covered by tree preservation orders.

3.10 In appropriate circumstances, and in all cases where the removal of trees or hedgerows

is proposed, the Council will require planning applications to include a tree survey detailing the location, ground levels, species, canopy size and root system spread of existing trees. The root pattern, for instance, may influence the position and extent of underground works and surface levels.

3.11 When planning permission is granted, conditions will be attached to require both replacement planting to compensate for any trees lost as a result of development activity on the site, and a replacement scheme for any protected trees on the site, which die within a specified time period following development (usually 5 years). In many cases a financial contribution, in the form of a bond, will be required from developers towards the protection of trees during construction and the implementation of the approved landscaping scheme. This bond would then be returnable on completion of the development. Applicants will be expected to have regard to the Council's guidance on this issue (Safeguarding the Natural Environment) when submitting proposals. Supplementary planning guidance is to be prepared entitled 'Trees in Relation to Construction Sites' which will encourage developers to consider the importance of protecting existing trees during construction.

3.12 In 1997 the government introduced regulations for the protection of important hedgerows. The regulations aim to protect hedgerows by ensuring that the landowner or tenant concerned notifies the local planning authority if they intend to remove a hedgerow. The local planning authority can refuse permission for the removal if they consider the hedgerow to be important. The regulations set out the criteria that local planning authorities must use to determine whether a hedgerow is important. The proposed notification system is not intended to apply to garden hedges or hedgerows that are less than 30 years old.



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NE2: River and Stream Corridors, Ponds and Wetland Habitats

Development which is likely to have a detrimental impact on the natural features of river and stream corridors, ponds or wetland habitats will not be permitted. Their environmental and amenity value will be conserved and enhanced by:

- a) protecting existing natural features and marginal vegetation and encouraging their reinstatement when lost;
- b) resisting development that would have an adverse impact on their landscape character;
- c) promoting the maintenance, enhancement and, where appropriate, the restoration of their character;
- d) ensuring the design of structures and engineering works are appropriate in form and scale to their setting;

3.13 River and stream corridors encompass a diverse range of wildlife habitats, which add to the diversity and interest of the City's natural environment. These can be easily damaged by development either on the banks of the river or stream or on adjacent land (for example, by altering drainage patterns, changing the water table or causing pollution). It is these habitats that this policy seeks to protect, as they are extremely valuable to wildlife.

3.14 Engineering works such as levees or culverting can be detrimental to nature conservation interests and detract from landscape character. New development will be expected to give careful consideration to minimising its potential impact and, where possible, achieving positive benefits for nature conservation or the landscape.

NE3: Water Protection

When determining planning applications, account will be taken of any impact the development will have on watercourses, open water or underground water supplies. Development proposals will be expected to minimise any adverse effects on these sources.

3.15 Watercourses and open water provide a vital recreational and wildlife asset to the City. Once polluted their value is drastically reduced. Rivers, drains and groundwater supplies of drinking water can easily be polluted from a variety of activities such as the seepage of

pesticides. Groundwater can be difficult or impossible to restore once contaminated. Supplementary Planning Guidance entitled 'Surface Water Run Off' is proposed to deal with detailed issues such as water tables, destruction of field drainage schemes, prevention of loss of washlands and surface water drainage.

3.16 The protection of watercourses and water quality is the responsibility of the Environment Agency. Consequently, consultation with the Agency is recommended at the earliest stage of any development involving water sources to ensure that development does not present an unacceptable risk to groundwater quality.

NE4a: International and National Nature Conservation Sites

Development which is likely to have a significant effect on a European site, proposed European site or a Ramsar site will be subject to the most rigorous examination, in accordance with the procedures set out in the Habitats Regulations 1994.

Development in or likely to have an effect on a Site of Special Scientific Interest will be subject to special scrutiny.

Where development could have an adverse effect, directly or indirectly, on an international, or national nature conservation site it will only be permitted where the reasons for the development clearly outweigh the special nature conservation value of the site.

3.17 Sites of special scientific interest (SSSI) are nationally important and are notified by English Nature. There are currently nine within the City of York: Acaster South Ings, Askham Bog, Church Ings, Fulford Ings, Heslington Tilmire, Naburn Marsh, River Derwent, Strensall Common and Derwent Ings. These are recognised as being sites of outstanding nature conservation importance, and three (Strensall Common, Askham Bog and Derwent Ings) have been identified as being of national importance. Strensall Common, Derwent River and Wheldrake Ings are designated as Special Areas of Conservation. Wheldrake Ings has an additional classification as a Special Protection Area. Derwent Ings is part of the Lower Derwent Valley National Nature Reserve and Special Protection Area, which is classified as a wetland of international importance (Ramsar site - see Proposals Map).

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3.18 Should a planning application be received for development that would affect any of the sites covered by this policy, an ecological survey will be required to assess the likely impact of the proposed development. Where appropriate this will need to be accompanied by a mitigation strategy, for protecting any affected parts of the site. This information will allow the planning authority to make a fully informed decision on the proposal.

NE5a: Local Nature Conservation Sites

Development likely to have an adverse effect on a Local Nature Reserve or a non statutory nature conservation site will only be permitted where the reasons for the development clearly outweigh the substantive nature conservation value of the site.

3.19 In addition to the statutory sites of international, national and regional importance, there are many others, which, whilst of lesser nature conservation importance, are nonetheless significant at a more local level and worthy of protection.

3.20 Non-statutory sites of nature conservation interest for the purposes of this policy coincide with those identified as "wildlife sites" in the City of York Biodiversity Audit (1996). The identified sites are designated on the Proposals Map and all have demonstrable biological importance and have been selected primarily on the basis of ecological criteria, although they will often also be of amenity, landscape or historical value. The selection criteria used by the Biodiversity Audit was devised in conjunction with English Nature. It is intended that any additional non-statutory sites, such as Local Nature Reserves, identified during the Plan period will also be protected through this policy.

NE5b: Avoidance of, Mitigation and Compensation for Harm to Designated Nature Conservation Sites

In exceptional circumstances where development is allowed under policies NE4a or NE5a, which would have an adverse effect on the nature conservation value of the site, the council will ensure that the appropriate use of planning conditions and planning obligations is undertaken in order to protect and enhance the site's nature conservation interest and to provide appropriate compensatory measures and site management.

3.21 The Council places a high level of importance on the protection afforded to nature

conservation sites. However, there may, in exceptional circumstances, be situations where the need for a proposed development clearly outweighs the nature conservation value of the site. In these situations where planning permission is granted for such developments, the Council will consider the use of planning conditions or obligations in order to protect the nature conservation value of the site. Where appropriate compensation for losses will be considered but only as a last resort. In all such cases there will need to be a demonstrable net gain to the overall nature conservation interest.

NE6: Species Protected by Law

Where a proposal may have a significant effect on protected species or habitats, applicants will be expected to undertake an appropriate assessment demonstrating their proposed mitigation measures.

Planning permission will only be granted for development that would not cause demonstrable harm to animal or plant species protected by law, or their habitats. The translocation of species or habitats will be an approach of last resort.

3.22 The Wildlife and Countryside Act 1981 extends protection to the habitats and places of shelter of a number of species, as well as the animals themselves. The presence of a protected species, therefore, will be a material consideration when considering proposals for development, which, if implemented, could cause harm to that species or its habitat. Consultation with English Nature will take place in all instances where development proposals may affect protected species. It is also intended that supplementary planning guidance will be produced relating to specific protected species and their habitats within the City of York.

3.23 Particular species such as badgers receive further protection through specific legislation (i.e. Protection of Badgers Act 1992). A wide variety of urban and rural buildings in the City of York provide roosting and nesting places for barn owls or bats. In instances when conversion proposals may pose a threat to the known roosting or nesting places of these species, the advice of English Nature will be sought and appropriate conditions imposed to ensure that protection could be offered to these endangered habitats.

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NE7: Habitat Protection and Creation

Development proposals will be required to retain important natural habitats and, where possible, include measures to enhance or supplement these and to promote public awareness and enjoyment of them.

Within new developments measures to encourage the establishment of new habitats should be included as part of the overall scheme.

3.24 There will often be opportunities to conserve wildlife and create and manage new natural or semi-natural habitats in the context of development schemes, at little or no cost to the developer. When assessing new development proposals particular attention will be paid as to whether measures are incorporated for the protection and enhancement of wildlife habitats (such as hedgerows, dykes, ponds, etc) through appropriate building design and site layouts, landscaping techniques and choice of plant species.

NE8: Green Corridors

Planning permission will not be granted for development, which would destroy or impair the integrity of green corridors and stepping stones (e.g. river corridors, roads, railway lines, cycleways, pockets of open space and natural or semi-natural vegetation etc). Conversely, development that ensures the continuation and enhancement of green corridors for wildlife will be favoured.

3.25 Access and transport networks, as well as natural features, create a variety of linear landscape components, including paths, railway lines, roads, rivers, streams and areas of open space. These features, and often the adjoining land, create a network, which provides links for people and wildlife.

3.26 In the context of the City itself they form a physical break in the urban form of York and are significant in that they lead to and from the urban area and provide 'gateways' to more extensive areas of countryside. Therefore, these corridors perform a key role in providing opportunities for informal recreation and nature conservation. An important aspect of these "green" corridors is that they form an integral part a potential network of spaces, routes and features linked through the urban area into the wider countryside. Linear habitats, whether continuous (i.e. hedges and rivers) or a series of linked sites, which allow the free movement of

fauna and flora can be thought of more specifically as wildlife or ecological corridors. These green corridors are a particularly important part of what makes up the character of York.

3.27 The concept of 'stepping stones' is an integral part of green corridors in that they are pockets of vegetation and open space that, although not necessarily physically linked, are relatively closely spaced and function in a similar way to a continuous corridor.

3.28 It is important to protect these features from development, which may adversely affect their value as green corridors. In rural areas many of these corridors are located within the Green Belt, where a presumption against inappropriate development exists. However, in instances where proposals, which may affect green corridors, satisfy Green Belt development requirements, it will be necessary to ensure that the continuity of the corridor is maintained and any nature conservation value preserved.

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CHAPTER 4: HISTORIC ENVIRONMENT

HISTORIC ENVIRONMENT

OBJECTIVES:

- To preserve and enhance the character and appearance of conservation areas, listed buildings and historic parks and gardens whilst at the same time promoting sustainable development.
- To safeguard the City of York's archaeological heritage

Introduction

4.1 The City of York's architectural and archaeological history is famous worldwide and is one of the key factors in attracting large numbers of visitors to the City. However, the City is a living and working place and one of the main aims of the Local Plan is to balance the need for sustainable development and economic growth with protection of the historic environment. This will be achieved through policies in the Local Plan, which aim to preserve and enhance the highest quality historic buildings, streetscapes, skylines and parks which together contribute significantly to the City of York's attractiveness.

4.2 The quality of the City of York's historic environment is reflected in the fact that in 1997 it contained 1,735 listed buildings and structures, 28 conservation areas and 12 scheduled ancient monuments.



National Planning Guidance

4.3 PPG15: Planning and the Historic Environment (1994) sets out government policy on the identification and protection of historic buildings, conservation areas and other elements of the historic environment. It also outlines the role of the planning system in their protection.

4.4 PPG16: Archaeology and Planning (1990) offers guidance on the preservation and recording of archaeological remains and the options available to Councils in determining applications affecting these remains.

HE1: Designation of Conservation Areas

The following criteria will be taken into account when reviewing or proposing conservation area boundaries:

- a) the origins and development of the topographic and landscape framework of the area;
- b) the archaeological significance and potential of the area;
- c) the architectural and historic quality, character and coherence of the built environment (including both listed and unlisted buildings) and the contribution, which they make to the special interest of the area;
- d) the relationship between the built and the natural environment, including the definition of significant landmarks, vistas and panoramas, where appropriate;
- e) the presence of negative elements, which detract from the special character of the area;
- f) the existence of neutral areas, which neither enhance nor detract from the character or appearance of the conservation area.

4.5 Although the City of York currently has 33 designated conservation areas (see Appendix B for detailed descriptions and boundaries) there are still notable parts of the City, which perhaps warrant such protection but currently, have no formal designation (e.g. Rufforth). An assessment of existing conservation area boundaries and potential new locations will be undertaken over the period of the Local Plan. Any proposals for additional conservation areas stemming from this analysis will be the subject of a separate public consultation exercise.

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HE2: Development in Historic Locations

Within or adjoining conservation areas, and in locations which affect the setting of listed buildings, scheduled monuments or nationally important archaeological remains (whether scheduled or not), development proposals must respect adjacent buildings, open spaces, landmarks and settings and have regard to local scale, proportion, detail and materials.

Proposals will be required to maintain or enhance existing urban spaces, views, landmarks, and other townscape elements, which contribute to the character or appearance of the area.

See also: GP1

4.6 Buildings should be designed with reference to their surroundings. A thorough understanding of the particular historic location will lead to better schemes. Applications for planning permission will be required to include sufficient information to enable proposals to be determined in relation to their context. Accordingly, proposals should consider the following:

- a) the existing landforms and natural features;
- b) the scale and proportion of existing buildings and structures, building lines and heights, rhythm and vertical/horizontal emphasis within the street scene. Abrupt changes in building heights, lines and elevational design are only acceptable where significant benefits to the historic townscape can be demonstrated;
- c) the need to avoid the amalgamation of traditional plots and the creation of large, undifferentiated single-use buildings, where it would detract from the character and appearance of a conservation area;
- d) opportunities to improve the character and appearance of conservation areas;
- e) the detailed design of new buildings and of extensions to existing buildings.

4.7 The layout and form of development should reinforce or create a sense of place, and provide environments, which are not monotonous or monolithic but which offer variety and interest. A design guide entitled 'Streets Ahead in York' recommends a range of street furniture products

for use in the City of York. Design of new development should avoid superficial, confused or pale reflections of the existing built environment. High quality contemporary designs, which respect the historic context, will be encouraged. Developers will be actively encouraged to achieve this high quality through pre-application discussions.

HE3: Conservation Areas

Within conservation areas, proposals for the following types of development will only be permitted where there is no adverse effect on the character and appearance of the area:

- demolition of a building (whether listed or not);
- external alterations;
- changes of use which are likely to generate environmental or traffic problems.

Applications for development in conservation areas will only be considered if full design details are included.

4.8 The character of the City of York's conservation areas consists of many elements, among which are the mixtures of architectural styles, the tight grouping of buildings, the informality of streets and the broken profiles of buildings and skylines. Proposals for development in conservation areas should reflect street proportions, with care given to floor heights, door and window sizes and disposition. The elevational treatment of all sides of any development and roofscape are important, not simply the street frontage.



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4.9 The character of conservation areas is not only formed by buildings and spaces, but also by the land uses and activities, which occupy them. For example, small scale traditional shops in a street would constitute part of its essential character, as would a mixed use area in another. The desirability of protecting such character will therefore be a consideration in determining change of use applications.

HE4 : Listed Buildings

With regard to listed buildings, consent will only be granted for the following types of development where there is no adverse effect on the character, appearance or setting of the building :

- development in the immediate vicinity of listed buildings;
- demolition;
- internal or external alterations;
- change of use;
- erection of satellite antenna.

4.10 It is important that alterations and extensions preserve and enhance the special architectural or historic character of conservation areas and complement the character of listed buildings. Alterations will be expected to be of an appropriate design, using traditional natural materials and skilled workmanship. Any replacement of the fabric of listed buildings should be kept to a minimum in order to maintain the character and value of the building. The proposal should also be in scale with the original building and respect its character.



4.11 Extensions often involve the same design challenges as fitting a new building into an existing street. Extensions to listed buildings should be subservient to the existing building, and not conflict with the form, profile or detail of the original building. There is also a need to preserve or enhance the spaces about buildings.

4.12 It is appreciated that many listed buildings are already in established uses and proposals for change should be considered within that context. Therefore issues such as improved access for users with mobility problems will be taken into account when assessing applications. This approach is consistent with advice in PPG15.

4.13 It is intended to produce detailed supplementary guidance on repairs and recording alterations and extensions to historic buildings to assist applicants. In all cases of demolition or alteration of historic buildings the council will consider suitable programmes for recording.

HE5: Demolition of Listed Buildings and Buildings in Conservation Areas

Listed building consent and/or conservation area consent will not be granted for the demolition of listed buildings or buildings which positively contribute to the character or appearance of conservation areas. Where exceptionally demolition or partial demolition is permitted, no demolition shall take place until a building contract for the carrying out of works of redevelopment has been made and planning permission for those works has been granted.

4.14 Listed building consent is required to demolish listed buildings, and conservation area consent is required to demolish unlisted buildings in a conservation area. Ecclesiastical buildings presently being used for ecclesiastical purposes are exempt from listed building consent, as churches have a separate planning control system which is undertaken by the relevant denomination.

4.15 An application for listed building or conservation area consent for demolition should generally prove that the building is incapable of economic repair (through the production of a full structural survey and economic appraisal), and that every possible effort has been made to continue the present use or to find a suitable alternative use. If unable to restore the building itself, the owner should consider selling to another party with the means to do so.

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4.16 However, there will be exceptional circumstances when demolition can be justified. Clear guidance is given in PPG 15 on the considerations to be taken into account by local planning authorities when assessing such proposals. In particular, the following considerations should be addressed:

- i) the condition of the building, the cost of repairing and maintaining it in relation to its importance and the value derived from its continued use;
- ii) the adequacy of efforts made to retain the building in use;
- iii) the merits of alternative proposals for the site.

4.17 Demolition refers to pulling down a building so that it is destroyed completely or at least to a very significant extent. The partial demolition of a listed building is still construed as alteration and listed building consent will still be required for such works. The degree of preservation of the architectural features and amount of historic fabric remaining are key factors in determining the value and grade of listed buildings and the value of unlisted historic buildings.

4.18 Whereas individually some alterations and partial demolition may be acceptable, cumulatively they may be detrimental to the character and appearance of an historic building and may devalue it. In considering what level of change to an historic building is acceptable, the nature and extent of previous alterations will be taken into account.

4.19 Unlisted buildings of character also make an essential contribution to the character and appearance of conservation areas and therefore will normally be protected against demolition. However, the demolition of unlisted buildings and structures, which do not positively contribute to the character, or appearance of a conservation area would be acceptable if it is demonstrated that their removal or replacement would benefit the character or appearance of a conservation area.

4.20 It is important that sites are not left vacant for years before redevelopment takes place, causing blight or detracting from the visual amenity of an area. This will be achieved by ensuring that no demolition takes place until



detailed plans have been approved, redevelopment or renovation work is about to take place, and a building contract has been signed.

HE6 : Shopfronts in Historic Locations

Planning permission will only be granted for new, or alterations to existing, shopfronts in conservation areas or on listed buildings where the proposed design preserves or enhances the character of the area or building.

See also: GP16

4.21 Retail uses and their shopfronts form part of the character and appearance of the Central Historic Core and other conservation areas. Well designed sympathetic shopfronts can make a positive contribution to the appearance of a conservation area, whilst those that are insensitive or obtrusive can damage it. The promotion of good shopfront design is therefore essential to the preservation and enhancement of the historic City of York.

4.22 Modern needs and conservation objectives need not be in conflict. There will be circumstances where a modern shopfront may be appropriate and can contribute to the character and appearance of a conservation area. High quality, imaginative architectural design will be encouraged in such locations. Detailed advice on the design of shopfronts will be available to applicants through supplementary planning guidance.

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HE7: Security Shutters in Historic Locations

Within conservation areas, or on listed buildings and other buildings of high townscape value, the use of external solid or see-through roller shutters will be resisted. External demountable open mesh grilles may be considered in certain situations where they are of domestic scale and the design is of a high quality.

See also: GP17

4.23 In conservation areas and on listed buildings, security should be provided by laminated glass, secondary glazing or internal security film. Suitably designed internal see-through shutters will be considered where other measures are deemed not to be sufficient. The shutter boxes should be positioned so as not to be visible from the outside. External demountable open mesh grilles may be considered in certain situations where they are of domestic scale and the design is of a high quality. External roller shutters, whether see-through or solid, will be resisted in conservation areas and on listed buildings.

HE8: Advertisements in Historic Locations

Within conservation areas, or on listed buildings, advertisements will be expected to comply with policy GP21 and consist of:

- a) a design and scale that respects the character and appearance of the area; and
- b) good quality materials that are sympathetic to the surface to which they are attached.

Within conservation areas externally illuminated advertisements that require large light fittings will not be permitted.

See also: GP21

4.24 It is recognised that advertisement design is important in preserving and enhancing the character and appearance of conservation areas. Well-designed advertisements can make a contribution to the character of such areas. At the same time a proliferation of signs can be unsightly, distracting and damaging to the appearance of the building, street or area. Advertisements should be designed and located to avoid conflict with the character of conservation areas. For example, internally illuminated box signs will be resisted on listed

buildings or in conservation areas because of their effect on their character or appearance.

4.25 It is intended to produce supplementary planning guidance to assist those proposing to apply for advertisement consent.

HE9: Scheduled Ancient Monuments

Planning permission will not be granted for development which would adversely affect a scheduled ancient monument or its setting.

4.26 The Secretary of State for Culture is responsible for determining applications for scheduled ancient monument consent, in consultation with English Heritage. The local planning authority has no involvement in the granting of permission for scheduled ancient monument consent.

4.27 Scheduled ancient monument consent is required for any works resulting in:

- i) the demolition or destruction of, or any damage to, a scheduled monument;
- ii) removing, repairing, altering or adding to a scheduled monument;
- iii) flooding or tipping on land in, on or under which there is a scheduled monument.

4.28 However, the desirability of preserving an ancient monument and its setting is a material consideration in determining planning applications whether the monument is scheduled or unscheduled. English Heritage will be consulted when proposals are received that will affect the setting of an ancient monument. A list of Scheduled Ancient Monuments is contained at Appendix C.

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HE10: Archaeology

Planning applications for development that involves disturbance of existing ground levels on sites within York City Centre Area of Archaeological Importance will be granted provided:

- a) applicants permit a field evaluation, approved by the Council, to assess the extent and importance of any archaeological remains; and
- b) applicants can demonstrate that less than 5% of any archaeological deposits will be disturbed or destroyed;

Outside York City Centre Area of Archaeological Importance, archaeological deposits of national importance must be preserved in situ.

Where physical preservation of the deposits in situ is not possible, applicants must make provision for the professional excavation and recording of the archaeology, in accordance with a detailed scheme approved prior to development commencing.

4.29 PPG16 states that where nationally important archaeological remains (whether scheduled or unscheduled), and their settings, are affected by proposed development there should be a presumption in favour of their physical preservation.

4.30 The City of York possesses a wide range of archaeological deposits, some of which are of outstanding importance. This is reflected in the fact that York is one of only 5 historic centres that have been designated as Areas of Archaeological Importance (AAI) under the Ancient Monuments and Archaeological Areas Act 1979 - the others being Canterbury, Chester, Exeter and Hereford.

4.31 AAIs are not the archaeological equivalent of conservation areas. Instead they are based on the assumption that development will often be acceptable, but that there is archaeological data, which should first be recorded. The designation - which covers 7 individual areas within the City of York (see detailed plans in Appendix D) - affords statutory access to the statutory investigating authority (in the City of York this is York Archaeological Trust) to either observe and record (a watching brief) or claim a period of up to 4 months and 2 weeks to undertake an archaeological excavation of archaeological remains that could be

destroyed during the development of particular sites.

4.32 The highest quality archaeological deposits will invariably underlie the historic core of the City. Ironically, this is also the area where, during the Plan period, redevelopment is most likely to occur. The York Development and Archaeology Study (1992), undertaken by Ove Arup and York University, demonstrated that, in a city such as York, it is possible to construct a new building and destroy less than 5% of the archaeological deposits below that building. This preservation target will therefore apply to all redevelopment proposals within the York City Centre AAI.

4.33 Outside York City Centre AAI it will also be a standard requirement for developers to undertake an archaeological survey of proposed development sites in order to assess their archaeological value. In most cases the objective will be to retain any valuable deposits in their present position by taking account of this during the proposed layout design. Where this is recognised as being impossible due, for example, to site constraints developers will be obliged to carry out a professional excavation of known deposits prior to development of the site.

HE11: Trees and Landscape

Existing trees and landscape which are part of the setting of conservation areas, listed buildings and scheduled monuments, will be required to be retained, and provision made for planting within new development, where appropriate.

Where consent is granted for the removal of protected trees, conditions will be imposed to ensure replacement with appropriate specimens.

See also: NE1

4.34 Trees are an important part of the City of York's environment. They help to reduce air pollution, soften and enhance townscape and contribute to the character and appearance of conservation areas. Anyone proposing to cut down any part of a tree in a conservation area is required to give 6 weeks notice to the local planning authority. The purpose of this requirement is to offer an opportunity for a tree preservation order to be applied to particular trees.

4.35 When dealing with planning applications, a tree survey will usually be required in order to show the location, ground levels, species,

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canopy size and root system spread of existing trees.

4.36 If planning permission is granted, conditions will be attached to require both replacement planting to compensate for any trees lost as a result of development activity on the site, and a replacement scheme for any protected trees on the site, which die within a specified time period following development (usually 5 years). In many cases a financial contribution, in the form of a returnable bond, will be required from developers towards the protection of trees during construction and the implementation of an approved landscaping scheme. Applicants will be expected to have regard to supplementary guidance on this issue when submitting proposals.

4.37 Not all spaces between buildings are covered by hard surfaces. In some conservation areas hard surfaces predominate but there are often areas, which provide valuable green space. Many buildings have gardens, which are fundamental to the quality of their setting. In addition, small areas are often made more attractive by their individual treatment by private owners. Where residential uses predominate, the cumulative effect of forecourt planting or the sum of rear garden areas can significantly soften the character of the area. The quality of the landscape is often an essential component in the character of conservation areas and should be retained and enhanced.

HE12: Historic Parks & Gardens

Proposals affecting historic parks & gardens will be permitted providing they have no adverse effect on the character, appearance, amenity, setting or enjoyment of the park / garden.

4.38 The Register of Parks and Gardens of Special Historic Interest in England is maintained by English Heritage. Museum Gardens is currently the only park or garden in the City of York included on English Heritage's Register.

4.39 Sites included on the Register are graded by English Heritage according to their level of historic interest: exceptional (grade I); great (grade II*); or special (grade II). These gradings are independent of any listed buildings, which may fall within the park or garden. Museum Gardens is currently listed as being grade II.

4.40 The City of York also contains a number of other parks and gardens of historic interest,

which, although not included within the statutory list, are considered by the Council to be worthy of protection from development. These have been designated on the Proposals Map:

- Askham Grange;
- Bishopthorpe Garth;
- Bishopthorpe Palace;
- Heslington Hall;
- Naburn Hall;
- Rowntree Park.

4.41 These also make a significant contribution to the landscape quality of the area and enhance the character and appearance of the countryside and settlements. This policy is intended to protect and enhance the historic value of both national and locally important parks and gardens.



CHAPTER 4: HISTORIC ENVIRONMENT

CHAPTER 5: GREEN BELT AND OPEN COUNTRYSIDE

GREEN BELT AND OPEN COUNTRYSIDE

OBJECTIVES:

- To preserve the setting and historic character of York.
- To check the unrestricted sprawl of York.
- To safeguard the surrounding countryside from further encroachment.
- To prevent neighbouring settlements from merging into one another.
- To assist in urban regeneration, by encouraging the recycling of derelict or other urban land.

Introduction

5.1 Although the rural area of the City of York is integral to the open countryside (and therefore subject to certain controls over development generally), virtually all land outside the main settlements is designated as Green Belt in this Local Plan. While separate national planning guidance exists for both the open countryside and Green Belts (PPG7: The Countryside - Environmental Quality and Economic and Social development and PPG2: Green Belts), a general presumption against unnecessary or inappropriate development runs through both sets of guidance, combined with the objective of redirecting this development towards existing settlements.

5.2 For the purposes of the City of York Local Plan, the policies in this chapter, which do not directly specify whether they relate to Green Belt or open countryside, will apply to both. Where the policy applies specifically to open countryside this will be implemented for relevant proposals outside defined settlement limits in areas not designated as Green Belt.

The Designation of the York Green Belt

5.3 Green Belts have been perhaps the best known feature of the planning system since the 1950's and continue to command widespread support. Although there has been an informal Green Belt around York for about 40 years, the North Yorkshire County Structure Plan only formally established the general extent of the York Green Belt in 1980. Policy E8 of the Structure Plan (see Appendix A) defines it as "a belt whose outer edge is about 6 miles from York

City Centre". The Structure Plan does not however define precise boundaries for the Green Belt.

5.4 Detailed Green Belt boundaries were proposed by North Yorkshire County Council in their York Green Belt Local Plan, which was considered at a public inquiry between autumn 1992 and spring 1993. The Inspector's Report was published in January 1994. Although the County Council published Proposed Modifications to the Green Belt Plan in September 1994, the Plan was not progressed to adoption for a number of reasons:

- (i) impending local government reorganisation (April 1996);
- (ii) modifications made to Structure Plan Alteration No 3 (October 1995);
- (iii) inconsistencies with revised national planning guidance on Green Belts (PPG2; published January 1995).

5.5 The Green Belt Inspector advised in his Report that if new national guidance on Green Belts was published before the Plan was adopted, then his recommendations would need to be reconsidered in light of such revised guidance. It has therefore fallen to the City of York Council to incorporate detailed Green Belt policies and boundaries in its District-Wide Local Plan.

5.6 Regional Planning Guidance for Yorkshire & Humberside (2001) advises that "the implementation of the Regional Spatial Strategy should not require any change to the general extent of Green Belt for the foreseeable future. However there may be a more specific and localised need to reconsider the extent of Green Belt to meet identifiable development needs for which urban locations are not available and for which alternative sites would be significantly less sustainable. If land is to be taken out of the Green Belt to meet identifiable development needs, consideration should also be given to designating safeguarded land related to it in accordance with the advice in Annex B of PPG2". Any such changes ought to be considered first on the edge of the urban areas and should only be proposed in development plan reviews following the completion of urban capacity studies and consideration of strategic options. Any proposal to alter an established Green Belt boundary should be related to a longer term timescale than other aspects of the plan.

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5.7 National planning guidance (PPG2) states that: "The essential characteristic of Green Belts is their permanence and their protection must be maintained as far as can be seen ahead". PPG2 advises local planning authorities that are in the process of preparing new Local Plans that proposals affecting Green Belts should be related to a longer timescale than that of the Local Plan (i.e. longer than 10 years), and to ensure that the Green Belt boundaries proposed by the Local Plan will not have to be altered at the end of the Plan period.

5.8 In order to provide for development beyond 2011, the City of York Council have forecasted future housing and employment land requirements. Regional Planning Guidance for Yorkshire and the Humber (RPG12) together with the emerging Regional Spatial Strategy will provide the strategic planning framework.

5.9 A fundamental review of the York Green Belt has been undertaken. The work now completed in respect of the Green Belt Review corresponds with this Local Plan and deals with the issue of reserving land for longer term development needs.

5.10 Whilst remaining broadly consistent with the draft York Green Belt Local Plan, the Local Plan has taken the Inspector's Report to the York Green Belt Public Inquiry as its starting point for the consideration of detailed boundaries and has updated existing policies to take into account the revised guidance contained in the latest version of PPG2 (1995) and the approved Structure Plan.

The Purpose of the York Green Belt

5.11 The main purpose of the Green Belt around York is to preserve the setting and the special character of the historic City. The most critical elements of this character are a series of green wedges (essentially the strays and floodplains), which run into the heart of the City from the surrounding areas of open countryside, and the relationship between the urban area and the surrounding villages.

Green wedges

5.12 The inward extension of these green wedges into the urban area offers a sense of openness when approaching the historic core along the main transport corridors and the River Ouse floodplain. They represent a substantial tract of open land within the built-up area and provide outdoor recreational opportunities for residents. They also help prevent the

coalescence of different parts of the City, thus helping to maintain the local identities of existing communities.

5.13 The continued existence of these wedges is partly due to four of them being designated as "strays". Bootham Stray, Micklegate Stray, Walmgate Stray, and Monk Stray currently comprise 320 hectares of open land, which is mainly under grass, and were originally part of more extensive areas of common land over which the Freemen of York held grazing rights. Since 1947 the local authority for the City has taken over the control and management of the strays for the benefit of the local community.

5.14 In considering the future of the Green Belt and identifying additional land for development as part of the green belt review, particular care has been taken not to compromise these wedges or close them up at the outside ends. It is the City of York Council's clear wish that these wedges should continue outwards in perpetuity.

Surrounding countryside

5.15 The relationship between the band of open countryside, which links these green wedges around the City, and the urban area has changed since the completion of the Outer Ring Road (A1237 / A64). This has effectively opened up views of the historic skyline, the green wedges, the urban fringe and land adjacent to existing villages. The swathe of open countryside between the Outer Ring Road and the urban area varies considerably in depth - from physically adjacent in the north, to 750 metres in the east and south-east and 200 metres to the west of the built-up area - as does its prominence and visibility. Nevertheless it forms an important part of York's character and setting. The work undertaken on the Green Belt review highlighted the importance of the views from the outer ring road and the need to protect them. The Green Belt review work also identified that any new greenfield allocations should not be built right up the ring road to protect the setting of the city from it.

Use of land in Green Belts

5.16 PPG2 sets out the 5 main purposes of Green Belts and these have been replicated as the City of York's Green Belt objectives at the beginning of this chapter. The national guidance goes on to distinguish further between the purposes of defining land as Green Belt and the uses to which this land should be put once

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defined. It outlines six aims for land within the Green Belt with which the policies and proposals of the Local Plan are consistent:

- * to provide opportunities for access to the open countryside for the urban population;
- * to provide opportunities for outdoor sport and outdoor recreation near urban areas;
- * to retain attractive landscapes, and enhance landscapes, near to where people live;
- * to improve damaged and derelict land around towns;
- * to secure nature conservation interest; and
- * to retain land in agricultural, forestry and related uses.

GB1: Development in the Green Belt

Within the Green Belt, planning permission for development will only be granted where:

- a) the scale, location and design of such development would not detract from the open character of the Green Belt; and
- b) it would not conflict with the purposes of including land within the Green Belt; and
- c) it would not prejudice the setting and special character of the City of York;

AND it is for one of the following purposes:

- ◆ agriculture and forestry; or
- ◆ essential facilities for outdoor sport and outdoor recreation; or
- ◆ cemeteries; or
- ◆ limited extension, alteration or replacement of existing dwellings; or
- ◆ limited infilling in existing settlements; or
- ◆ limited affordable housing for proven local needs; or
- ◆ limited infilling or redevelopment of existing major developed sites; or
- ◆ minerals extraction, provided high environmental standards are attainable; or

- ◆ highways works or other essential engineering operations including waste disposal; or
- ◆ park and ride facilities; or
- ◆ reuse of existing buildings.

All other forms of development within the Green Belt are considered inappropriate. Very special circumstances will be required to justify instances where this presumption against development should not apply.

See also: T6

5.17 The protection of the Green Belt is an overriding planning consideration and one, which, in the case of most forms of development, strongly militates against the granting of planning permission. A Green Belt designation can be used to strengthen and support other policy objectives such as protecting the best agricultural land or nature conservation sites, but this is not its primary purpose and these objectives are dealt with through other policies in the Local Plan.

5.18 Policy GB1 lists the types of development considered by national planning guidance to be appropriate within Green Belts. However, proposals could be made for these appropriate types of Green Belt development (e.g. horse rearing facilities or horticulture activities) where the scale, location or design of buildings or structures may impair the open character of the Green Belt or adversely affect the special character of the historic City. In such circumstances it would be appropriate for the development to be resisted.

5.19 Although the last four types of development are not explicitly listed as appropriate uses in PPG2, the guidance does state that they are not inappropriate provided they maintain the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt. For the purposes of clarity, therefore, they have been added to Policy GB1 as potentially acceptable development in the Green Belt.

5.20 The City of York's sports clubs who wish to develop new, or expand existing sports facilities within the Green Belt are currently constrained by the restrictions of government guidance. A specific policy (Policy GB13) is therefore proposed in this Local Plan to reflect these particular constraints. While the proposed policy still restricts development to that which is

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essential and ancillary to the outdoor use, it offers an element of flexibility beyond the small-scale buildings advocated by PPG2. Policy GB13 is therefore designed to complement Policy GB1 by offering more specific guidance on proposals for sports facilities in the Green Belt and open countryside.

Park & Ride Facilities in the Green Belt

5.21 Increasing volumes of traffic in York have lead to congestion and air quality problems in and around the City Centre. This may adversely affect efforts to maintain and enhance the historic centre. The City of York Council is actively pursuing a policy of providing Park and Ride sites in an attempt to address this problem. In order to function effectively Park and Ride facilities need to be located on or close to the major radial routes and are likely to be close to and inside of junctions with the Outer Ring Road (A64/A1237).

5.22 Wherever practicable, Park and Ride sites should not be sited in the Green Belt, and should be developed in conjunction with or in close proximity to other development proposals as these arise. The tightly constrained nature of the proposed inner boundary of the York Green Belt makes it inevitable that some sites may be located within the currently proposed Green Belt. In such cases the Green Belt Inquiry Inspector considered that they should be assessed in the same way, as would other transport infrastructure, which, by its nature, has to be located in the Green Belt. PPG13 (Transport) also recognises there may be cases where a Green Belt location is the most sustainable of the available options. Park and ride development is not inappropriate in Green Belts, provided that it meets certain criteria.

5.23 Accordingly, where a potential site is identified in the Green Belt, the criteria listed in Policy T6 of the Local Plan will need to be satisfied.

GB2: Development in Settlements "Washed Over" by the Green Belt

Within the defined settlement limits of villages in the Green Belt, planning permission for the erection of new buildings or the change of use, redevelopment or extension of existing buildings will be permitted provided:

- a) the proposed development would be located within the built-up area of the settlement; and
- b) the location, scale and design of the proposed development would be appropriate to the form and character of the settlement and neighbouring property; and
- c) the proposed development would constitute limited infilling and would not prejudice the openness or the purposes of the Green Belt.

5.24 In line with the boundary recommended by the York Green Belt Local Plan and endorsed by the Inspector's Report (1994), it is proposed that the following villages in the City of York be "washed over" with Green Belt notation: Acaster Malbis, Askham Bryan, Askham Richard, Deighton, Heslington, Hessay, Holtby, Hopgrove, Knapton, Murton, Naburn and Rufforth.

5.25 The review of the boundaries of the City of York Green Belt has kept the intention to keep the villages listed above within the Green Belt. These smaller villages - which are generally relatively remote from the main transport corridors - have limited potential to accommodate new development without compromising the Plan's Green Belt objectives.

5.26 It is important to protect those infill spaces, which contribute to the character of smaller settlements lying within the Green Belt. Whilst infilling (defined as the filling of a small gap in an otherwise built up frontage) is often perceived as acceptable, this ignores the fact that part of the character of many settlements is made up of gardens, paddocks and other breaks between buildings. Infill development may also not be desirable if it would consolidate groups of houses, which are isolated from the main body of a village, or consolidate a ribbon of development extending into the open countryside. In some settlements little or no infill development may be appropriate; in others a limited amount of infill on selected sites may be acceptable.

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5.27 Because of the importance of safeguarding the open character of the Green Belt, proposals for the change of use, particularly from other uses to residential, or the extension of buildings will be more acceptable in existing settlements than in the open countryside.

GB3: Reuse of Buildings

Outside defined settlement limits planning permission for the reuse of buildings within the Green Belt and open countryside will be granted provided:

- a) the reuse does not have a materially greater impact than the present use on the openness of the Green Belt; and
- b) the buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction; and
- c) the proposed reuse will generally take place within the fabric of the existing building and will not require extensive alteration, rebuilding or extension; and
- d) the form, bulk and general design of the buildings are in keeping with their surroundings; and
- e) the buildings are not in close proximity to intensive livestock units or other uses that may result in a poor level of amenity for the occupier of the building; and
- f) there is already a clearly defined curtilage.

Where the proposal involves changing the use to residential, permission will only be granted where criteria (a) to (f) are satisfied; and the building(s) are within 800m of a defined settlement limit, and:

- g) it can be demonstrated that the building is unsuited to employment or recreational use and that there is no demand for buildings for these purposes in that area; or
- h) the building is of architectural or historical importance and its reuse for residential purposes would be the only way to ensure its preservation as such.

5.28 It is important that the reuse of buildings does not have an adverse affect on the Green Belt's openness or prejudice its purposes. It is therefore necessary to consider the impact of the proposed new use in comparison with the existing use of the building to be reused. It is

recognised that advantage may be taken of this principle by the proposed reuse of semi-permanent buildings or those, which effectively need to be redeveloped to accommodate a new use. For this reason the buildings to be reused must be permanent and of substantial construction, and be capable of reuse without major reconstruction. Proposals for the reuse of buildings must also be in accordance with policy NE6 (Species Protected by Law).

5.29 The increasing cost of supporting the agricultural industry has led the Government to introduce measures aimed at diversifying the rural economy. As a result, land is being taken out of production and landowners are being encouraged to find alternative uses for their land. Proposals for farm diversification activities (e.g. farm sports, horse related development, etc) can provide local employment in the City of York's rural communities and may be appropriately located in the Green Belt provided the openness of the area will not be adversely affected.

5.30 PPG7 (The Countryside - Environmental Quality and Economic and Social development) advises caution when receiving applications for the conversion of rural buildings to new dwellings. The guidance proposes that it might be appropriate to treat such applications (especially those involving substantial reconstruction of the existing building) as if they were for new build residential development in the open countryside.

5.31 Within the City of York demand exists for the conversion of farm buildings to residential use, often in relatively remote locations. These proposals can often be unsympathetic to the original structure and setting of the building and involve ancillary domestic development such as patios and garages within a new domestic curtilage. This in turn can result in these buildings taking on a modern domestic appearance, which is detrimental to the visual character of the locality. Proposals for residential conversion of this type will be resisted.

5.32 The distance of 800m from defined settlement limits has been selected because there may be properties just beyond the settlement limits for which residential reuse would be more appropriate. Residents in close proximity to the village would be within walking distance of available local services.

5.33 In applying criterion (g) of this policy applicants will be expected to provide evidence that the building concerned has been actively marketed, at a realistic price, for commercial or

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recreational use for a minimum of 6 consecutive months before a proposal for residential reuse will be considered.

5.34 In applying criterion (h) the emphasis will be on preserving the character of the existing building as much as possible. As a result extension and significant alteration to such properties for residential purposes, including the blocking up of existing, and the creation of new, openings will not normally be acceptable.

5.35 When granting permission for residential conversion in the Green Belt or open countryside conditions will normally be attached to remove permitted development rights from the application site. This will ensure that the visual openness of the countryside is protected from obtrusive domestic development. In certain circumstances permitted development rights relating to new agricultural buildings may be removed when an existing agricultural building has been proposed for conversion to residential use.

GB4: Extensions to Existing Dwellings

The extension and alteration of dwellings in the Green Belt and open countryside will be permitted providing the proposal:

- a) would not cause undue visual intrusion; and
- b) is appropriate in terms of design and materials; and
- c) is small scale compared to the original dwelling.

5.36 The open countryside around York includes a significant number of dwellings outside existing settlements. The extension or alteration of these dwellings will be considered acceptable, in response to changing circumstances, provided there would be no greater visual impact on the Green Belt or open countryside as a result of the alterations, and where the design of any extension is in keeping with the original dwelling.

5.37 According to PPG2, proposed extensions or alterations should not result in disproportionate additions over and above the size of the original dwelling. A figure of 25% is proposed as a guide for the purposes of assessing planning applications for this type of development. In general terms a planning application to extend a dwelling by more than 25% of the original footprint will be considered to be a large scale addition and resisted accordingly. The existing dwelling footprint for

the purposes of this policy will be taken as including only that designed for living accommodation and will not include any ancillary outbuildings that may exist nearby.

5.38 Furthermore, when permission for this type of development is granted, the applicant will be expected to agree to conditions ensuring that no further extensions will be permitted to the same dwelling house.

GB5: Replacement Dwellings

Planning permission will be granted for replacement dwellings outside defined settlement limits in the Green Belt or open countryside on a one-for-one basis provided that:

- a) the existing dwelling is not a listed building, and
- c) the new dwelling would be located as close as possible to the site of the original dwelling or located on a site which better relates to other existing built development in the area and of a matching size and scale to that being replaced; and
- d) the design and materials are appropriate to the character of the area; and
- e) the existing dwelling is demolished immediately prior to, or upon, its replacement.

5.39 The principle of existing dwellings in the Green Belt and open countryside being demolished and replaced by a new dwelling is acceptable provided it is on a one-for-one basis.

5.40 In circumstances where the building proposed for replacement is listed it is preferable to see the dwelling restored and renovated, rather than demolished, to safeguard the City's heritage. Similarly, if it can be demonstrated that the dwelling has been abandoned or deliberately neglected, proposals for its replacement will be resisted. Proposals for replacement dwellings must also be in accordance with policy NE6 (Species Protected by law).

5.41 The policy also aims to ensure that the replacement of any existing dwelling takes place as close as possible to the site of the original dwelling, and is of a similar scale and size, thus minimising any additional visual impact on the Green Belt. Proposals for significantly larger replacement dwellings will not be acceptable. At the same time proposals for replacement dwellings will be expected to be of a design

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appropriate to its rural setting. This criterion may help prevent proposals for replacement dwellings in the Green Belt adopting only modern designs.

5.42 In instances where the proposal does not involve reusing the footprint of the original dwelling, criterion (e) is included to ensure that no additional impact on the Green Belt or open countryside occurs. Therefore, where applicable, permissions for replacement dwellings will include a condition stating exactly when the original building should be demolished.

GB6: Housing Development Outside Settlement Limits

Housing development (other than replacement dwellings) outside defined settlement limits in the Green Belt and open countryside will only be permitted where:

- a) it is essential for agriculture or forestry in that area; or
- b) it is for affordable housing development on small "exception" sites that comply with the criteria outlined in policy GB9.

5.43 It is anticipated that there will be very few opportunities for housing development outside defined settlement limits. However, given that Policy GB9 sets out the criteria for assessing applications for affordable housing "exception" sites in the Green Belt, it is felt that a policy is warranted to cover those areas in the City of York outside settlement limits to demonstrate that a similar approach will be taken in areas of open countryside as would be applied in the Green Belt.

GB7: Agricultural or Forestry Dwellings

New agricultural or forestry dwellings outside defined settlement limits in the Green Belt or open countryside will only be permitted where:

- a) it can be demonstrated that the dwelling can not be located in an existing settlement; and
- b) it can be demonstrated that the new accommodation is essential to the functioning of a well established holding; and
- c) the proposed dwelling will be located on the holding concerned; and
- d) it is appropriately located adjacent to any existing buildings.

5.44 One of the few exceptions where isolated new housing development may be acceptable in the open countryside around York is where accommodation is required to enable an agriculture or forestry worker to live in the immediate vicinity of their workplace. It is intended to judge the instances where this type of residence would be acceptable on the individual circumstances of the farm or forestry business. For instance, it may be that for security purposes it is possible to justify the presence of a dwelling on or near an agricultural holding.

5.45 All applications for agricultural or forestry dwellings will be expected to be accompanied by a detailed justification as to why that new unit is genuinely required for the stated purpose.

GB8: Occupancy Conditions for Agricultural or Forestry Dwellings

Occupancy conditions will be attached to all new agricultural or forestry dwellings to ensure occupancy is directly related to the continued functioning of agricultural/forestry units in the locality.

Removal of an occupancy condition will only be granted where it can be demonstrated that there is no longer a need for the accommodation on the holding or in the locality. A detailed assessment will be required to support such an application

Where a second dwelling has been granted permission on the same holding, the removal of an existing occupancy condition from the original

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dwelling will only be considered appropriate in exceptional circumstances.

5.46 To ensure that any agricultural or forestry dwelling is retained to meet the identified housing need of that holding, occupancy conditions will be attached to permissions to limit potential residents to people directly involved in the operation of that agricultural or forestry holding.

5.47 There may be instances where a family dependent or other worker who is required to live in close proximity to their workplace cannot be accommodated within the original dwelling. Provided it can be demonstrated that an annex to the existing dwelling is not a realistic option, a second dwelling on the holding could be acceptable to house such a worker. In such cases it is proposed to retain any occupancy condition that may have been attached to the original dwelling, unless the applicant can demonstrate why this should not apply.

GB9: "Exception" Sites for Affordable Housing in the Green Belt

In special circumstances the development of affordable housing on small "exception" sites in the Green Belt may be considered where:

- a) the site is within defined settlement limits; and
- b) it can be demonstrated that a proven need exists for affordable housing; and
- c) the housing provided will be affordable to local people identified as being in need; and
- d) a legal agreement can be reached to ensure the housing remains affordable in perpetuity; and
- e) development of the site would not lead to the coalescence of settlements.

ONLY if it can be proven that no site exists within existing settlements will consideration be given to a site immediately adjacent to defined settlement limits.

See also: H2a

5.48 Government Guidance (PPG3 : Housing, 2001) categorises affordable housing for identified local needs as being an appropriate use in rural areas. When specifically referring to Green Belts the guidance states that it is at the discretion of

the local planning authority as to whether, exceptionally, there may be justification for releasing sites within settlements for small scale affordable housing development. It makes it clear that such sites should not be identified in the Local Plan, but instead policies should specify that sites might be released within settlements as an exception to provision for general housing demand.

5.49 The Councils Second Survey of Housing Needs (2002 –2007) confirms previous study findings that there is a substantial shortage of affordable housing in all areas of the city, including villages outside York. It is in the rural areas, on the edge or outside the city, that this policy may offer most potential in terms of meeting the identified need for affordable housing.

5.50 Exception sites should, wherever possible, be within the settlement limits, within close proximity to public transport routes, and have easy access to other facilities. However, where no suitable site exists and a survey of local need indicates a pressing affordable need, very limited affordable housing adjoining settlements may be allowed. It will be considered inappropriate for the development of any new affordable housing in rural locations to be located where there is no access to facilities or a choice of modes of transport.

5.51 Local housing need will have to be demonstrated and an up-to-date needs survey should be carried out with the City of York Council and the relevant parish Council. All sites have to developed wholly for affordable housing in perpetuity and the number of dwellings will be restricted to a maximum of those demonstrated by the survey as being required for local housing need.

GB10: Major Developed Sites in the Green Belt

The following major developed sites, together with the stated preferred use, have been identified within the City of York Green Belt:

Site	Preferred Use
Askham Bryan College	Education
Bull Commercial Centre	Employment

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Clifton Hospital	Laundry Building – Employment.
	Rosedale Building – Residential.
Designer Outlet	Retailing/ Employment
Elvington Water Treatment Works	Water treatment Operations
Hessay Depot	Employment
The Retreat	Health facilities
Stockton Hall Hospital	Health facilities
York Law College	Education
York Racecourse	Racecourse related uses

On these sites limited infilling for the preferred use within the present extent of development will be permitted providing:

- a) it has no greater impact on the purposes of including land in the Green Belt than the existing development; and
- b) it does not exceed the height of the existing buildings; and
- c) it does not lead to a major increase in the developed portion of the site.

Redevelopment of the sites (or part of the sites) for the preferred use will be permitted subject to the above criteria and where:

- d) the redevelopment would not occupy a larger area of the site than the existing buildings, unless this would achieve a reduction in height, which would provide a net benefit to visual amenity.

5.52 When the Government published revised Green Belt guidance (PPG2) in 1995 a new category of existing "major developed sites" was specified to replace the previous "institutions in extensive grounds" category.

5.53 As part of the preparation of this Local Plan the Council has undertaken an assessment of potential sites that could be categorised as major developed sites. It has been decided that eleven sites should be designated under this policy. This is based on a guideline of 3,000 sq m built footprint representing the minimum for a site's inclusion as a major developed site in the

Green Belt. These designations offer a greater degree of flexibility within the Green Belt for limited infilling or redevelopment, provided the proposals are for the preferred use specified in the policy for each site.

5.54 Clifton Hospital, although now redeveloped, remains in the list of Major Developed Sites, as there are two remaining buildings that have been identified as suitable for employment and housing respectively.

5.55 There are advantages to permitting limited development at major developed sites within the Green Belt provided development does not prejudice the Green Belt's openness or its purposes. Where the sites are in existing use, limited infilling may help to provide jobs and secure economic prosperity. Similarly, the complete or partial redevelopment of these sites may, in some cases, result in environmental improvements. In such cases, the area of the site occupied by existing buildings is the aggregate ground floor area of existing buildings excluding temporary buildings, open spaces with direct external access between wings of a building, and hard standing.

5.56 Additionally, the character and the dispersal of any proposed redevelopment will need to be considered to ensure that there is no additional impact on the character of the Green Belt. Where a major development within the Green Belt is demolished, careful records of the extent and nature of the original development must be made and agreed with the local planning authority. These records will facilitate the accurate application of this policy.

GB11: Employment Development Outside Settlement Limits

Planning permission will only be granted for new industrial and business development outside defined settlement limits in the Green Belt and open countryside where:

- a) it involves the re-use or adaptation of an existing building or is for a small scale extension to an existing building; and
- b) it provides a direct benefit to the rural economy and the local residential workforce.

5.57 Policy GB11 recognises that established industrial / business operations already exist within the open countryside around York, making a contribution to the local rural economy. In instances where such companies propose small

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scale expansion of existing buildings or curtilages in their present location, rather than relocating to a larger site / premises, the circumstances of the company concerned and the benefits to the local economy will be assessed against any relevant impact on the local environment or amenity. Policy GB11 will not apply to any of the sites defined as "major developed sites in the Green Belt" under policy GB10.

GB12: Shopping Development Outside Settlement Limits

Planning permission will only be granted for shopping development outside defined settlement limits in the Green Belt and open countryside where:

- a) it can be demonstrated that all potential locations in existing centres have been thoroughly assessed; and
- b) it is small scale and ancillary to an existing use (e.g. agriculture, tourism, manufacturing, etc.); and
- c) it involves the reuse of existing buildings; and
- d) it would not undermine the vitality and viability of York City Centre or district centres.

5.58 There may be limited scope for the practice of selling products direct to the public in countryside locations. Examples of this may include products derived from agriculture (farm shops), existing manufacturing premises, or other enterprises created as a result of rural diversification.

5.59 Applicants will have to convince the Council that sufficient reason exists for the products being sold in that location and that their proposal will not detract from the character of the open countryside. Care will be taken to ensure that such proposals do not result in a proliferation of shopping facilities outside existing settlements.

GB13: Sports Facilities Outside Settlement Limits

Within the Green Belt or open countryside proposals for the development of essential ancillary facilities for outdoor sport or recreation will be permitted where:

- a) the facilities are essential to support the outdoor provision; and

- a1) the facilities are kept to a scale consistent with the requirements of the outdoor recreational activity; and
- b) there are no opportunities to provide the built facilities in adjacent settlements; and
- c) any new buildings or structures and associated parking do not detract from the openness of the Green Belt or open countryside or result in the coalescence of settlements; and
- d) the proposal will not compromise grades 1,2 or 3a agricultural land.

Proposals for non-essential facilities even if they are considered to complement the principle outdoor activity (e.g. additional function rooms, indoor leisure) are inappropriate developments. In such cases the applicant would be required to demonstrate very special circumstances to justify why the presumption against development should not apply.

5.60 As has already been highlighted under Policy GB1, the City of York faces a specific problem in accommodating the expansion needs of existing sports facilities located in the Green Belt. Due to the tight Green Belt around the City of York there is limited opportunity for these sports facilities to expand. This policy recognises the need for sports facilities to develop essential ancillary buildings within the Green Belt. However it will be necessary to demonstrate that there are very special circumstances to justify the presumption against development and that the development cannot be accommodated elsewhere in the city.

5.61 The provision of opportunities for outdoor sport and recreation near urban areas is one of the key aims of Green Belt. Policy GB13 attempts to achieve this aim by offering a degree of flexibility to such proposals to reflect the special Green Belt circumstances that currently exist in the City. While proposals for small scale ancillary facilities will still be considered more appropriate in most cases, there may be instances when applications for larger scale facilities will be justifiable depending on the circumstances of the existing or proposed recreational use and its likely impact on the open character of the area.

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OBJECTIVES:

- To implement land-use and transportation strategies which facilitate the implementation of the land-use objectives of the Plan whilst minimising travel and traffic generation;
- To achieve development patterns which give people the choice and positively promotes more environmentally friendly means of transport than the car;
- To minimise new road construction;
- To reduce pollution, noise and the physical impact of traffic, by restraining growth in the use of motor vehicles.

Introduction

6.1 Transport policy is an integral part of the Local Plan. The location and type of new developments directly affect the amount and mode of travel. In turn the nature of transport infrastructure can influence patterns of development. Accordingly, Local Plans are required to incorporate policies for transport and the management of traffic. The City of York strategic policy for reducing dependence on the car is set out in Policy SP8 (Chapter 1).

Traffic Impact

6.2 If no action is taken to reduce growth, peak hour local traffic is predicted to increase by 30% between 1992 and 2006. This increase will arise from the national trend of increasing car ownership, together with that generated by additional housing and employment required to meet the development needs of the City. If these traffic levels are reached, according to the City of York Traffic Model, the result will be increased congestion, leading to a drop in morning peak vehicle speeds in York City Centre (from an average 17 mph to 12.5 mph), and an increase in journey times (up by over a third - with delay time doubling). Recent Government advice in PPG13 (Transport) supports the view that urban areas cannot accommodate the predicted growth of car usage.

6.3 A deterioration in environmental quality, primarily caused by the car, is therefore a real prospect. In the UK the car produces four times its own weight in carbon dioxide, the main greenhouse gas, every year. Road transport produces 90 per cent of carbon monoxide in the atmosphere and over 50 per cent of

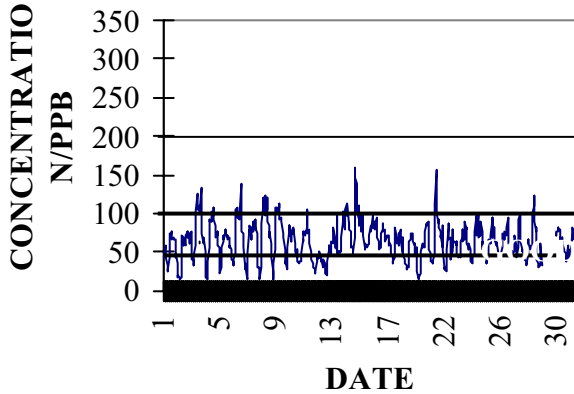
hydrocarbons and 90% of nitrogen dioxide. Black smoke emissions, mainly from vehicle exhausts, are on the increase whilst carbon monoxide levels are also rising. Government legislation on the emission standards of new vehicles should reduce pollution from this source over the next few years, but greenhouse gas emissions will continue to rise.

6.4 Monitoring of air quality has taken place in York City Centre at St Leonard's Place since 1995. Results have shown that air quality is worse during adverse traffic and climatic conditions, particularly during the rush hour in both cold and very hot weather. At this monitoring point, NO₂ levels were above the EU limits on particular dates during the last two years. Figure 6.1 shows the readings for January 1997. The highest line on the graph (200 ppb) represents what is defined as "poor" air quality, while the centre line (100ppb) represents "good" air quality.

6.5 Under the requirements of the Environment Act 1995 local authorities are required to periodically review and assess air quality against the Government's air quality objectives. The current objectives are set down in the Air Quality (England) Regulations 2000. York's third stage review and assessment concluded that the annual average objective for nitrogen dioxide was unlikely to be met in five small areas of the city by the 2005 compliance date. Consequently an air quality management area was declared in January 2002 (see Appendix K). The Government has recently announced its intention to revise a number of the air quality objectives and will issue new Air Quality Regulations in due course. The City of York Council is due to commence its next round of Reviews and Assessments in 2003 and will consider the likely impact of the new objectives as part of this work.

6.6 Current Government planning guidance on Housing (PPG3), Transport (PPG13), Retailing (PPG6), and Pollution Control (PPG23) stresses the need to minimise the need for travel between different land uses and encourages the use of public transport. Many schemes to encourage the use of more environmentally friendly modes of transport have been introduced in the City of York, including park and ride, bus priority, provision will, it is anticipated, help reduce the impact of car traffic and improve air quality standards.

Figure 6.1 : NITROGEN DIOXIDE READINGS, ST. LEONARD'S PLACE, YORK (JANUARY 1997)



6.7 Within the City, results from the 1996 Residents Opinion Survey indicate that two of the most important issues facing York residents and their families are congestion (mentioned by 35 per cent) and lack of parking (mentioned by 13 per cent). This level of disquiet has been rising. Many citizens are uneasy about the present levels of traffic and the associated congestion, pollution and environmental impact.

6.8 Given the commitment to protecting the environment and the impracticability of any further major road capacity enhancements within the city it is essential to maximize the efficiency of the existing infrastructure. This is being achieved through the development of York's Traffic Control Management System (TCMS) utilizing the latest UTM (Urban Traffic Management Control) principles. In developing this system a comprehensive origin – destination survey has been undertaken which has clearly demonstrated the inadequacies of the outer ring road resulting in traffic flows on the inner ring road comprising 40% through traffic. The transport strategy therefore seeks to improve the capacity of the outer ring road in order to secure environmental benefits within the city and to further the economic development of the city. The transport strategy seeks to further control traffic levels within the city and its environs by reducing the need to travel through the urban area by locating development in the most accessible locations and encouraging more environmentally friendly modes of transport.

6.9 For York the preferred approach is to limit the number of cars coming into the city during

the peak periods (the busiest times of the day) and circulating within the city at 1999 levels. Given the predicted increase in demand through further development and natural growth this requires a real decrease in traffic of 2 – 3% per annum. The transport strategy has actually achieved an overall absolute reduction to date which is due to a larger than expected growth in walking and park and ride, sustained high cycle usage and a welcome reversal in the decline of public transport. To continue this success requires the development of the current strategy and an emphasis on reducing the need to travel in line with PPG13. The planning system can help to minimize the need to travel through the following measures:

- * residential development near to local centres;
- * residential development at higher densities (those typical in the City of York) and located in towns rather than in small or new villages;
- * encourage mixed development of residential / employment uses;
- * only bulk shopping to be in out of centre locations;
- * development to be located in areas served by public transport or near to public transport modes;
- * resist development of sites with inadequate public transport;
- * tightly control parking provision in new developments.
- * development layout giving priority to pedestrians and cyclists.

6.10 To hold peak car traffic in York at 1999 levels will require 4,000 to 5,000 of the potential morning peak car journeys into and within the City by 2006 to be made outside the peak or by other forms of transport. To achieve this, modal split targets (targets for the proportion of journeys undertaken by different types of modes of transport in 2006) have been set. These are shown in Table 6.1 overleaf.

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Table 6.1: Modal Split of Journeys to Work

Mode of Travel	City of York (All residents) 1991 Census (%)	Target 2006 (%) if LTP 100% Funded (City-Wide Average)
Private Car and Car Passenger	55	47.3
Motorcycle	5	3.5
Pedal Cycle	16	20.6
Walk	14	17.4
Bus	7	6.2
Park & Ride	0	2.0
Train	1	1.5
Other	2	1.5

Source: 1991 Census Travel to Work (10% sample); City of York Local Transport Plan (LTP) 500 Household Survey 2000. Note the 'work from home' figures have been removed from the Census data to allow a true comparison.

6.11 These targets will be reviewed throughout the period of the Local Plan and revised accordingly.

6.12 It is evident from Table 6.1 that holding the level of cars travelling into, within and going out of the City will not involve a large increase in trips by other modes of travel to meet the modal split targets.

6.13 Tests of the City of York Traffic and Parking Model suggest that some form of rationing of the use of road space could achieve considerable further benefits in restraining the impact of future traffic growth. Traffic growth and concerns over air quality may be such that further measures such as rationing the use of road space may need to be considered when the Plan is subject to review in the future. It is clear that any form of charging would need to be accompanied by an increase in investment in public transport and other non-car modes to give them priority on a larger proportion of the total road network.

6.14 The policies in this chapter allow the Local Plan land use objectives to be implemented by mitigating the traffic impacts of proposed residential and commercial developments. The Local Plan is also complemented by the policies and proposals in the Local Transport Plan.

6.15 In making land-use and transport related decisions and in implementing transportation measures, regard will be had to the following hierarchy of users:

- 1) pedestrians;
- 2) people with mobility problems;
- 3) cyclists;
- 4) public transport (includes rail, bus, coach, taxi and water);
- 5) powered two wheelers;
- 6) commercial/business users (includes deliveries and HGV);
- 7) car borne shoppers and visitors;
- 9) car borne commuters.

T1 : Pedestrians

The core of York City Centre and Front Street, Acomb, are defined as pedestrian priority zones within which vehicle restrictions apply during the pedestrian core hours. Within the defined zones, priority for vehicle access will be given to people with significant mobility problems.

Extensions to, and reviews of, the pedestrian priority zones will be assessed as a continuous process

6.16 Since the creation of the pedestrian priority zone, known as the Footstreets, in September 1987, environmental and pedestrian safety conditions in York City Centre have vastly improved. Vehicles are excluded from 11 am to 4 pm Monday to Friday (10.30 am to 4.30 pm on Saturday, and 12.00 to 4.00 pm Sunday) giving pedestrians priority, thereby reducing motor vehicle access to a minimum. Through extensive repaving of the Footstreets, conditions for pedestrians and shoppers have been greatly enhanced. An attractive, safer and more accessible City Centre has resulted.

6.17 In 1990 the concept was successfully extended to Front Street, Acomb, with vehicles excluded from 10.30 am to 4 pm Monday to Friday (9.30 am to 4.30 pm on Saturday; 12.00 am to 4.00 pm. on Sunday). Retaining these pedestrian priority and limited access zones is considered essential.

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T2a: Existing Pedestrian /Cycle Networks

Planning permission will not be granted for any development that would prevent the use of any part of the existing pedestrian and cycle networks or other rights of way, or compromise the safety of users thereon, unless alternative routes will be provided that are similar or better in quality, safety, convenience and length.

6.18 Walking and cycling are the most environmentally friendly forms of transport. For reasons of geography, urban form and industrial development, the City of York has always had high levels of walking and cycling. Walking and cycling provision is viewed by the Local Plan as a fundamental part of a balanced sustainable transport strategy, which combines promotion of environmentally friendly modes with policies of traffic restraint.

6.19 For all journeys to work into, within and going out of the York urban area, 12 per cent are by bike and 15 per cent on foot (2001 Census). The City is recognised by the Department for Transport as a Centre of Excellence in the UK for provision of facilities for cyclists. Against a backdrop of sharply declining levels of walking nationally, the modal share for walking to work has actually increased in York over the last 15 years. As small increases in car use can have a disproportionate effect on congestion levels it is important that current levels of cycling and walking for all journeys is, first of all, maintained, and then extended. The promotion of walking and cycling as leisure activities can encourage greater use of these modes for journeys to work.

6.20 The extent of provision for cyclists varies throughout the City as does, therefore, the likelihood of someone using a bike. The York urban area currently accommodates the majority of the implemented sections of the pedestrian / cycle network. The Council proposes to make the cycle network more comprehensive by linking the existing network to all the major villages in the District, and by creating routes between villages and from the City Centre to edge of town shopping and leisure facilities and the wider countryside. The current pedestrian route network covers the urban area and a series of networks have been identified for each village beyond the Ring Road, the aim being to provide conditions to promote walking and cycling to local facilities. Existing public Rights of Way are not shown on the Proposal Map as they are covered under separate legislation.



6.21 Protecting the alignment and safe usage of existing cycle and pedestrian routes from adverse development is imperative if the networks are to gain maximum usage. In cases where it is impossible to retain route alignments, alternative routes should be provided which are, as an absolute minimum, of a similar quality, are both safe to use and perceived as such by potential users, are convenient (do not detour far from the desired route) and are of a similar length to the original route. If the opportunity arises to improve facilities for both pedestrians and cyclists this should be persuaded and routes provided in accordance with both the City Council's Highway Design Guide and the Institution of Highway Engineers – "Providing for Journeys on Foot" and "Cycle Friendly Infrastructure" Guidelines. Care should be taken to ensure that development adjacent to existing pedestrian or cycle facilities does not hinder the safety (and perception of safety) of users of the networks by providing adequate sight lines, safe crossing points and avoiding potential conflict points where possible.

T2b: Proposed Pedestrian / Cycle Networks

All new built development (on sites of 0.4 hectares or more) should contribute towards the development and improvement of consistent, well connected and dedicated pedestrian and cycle route networks

6.22 The City Council have adopted proposed networks for both pedestrians and cyclists, these are shown on the proposals map. Where developments takes place which coincide with either one or both of these networks the developer will be expected to either make financial contribution (in the form of a section 106 agreement) towards the provision of the route in question or to incorporate the route into the development.

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6.23 It is intended that the routes shown on the Proposals Map are for the use of the pedestrians and cyclists. These routes should be of high quality. The City Council have produced a Highways Design Guide which details the standard of provision needed and the Institution of Highways and Transportation – “Providing for Journeys on Foot” and “Cycle Friendly Infrastructure” Guidelines also provide standards which the council would expect for new routes within developments. The needs of blind and partially sighted users of the network will be considered in all cases. It is not always practical or indeed necessary to provide for separate use by pedestrians and cyclists. However, where appropriate, non dual use routes will be implemented. The use of routes by horse riders will also be a consideration in the implementation of appropriate parts of the network. Due consideration will be given in the implementation of the network to the issue of security of land and premises as well as users. The completion of the cycle and pedestrian network forms an integral part of the City of York Local Transport Plan.

6.24 Due consideration will be given to the results of Environmental Impact Assessments which will be carried out on those parts of the network that may affect environmentally sensitive sites. To achieve the network it will be necessary to seek the agreement of landowners and users through a partnership approach involving negotiation. Only the most critical sections of the network may require Creation Orders if a compromise position cannot be achieved through that partnership.

T3: New Pedestrian / Cycle Bridges

Proposals for the following new pedestrian / cycle bridges (shown on the Proposals Map) will be supported, provided their designs are of a high architectural standard and appropriate to the character of their setting:

- 2) North Street to St Martin's Lane
- 3) Navigation Road to Hungate
- 4) Hungate to Foss Islands Road

6.25 The proposed bridge linking North Street to St Martin's Lane, just upstream from Ouse Bridge, is put forward as part of a strategy to increase pedestrian capacity over the Ouse. Footways on Ouse and Lendal bridges are very narrow and therefore pedestrian linkages across the River Ouse need to be improved. This bridge

will provide enhanced pedestrian links with the principal bus stops serving the city centre at Rougier Street, the railway station and links with the National Cycle Route. Similarly, the proposed bridging of the Foss at Hungate forms part of a comprehensive redevelopment proposed at Hungate. Details of the latter are set out in a development brief for the Hungate area.

T4 : Cycle Parking Standards

In all new developments, cycle parking provision will be required in accordance with the standards set out in Appendix E.

For B1 (business), A1 (shops), A2 (financial and professional services) and A3 (food and drink) proposals in York City Centre, commuted payments will be required to make up for any shortfall in the provision of on-site cycle parking spaces.

The City Council will seek to identify potential opportunities in and around the city centre to create a safe and sheltered cycle parking facility for the use of both commuters and shoppers.

6.26 To maintain and promote cycle usage, a high standard of parking for bikes associated with development will continue to be required. Covered and secure cycle parking, as well as the provision of changing facilities, will be negotiated on all new developments in line with the standards set out in Appendix E. The types of cycle stands which should be used and potential layouts / spacing are shown in the City Councils Highway Design Guide. The quality and quantity of cycle parking provision is critical if commuters are to be persuaded to cycle on a regular basis.

6.27 Commuted payments for cycle parking will also be used to provide secure publicly available cycle parking facilities. Payments reflect the costs (land, purchase, installation and maintenance of suitable stands) of providing the spaces, estimated at £100 per space. The same cost applies to all new business, financial and professional services and shops where in each case, unlike car park spaces; the type of provision required is the same. Commuted sums will be reviewed annually.

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T5 : Traffic and Pedestrian Safety

Where appropriate, traffic and pedestrian safety measures will be implemented on the highway network, particularly in residential areas, and near schools, to improve road safety for pedestrians and cyclists, reduce vehicle speeds and enhance the street environment.

In proposing new residential developments, applicants should ensure that all new road layouts (proposed for adoption) should, where possible, be designed to the “Home Zones” principle. Proposals to change the layout of existing roads in residential areas to take account of the “Home Zones” principle will also be encouraged.

6.28 The pedestrian environment of the City of York will be improved by the continued introduction of speed reduction measures, particularly in residential areas and adjacent to schools. Local Plan policies, including the requirement of developers to include measures to reduce vehicle speeds and consider the safety of pedestrians and cyclists, aim to support the implementation of highway measures, to reduce traffic speeds and accidents as part of the City of York Accident Reduction Strategy and to make cycling and walking more attractive.

6.29 The Strategy also recognises that different roads have different functions, which influence the type of accident measure that might be appropriate. Three kinds of road/traffic environments have been identified (traffic routes, mixed priority routes, residential areas) and, through the development of a Speed Management Plan, target speeds and appropriate measures for each have been suggested where accident and speeding problems exist.

6.30 In new residential areas, it is essential that the development be planned to ensure that vehicle movements do not dominate the public realm. This means that a holistic approach must be adopted to ensure that all aspects of the design reinforce low vehicle speeds, cycle safety and pedestrian priority. It is recognized that this represents a substantial shift in approach and the Council is producing a new residential design guide to help developers.



T6: Park and Ride

Proposals for Park and Ride will be approved providing that the site:

- a) is well related to the York Outer Ring Road (A64/A1237); and
- b) does not adversely affect the environment of local communities.

Having regard to the general principle that Park and Ride provision will benefit the historic City Centre, any application to develop park and ride sites in the Green Belt will be judged in accordance with the advice contained in Planning Policy Guidance Note 2 and will be judged further in accordance with the following criteria:

- c) that the proposals do not significantly detract from the open character of the Green Belt; and
- d) that the proposals do not seriously prejudice the Green Belt function of those open spaces which extend from the open countryside into urban areas; and
- e) that the proposals minimise the visual impact of the site; and
- g) that the proposals achieve a suitable Park and Ride operation; and
- h) that the proposals are on, or close to, a major radial route.

See also: GB1

6.31 Park and Ride plays a pivotal role in tackling the City of York's traffic problems. Experience here and in other historic cities has shown that high quality Park and Ride facilities can make a significant contribution towards the

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alleviation of the adverse environmental effects of road traffic. The City's first permanent site at Askham Bar currently intercepts over 20 per cent of peak hour traffic on the Tadcaster Road, on the south-west approach to the City.

6.32 Park and Ride currently prevents over 1,000,000 cars per annum from entering the city centre. It is anticipated that the current target of preventing 1.4million cars from entering the city centre by 2006 will be met. Park and Ride is one of the most successful elements of the transport strategy and a significant factor in reducing motorised traffic volumes in the city.

6.33 It is intended, therefore, to provide a series of Park and Ride facilities on the edge of the urban area, as part of a comprehensive package of measures promoting environmentally friendly modes of travel, whilst restraining car use. Five facilities currently operate from the periphery of the urban area and one more is proposed in the current Local Transport Plan in the A59 corridor (north west of York). Whilst there are no firm proposals for developing sites on the Wiggington Road or Wetherby Road corridors within the current LTP (2001 to 2006), further work will be undertaken to assess the feasibility of new sites for inclusion in the second LTP covering the period 2006 to 2011. This work will also consider future operational requirements of existing facilities, including the possibility of site expansion if required. Any such proposal would (similarly) be judged against policy T6.

6.34 When sites are identified, applications for development will be considered against the criteria outlined in policy T6.

T7a: Bus Stations

When considering proposals for bus stations in York, priority will be given to sites that are close to the primary shopping area and/ or well related to York Railway Station and other major public transport routes.

6.35 The ideal location for a new bus station would be in, or well related to, the existing primary shopping centre and/ or York Railway Station. The main arterial public transport routes into the City Centre such as Piccadilly and Rougier Street would provide a location, which combines proximity to the City Centre, adequate size and the ability to minimise service diversions. Proposed bus stations should make provision for long distance coaches where this is appropriate and would not conflict with the priority of accommodating local services.

T7b: Making Public Transport Effective

Effective public transport services will be provided by: -

- * Developing bus priority measures on all metro (including Park and Ride) routes by physical and/or electronic means;
- * Developing quality partnerships with operators and implementing annual action plans;
- * Developing proposals for effective city centre interchange; including information facilities;
- * Upgrading waiting facilities and pedestrian access to and from them;
- * Enhanced information provision through all available media and at bus stops;
- * Ensuring developers contribute to all of the above where appropriate to meet modal split targets set out in green travel plans;
- * Ensuring that new highway schemes take full account of the needs of public transport.



6.36 - The bus has been under-performing in York but recent studies and changes to the bus network have demonstrated the ability of the bus to attract greater usage including car users. To fully realize this role it is essential that buses are given greater priority, that passengers are given better information and that the quality of all aspects of the journey – walk links, waiting and bus journey – are upgraded. For the modal split targets to be achieved as required by Travel Plans, all developments will be expected to contribute towards achieving this quality.

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6.37 - The physical limitations on road space mean the opportunities for allocating bus lanes are limited. For these reasons the council is working in partnership with operators to create a technological solution known as BLISS (Bus Location and Information Sub-System). BLISS will also provide on-street real-time information and electronic information via a variety of media. Developers will be expected to contribute to the extension of BLISS where appropriate.

6.38 - The City Council has established a new standard for bus stops including easy access kerbs, shelters, information displays, lighting and high visibility bus stop poles. Any bus stop amended or introduced by a development will be expected to be installed to this standard. This is to provide the quality referred to above and enhance the image of public transport to encourage its use.

6.39 - All Transport Assessments will need to consider the quality aspects of this policy and to demonstrate how the required modal split targets for public transport can be achieved. Similarly any off site works required, as part of any development will be expected to accommodate bus priority measures wherever appropriate in order to increase the attractiveness of public transport.

T7c: Access to Public Transport

All new built development on sites of 0.4 hectares or more should be:

- a) within 400 metres of a bus service offering a day time frequency of 30 minutes or better; or
- b) within 1000 metres of an existing railway station

Where the proposed development is greater than 100 dwellings or 5,000 square metres (gross floorspace), the required frequency will be 15 minutes.

Where these frequencies are not available developers will be expected to fund the provision of an appropriate public transport service from when the first unit is occupied to a minimum of 2 years after the development is 95% occupied.

In all new development site layouts should provide appropriate infrastructure to accommodate bus services including the provision of direct, safe and convenient access to stops and the provision of alternative routes for buses where required to avoid traffic congestion.

6.40 - One of the great difficulties in many recent developments has been the inability to support a high frequency commercially viable bus service. The attractiveness of Park and Ride and 'metro' style bus services to car drivers clearly shows that frequency is one of the key quality requirements if reliance upon the car is to be reduced. Therefore, developments which cannot be located close to an existing regular or high frequency service, or which have no prospect of sustaining one in the future, will be considered unacceptable. This is consistent with the agreed methodology employed in the allocation of sites for housing, employment and reserved land. See also policy SP7a.

6.41 - People form travel habits at a very early stage when they change location (particularly home or work). Traditionally bus services have only tended to start serving new developments once it is considered there is a commercially viable patronage base. This may be a considerable time from when the first units were occupied. Further, this service is likely to be of low frequency and a diversion of an existing service to the detriment of existing users. This is clearly not in the spirit of offering an attractive alternative to the car. For this reason, developers will be required to fund an appropriate level of service, where this is not already available, to ensure that from the time the very first units are occupied that people have an attractive alternative to the car. In order to ensure that the service becomes commercially viable such support must continue for least 2 years after the development is substantially completed. It is anticipated that as patronage grows the revenue support required will substantially diminish. To help establish commercial viability, the Council will encourage developers to enter into partnerships with bus operators to provide promotional tickets to new occupiers.

6.42 - The holistic approach referred to in paragraph 6.30 must be extended to incorporate public transport requirements. All stages of the journey must be considered (walking, waiting, bus). In particular, the walking stage must pay attention to directness, safety (road and personal) and convenience. The location of the stop must be obvious, well signed and comfortable in terms of the waiting environment and perceptions of safety. The bus route through the development should ideally offer advantages over equivalent car trips. There is a danger that 'home zone' principles may be seen to conflict with bus requirements; the city's new residential design guide will offer guidance on this.

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T8: Passenger Rail Services

The use of rail services will be promoted by: -

- a) allocating sites for new stations - at Haxby, Strensall, York District Hospital and York Business Park; and
- b) promoting the establishment of additional railway stations on appropriate sites within the City of York; and
- c) working with Rail track or its successor(s) and the train operating companies to ensure that the facilities at York railway station are maintained and developed appropriately for the use of rail passengers; and
- d) approving proposals for the provision or expansion of car and secure cycle parking at stations where this will reduce car travel into York City Centre.
- e) protecting old rail formations for future transport use.

6.43 Rail services enhance the accessibility of the City of York for commuters, business and leisure travellers and add to the economic vitality of the City.

6.44 Liaison will take place between the Council and the train operating companies, Rail track and OPRAF or their successor(s) to ensure that existing rail services are maintained and that new services are developed where opportunities exist. Rail could play an even more significant role in the Transport Strategy if new or improved commuter services are developed. Therefore, the Plan will support measures for new and re-opened rail stations and will allocate land for new rail stations where potential sites have been identified.

6.45 A detailed feasibility study into possible sites at Haxby, Strensall, York Business Park and York District Hospital has been undertaken and this has indicated that there is potential at all locations. Copmanthorpe has also been identified in this Plan as having the potential to accommodate a new railway station. One site has been identified in Strensall (Lord Moors Lane) one in Haxby (Towthorpe Road) and one at York District Hospital.

6.46 York railway station is a major asset and a gateway to the City for the many thousands of visitors who arrive by rail each year. York is also an important interchange point and therefore the Council will work with Rail track and

the train operators to ensure that the station and its facilities are developed in an appropriate way for the benefit of all rail passengers.

6.47 Where capacity problems arise with proposed station car parks, leading to a suppression of demand for rail travel, approval for expansion of car parking will normally be granted. Permission will be dependent on the additional parking being for rail travellers only. Secure cycle parking will be supported at new or existing stations as an alternative means of transport for rail users.

T9: Rail Freight

The use of rail for the transport of freight will be supported, and existing freight facilities will be protected from development where there would be potential for their re-use for freight purposes in the future.

6.48 The transport of freight by rail can lead to substantial environmental benefits by removing lorries from congested road networks. Rail freight in Britain has been in decline for the past 10 years as more and more freight has been transferred to road. This trend has recently shown signs of reversal.

6.49 Appropriate sites, which should be protected because of their potential as future freight facilities, will be identified through discussion with Rail track and the freight operators.



T10: River Transport

Proposals involving the commercial use of the Rivers Ouse and Foss will be approved subject to an environmental appraisal demonstrating that there would be no significant adverse impact on the river environment or adjacent areas.

See also: NE2

6.50 The River Ouse was once the main commercial artery of the City, supplemented by

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the River Foss. The Plan will generally support the movement of freight and passengers by water as another means of removing lorry freight and car users from the roads. The potential for 'park and sail' schemes, and river taxi services, will be considered when appropriate sites come forward.

T11: Lorry Transhipment Facilities

Applications for lorry transhipment facilities in the City of York will be approved provided that:

- a) they are suitably located in relation to the local environment; and
- b) the traffic generated can be accommodated on the local road network; and
- c) they are located on or close to major or radial routes.

6.51 Commercial vehicles are necessary to the economy of the City but are environmentally intrusive. Transhipment, the idea of using large commercial vehicles for the major part of a journey and smaller vehicles for local delivery and collection, could be used to overcome this. Hence proposals by the private sector to remove large goods vehicles from crowded, narrow, and often unsuitable City Centre roads will be supported.

T12 : Coach and Lorry Parking

Planning permission will not be granted for development, which would result in the loss of existing off street coach and lorry parking without the provision of suitable alternative sites.

6.52 Permanent off-street parking for coaches is currently provided at Kent Street and Union Terrace Coach Park on Clarence Street. Overnight lorry parking provision is planned to be provided at York Auction Centre, Murton, off the A166. The level of provision will be maintained in order to reduce parking of such vehicles in the narrower streets within York's historic core. This will be reinforced by on-street parking restrictions, particularly in residents' parking zones. The level and cost of off-street provision will be kept under review. The Council is currently seeking a short stay roadside parking facility for coaches on the north side of the City, due to the lack of such a facility in this sector. The Council is also currently undertaking a coach management strategy on a city-wide basis.

T13a: Travel Plans and Contributions

Developments which meet the criteria set down in PPG13, or which are likely to employ more than 30 employees, or a residential site with more than 20 units, will be required to submit a travel plan including; modal split targets, time scales, measures and sanctions to be taken to meet these targets as well as measures to monitor the effectiveness of the plan. The travel plan will be agreed by the Council's Highways Department and information will be given about the progress of the plan on a yearly basis. Contributions through Section 106 Agreement will be secured to improve transport in the development area (hard measures) and contribute to the travel plan network services (soft measures) and pay the Council a commuted sum in respect of administering the monitoring process.

See also: SP8

6.53 The most important part of the Travel Plans is that they are realistic and monitored. The current practice is to agree on sanctions if the targets set in the original travel plan document are not met (which includes the lack of monitoring). Examples of current sanctions used by the Council at present include: (i) the introduction of parking charges for staff or (ii) the restriction of the Parking Management System. The Transport Assessment must clearly demonstrate where existing infrastructure is not sufficient either because it lacks capacity or is unlikely to prove attractive to potential users. The Transport Assessment must set out the improvements needed for which a contribution will be sought. These contributions could be in respect of supporting local bus and Park and Ride services, CCTV cameras, pedestrian routes or cycleways as well as road capacity improvements.

6.54 Any Travel Plan will be meaningless unless it can be monitored on an annual basis and corrective action sought where appropriate. To achieve this the Council will require information from Green Travel Plans and the Council will seek from any development requiring a Travel Plan a commuted sum to cover the Councils administrative and monitoring costs.

T14a : Off-Street Car Parking in the City Centre

No additional public parking spaces will be permitted in York City Centre unless the total provision, including the new proposal, remains at or below 5,100 spaces (Year 2002 levels).

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Additional Park and Ride spaces will be created to relocate long stay parking to the edge of the city in order to reduce congestion and improve air quality.

City centre parking will be closely monitored and the conversion of long stay to short/medium stay will be pursued where appropriate in order to support the centre's economic vitality. Further car park closures, beyond those already planned will only be considered on the basis of surveyed demand and where there will be no likely adverse impact on the centres economy. The target level of parking will be kept under review in relation to both economic and environmental considerations (particularly city centre traffic flows). Should parking levels fall below the target level, only proposals to create short/medium stay parking spaces will be considered; proposals for long stay parking will not be acceptable.

6.55 The upper limits (5,100 (2002) for off-street car-parking in the City Centre will be revised over time depending on what other proposals come forward affecting the city centre car-parking provision.

6.56 Short and medium stay public car parking will continue to receive priority subject to off peak traffic and pollution levels not rising to unacceptable levels when establishing new car parks. If the need arises, the conversion of St George's Field car park from long stay to medium stay will also be considered in order to underpin City Centre retailing. In parking capacity terms there is no longer a requirement for the Haymarket Peel Street, Tanner Row and Skeldergate car parks. They will continue to be used as temporary car parks until required for development.

T16: Private Non- Residential Parking

The council will seek to reduce the level of private commuter parking spaces in or adjacent to York City Centre through negotiation with site owners as redevelopment proposals come forward.

6.57 A major objective of the Local Plan is to reduce peak hour car trips, which are major causes of congestion and environmental pollution. Increasing parking charges and reducing the availability of long stay off-street parking are means to reduce peak hour car trips, which are currently being pursued. The cost of long stay public car parking has been progressively increased above the rate of inflation

for a number of years, primarily as a means to restrain commuter use, but also to encourage the use of alternative modes other than the car for commuting trips. For long stay parking it is proposed that increased demand will be accommodated on Park and Ride sites.

6.58 The outstanding weakness of existing restraint methods is the large volume of private non-residential parking and privately operated public car parks, which already exist. Some 10,000 spaces are currently available within the walls or within half a mile thereof. Such provision vastly outnumbers the scale of commuter parking on public car parks (600 vehicles are parked on the Council's long stay car parks by 9.00 a.m. on a typical weekday). There is a continuing need, therefore, to target this parking; otherwise present commuters will not be restrained. It is proposed that, for the key sites within or close to the City Walls, site owners will be encouraged to bring forward proposals to develop on parts of their car parks, thus giving them an economic incentive to remove parking. Such an approach will need to be tied in with assisting staff travel by other means, for example, Park and Ride, cycling and walking.

T17: Residents' Parking Schemes

Residents' parking schemes will be introduced where the density of parking including as a direct result of new or expanded developments, is such as to prevent residents from parking and where the proposed scheme has the support of residents.

6.59 Residents' parking schemes have been introduced to make parking for local residents easier and more convenient. Through a tightly controlled permit system, and with effective enforcement, commuters, shoppers, lorries and coaches trying to avoid paying car park charges are effectively excluded from local residential streets. Traffic levels and parking pressures in these areas are therefore reduced and the local environment enhanced. New schemes will be assessed on criteria, which will examine the existing density of parking, by motorists who are not local residents, and will only be introduced after consultation with residents. Developers will be required to contribute towards such schemes should they be necessitated as a result of their development.

T18: Highways

Increases to existing road capacity will only be supported if:

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- a) they are absolutely necessary to overcome existing congestion levels; or
- b) they facilitate the Council's economic programme; or
- c) they open up vacant land for development; or
- d) they remove traffic from environmentally sensitive areas; or
- e) they improve road safety; or
- f) they reduce conflicts between vehicle and pedestrian / cyclists; and
- g) they incorporate public transport facilities; and
- h) after careful evaluation of the environmental cost and benefits the scheme will result in tangible environmental benefits.

In considering the design of new roads, the needs of pedestrian and cyclists must be taken into account.

6.60 It is essential that the design of new roads and increases to existing road capacity do not isolate or exclude the needs of pedestrians and cyclists and, where applicable, horse riders or create problems of severance and lack of access. This is in accordance with the Local Plan's Hierarchy of Users set out at the start of this chapter. Provision should be made at all times to incorporate facilities such as cycle lanes, cycle priority at signal junctions, advanced stop lines, bus stops and other public transport access points, pelican crossings, traffic islands, dropped kerbs, 'at grade' crossings and other traffic calming measures to enable safe attractive and convenient access along and across new schemes.

6.61 A full assessment is also needed to improve facilities for cyclists and pedestrians to cross the Outer Ring Road at appropriate points along its length. Existing crossings present an unacceptable danger to cyclists and pedestrians, and discourage journeys into the urban area from beyond the Outer Ring Road. Any scheme to improve conditions for traffic on the Outer Ring Road will be expected to include improved facilities for pedestrians and cyclists.

6.62 In certain instances new road building will be necessary to enable the development of employment or other sites to take place. Proposals for new roads under this category would have to demonstrate substantial benefits

in terms of job creation or other effects on the local economy to be justifiable.

T19: Highway Improvement Schemes

Alignments for the following road schemes will be safeguarded, as shown on the Proposals Maps:

- b) James Street / Heworth Green, Link Road;
- c) Crichton Avenue / Wigginton Road Junction;
- d) Piccadilly / Castle Mills Bridge Junction;
- e) Clarence Street;
- f) Bishopthorpe Road;
- g) Bootham Terrace;
- j) Mansfield Street;
- l) Manor Lane / Hurricane Way

6.63 In accordance with PPG13, land will be safeguarded for particular road improvement proposals of a non-strategic nature. New road links, however, will only be constructed if they help improve environmental conditions or open up vacant or undeveloped land for development, in accordance with policy T18. Only those schemes, which meet these revised criteria, are now proposed to be safeguarded.

6.64 The proposed Rufforth by-pass has been excluded from the Plan on this basis. The proposal is unjustifiable in terms of road safety criteria in that few accidents have occurred during the last 3 years in the village. The Council would prefer to examine, in consultation with local residents, the potential for effective traffic calming measures in the village as an alternative to constructing a new road.

6.65 Of the proposals included in the Plan one is for junction improvements, at Crichton Avenue/Wigginton Road.

6.66 The James Street / Heworth Green Link Road will provide access to development sites as well as relieving traffic, accident and rat running problems in the Walmgate Bar, Monk Bar, Tang Hall and Melrosegate areas. The Leeman Road Relief Road will open up derelict Railtrack land for redevelopment and provide relief from traffic for the Leeman Road residential area.

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6.67 The widening of Clarence Street will allow the creation of a bus lane along what is presently a congested route for buses.

6.68 Road alignment improvements on Bishopthorpe Road, by the Law College, and on Bootham Terrace offer potential road safety benefits.

6.69 On Mansfield Street it is proposed to provide a turning head to improve vehicle turning movements at the end of the cul-de-sac.

6.70 Development proposals which could only proceed with the extra capacity provided if one or more these road schemes were implemented will be expected to make an appropriate financial contribution under a Section 106 Agreement under the Town and Country Planning Act 1990. All the proposed schemes listed in Policy T19 are shown on the Proposals Map and more detailed plans are included in Appendix G.

T19b: York Outer Ring Road (A1237)

Any proposal that is considered by the Council may prejudice any longer term road alignment proposals to improve highway capacity along the western and northern (single carriageway) sections of the Outer Ring Road will be refused. The onus will be on applicants to demonstrate that their individual proposal would not be prejudicial.

6.71 The Council's evolving transport strategy recognises that it is going to be necessary to increase the capacity of the Outer Ring Road in order to meet future development needs and to achieve the designed environmental enhancements in the city centre. This latter point was demonstrated by the recent sector-wide study, which found that over 40% of trips on the Inner Ring Road could be described as 'through trips'. The logical response to this is for those trips, where alternative modes are not attractive, to be relocated onto the Outer Ring Road. An interim strategy of upgrading junctions is being implemented. However, it is clear that to accommodate the predicted level of development necessary to sustain York into the future that a major upgrade to the A1237 Outer Ring Road will be required. Any development prejudicing such an improvement will restrict the ability to deliver those sites identified in this plan.

T20: Planning Agreements

Where traffic, pedestrians and cyclists could be accommodated by the provision of special facilities or appropriate improvements to the highway network affected, applicants will be expected to enter into a Section 106 Agreement under the Town and Country Planning Act 1990 and into an agreement under the Highways Act 1980 in order to provide or make an appropriate contribution to such improvements.

6.72 Adverse environmental effects resulting from new development can often be minimised by careful design and location, and by providing other improvements and facilities. These may include speed reduction measures, junction improvements or contributions towards new or existing Park and Ride facilities. Developers will be required to carry out a transport impact assessment (TIA) of their proposals where they are considered likely to have an unacceptable impact on the local transport network. Appendix F of this Local Plan sets out the size / vehicle movement thresholds beyond which proposals for different uses will be expected to be accompanied by a TIA.

6.73 Where transport facilities are required as a direct result of new development proposals, applicants will be requested to enter into a legal agreement to implement the necessary measures or make an appropriate financial contribution. Circular 1/97 offers guidance on examples of the types of facilities which may be appropriate for developers to contribute towards: cycleways; pedestrianisation; street furniture / lighting; pavement and road surfaces. In accordance with the Circular such measures will only be requested where they are directly and reasonably related to the proposed development scheme.

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HOUSING

OBJECTIVES:

- To ensure that there is enough housing for current and future residents of the City of York;
- To allocate a range of housing sites to meet the housing land needs of the City, including an appropriate amount of affordable housing;
- To bring forward brownfield sites as a priority, and achieve an appropriate density of development which will minimise the use of greenfield sites.

Introduction

7.1 Government policy emphasises the need for local authorities to work corporately to enable and facilitate the provision of housing sufficient to meet the needs of their area. This chapter, therefore, takes into account the City of York Housing Strategy and Housing Investment Programme. Whilst this Plan may only include land-use related housing policy, these documents also deal with non land-use related housing issues.

7.2 The provision of sufficient land in a choice of locations, to meet the housing and population needs of the Plan area, is a key requirement of the Local Plan. Whilst land in Council ownership will continue to be used to provide housing, often in conjunction with housing associations, under current legislation private house builders are likely to be the main providers of new dwellings in the City. They will therefore be encouraged and enabled to build housing to meet the City's needs. They are most likely to do so when they have clear guidance on where the preferred sites for housing are located and how applications for different types of residential development will be determined.

7.3 For reference, in the period April 1991 to March 2001 7,105 new homes were built within the City of York. This represents an average building rate of 710 homes per year.

7.4 The first Housing Needs Survey for the City of York was undertaken during June and July 1996 following a postal questionnaire of some 4,500 residents across all wards of the City. Overall, the survey indicated an estimated need for 3,500 affordable houses over the Plan period and this information has been used to set affordable housing targets throughout the City.

7.5 In order to revise and update information consultants for the council have carried out a second Housing Needs Survey and this will be used to aid the negotiation of affordable housing

on allocated and windfall sites. The Second Housing Needs Survey identifies an estimated need of 950 affordable homes per year for the next five years.

Future Housing Supply in the City of York

7.6 The provision of sufficient housing land in the City cannot be made in isolation, as the Plan area is part of a larger housing market. The emerging North Yorkshire Joint Structure Plan sets a housing target of 12, 150 dwellings for the City of York, between 1998 and 2016.

7.7 Table 7.1 shows the City of York housing requirements for the Plan period. It outlines the outstanding consents and completions as at 1 April 2001. The table indicates an unconstrained overprovision of 2634 dwellings. However, discounts have been applied to these figures to reflect the fact that some sites may not be built before the end of the plan period. It is estimated that 1,428 dwellings will come from unidentified brownfield sites (windfalls).

7.8 Although urban land is a finite resource a number of previously unidentified housing sites have historically come forward in the City, for example on City Centre redevelopment sites or small infill sites. In assessing the likely future housing supply in the City of York, allowance has also been made for both small and larger windfall sites (sites as yet not identified for housing) and for conversions of existing properties for residential use that are likely to come forward during the Plan period. In each case, the figure assumed is based on past activity rates. Table 7.1 shows that these important sources could provide up to 26% of the City's housing requirements during the Plan period. However, the exact level of provision from these sources may vary, as may the actual number of dwellings implemented on existing permissions and allocations. Therefore the level of flexibility provided is felt to be justifiable and is in line with government guidance (PPG3). Furthermore this overprovision should assist in the implementation of the proposed phasing policy for greenfield housing sites. A discount has been applied to all types of windfalls to reflect the fact that past completion rates may not continue over the Plan period. These discounts will be monitored as part of the "Plan, Monitor and Manage" approach.

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Table 7.1 : CITY OF YORK HOUSING REQUIREMENTS 1998- 2011

Total Housing Requirement 1998-2011; (from Structure Plan)		8,775
SUPPLY 1998 - 2011	Dwellings	Dwellings with discounts for flexibility
Total completions between 1998 -2001	2,214	2,214
Total part implemented or unimplemented permissions on large sites	2,424	2,182 (with 10% discount)
Allowance for small BF windfall sites *	230	207 (10% discount)
Allowance for large BF windfall sites *	420	294 (with 30% discount)
Allowance for conversions *	280	252 (with 10% discount)
Allowance for large BF Sites (over 1.0ha)	1,350	675 (with 50% discount)
Allocations in the Local Plan	4,491	4,042 (with 10% discount)
Total	11,409	9,866
Total Housing Requirement		8,775

* total part implemented or unimplemented permissions: a discount is applied to these figures to reflect the fact that some sites may not be built within the Plan period.

* small brownfield windfall sites (smaller than 0.4 hectares or 10 dwellings) based on completion rates for the last 10 years. It is estimated that these sites will provide 207 dwellings over 10 years (2001 - 2011).

* larger brownfield windfall sites : (0.4 - 1.0 hectares or 10 - 25 dwellings) based upon completion rates for the last 10 years it is estimated that as many as 294 dwellings could come forward from this type of site over the next 10 years. A discount has been applied to these

figures to reflect the fact that some sites may not be built within the Plan period.

* conversions: based on past trends, approximately 252 dwellings could be achieved through this source over the next 10 years.

7.9 In line with current government policy the Local Plan is committed to focusing new housing development on brownfield sites as they become available. An Urban Capacity Report was produced in February 2003 to determine the potential supply of brownfield sites in the city. A number of existing industrial sites within the City of York are known to be located where the industrial activity is not compatible with neighbouring land uses (e.g. housing). When presently unidentified sites come forward within the City that are in accordance with the Local Plan, in particular policy SP10 the Council will consider the reuse of these sites for housing.

7.10 Provided these windfall sites continue to materialise over the Plan period they will offer a degree of flexibility in meeting the housing needs of the City and therefore reduce pressure in the short to medium term for the development of greenfield sites on the periphery of the urban area. The level of windfall sites will be monitored annually and any evidence of a shortfall will be addressed at the next review of the Plan.

7.11 Given the Plan's policy on supporting the conversion of upper floors to residential it could well be that the estimated contribution from conversions will be lower than what will actually come forward. Rather than raise this estimated contribution any additional dwellings provided through these policies will add to the element of flexibility built in to the overall figures.

7.12 The provision of new dwellings within the City Centre will be particularly encouraged, subject to not losing strategic, accessible sites (in accordance to the other policies within the local plan), or undermining the overall mixed use pattern within the city centre. In this location they will maintain and enhance vitality and viability and, in accordance with PPG3 and PPG13, minimise the need for car usage and maximise the use of urban land.

7.13 A housing land availability report, which monitors the amount of housing land available within the City, is produced annually. This will be used to monitor the extent to which the City's housing targets are met and a five-year land supply maintained, as required by PPG3. Where necessary, policies and sites allocated will be reviewed.

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H1: Housing Allocations

Allocated sites within the Plan area, as set out in Table 7.2 below, will account for 4,491 dwellings. Where a local need has been established the Council have estimated a target for affordable housing on allocated sites and will negotiate with developers to secure these targets in accordance with Policy H2a. These targets are also set out in Table 7.2.

Additional sites have been safeguarded for the period 2011 to 2021 and will be reassessed at such time as the Local Plan is reviewed.

7.14 In line with government guidance only those sites over 0.4 hectares in size or with capacity for 10 or more dwellings have been allocated in the Local Plan. An allowance for sites below this threshold being developed for housing during the Plan period has been taken into account in Table 7.1.

7.15 The "estimated site capacity" set out in Table 7.2 is only intended to offer a guide to the potential number of dwellings that are sought on each site. The estimated figure is a starting point for negotiations through which the Council will seek to maximise the potential of each site. Issues such as density, car parking, open space and landscaping will be considered.

7.16 The site capacities identified in Table 7.2 are based on the density assumptions set out in policy H5a or where pre-application information, or latest discussion information is available, the latest figure has been inserted as a realistic estimate. There may be circumstances when the allocations are brought forward for development that the actual capacity exceeds that of the estimated capacity. Where this occurs the difference will be covered by the allowance made for windfalls (unidentified development) in Table 7.1.

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Table 7.2: Housing Allocations and Affordable Housing Targets

Site Ref	Site Name	Size (ha)	Estimated Site Capacity	Density Dwgs/ Ha	Affordable Housing Target*	Indicative Mix of dwg Type – 2 beds or less (%)
H1.6	Metcalfe Lane, Osbaldwick ^{GF}	14.00	520	37	180	50
H1.12	Hungate	2.00	600	360	180	50
H1.17	Castle-Piccadilly	0.30	27	90	14	100
H1.18	North of Trinity Lane, Micklegate	0.40	27	68	14	100
H1.20	NCP Skeldergate, Bishophill	0.49	145	360	36	100
H1.21	Kennings Garage, Bishophill	0.20	30	150	8	100
H1.22	Peel Street / Margaret St, Guildhall	0.40	30	75	15	100
H1.24	Germany Beck, Fulford ^{GF}	18.00	700	39	105	50
H1.30	Bonding Warehouse, Skeldergate	0.10	20	200	10	100
H1.31	Bramham Road, Chapelfields	0.40	19	40	0	50
H1.32	Burnholme WMC, Burnholme Drive	0.40	16	40	0	50
H1.33	Rosedale, Clifton Park ^{GF}	0.70	8	11 [#]	0	25
H1.34	DC Cook, Lawrence Street ^{SA}	1.00	91	91	23	75
H1.35	Heworth Green	1.30	148	114	37	100
H1.36	Hospital Fields Road	0.70	91	130	23	100
H1.37	MOD Land, Fulford ^{SA}	1.80	72	40	36	50
H1.38	Monk Bar Garage	0.10	10	100	0	100
H1.39	Former Bus Depot, Navigation Road ^{SA}	0.60	70	117	35	100
H1.40	Osbaldwick Lane , Murton Way	0.60	25	41	6	25
H1.41	Tedder Road, Acomb	1.30	128	98	32	25
H1.42	Reynards Garage**	0.10	10	100	0	100
H1.43	Tenneco	7.40	225	30	56	25
H1.44	Minster Engineering ^{SA}	0.30	17	57	8	100
H1.45	Donnelly's	4.70	250	53	62	25
H1.47	Birch Park	2.40	182	76	45	94
H1.48	The Croft Campus, Heworth Green	1.30	53	41	26	50
H1.49	15 A-C Haxby Road	0.30	10	33	0	50
H1.50	10-18 Hull Road	0.40	17	43	8	50
H1.51	York College, Tech site	10.3	350	40	90	50
H1.52	York Central up 2011	(35.0) ^{NB}	600	100 - 150	300	-

^{GF}: Indicates Greenfield Allocations

[#]: Site capacity has been modified to recognise the existing footprint of the building.

The size of the site has been determined by the net area to be developed for residential use.

* Affordable housing targets are indicative

^{SA}: Indicates sites suitable for accommodating a minimum of 50% student accommodation.

** : The inclusion of Reynards garage does not affect the inclusion of policy T7a: Bus Interchange

^{NB}: Indicates the TOTAL developable area of the site, a major mixed-use scheme.

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7.17 The sites in Table 7.2 have been carefully selected. They are primarily brownfield sites where a residential use would not conflict with the Council's environmental or economic objectives. It is believed that residential development is economically feasible, that an acceptable standard of residential environment can be achieved and that any potential traffic problems can be overcome.

7.18 In identifying the sites, priority has been given to those, which can be accessed, by good public transport or bicycle thus reducing the need to travel by car. Most sites fall into one or more of the following categories:

- i) under-used or vacant land and buildings;
- ii) Council owned land or operational property, which could be used more efficiently for housing development;
- iii) operational car parks which at some time during the Plan period will not be required for the implementation of the Council's Transport Strategy and will become available for development;
- iv) sites in private ownership which are under-used and which have development potential;
- v) open land where residential development would result in environmental benefits, and only after full consideration of under used or vacant sites.

7.19 The Council is also committed to helping City of York citizens who are currently unable to buy or rent on the open market. The release of housing land through Local Plan sites is intended to provide a range of house types and sizes, which, by definition, will produce an element of low cost housing in the open market. However, there is strong evidence from the 1996 and 2002 Housing Needs Survey that the private sector has failed to address local housing need, particularly for affordable accommodation. Many local people are simply unable to compete in the housing market.

7.20 Realistically, therefore, provision is only likely to be achieved where developers are required to make provision within schemes for a significant element of affordable and other special categories of housing. Current Government guidance, in the form of PPG3 (March 2000) and Circular 6/98 advises that local plans may indicate an overall target, and targets on specific housing sites, based on evidence of need.

7.21 The City Council received the Consultants report from the second District-wide

Housing Needs Survey. In its aim to present the most up-to-date picture of housing need in York, the Study included 750 face-to-face surveys and 9,000 postal surveys within 9 sub-areas of the city and surrounding rural areas. The study identifies migration trends, births and deaths and concealed households between 2001 and 2006. House prices and income bands are explored across York and assessed against the ability of households to spend a minimum amount of household finance on mortgage or rent costs.

7.22 The report concludes that in order to meet existing and forecast housing need over the next 5 years, 950 affordable homes will need to be provided each year for the next 5 years. Current house completions (all tenures) in York total around 600 homes annually.

7.23 The final two columns in Table 7.2 set out additional information regarding the targets for affordable housing provision, which will be, negotiated for on all sites over 0.3 hectares in size (or 15 dwellings) in line with current government guidance. The 2002 Housing Needs Survey concludes that demand for affordable homes runs across the whole City, although some areas are evidently fairing better than others. The Council will negotiate with developers for the provision of an appropriate level of affordable housing on suitable sites.

7.24 The site target for Germany Beck, Fulford has been set at 15% in recognition of previous negotiations, which acknowledged the high infrastructural costs of development and information from the 1996 Housing Needs Survey, which concluded a relatively modest local need at that time. In view of the substantial affordable housing shortage in York, and the identification of larger local sub-areas in the 2002 Housing Needs Survey, Germany Beck is considered to be an exceptional circumstance, and will need to be accompanied by an assessment of financial liability.

7.25 When this Plan is reviewed, those sites included under Policy H1, but not yet developed for housing, will be assessed to see if they are still appropriate for a housing allocation, in the context of any change in circumstances. It will also decide which, if any, sites should be added to the list. Any unimplemented planning permissions for housing will be renewed if there is no material change in circumstances. For sites where there are no current planning permissions in place, the allocation outlined is considered to be a minimum figure in terms of the residential provision and, subject to the acceptability of the development in all other respects, a higher residential element may be sought where appropriate.

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H2a: Affordable Housing

The City of York Council will seek to ensure, through negotiation and agreement, that proposals for all new housing development of 15 dwellings/0.3Ha or more in the urban area, and 2 dwellings/0.03Ha or more in villages with less than 5,000 population, will include affordable housing in line with the Council's Second Housing Needs Survey, April 2002.

In order to achieve the maximum reasonable proportion of affordable housing, the following targets have been set on all suitable allocated and windfall sites in York: -

45% for affordable rent, plus 5% for discounted sale, to address priority housing needs in the city (re. York Housing Waiting List). Where properties offered for discounted sale are not purchased it is appropriate that these are used for affordable rent.

Lower targets previously agreed - in Local Plan allocations or where clearly set out in approved Development Briefs - will be reassessed down from 50% where the developer can demonstrate financial loss against previous land acquisition price.

The affordable housing should be distributed throughout the housing development, rather than concentrated in one area. This means that the affordable housing should be considered as an integral part of the development rather than a separate entity. Good quality design and layout, and early discussions with the Council and Registered Social Landlords (RSLs) will help ensure this is achieved.

7.26 With reference to the Planning and Affordable Housing Circular 6/98, (para 10(i)), the City Council has adopted the lower threshold of 15 or more dwellings in urban areas, and 2 or more in villages, in order to maximise opportunities for providing new affordable housing. Monitoring of sites coming forward for development shows that a significant amount of affordable housing has been lost in the last few years due to schemes of between 15-25 dwellings requiring no affordable provision (and 2-15 dwellings in villages). There is no evidence to suggest that schemes in this range would not be viable with the addition of affordable housing and, in terms of location and layout, they are considered to be suitable for affordable housing.

7.27 The need to achieve a successful housing development is of paramount importance and, in progressing individual site negotiations, the local authority will have regard to government guidance and best practice in order to agree the right proportion and mix of affordable housing types.

7.28 The 2002 Study of Housing Needs reveals that 97.5% of households in affordable housing need in York have an income of less than £20,000 per year. With minimum new house price entry levels of around £120,000 in York it is extremely unlikely that these households will be able to afford discount for sale or shared ownership in the city. Only rented accommodation will be affordable. The Needs Study represents a very robust and up-to-date analysis of house prices, local incomes, existing house suitability, supply and overall affordable housing need. In view of this, together with similarly high numbers on the Housing Waiting List, a minimum of 45% of suitable housing sites should be for affordable rent, with the remaining 5% for discount sale. Discounts off open market values will need to be substantial in order to provide genuinely affordable housing, and developers and their agents are encouraged to speak with Council Planning and Housing Officers at an early stage in pre-application discussions in order to agree suitable prices, and individual site circumstances.

7.29 There is no provision for key workers housing. Studies of need conclude that the housing shortfall in York is for those on very low incomes i.e. lower than £20,000 per annum. There have been no reported recruitment problems, as with London and the South-East. The emphasis on affordable rented provision, with a smaller proportion for discounted sale, is considered to reflect Government concerns about the current housing crisis, and, in particular, accords with Circular 6/98 which advises local authorities and developers to be flexible in agreeing tenure mix "provided that it will contribute to satisfying a local need for affordable housing as demonstrated by a rigorous and realistic assessment of local need".

7.30 The Council strongly endorses Government policy to build sustainable housing developments, which promote social cohesion and tackle social exclusion. Consequently affordable housing should be provided on-site and distributed throughout the development rather than concentrated in one area or isolated from the general market housing. The council

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encourages early discussion in order to ensure good quality design and layout, and promote integrated and inclusive housing schemes in the city. A land swap as commuted payment in lieu of on-site provision of affordable housing will only be approved in exceptional circumstances. Guidelines for this, and for advice on the delivery of affordable housing in York, are set out in the Councils Supplementary Planning Guidance 'Private Housing Development in York and the Negotiation of Affordable Homes, October 2000. Any revisions to this document will be reflected in decisions on individual planning applications.

7.31 In recognition of the acute need for affordable housing in the city, and in accordance with Government policy as set out in Circular 6/98 and PPG3 developers will be required to include a proportion of affordable housing units on all allocated sites and windfall sites of 0.3 hectares/ 15 dwellings or more (the Local Authority should adopt appropriate thresholds in villages of less than 5,000 population). Any change to the Circular, particularly with respect to the thresholds set out above, will be a material consideration in determining planning applications and will be reflected in any future review of the Local Plan and Supplementary Planning Guidance.

7.32 Site circumstances such as proximity to services, access to various modes of transport, and site costs will be taken into account when assessing the suitability of sites for accommodating affordable housing. Sites should provide for a range of affordable housing. A flexible approach to car parking standards will be taken in line with the criteria outlined in Appendix E of the Local Plan.

7.33 It is important that any affordable housing built in the City of York continues to meet the housing needs of the District. A condition will normally be attached to any such planning permission to ensure that the housing does accommodate local people and therefore reduces housing need within the City. To ensure this it is expected that affordable housing will be transferred to and managed by Registered Social Landlords.

7.34 Developers will be expected to enter in to a Section 106 Agreement with the Council to set out the amount of affordable housing and detailed arrangements for delivery.

7.35 The number of affordable dwellings built in York, together with the level of housing need throughout the Plan period, will be monitored. If the need is not being met, the policies in the

Plan will be reviewed to rectify the situation. Additional guidance is provided in the approved Supplementary Planning Guidance on affordable housing.

H3b: Managed Release of Allocated Housing Sites

Allocated housing sites are to be developed in the broad order of brownfield before greenfield. Applications for greenfield allocations will be dependent on the availability of brownfield alternatives and up-to-date needs assessments at the time of pre-application discussions.

The following greenfield sites have been identified as strategic sites, which will contribute significantly to meeting the housing land supply over the plan period. These sites are large sites, which will require longer 'lead-in' times, however they are anticipated to be built before 2011.

- H1. 24 Germany Beck, Fulford; and
- H1.6 Metcalfe Lane, Osbaldwick.

7.36 The development of brownfield sites in urban areas is high on the Government agenda and is in line with the land use strategy of the City of York. It is important that housing development is located in accessible locations, which enables residents to have a choice of modes of transport. The allocated sites in this Plan have gone through this type of sequential test, which has identified a large number of brownfield sites particularly in the City Centre.

7.37 However, in order to provide enough dwellings to meet the Structure Plan requirement a number of greenfield sites have also been allocated. These sites are located on the edge of the urban area in accessible locations and it is considered appropriate that the Germany Beck and Metcalfe Lane allocations come forward for development.

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H3c - Mix of Dwellings on Housing Sites

A mix of new house types, sizes and tenures will be required on all new residential development sites where appropriate to the location and nature of development. In particular a mixture of dwellings will be encouraged on all sites in villages.

Residential developments must demonstrate that the range of type, size of units (including number of bedrooms), design and layout of the plot and tenures and pricing meets local housing needs.

Developers will be encouraged to build new housing to accessible standards (in accordance to Building Regulations) with negotiation on a proportion of dwellings having full wheelchair access.

Negotiations will also be encouraged with developers to provide "life-time" homes (homes which over the space of time are flexible to meet changing accommodation needs)

7.38 Government projections indicate that an increasing proportion of new homes will be required by single or two person households and elderly people. Some of these will require purpose built accommodation. It is important that new development should include a mix of house sizes and types including one and two bedroom units. This is particularly important in villages where there are likely to be very few sites available for development.

7.39 It is important that housing sites provide a wide range of accommodation to meet the needs of local people. Negotiations on the type of mix required in different areas will be informed using local research such as the Housing Needs Survey, existing census/ demographic ward information on household size and tenure, and up to date population forecasts. Housing sites will be encouraged to include a mix of tenures for example renting and affordable home ownership. This policy would help ensure that there is a greater choice of house types to meet the needs of changing household composition and to encourage mixed and balanced communities.

7.40 Most of the standard new housing being built is not designed for the needs of people with mobility problems, elderly people, or those who at one time or other in their lives are temporarily incapacitated by accidents. The design of this housing causes considerable discomfort in the daily lives of these people and, moreover, once built can be difficult and expensive to adapt to

their needs. The development of 'lifetime' homes, defined as dwellings, which can be easily adapted to peoples changing needs over time, is encouraged.

7.41 Accessible housing is that which is designed with:

- i) a good layout, and which incorporates design features to permit general easy access and use by its occupants or visitors who may have mobility problems or sensory impairments;
- ii) in-built flexibility to be capable of being adapted in the future, as required, to incorporate special additional features such as a chair lift or a specially equipped bathroom.

7.42 The need for housing for people with special needs is increasing as a result of growing numbers of elderly people in the City and the Government's Care in the Community programme. Within the District, evidence of the prevalence of people with mobility problems is shown in work carried out by the Disability Research Unit. The aim is to ensure that new housing contributes to meeting the needs of these people so that they can live as independently as possible. This can often be achieved at little cost by taking account of the needs of people with mobility problems at the design stage. In particular new housing should be capable of adaptation at reasonable cost whilst an appropriate proportion should be built to full wheelchair access standards.

7.43 Supplementary guidance on the design of accessible housing and for wheelchair standard housing is given in the York Access Design Guide.

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H4a: Housing Windfalls

Proposals for residential development on land not already allocated on the Proposals Map will be granted planning permission, in accordance to SP10, where:

- a) the site is within the urban area and is vacant, derelict or underused or it involves infilling, redevelopment or conversion of existing buildings;
- b) the site has good accessibility to jobs, shops and services by non-car modes

AND

- c) it is of an appropriate scale and density to surrounding development, and
- d) it would not have a detrimental impact on existing landscape features.

See also: GB1; GB6; GB12, SP10

7.44 In order to provide a basis for consistent decision-making, settlement limits have been drawn around the villages within the Local Plan area. For those settlements inset from the Green Belt these limits coincide with those recommended by the Inspector's Report of the Green Belt Local Plan Inquiry. Housing proposals within the defined limits will generally be acceptable where they involve infilling, redevelopment of an underused plot, or conversion of a redundant building. Proposals should not dominate surrounding buildings, and should not be 'crammed in' to open sites at the expense of local amenity and recreation.

H5a: Residential Density

The scale and design of proposed residential developments should be compatible with the character of the surrounding area and must not harm local amenity.

Applications for all new residential developments, dependent on individual site circumstances and public transport accessibility, should aim to achieve net residential densities of greater than:

- 60 dwellings/hectare in the city centre ¹
- 40 dwellings/hectare in the urban areas ²
- 30 dwellings/hectare elsewhere in the City of York

¹ The City Centre is defined on the city centre inset on the Local Plan proposal's map.

² The urban area of York is defined as the built up area, outside the city centre including Haxby and Wigginton.

See also: SP6

7.45 In view of increasing demand for new housing, there is concern over the future of open countryside around York. To meet the City's housing needs without placing undue pressure on greenfield sites the Local Plan strategy is to encourage the provision of housing within existing settlements, especially the York urban area. Measures to achieve this include increasing the density of development on appropriate schemes through the provision of semi-detached, terraced houses and flats. It is realistic to expect higher densities, particularly in the City Centre and District Centres. Outside these Centres densities of above 30-40 dwellings per hectare may well be justified if the site is well served by public transport.

7.46 Priority will continue to be given to meeting the City's housing needs within the main existing settlements. In order to achieve this, housing densities on agreed schemes will be maximised where this would not compromise other established planning objectives which aim to maintain a high quality environment in the City. The Local Plan acknowledges the area's unique quality, and identifies those elements, which make up the character and appearance of the City. Policy GP1 aims to ensure that all new development is of a high standard of design and can be integrated physically and visually into its surroundings.

7.47 To reduce the need to travel, the development of housing in areas, which are well served by public transport, is particularly important. 400m is considered to be an acceptable 5 minute walking distance to access public transport, depending on the location and characteristics of each site. On large sites like Germany Beck and Metcalfe Lane where most of the site will be more than 400m from existing bus routes, the developers will be required to include bus penetrable routes as part of the scheme to achieve higher housing densities.

7.48 The immediate residential environment of people's homes is generally of great concern to them. A high quality and pleasant living environment can be achieved through sensitive and creative design. A Residential Development Guide is being produced and will be available as Supplementary Planning Guidance. Proposals, which are considered to represent over development, will normally be unacceptable. However, high density and high quality can go

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together to create developments that will be acceptable to both existing and future residents.

H7: Residential Extensions

Planning permission will be granted for residential extensions where:

- a) the design and materials are sympathetic to the main dwelling and the locality of the development; and
- b) the design and scale are appropriate in relation to the main building; and
- d) there is no adverse effect on the amenity which neighbouring residents could reasonably expect to enjoy; and
- e) proposals respect the spaces between dwellings; and
- g) the proposed extension does not result in an unacceptable reduction in private amenity space within the curtilage of the dwelling.

7.49 Residential extensions are generally acceptable provided they are sympathetically designed in relation to their host building and the character of the area in which they are located and do not detract from the residential amenity of existing neighbours. Particular care is needed, however, in the design of front extensions and dormer extensions. Pitched roofs on extensions will normally be the most appropriate with large, box-style roof extensions being resisted in most cases.

H8: Conversions

Planning permission will only be granted for the conversion of a dwelling to flats or multiple occupation where:

- the dwelling is of sufficient size (min 4 bedrooms) and the internal layout is shown to be suitable for the proposed number of households or occupants and will protect residential amenity for future occupiers.
- external alterations to the building would not cause harm to the character or appearance of the building or area; and
- adequate off and on street parking and cycle parking is incorporated; and
- it would not create an adverse impact on neighbouring residential amenity particularly through noise disturbance or residential character of the area by virtue of the

conversion alone or cumulatively with a concentration of such uses.

- adequate provision is made for the storage and collection of refuse and recycling.

7.50 Houses in multiple occupation (HMO's) are those occupied by a number of unrelated people who do not live together as a single household. They include bed sits, hostels, lodgings and bed and breakfasts not primarily used for holiday purposes.

7.51 The Use Classes Order (1987) does not distinguish between a dwelling occupied by a conventional household, and that of a dwelling occupied by up to six residents living together as a single household. Therefore a change of use from a family dwelling to one occupied by no more than six individuals does not constitute as a change of use.

7.52 There is potential for the number of dwellings in the City to be increased by the sensitive conversion of large dwellings. Such conversion can ensure a continued life for properties and can contribute to meeting housing need. Nonetheless, in certain situations, a concentration of such conversions can have an adverse impact on the residential environment. In considering this impact, attention will be given to the character of the street, the effect on and the amount of available amenity space, parking requirements, traffic generation and any other material planning considerations particular to the case.

7.53 The number of residential conversions will be monitored to calculate the contribution that they make to the Local Plan's housing requirement and so that the cumulative impact of several conversions in any one location can be ascertained.

H9: Loss of Dwellings or Housing Land

Planning permission will not be granted for development that would result in a net loss of dwellings or housing land, either allocated or with planning permission. The loss of individual residential properties will need to be considered in light of individual site circumstances and the character of and desired uses, in the surrounding area.

7.54 Because of the shortage of housing in York, it is considered essential that the existing stock of dwellings and land allocated for housing in this Plan is retained wherever possible. Only in exceptional circumstances, such as where there is a need to find appropriate uses to

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conserve historic buildings, or to improve the distribution of community facilities in the City will development for other purposes be permitted.

7.55 Likewise, it is important that those sites already with the benefit of planning permission for housing development (but not yet built) continue to be available for development within the Plan period. Applications for renewal of these consents will, in most cases, be approved. Exceptions may occur where continued renewal of consent indicates that development on site is unlikely to begin.

H11: Conversion of Upper Floors

Planning permission will be granted for the conversion and use of upper floors of shops for residential purposes provided the development meets residential amenity and highway safety requirements.

See also GP12

7.56 Surveys have identified that floorspace above shops in the City offers potential for meeting some of the District's housing need. This initiative is generally supported and such development will be encouraged providing that the development is of a high standard of design and can be integrated physically and visually into its surroundings. Normal development control standards for highway safety will apply and, where appropriate, requirements for car parking provision will be relaxed. Cycle parking will, however, be required where its provision is possible.

7.57 The number of conversions that occur in the City will be monitored to ascertain their contribution to the housing target set out in Policy H1. This will indicate if the percentage of conversions assumed in calculating housing need in York is still reasonable. In most cases, conversions of this nature will contribute to meeting the Council's target for affordable housing.

H12: Conversion of Redundant Offices

Planning permission will be granted for the conversion of redundant office space to residential use where:

- a) There is a sufficient supply of offices to meet both immediate and longer term requirements over the plan period; and
- b) The proposal will not have an adverse impact on the vitality and viability of the City and District Centres; and

c) it has no adverse impact on residential amenity.

See also: GP2, E3a

7.58 Whilst the Plan aims to protect a range of office premises and sites in York City Centre and elsewhere, it is acknowledged that there are instances where the change of use of redundant offices to retail, residential or community use can benefit an area. To ensure that the overall supply of office space is not diminished it will be important for any application to demonstrate that the premises are redundant and incapable of re-use for offices. City Centre office space makes a significant contribution to minimising traffic growth and provision in the City Centre must be maintained. Conversion to residential use would also increase the supply of much needed housing, and could contribute significantly to the Plan's overall affordable housing target. Proposals will be expected to satisfy development control standards with respect to residential amenity, as set out in Policy GP2.

H16: Residential Sites for Gypsies/ Travellers

In determining planning applications for gypsy / traveller sites, the following criteria will be taken into account:

- a) the proximity of the site to local services and facilities to ensure these are accessible to those on site;
- b) the potential to achieve safe access for pedestrians, people with mobility problems, carers with children, cyclists and vehicles;
- c) the extent to which the site impacts on important open areas;
- d) the need to ensure the site is visually integrated with the surrounding area;
- e) the potential impact of the site on the amenity of the environment, neighbouring properties or the operation of sensitive agricultural or other land uses, by virtue of noise and disturbance from traffic generation and on-site business activities and likewise the residential amenity of those on site.

7.59 Whilst there is no longer a legal requirement on Local Authorities to provide gypsy/traveller facilities, proposals for the establishment of gypsy/traveller sites can be generated from the Local Authority and private sector. The policy therefore provides a "criteria

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based" policy with which to assess proposals for gypsy/traveller sites. The criteria takes account of government Policy as set out in Circular 1/94.

7.60 Green Belt policy as set out in PPG2 is restrictive and sites would therefore normally be inappropriate in such locations. Rural sites may be acceptable if they do not lie in Areas of Outstanding Natural Beauty, or Sites of Special Scientific Interest, compromise the setting of the city or its green wedges and there is no conflict with other established countryside policies. Sites outside existing settlements need to be within reasonable distance to local services and facilities.

7.61 The Policy objective is to ensure that any such sites should be in locations suitable to meet the needs of gypsies and travellers but not have an adverse impact on the environment, on residents' amenity or on the public highway. It is recognised that the management of any gypsy / traveller site is crucial to its success. It will therefore be expected that any application for such a site will be accompanied by a management plan.

7.62 Department of Environment Circular 1/94 gives revised guidance on planning control and gypsy / traveller sites. This emphasises that the granting of planning permission must in particular be consistent with environmental policies and states that applications must be determined solely in relation to land-use factors. There are currently 3 sites for gypsies / travellers within the City of York: James Street; Outgang Lane, Osbaldwick; and Water Lane, Clifton Moor.

H17: Residential Institutions

Planning permission will only be granted for residential institutions where the development, together with existing residential institutions or unimplemented planning permission for that use, would not give rise to a concentration likely to have an adverse impact on residential amenity and where it is positively located relative to local facilities and public transport.

7.63 As a result of the Government's Care in the Community programme and the rise in numbers of the very elderly, it is likely that the demand for private residential institutions such as residential care homes will increase during the plan period. Whilst they will normally be supported where there is a demonstrable local need, it is important that such establishments do not cause traffic or residential amenity problems.

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EMPLOYMENT

OBJECTIVES:

- To create the conditions necessary to stimulate the local economy, and to protect and enhance existing jobs.
- To provide for a wide range of new employment opportunities to meet the needs of local and incoming employers, whilst balancing market requirements with sustainable objectives
- To achieve increased sustainability in employment premises and processes.

Introduction

8.1 The Local Plan Strategy sets out the main objectives of the Plan in accommodating employment growth over the Plan period. The Local Plan also seeks to achieve the government's policy objectives as set out in Planning Policy Guidance Notes.

8.2 PPG4 (Industrial and Commercial Development and Small Firms) and PPG12 (Development Plans) advise that local plans should assess the employment needs of their area and make provision for a range of sites and policies to assist the economic development of the area. PPG7 (The Countryside: Environmental Quality and Economic and Social Development) sets out as one of its main aims the encouragement of economic activity in rural areas through the promotion of rural business and the reuse and adaptation of rural buildings. PPG6 (Town Centres and Retail Developments), whilst dealing primarily with retail development reinforces the objectives of PPG13 (Transport) by identifying the town centre as an important location in providing land for mixed use development including industry. PPG2 (Green Belts) is of particular relevance to the provision of new employment sites in the City of York because of the constraint the Green Belt places on identifying new sites.

8.3 The 1999 Sainsbury Report 'Biotechnology Clusters' and the ODPM report 'Planning for Clusters (June 2000)' have brought with them a priority of providing quality employment sites at a range of sizes and locations. Such guidance is translated to a more local level in the Regional Planning Guidance for Yorkshire and the Humber (RPG) together with the North Yorkshire Joint Structure Plan (NYSP), which help set the context for this chapter. This context ties in with the Science City York (SCY)

initiative, which seeks to promote knowledge based businesses. An important priority within this project is highlighted in the RPG, which requires that a large premier employment site be provided in the City of York area to accommodate high profile industries. Further to this the Council must ensure that provision is made for a sufficient range of employment land in terms of size, location and quality.

8.4 The overall amount of land to be provided for employment has been identified by research undertaken by employment consultants Segal Quince Wicksteed Limited and York Research Partnership together with a study of past trends by the Council. These two sources indicate a requirement of 83 hectares of employment land in the City of York between 2000 and 2011. This would include premier employment land, arising through Science City York, together with other business uses who have developed or relocated to the City on the back of the success of Science City York, professional and financial services and headquarters functions, and more traditional B1, B2 and B8 uses.

8.5 The City of York's Economic Strategy gives the highest priority to safeguarding existing jobs and attracting new investment into the area. The Strategy centres on the development of the science base as a key driver for the York economy as a whole, while also facilitating the development of other key sectors. The role of the Local Plan is to complement this Strategy by providing enough land in the right places to influence the conditions necessary to create new jobs. An important component of this is the provision of quality sites in the right place to meet market needs.

8.6 The rural area surrounding the urban area of York is less prone to employment problems as this is made up of mainly residential villages that rely on York for their economic prosperity. Nonetheless many people still work in agriculture, which continues to decline as a major employer. Whilst York will continue to be the main focus for employment growth, the needs of smaller rural communities must also be addressed. The Plan Strategy objectives of reducing car journeys and minimising the need to travel will also require that jobs be created locally wherever possible.

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8.7 The calculation of the land supply for the Local Plan includes the following elements:

- land developed or lost to other uses since the employment land requirement base date of 2000.
- spare capacity on existing or committed employment sites
- new allocations, taken from detailed studies of York area.

8.8 Table 8.1 below identifies the requirement for new employment land over the Plan period, which includes an element of flexibility to allow for the possible loss of employment land to other uses. While the Council is keen to preserve the current stock of employment land it is acknowledged that certain circumstances can arise where it is no longer suitable to enforce employment uses on a site (see policies E1a and E3a). Such circumstances could arise from significant economic, social or environmental factors.

8.9 Further to the demand for employment land shown in the table below the Council recognises additional demand created by, and linked directly to, the University. This type of development will necessitate a location within the University Campus and will therefore be considered as part of the development of the University in Chapter 9: Educational Establishments.

Table 8.1: Employment Land Demand 2000 to 2011

Demand for Employment Sites *	Area (Hectares)
Premier	42.0
Premier Land Take-up April 2000 to October 2001	(-) 4.1
Standard	28.0
Standard Land Take-up April 2000 to October 2001	(-) 9.0
TOTAL DEMAND	56.9

See also: ED9

* These figures exclude the element of demand that will be met by Campus 3.

E1a Premier Employment Sites

Out of Centre Premier Employment Sites

The sites identified in schedule 1 as 'out of centre' employment sites have been identified for companies in the Science City York sector of the economy. These "knowledge-based" activities are defined in paragraph 8.12 below and include activities, which support or complement firms that are clearly knowledge based. Other B1 uses that fall outside these guidelines would only be acceptable where they are of an acceptably high quality such as companies in the professional and financial sectors or headquarter functions and it can be demonstrated that no other suitable highly accessible sites could be found, firstly within the city centre, secondly in the York Central area and then thirdly within the rest of the urban area.

The scale, layout and design of any proposal will need to contribute to the creation of a high quality commercial environment. In considering proposals the Council will have regard to the following:

- The ratio of built floor space to gross site area should normally be a maximum of 45:100;
- The buildings should conform to an overall development brief for each site agreed in advance for the site as a whole;
- The early implementation of an agreed comprehensive landscaping scheme that helps assimilate new developments into its surroundings and enhances the appearance of the development;
- The proposals relationship to the scale, layout and design of its surrounding area.

Premier Sites in the Urban Area

The sites allocated in schedule 1 as "urban area" premier employment sites have been identified for B1 (Office) uses only.

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8.10 The Science City York initiative is a key component of the Council's Economic Development Strategy and is an essential part of the City's long-term economic prosperity. It is, therefore, essential that the right sites be provided to allow this sector of the economy to grow and prosper. In addition it is clearly important such sites are not lost unnecessarily to other business uses.



8.11 An important element within the provision of employment land, as highlighted in the RPG for Yorkshire and the Humber, is the need for a site of around 15-40ha to provide for firms with a national and international choice of locations. The RPG states that the site should be designed to meet the needs of high tech products and processes and service sector growth. To meet this demand 29 hectares of premier employment land has been identified at North and South Monks Cross. A development brief is to be prepared for the sites, which will ensure that their release is controlled in such a way that it will facilitate comprehensive high quality development.

8.12 Guidelines for defining Science City York/knowledge-based activities:

The Science City York Project builds on the earlier "Bioscience York" initiative and contains three components: Information and Communications Technologies, Heritage and Arts Technology and Bioscience and Healthcare. There is a presumption that activities on premier sites will address the needs of firms within these clusters, and other emerging knowledge-based clusters though not exclusively. The following guidelines are to be applied to define appropriate activities:

Primary Considerations:

Future employers should meet at least two out of the following four primary considerations:

- they operate within a high tech sector and/or engage in innovative activities;
- a focus on Research & Development, product or process design, applications engineering, high level technical support or consultancy;
- at least 15% of staff are qualified scientists, technologists and engineers;
- established or proposed linkages with a research facility such as a university.

Other considerations:

- firms providing substantial support services to primary uses, including finance, legal and other professional and technical services, occupying no more than 10% of the total floorspace on sites.

8.13 To help facilitate the development of the Science City York sector of the economy it is important to ensure premier employment sites outside of the York urban area provide high quality commercial environments. Thus for each site listed in schedule 1 a development brief will be prepared and adopted by the Council as Supplementary Planning Guidance. The briefs will amplify the points raised in policy E1a taking into account the characteristics of each site as well as addressing other issues such as transport.



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E3a: Standard Employment Allocations

Schedule 2 identifies standard employment sites and the uses for which planning permission will be granted. For those sites identified as being appropriate for B1, B2 or B8 over 2.5 hectares at least 30% of the site should be reserved for B2/B8 uses.

E3b: Existing and Proposed Employment Sites

The standard employment sites identified in schedule 2, and any other sites or premises either currently or previously in employment use, will be retained within their current use class. Planning permission for other uses will only be given where:

- a) there is a sufficient supply of employment land to meet both immediate and longer term requirements over the plan period in both quantitative and qualitative terms; and
- b) unacceptable environmental problems exist; or
- c) the development of the site for other appropriate uses will lead to significant benefits to the local economy; or
- d) the use is ancillary to an employment use.

See also: H12

8.14 Due to the constraints placed on the availability of greenfield development sites around York by the existing Green Belt and the effects this has on land values, it is particularly important to ensure that land currently or previously designated for employment uses in schedule 2 are safeguarded for their identified land-use(s). The uses identified along with the requirement that 30% of larger sites be reserved for B2/B8 is included to ensure the continued availability of sites for manufacturing in the York area. Planning permissions on allocations identified for certain uses should restrict changes of use permitted under the General Permitted Development Order.

8.15 It will be difficult to replace land designated for employment use if this is developed for other uses. Therefore applications for uses other than B1, B2 or B8 will be refused planning permission unless the applicant's

proposal conforms to criterion (a) to (d) under policy E3b. To complement this approach, applications for the renewal of expired planning permissions for B1, B2 or B8 uses will be granted unless there are material considerations to indicate that this would not be appropriate.

Schedule 1: Premier Employment Sites (Policy E1a).

Schedule 1 identifies two types of Premier Employment Sites, as follows:

Out of Centre Premier Employment Sites:

These sites have been identified for companies in the Science City York sector of the economy. Other B1 uses would only be acceptable where it could be demonstrated that no other suitable sites could be found within the existing built up area.

Urban Area Premier Employment Sites:

These sites cater for demand for Business (B1) uses.

Site Ref	Size (Ha)	Location
E1a.1 / A59 site	14ha	Out of centre
E1a.2 / North of Monks Cross	21.9ha	Out of centre
E1a.3 / South of Monks Cross	13ha	Out of centre
E1a.4 / University Science Park	1.7ha	Urban area
E1a.5 / Hungate	1ha	Urban area
E1a.6 / Clifton Park (laundry building)	0.6ha	Urban area
E1a.7 / Varvills warehouse	0.1ha	Urban area
E1a.8 / York Central	5.5 ha**	Urban area
Total =	57.8ha	

* This schedule excludes the employment land contribution from Campus 3. See Policy ED9.

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** It is now anticipated that York Central will provide for up to 25,000m² of employment floorspace for the period to 2011. This provides a floorspace equivalent to 5.5ha 'land saving' if provided on a greenfield site elsewhere in the York area.

Schedule 2: Standard Employment Allocations (Policy E3a)

The following employment allocations are reserved for Business (B1), General Industrial (B2) and Storage or Distribution (B8) uses. High land values in the City make it difficult to maintain a supply of land suitable for B2/B8 uses. To correct this problem certain standard employment sites are restricted to these land-uses. Such restrictions have been made with consideration to site characteristics such as proximity to residential developments and other existing uses on site.

Site ref	Size (ha)	Allocation
E3a.1 / York Business Park	16.4ha	B1, B2, B8 (Split to be decided following further work)
E3a.2 / Elvington Airfield Business Park (Areas a, b, c, e)	4ha	B2, B8
E3a.3 / Wheldrake Industrial Estate (Sites a, c, d, e)	2.5ha	B2, B8
E3a.4 / Centurion Park	2.6ha	B1, B2, B8
E3a.5 / Holgate Park	2.2ha	B1, B2, B8
E3a.6 / Heworth Green	0.7ha	B1, B2, B8
E3a.7 / Murton Industrial Estate	0.5ha	B2, B8
E3a.8 / Link Business Park	0.4ha	B1, B2, B8
E3a.9 / Green Lane	0.4ha	B2, B8
E3a.10 / Audax Road, Clifton Moor	0.3ha	B2, B8

E3a.11 / Towton House	0.1ha	B1, B2, B8
E3a.12 / Elvington Industrial Estate, Elvington	1ha	B2, B8
E3a.13 / Grain Stores, Clifton Moor	7.6ha	B1, B2, B8
E3a.14 / Stirling Road, Clifton Moor	1ha	B1, B2, B8
E3a.15 / Annamine Nurseries, Huntington	1ha	B2
Total =	40.7ha	

E4: Employment Development On Unallocated Land

Within defined settlement limits, planning permission will be granted for employment use of a scale and design appropriate to the locality where:

- a) the site is vacant, derelict or underused; or
- b) it involves infilling, extension, redevelopment or conversion of existing buildings.

See also: GP2

8.16 The Plan identifies sufficient land to accommodate employment growth up to 2011. However, in accordance with government guidance to encourage small businesses it is often possible to accommodate business use within a built-up area. Although the opportunities to do this are likely to be limited, small businesses can make an important contribution to the local (particularly the rural) economy.

8.17 Where opportunities arise to accommodate new development on sites, which are not identified in the Plan, without harming the amenity of neighbours, applications will be treated sympathetically.

CHAPTER 8: EMPLOYMENT

E7 B1 (Office) Development in Existing Buildings

Planning permission will be granted at first floor level or above for B1 (Office) uses in or adjacent to York City Centre, Acomb District Centre or Haxby District Centre. Change of use to B1 use at ground floor level will only be permitted where it would not harm the vitality of existing centres.

8.18 The vitality and viability of York City Centre is dependent on a wide range of uses being established in or adjacent to the City Centre. The Plan seeks to encourage both business and residential development on upper floors. Whilst this policy refers specifically to B1 use, A2 type office uses will not be excluded.

8.19 Any proposal for change of use from retail to B1 or A2 offices will be considered against policy E7.

E8: Non Conforming Uses

Where existing industrial uses cause nuisance from noise, vibration, smells, fumes or problems relating to traffic generation or parking, the City of York Council will negotiate to achieve mitigation measures or, where necessary, for the offending uses to be relocated.

8.20 Where a conflict occurs between residents and adjacent businesses, applications to relocate to a new site will be supported. Similarly, proposals that would reduce or minimise conflict will also be supported.

E10: Working From Home

Planning permission will be granted for small business uses within or adjacent to residential curtilages where development would not adversely affect the amenity of neighbouring properties or the residential character of the area

8.21 In accordance with government guidance, most notably PPG4 to encourage small business, it is often possible to accommodate business use within a primarily residential area. Very often business can co-exist with residential use provided that appropriate conditions controlling hours of working, on site storage and access etc, are imposed.

8.22 This policy is not intended to encourage widespread business use within residential areas. It is similar to Policy E4 but is intended to directly address proposals for working from home and the operation of small businesses

from within a residential curtilage. Such developments will assist in achieving the Local Plan objective of reducing the need to travel.

8.23 Often a small business is brought to the attention of the planning authority as operating without planning permission. Such small businesses may be providing a service to the local community particularly in a village location or large residential area. Rather than refuse permission for a use that has otherwise satisfactorily co-existed within a residential area, or is capable of doing so, the policy will allow the regulation and control of such businesses by attaching appropriate conditions to any grant of permission. Where necessary, a personal condition will be attached to ensure that a use does not become established.

CHAPTER 9: EDUCATIONAL ESTABLISHMENTS

EDUCATIONAL ESTABLISHMENTS

OBJECTIVES:

- To assist the continued growth of the University of York within an agreed planning framework;
- To facilitate and encourage the continued presence of educational facilities in the City;
- To foster a culture of education, life-long learning and to widen access to education;
- To ensure that any further development on the Heslington campus protects the existing landscape setting;
- To facilitate the future expansion of the University by providing a site for a new campus in the Heslington area;
- To assist the University and York St John College in identifying suitable development opportunities in York City Centre.

Introduction

9.1 The City contains a wide range of educational establishments with both state and independent schools, the University of York, York St John College, the College of Law, Askham Bryan College and York College. The Council recognises the importance of skills, creativity and research developed through the education sector, employment opportunities generated by the education sector, its role in the local economy, and its importance in the life of the City. It also recognises the important assets the facilities of such establishments have and the need for the wider community to have access to them where feasible.

Primary and Secondary Education

9.2 There are currently 57 primary, 11 secondary and 4 special schools within the City of York, with 14,321, 10,103 and 304 pupils respectively.

ED1: Primary and Secondary Education

Planning applications for new/extended primary and secondary education facilities will be granted permission provided that:

- a) it would meet a recognised need; and
- b) the proposed development is of a scale and design appropriate to the character and appearance of the locality; and
- c) an area of open space and playing fields, sufficient to meet the needs of pupils is incorporated in the development; and
- d) where a development is capable of a joint or dual use for community benefit, this has been incorporated into the design.

9.3 To ensure the educational well being of York's school children and promote life-long learning in the City, the policy is designed to allow for the provision of appropriate educational facilities.

9.4 Whilst promoting the development of primary and secondary educational facilities the policy also seeks to ensure that the proposal is required and that it is designed in a way that compliments the local area. In addition, where the development is capable of a joint or dual use the council will encourage this to be incorporated into the design to serve the needs of the wider community.

ED2: St Barnabas' Centre

A site is identified on the Proposals Map for the development of the St. Barnabas' Community Centre

9.5 The need for a new school and community centre in the Leeman Road area of the City is acknowledged by the Council, based on an assessment of existing facilities in the local area. A site is allocated on land previously identified as having a Green Belt function but now proposed to be excluded from the Green Belt. This location has been selected because of the need for the facility, the lack of suitable alternative locations capable of serving the local community and the impact of recent adjacent development on this area.

CHAPTER 9: EDUCATIONAL ESTABLISHMENTS



ED3: Change of Use of Pre-School, Primary and Secondary Educational Facilities

Planning permission will only be granted for the redevelopment or change of use of pre-school, primary and secondary education facilities where:

- a) it can be demonstrated that the existing site is surplus to the existing or future needs of the local catchment area; or
- b) it can be demonstrated that alternative acceptable sites for the existing use can be provided; and
- c) the proposal is of a scale and design appropriate to the character and appearance of the locality; and
- d) the proposal would not result in a loss of facilities for the local community; and
- e) any redevelopment or extension of existing facilities should have minimal impact on surrounding residential amenity.

9.6 A high standard of education is a key element in ensuring that York is a place people choose to live and therefore priority lies with the safeguarding of existing school and pre-school facilities. On existing sites and where future sites for school facilities have been identified, planning permission will only be granted for alternative uses where it can be demonstrated that either the facilities are no longer required, now or in the future, or that alternative acceptable sites can be provided.

9.7 Where a building is no longer capable of meeting the needs of the local catchment area and the site is not capable of expanded use, consideration will be given to its redevelopment provided that alternative provision can be made which is capable of meeting the needs of the local community.

ED4: Developer Contributions Towards Educational Facilities

In considering proposals for new residential development, any consequences for existing schools, early years and other community facilities will be assessed in accordance with the approved Supplementary Planning Guidance. Where additional provision is necessary as a direct result of the proposal, developers will enter into a Section 106 agreement to make a financial contribution towards the provision of these facilities.

9.8 New development may have a direct impact on the provision of existing school facilities. This may require the enhancement of existing facilities or the provision of new schools to serve the needs of the new housing development.

9.9 The particular scale and location of the proposed housing development and the circumstances of the local area will be the determining factors in assessing the level of contribution that will be required. Consideration will be given to the level of provision, accessibility and capacity of existing schools.

9.10 Further guidance on developer contributions to educational facilities is provided in Supplementary Planning Guidance and information in circular 1/97 (Planning obligations) as stated in policy GP13.

Further and Higher Education Institutions

9.11 The City's Further and Higher Education institutions play an important role in the educational, economic and cultural life of the City. They are amongst the City's largest employers and the spending of students and conference visitors contributes greatly to the local economy.

9.12 York St John College, a Church of England institution, was founded in 1841. Today the College, with its affiliation to the University of Leeds, provides education and training in a diverse range of curriculum areas. The main campus is located on Lord Mayor's Walk, close to the City centre. In 1999 the college embarked on a successful Strategic Transformation exercise. This is facilitating its current and future academic ambitions and will ensure that it is well placed to increase participation and widen access from the 4,100 student base it had in 1999 to around 6,000 in 2006.

9.13 The College of Law, whose courses are validated by the Law Society, is incorporated by Royal Charter, to promote the advancement of legal education. The College provides legal

CHAPTER 9: EDUCATIONAL ESTABLISHMENTS

training in three main areas; tuition for the Legal Practice Course, the Common Professional Examination and the Supplementary Accounts Course in Articles. The establishment is located on Bishopthorpe Road, approximately 2 miles from the City Centre and in 1999 had 200 students.

9.14 Askham Bryan College, founded in 1946 has agricultural centres at Pickering, Bedale, Harrogate and Guisborough, in addition to its main centre in York. The College provides a wide range of full-time and part-time courses in agriculture, horticulture, agricultural engineering and other countryside activities. In 1999, the College had 327 full-time and 1,817 part-time students.

9.15 York College was founded in 1999 from the merger of York College of Further & Higher Education and York Sixth Form College. In 2001 the combined college had a total of 3,500 full time students and over 10,000 part time, and employed over 600 staff. The College provides a very wide range of vocationally focused full time and part time courses, aimed at providing students with enhanced abilities, tailored to the needs of employers in York and North Yorkshire. The College is the major provider of 16-19 education in the City and over 3000 students annually pursue full time and work based programmes. Over 500 students follow higher education funded courses and the college also offers joint provision with York St John College and the University of York. In partnership with the City of York Council and other providers the college offers a large number of part time courses both on campus and other centres across the City.

ED5: Further and Higher Education Institutions

Existing further and higher education institutions outlined below will be retained within their current use. Their development will be encouraged in accordance with Local Plan policies and subject to adequate measures for providing the necessary levels of student housing. Where the development is capable of a joint or dual use for community benefit this will be encouraged.

- a) The York St. John College
- b) The College of Law
- c) Askham Bryan College
- d) York College

9.16 The Further and Higher Educational facilities within York represent an important resource and the Council will encourage their continued development within the City.

University of York

9.17 The University of York was founded in 1961 and currently occupies an 85 hectare parkland campus on the south eastern edge of York, together with a number of properties in both York City Centre and the village of Heslington, which abuts the main campus. Since the 1960s, in line with other similar establishments, the University of York has grown from a primarily teaching institution to one placing an increasing emphasis on funded research and links to external commercial organisations. The University of York is one of the major growth sectors of the City of York's economy and is establishing a national and international reputation in a number of key fields. More specifically along with the City Council it is a key partner in the Science City York project a key component of the Council's Economic Development Strategy. This project aims to foster knowledge-based clusters and contains three components: Information and Communications Technologies, Heritage and Arts Technology and Bioscience and Healthcare.

9.18 Expansion beyond the boundaries of the current campus was envisaged as far back as the East Riding Development Plan (1967), which reserved approximately 320 hectares of land around Heslington village for the University's future expansion. This expansion allocation is entirely superseded by the policies relating to the University in this chapter of the Local Plan.

9.19 In 2001 the University had 9,000 students and employed 2,500 staff, making it the City's fourth largest employer. As one of the UK's most successful universities it has become a major growth sector for the York economy, generating almost £25.6 million in research income in 2001. The University views further expansion as essential if this high level of success is to continue.

9.20 The University estimates that, based on the average growth rate over the last 6 years, the student population is likely to grow by an additional 5,500 students by 2011/12. This would result in a total of approximately 14,500 students.

9.21 All previous development plans relating to the University's existing Heslington campus designated the site within the York Green Belt. PPG2: Green Belts (1995) makes clear that university campuses in the Green Belt are now subject to the same controls as any other major developed sites in the Green Belt (i.e. only redevelopment or limited infilling generally permissible). Local authorities are therefore

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expected to take the expansion requirements of universities located in or adjacent to the Green Belt into account during the preparation of a new local plan.

9.22 The University of York proposes additional development on parts of its existing campus, and therefore the site can no longer be retained within the City of York Green Belt. Similarly any proposals for a new University campus cannot be designated as a Green Belt site and still comply with government guidance.

9.23 The other key issue raised by national planning guidance is that of sustainable development. PPG13: Transport (2001) recognises that Universities are major generators of travel and should be located so as to maximise their accessibility by public transport, walking and cycling. The guidance states that proposals to develop, expand or redevelop existing sites should improve access by public transport, walking and cycling. Where related development is proposed, this should be readily accessible by non-car modes.

9.24 Having considered the University's need for expansion in the context of national education policy and planning guidance, the Local Plan proposes to exclude the existing Heslington campus from the Green Belt and permit further development on a limited number of specific sites within the campus. Consequently, to ensure that the University's expansion is adequately provided for within the Plan period, it has been necessary to assess possible opportunities for a new greenfield campus development in the Heslington area.

9.25 This Plan proposes, therefore, to remove a 65 hectare site from the Green Belt to the south of Field Lane for a second University campus. Development on both the existing and new campuses will be the subject of development briefs prepared in consultation with the University and Local residents.

9.26 The role of the new campus will reflect the changing role of the University particularly its importance to the local economy in relation to Science City York and the development of Knowledge-based clusters. There are several critical factors required for the development of successful knowledge-based clusters that form Science City York including a strong knowledge base and the availability of qualified, skilled staff. It is therefore considered appropriate that space should be provided on the new campus to foster this type of economic growth.

9.27 In an attempt to overcome any additional pressure on the existing housing supply within the City, the University will be expected to provide accommodation for any increase in student numbers that result from the proposals included in this Local Plan, primarily on the existing and proposed new campuses at Heslington.

ED6: University of York Heslington Campus

The existing Heslington campus, as shown on the Proposals Map, is to be excluded from the Green Belt to permit further University development. Proposals for development will be permitted providing they involve either:

- a) small scale extensions to existing buildings; or
- b) redevelopment of existing buildings; or
- c) development on the specific sites highlighted in the development brief.

and all the following criteria are satisfied:

- 1) the development will not adversely affect the campus' landscape framework or the setting of Heslington Village;
- 2) the proposal is not sited on any of the campus' important open spaces;
- 3) total developed footprint on the campus (including the proposal) will at no time exceed 20% of the campus' total site area;
- 4) the height of any new buildings will be appropriate to the location in terms of distance to, and height of, surrounding buildings;
- 5) a high standard of design appropriate to the setting of the University is proposed;
- 6) there will be no overall net increase in car parking spaces on the campus as a result of the proposal;
- 7) the need for any additional student housing, which arises because of the proposed development, should be met on this or the proposed university campus;
- 8) the proposal complies with all other relevant requirements set out in the development brief for the campus.

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9.28 Scope exists for further limited development in specific locations on the existing Heslington campus without adversely affecting its landscape framework. However, in order to enable this additional development to take place in accordance with government guidance the Heslington campus must be excluded from the City of York Green Belt.

9.29 In order to protect the existing landscape structure, including vistas through the campus and important open spaces, all proposals will be expected to comply with the detailed specifications set out in the Council's development brief. At present the campus offers 1,520 car parking spaces for both staff and students. The University and the Council agree that more can be done to manage demand for car parking spaces on the campus and the University's Future Development Strategy (1996) touches upon some of these (restriction on availability of parking permits; charging for car parking; provision of further cycleways / pedestrian links to the campus). The Council's development briefs for the existing and new campuses will commit the University to implementing traffic restraint measures in line with reducing current ratios of car parking spaces to students / staff excluding disabled car parking spaces.

ED7: University Science Park

Further development on the existing University Science Park will be restricted to science park (B1) uses only.

See also: premier employment sites schedule 1

9.30 In 1990 outline planning permission was granted for the University Science Park (24,000 sq m) in the eastern section of the Heslington campus. The University of York and York Science Park Limited have created a joint venture company with the primary purpose of developing links between University research and private companies.

9.31 This original Science Park planning permission restricted development for an initial 4 year period to B1 uses directly related to the University of York. Although this restriction has now expired (and therefore any B1 use can effectively be located there) the relative scarcity of accessible alternative locations have meant that in reality York Science Park has only considered related research and development activities on this site.

9.32 As part of the existing University campus it is proposed to exclude the Science Park from the Green Belt. The Science Park contributes towards the overall employment land requirement for the Plan period (policy E1a).

ED8: City Centre Expansion

The University's continued presence within the City Centre will be encouraged providing that any proposal for expansion is in accordance with other Local Plan policies.

9.33 The University of York has had a City Centre presence since the early 1960s. Currently this comprises Kings Manor (occupied by Archaeology and Medieval Studies); and Constantine House (postgraduate housing).

9.34 Although the University provides accommodation for a large proportion of its student population, demand does exist from students for private rented accommodation in the City Centre. This can result in additional pressure being put on the availability of affordable housing for other City residents.

ED9: University of York New Campus

Land to the South of Field Lane measuring 65 hectares, shown on the Proposals Map, is allocated solely to meet the University of York's future expansion requirements. The development of the site will be phased. An initial 35 hectares of land will be released for development to meet the University's short term need, the remaining 30 hectares will only be developed when the land released during the first phase is no longer adequate to meet growth requirements.

Development on the site will be restricted to:

- a) University uses;
- b) Science City York uses and other emerging knowledge-based clusters that are able to demonstrate that they need to be located on the new campus due to sharing of resources or personnel, such uses will occupy no more than 25 hectares (at 23% developed footprint) of the total site area;
- c) Student housing, which must be phased with any University expansion.

The scale, layout and design of the new campus will need to contribute to a high quality mixed education & research environment. In considering proposals the Council will have regard to the following:

- i. the adopted Development Brief: Heslington East (University of York Campus)-(Adopted 26 February 2004);
- ii. ensuring a developed footprint accounting for no more than 23% of the total site area;

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- iii. appropriate building heights in terms of the level of the surrounding topography, and other buildings in the area;
- iv. The implementation of an agreed comprehensive landscaping scheme to help assimilate the new development into its surroundings and enhance the appearance of the development. This includes off-site landscaping works. This should provide extensive landscaping and publicly accessible open space together with a comprehensive network of pedestrian and cycle routes between the campuses.

Phasing of the site will be subject to review in line with the adopted Development Brief.

9.35 The University's preferred site for a new campus is to the south of Field Lane (1km south east of their existing campus). In terms of location the Council believe that this site offers the greatest potential for locating new development where the number of additional car trips made to access that development will be minimised, whilst reducing the potential impact on Heslington village and the Green Belt. By allocating a site for a new campus in close proximity to the existing Heslington campus, students and staff will be encouraged to make trips between the new and existing facilities on foot or by bike. It will also allow communal facilities currently located on the existing campus, such as the sports centre and the library, to be readily accessible to the students of both campuses. The proximity of the Grimston Bar Park & Ride facility and the potential to enhance existing bus services in this part of the City are other contributory factors in choosing this location for the new campus.

9.36 The proposed allocation has been scaled down from that included in the East Riding Development Plan (1967) and initially proposed by the University, while still remaining entirely within the land safeguarded for University expansion in the 1960s. The size of the allocation required has been calculated following detailed discussions with the University and an estimation of potential growth over the next 20 years, taking into account factors such as the University having to provide housing for the majority of its new students and the proposed implementation of traffic management measures.

9.37 Analysis of potential alternative sites for a new University campus were undertaken in conjunction with the University. A range of

brownfield locations were assessed. However, none of these sites were appropriate in terms of their location or size. Instead, the allocated site south of Field Lane was deemed as appropriate for University uses due to its close proximity to the existing campus. This was regarded as the most sustainable option as it will provide the opportunity for non car-based journeys between the two campuses.

9.38 Given the prominent location of the new campus and the contribution it can make to the character and setting of the city it is proposed that the campus will have a landscape setting. To ensure this is achieved, whilst meeting the future needs of the university, the policy limits the development footprint within the proposal to 23%. The development footprint includes all the developed areas of the campus such as the building footprint, car parks and roads.

9.39 Paragraph 9.17 above has indicated the importance of the University to the future Economic Prosperity of the City through helping to facilitate the development of Science City York. In addition paragraph 9.26 outlined the benefit in some cases for employers in this sector to be located in close proximity to the University. It is therefore proposed that up to, but no more than, 25 hectares of Science City York uses and other emerging knowledge-based clusters connected to the University will be acceptable on the new campus. The following guidelines are to be applied to define appropriate activities:

Primary considerations:

Future employers that will be acceptable on the Campus will need to demonstrate that they meet the following four primary considerations:

- They operate within a high tech sector and/or engage in innovative activities;
- They have a focus on research and development, product or process design, applications engineering, high level technical support or consultancy;
- At least 15% of their staff are qualified scientists and engineers;
- they need to be located on the new campus due to sharing of aspects such as resources or personnel or research activities.

Other considerations:

- Firms providing support services to primary uses, including finance, legal and other professional and technical services should occupy no more than 10% of the total floorspace reserved for Science City Uses.

CHAPTER 9: EDUCATIONAL ESTABLISHMENTS

Student Housing

9.40 The presence of students within the City is looked on favourably in terms of the vitality and diversity they bring to the City. Students form an important element of the private rented market. This puts pressure on the local housing stock and means that students compete directly with those on low incomes. In recognition of this, the Council encourages the provision of purpose built student residential accommodation. Where the opportunity exists, new student housing should be provided on college or university campuses. Where this is not practical, student residential accommodation will be provided on the sites allocated in Policy ED10. These sites are in appropriate and sustainable locations due to their proximity to York St John College, Lord Mayor's Walk, campus, frequent bus routes serving the University campus and essential local services.

Alternative sites will be considered for student housing but they must conform to the criteria set out in policy ED10.

ED10: Student Housing

The University and York St John College will be expected to accommodate any extra demand created by an increase in student numbers on their campuses or on land in their ownership, or control.

A minimum of 50% of the units on the following sites must be for student accommodation:

H1.39 Former bus depot, Navigation Road

H1.44 Minster Engineering

Planning applications for off campus residential accommodation will need to meet the following criteria:

1. there is an identified need for the development; and
2. there is good accessibility by foot, cycle and public transport to the relevant educational institution and local facilities; and
3. the location and scale of the development is appropriate to its immediate surroundings; and
4. the development would not be detrimental to the amenity of nearby residents and the design and access arrangements would have minimal impact on the local area; and
5. car parking will be satisfactory managed.

9.41 Students in York form an important element of the private rented market and compete directly with those on low incomes. In 1998 approximately 57% of York St. John's students and 26% of the University of York's students were housed within the City's private rented sector.

9.42 The Council encourages the provision of purpose-built student residences and where the opportunity exists provision should be made on campus. Where no opportunity exists for the provision of student housing on the University and College campuses, the Council will consider applications for student housing on allocated sites identified in policy ED10. These sites are regarded as appropriate due to their proximity to either the Lord Mayor's Walk campus or to a frequent bus route, which serves the University of York. Furthermore, the sites are all located within a five minutes walk of essential local services and are therefore regarded as the most sustainable options.

9.43 Student housing applications on windfall sites will be judged by similar criteria. They must be easily accessible to the relevant educational establishment and a range of local services and facilities must lie within 5 minutes walking distance of the site. Any proposal for student housing must be sympathetic to the amenity and character of the surrounding area.

Playing Fields

9.44 Playing fields, attached to educational establishments, represent an important resource not only for pupils and students, but also to the wider community who have access and the use of such facilities. Over recent years there has been a national trend, which has witnessed the loss of playing fields. Because of this, local communities and grassroots sport have suffered.

ED11: Protection of Playing Fields

The loss of playing fields associated with educational establishments will not be permitted, unless exceptional circumstances are proven to exist. Where education establishments are due to close the development of associated playing fields, will not be permitted where they can be used to address deficiencies in the surrounding area.

9.45 The loss of playing fields is regarded as detrimental to both pupils and students, but particularly to the wider community. Proposals, which result in this, will only be supported in exceptional circumstances, and where alternative provision of similar quality is made.

CHAPTER 9: EDUCATIONAL ESTABLISHMENTS

CHAPTER 10: SHOPPING

SHOPPING

OBJECTIVES:

- To maintain and enhance the vitality and viability and range of shopping provision in York City Centre, District Centres and neighbourhood shopping parades.
- To sustain York city centre's sub-regional shopping centre role
- To maintain and enhance the range and diversity of retail product of the City Centre, District Centres and local and neighbourhood centres
- To promote additional food retailing in the City Centre and District Centres
- To preserve small, independent shops within the City

Introduction

10.1 The Local Plan Strategy, in accordance with government guidance as set out in PPG6: Town Centres and Retail Developments emphasises a plan-led approach to retail development. In particular it identifies a hierarchy of centres where investment in new retail development will be promoted and existing provision enhanced. This hierarchy also forms the basis of a sequential approach to determining retail proposals.

10.2 In the context of the City of York, the retail hierarchy is defined within policy SP7a (chapter 1). In summary this is:

- a) York City Centre;
- b) Edge of City Centre sites;
- c) Acomb and Haxby District Centres;
- d) Other out-of-centre locations well served by public transport.

This hierarchy gives clear priority to York City Centre as the main focus of commercial activity within the City of York in order to protect its sub-regional shopping centre role.

The City of York Council is keen to ensure that smaller, independent shops are retained and encouraged in the City Centre, as these shops offer a valuable element of retail provision in the City. In a number of cases, the type of goods

sold at such shops is more specialised and cannot be found in the larger shops in the City.

Applications for retail development below the threshold set in Policy SP7a (400m²) will be supported in neighbourhood shopping parades before other out-of-town locations.

10.3 In October 2004 a retail study was concluded for York by retail consultants Roger Tym and Partners. The study examines the current health of York City Centre and the current future need for additional retail floorspace. In addition, the study provides a locational strategy for meeting retail need in the city and assessed the suitability of potential sites in relation to the sequential approach advocated in planning policy guidance note 6 (PPG6).

Vitality and Viability of York City Centre

10.4 One of the Government's objectives in PPG6 is to 'sustain and enhance the vitality and viability of town centres'. In line with this guidance, Roger Tym and Partners undertook, as part of their study, a health check of York City Centre using the following indicators (as specified by PPG6):

- Commercial yield on non-domestic property
- Change in shopping rents
- Retailer representation and change
- Diversity of uses
- Accessibility
- Vacancy rates
- Environmental quality
- Perceptions of safety/occurrence of crime

10.5 Generally the study concludes that York City Centre is healthy with a good diversity of uses, a low overall vacancy level and a continued high level of multiple operator interest. However the City Centre continues to face strong competition from other regional centres, such as Leeds and Hull, in terms of the depth and breadth of representation. The market share for York City Centre (i.e. the amount of expenditure that York City Centre holds onto from the overall amount available in the catchment area) is

CHAPTER 10: SHOPPING

estimated to be 31%. This has fallen since the previous retail study carried out by CB Hillier Parker in 2000 which estimated York city centre's market share to be 37%. The study identifies some omissions from York City Centre's current offer. These include a high profile department store, a city centre format foodstore and high order fashion retailers.

10.6 Further measures are proposed in the Plan to ensure that the vitality and viability of the City and District Centres is sustained and enhanced. The definition of these centres within a hierarchy of centres should reduce the likelihood of retailers seeking to locate on out-of-centre sites and assist the City Centre in competing with other towns in the region.

10.7 The findings from the Retail Study suggest that so far policies have been successful in supporting the vitality and viability of the City Centre, in spite of recent growth in out-of-centre retailing. However there has been an increase in vacancy on some more peripheral streets and a decrease in the amount of A1 retailing. To ensure that this does not continue and to ensure the continued prosperity of York, the Local Plan seeks to direct new investment to the City Centre to counter continual pressure from out of centre developments.

Capacity Issues

10.8 Government guidance in PPG6 indicates that, in assessing proposals and Local Plan allocations for new retail development, account should be taken of the need for the development. Accordingly, it is important to address quantitative need by assessing whether capacity exists over the plan period to accommodate new retail facilities.

10.9 The Roger Tym study states that in terms of food (convenience) retail there is a significant amount of convenience goods floorspace in out-of-centre locations within the York authority area and limited available capacity remaining in the period up until 2011 once recent commitments are implemented. Therefore a cautious approach to new foodstore proposals should be taken, unless they will help claw back trade to the City Centre and help to meet the need for improved consumer choice and modern formats which are currently lacking in the City Centre in terms of food retail provision.

10.10 In terms of non-food (comparison) retail floorspace, Roger Tym and Partners demonstrated that there is a clear need for

further retail in York City Centre. The report set out the following scenarios:

- Static market share (scenario A)
- Rising market share (scenario B)
- Falling market share (scenario C)

These scenarios give a capacity up to 2011 of between 87,800 sqft (net) and 189,000 sqft (net). The Council have considered the various scenarios in the context of the identified need for a high profile department store and further higher order fashion retailers and York's loss of market share since the Hillier Parker Study (2000) was undertaken, to conclude that the 'rising market share' (scenario B) is the preferred option. This gives a capacity to 2011 of 189,000 sqft (net). The Hillier Parker Study (2000) identified a market share for York City Centre within its overall catchment area of 37%. The present market share identified in the Roger Tym and Partners Study (2004) is 31%, the rising market share scenario seeking to raise this to 33% by 2011.

10.11 It is essential that any proposals are of high quality, so to ensure that the vitality and viability of York City Centre is maintained. The positive capacity residual in the comparison sector does not imply that there is scope for further out-of-centre development and any proposals which come forward in out-of-centre locations will be subject to the stringent application of the sequential test, as outlined by policy SP7a. Any proposals for new stores in York city centre should be encouraged to design their shopfronts where possible to complement the existing architecture and character of the adjacent uses.

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S1: Proposed Shopping Sites

The following site is identified as a key opportunity to meet identified need for new retail development in the local plan period to 2011:

a) Castle Piccadilly (comparison goods retail with scope for ancillary convenience goods retail)

This would be part of a mixed use scheme incorporating significant civic/open space and other appropriate uses in accordance with Policy SP9.

The following Edge of City Centre sites are also appropriate for retail development:

b) George Hudson Street (comparison/convenience goods retail)

c) Land at Foss Islands (convenience/bulky goods retail)

See also: SP7; E1a; SP9

10.12 The sites identified in the policy provide opportunities for development that will maintain or enhance the vitality and viability of the City Centre and make provision for major retail development as an extension to the Central Shopping Area and on edge of City Centre sites, in accordance with guidance in PPG6 and PPG13. In making such provision within, and accessible to, the City Centre, the Plan is taking a sequential approach to the allocation of shopping development sites, to reinforce the role of the City Centre as a priority over out of centre locations.

10.13 There is a clearly identified need for a significant amount of new retail development in York City Centre, however the potential for meeting this development within the Central Shopping Area is limited. Some degree of intensification may be possible, which could be achieved through measures such as using upper floors. The council will give positive consideration to retail proposals that come forward if they would enhance the vitality and viability of the Central Shopping Area.

10.14 The Central Shopping Area provides very limited scope to meet the type and scale of retail needs identified as important to maintaining and enhancing the vitality and viability of the City Centre. Well planned extensions to the Central Shopping Area will therefore be required and other Edge of Centre sites promoted.

Castle Piccadilly

10.15 The Castle Piccadilly site is Edge-of-Centre in PPG6 terms. Much of the site is within 200 to 300 metres of the nearest Primary Shopping Streets and the northern edge of the site physically adjoins the Central Shopping Area. As a consequence there is scope for the retail element of a mixed use scheme, once developed, to become part of an extended Central Shopping Area and fall within the definition of 'town centre' for the purposes of PPG6.

10.16 The priority site for meeting retail need in the period up to 2011 should be Castle Piccadilly. The retail element should be part of a mixed use scheme in accordance with Policy SP9. The site is identified as an Action Area under Policy SP9 suitable for mixed use development for retail, residential, employment, significant quality civic/open space and public transport facilities. As the most suitable site to extend the Central Shopping Area (as identified in the Retail Study carried out by Roger Tym and Partners) and to provide for the type of retailing required it is important that a key element of any mixed use scheme is retailing. Provision of significant quality civic and open space will be essential in any proposals, particularly on the Castle side of the site.

10.17 Development of this site will be required to be less intensive than the previous proposal submitted in May 2000. The level of floorspace that could be accommodated would be dependent on the acceptability of any proposals in terms of the impact on the historic environment and other issues raised by the Planning Inspector and Secretary of State. The proposals will need to incorporate significant quality civic and open space, particularly on the site to the west of the Foss and closest to Clifford's Tower. Any proposals will need to be of the highest quality in terms of urban design and sensitive to the nearby historic structures. Any proposals will also need to be designed in such a way as to secure a strong retail circuit between Coppergate and Piccadilly.

10.18 The retail element of any redevelopment of the Castle Piccadilly site should be comparison led and aimed at attracting a high quality department store operator and high quality comparison unit retailers, so as to meet the retail needs which have been identified in the York Retail Study (2004) by Roger Tym and Partners. A modest scale 'new format' food store should be included if possible in any proposals

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to help meet identified deficiency in York City Centre for food retail. However, it is acknowledged that there may be other opportunities to meet this need, such as on the Hungate site. Any development must address those shortcomings which caused the previous scheme to be rejected.

10.19 It is important to note that the retail allocation (and the notation on the proposals map) does not in any way indicate that the whole site should be developed for retailing. Retailing would be one part of the development of this site. This policy should be read alongside Policy SP9 which identifies the site as an Action Area for mixed use development to be developed in accordance with a detailed development brief. Retail would be one element in a mixed use scheme that would include other uses such as significant civic/open space and other town centre uses such as residential as appropriate.

10.20 The Council will prepare a new development brief for this site which will set out the principles, parameters and constraints for any development. A Reference Group has been set up to inform the preparation of this brief and extensive public consultation will take place to further inform the development brief. These will be critical in ensuring that the clear retail needs of the City Centre are met but within the context of the development for this site which promotes a mix of uses, provides significant quality civic/open space, protects and enhances the quality of the historic environment and achieves the highest quality of urban design and architecture. The appropriate location of any new retail development within the site would be informed by this process.

George Hudson Street

10.21 The George Hudson Street site is just over 200 metres from the nearest point of the Central Shopping Area and is considered to be Edge of Centre for the purposes of PPG6. Roger Tym and Partners suggest that this site would be most suited to the convenience sector or to small scale comparison retail operators of a kind that cannot find suitable premises within the Central Shopping Area.

Land at Foss Islands

10.22 Part of the land at Foss Islands is allocated for redevelopment for shopping uses, with an element of leisure perhaps being acceptable. Foss Islands is identified as edge of centre but is further removed from the City Centre and even when developed will form a

separate destination. It is therefore essential that any retail development on this site does not undermine the vitality and viability of York City Centre and it is for this reason that the site is allocated for bulky goods retail.

York Central

10.23 York Central, the land north and west of York Railway Station will be the subject of a planning brief, proposing the comprehensive redevelopment of the area for a mixture of uses. This may include an element of retail that assists in meeting the needs of the local communities in that part of the city but that does not detract from the retail offer in York City Centre. The retail element would need to be on part of the site that is well related to York City Centre and the rail station/proposed transport interchange. Further details of this proposed development can be found in Chapter 15.

S2: Out of Centre Retail Warehouses

Planning permission for the development of out of centre retail warehouses or retail warehouse parks, will be granted provided that:

- a) no development has a net sales floorspace of less than 1,000 square metres and it shall not subsequently be sub-divided.
- b) no unit shall be used for the retailing of any of the following goods (except where ancillary to the main range of goods sold):
 1. Food and drink;
 2. Clothing, footwear and fashion accessories (including jewellery & watches);
 3. Music/Video/DVD recordings and computer games;
 4. Cameras (including camcorders) and other photographic equipment
 5. Electronic goods (including TV, Video, DVD, PC's and hi-fi equipment);
 6. Toys;
 7. Pharmaceutical goods;
 8. Books, magazines and stationery;
 9. Household textiles;
 10. Sports goods;

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11. Any use falling within class A2 of Use Classes Order.

c) Proposals for out of centre retail development will be expected to provide a retail impact assessment which should address the following issues:

- The quantitative and qualitative need for the development, including increases in sales areas;
- The sequential approach, as outlined by policy SP7a;
- The impact on the vitality and viability of York City Centre and Acomb and Haxby District Centres;
- Accessibility by a choice of means of transport and the likely impact on car use.

See also: SP7a

10.24 Retail warehouse type developments have come to serve largely specialised needs and usually require a large retail sales area with extensive surface parking to accommodate the car borne shopper. Consequently, they are rarely suited to town centre locations and the decanting of “retail warehouse” type uses has over time removed most of these from York City Centre. Consequently, they may not always compete directly with the City Centre. However, the range of goods being sold from retail warehousing is an ever-increasing one. The potential of such units to compete with the City Centre could also increase unless conditions are imposed to restrict this.

10.25 It is recognised that proposals for retail warehouses selling goods not listed above may also detrimentally impact on the current product available in City Centre and District Centres. To control this, such proposals will be expected to be accompanied by analysis to demonstrate that they would have no adverse impact.

10.26 To ensure that this type of retail development does not develop into a major comparison goods centre through the subdivision of existing units or the building of new small units, and therefore compete with established shopping centres, a minimum floorspace condition is considered to be necessary. The figure of 1,000 square metres is based on an estimate of the minimum floorspace required for a retail warehouse and is considered to be large enough to prevent occupation by smaller specialist comparison goods shops such as those normally to be found in the town centre.

10.27 Restrictions placed upon the range of goods to be sold are to make certain that developments do not subsequently change their character, thereby limiting their impact upon the vitality and viability of existing centres.

S3a: Mix of Uses in Shopping Streets

In York's City Centre's Primary Shopping Streets, Acomb District Centre and Haxby District Centre, as identified on the proposals map, development will be permitted where it provides the improvement and expansion of existing retail premises and the establishment of new shopping uses (Use Class A1).

Proposals involving the change of use of ground floor premises within the primary shopping streets will only be permitted provided that it does not detract from the primary shopping function and contributes to the vitality and viability of these areas.

The assessment of proposals for the change of use from a shop (A1) to uses within classes A2 or A3 will be guided by the following factors:

- a) the location and prominence of the premises within the shopping frontage;
- b) the floorspace and frontage of the premises;
- c) the number (a maximum of 35%), distribution and proximity of other ground floor premises in use as, or with planning permission for, class A2 or A3 use;
- d) the particular nature and character of the proposed use, including the level of activity associated with it, and;
- e) the proportion of vacant ground floor property in the immediate area.

10.28 The streets within the York City Centre Primary Shopping Area are shown on the proposals map. This takes into account the following considerations:

- the existing distribution of shops (class A1) and non-shopping uses within the City Centre;
- the existing number of multiple retailers
- the extent of the Foot streets Pedestrian Priority Zone;
- Pedestrian flows;

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- commercial factors such as rental values; environmental conditions.

10.29 Within this Primary Shopping Area and the District Centres the increase in numbers of proposals to change existing shops to other non-retail uses is causing concern. The figure of 35% as a maximum number of non A1 uses in the overall street frontage is to be used as a guide when considering applications for uses other than A1 within the Primary shopping area. This figure recognises that although such uses can have a key role in maintaining a diverse and commercially prosperous centre, in certain areas the replacement of significant numbers of shops with other uses will, if uncontrolled, break up continuous shop frontages and dilute the retail function of the centre. This will have a detrimental effect on the shopping environment, and will affect the viability and vitality of the centre's shopping role.

S4: Protected Primary Shopping Streets

Planning permission will not be granted for new non-retail uses and any changes of use of existing A1 uses in the following protected primary shopping streets:

- Stonegate/Minster Gates
- Shambles

10.30 Stonegate/Minster Gates and Shambles are streets of unique historic character and appearance, where the character is almost exclusively retail. Many shops in these streets are of a speciality nature and contribute significantly to the character and appearance of the historic City. The introduction of non-shopping uses in these streets would be detrimental to this and it is considered that it is justifiable to resist any further non-shopping uses. These protected shopping streets are defined on the Proposals Map.

S5: Non-Retail Uses in other Shopping Streets

In all other shopping streets in York City Centre (those not defined as Primary Shopping Streets) planning permission will be granted for retail, and service uses (A1, A2 and A3) at ground floor level where this would not harm the vitality of individual streets or the vitality and viability of the City Centre as a whole.

10.31 This policy acknowledges the advice in PPG6 that a more flexible approach in streets outside the Primary Shopping Area is

appropriate. In particular, it accepts that different uses, during the day and in the evening, can complement and reinforce each other.

10.32 The Local Plan promotes retail and service uses (A1, A2 and A3) for streets outside the Primary Shopping Area but inside the City Centre. This approach will allow applications to be considered individually on their merits. Change of use of units from use class A1, A2 or A3 will only be granted where it is considered that there would be no harm to the vitality and viability of the City Centre.

10.33 There are locations on the periphery of the City Centre where units are difficult to let for A1 uses, as shown by high levels of vacancy. The change of such units into more diverse uses would result in more activity in the street, bringing higher pedestrian flows and encouraging vitality.

S6: Control of Food and Drink (A3) Uses

Planning permission for the extension, alteration or development of premises for A3 uses (food and drink) will be granted provided:

- i) any likely impact on the amenities of surrounding occupiers as a result of traffic, noise, smell or litter would be acceptable; and
- ii) the opening hours of hot food take-aways and premises where alcohol is consumed are to be restricted where this is necessary to protect the amenity of surrounding occupiers; and
- iii) car and cycle parking meets the standards outlined in Appendix E; and
- iv) acceptable external flues and means of extraction have been proposed; and
- v) Security issues where the consumption of alcohol is involved have been addressed.

10.34 Food and drink (A3) uses, which include public houses, restaurants and take-away food shops, have significantly different characteristics to class A1 retail shops. As a result, the development of the former can detract from the local environment and cause local problems of noise, smell, litter, inappropriate opening hours and conflict with pedestrian/vehicular traffic. In recognising these difficulties the policy provides clear guidelines for the appropriate location of A3 uses. Where an A3 use is permitted outside an existing Centre a condition may be imposed

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restricting any change of use to class A1 retail use only.

S7: Evening Entertainment

Proposals for new leisure uses (including use classes A3 and D2) that complement York City Centre or Haxby or Acomb District Centres will be permitted provided that:

- a) there is no adverse cumulative effect on the vitality and viability of the Centre, and
- b) there is no unacceptable effect on residential amenity, and
- c) the public order and safety aspects have been addressed
- d) there is no net increase in the number of pubs, clubs and hot food take-aways on Micklegate, Bridge Street, George Hudson Street and Low Ousegate.

See also: SP7a

10.35 It is recognised that leisure and evening entertainment plays an important role in the economy of the City Centre. Leisure uses contribute significantly to the vibrancy of the City and may be appropriately located within the City Centre where they are accessible and complementary to shopping, visitor, business and residential uses. Encouraging a diverse range of town centre uses is a key aspect of maintaining a vital and viable City Centre, as underlined by guidance in PPG 6. Where a leisure use is incapable of being accommodated within the City Centre or otherwise satisfying policy SP7a because it serves a local need or is of an innovative design requiring specific site conditions then other edge-of-City-Centre or out-of-centre locations may be considered.

10.36 Issues of residential amenity need to be balanced against the needs of other uses. The criteria of the policy recognise that an over concentration of leisure uses, particularly A3 uses, such as pubs, clubs and hot food take-aways, can affect the vitality and viability shopping areas and be detrimental to residential amenity. The Local Plan approach is that there is currently sufficient representation of these uses in the streets listed in the policy and therefore further proposals in these areas will be resisted.

S8: Provision Of Shops In Non-Retail Developments

Within major new residential and employment developments appropriate provision of retail uses, where they are considered viable, will be sought by negotiation.

10.37 In order to provide for the day-to-day shopping needs of residents and workers and minimise the need to travel, in accordance with PPG13, it is considered important that appropriate shopping provision is made within new developments. This will normally be expected in the form of corner shops or small parades of shops, dependent upon the scale of development proposed.

S9: Loss of Local or Village Shops

Planning permission will only be granted for a change of use that would result in the loss of a local or village shop where it can be demonstrated that:

- a) a local need for the shopping facility no longer exists; or
- b) appropriate alternative facilities exist within the local area.

10.38 Local and village shops provide an important service to residents by providing a range of convenience goods often with associated services like post offices, hairdressers or cafés. These contribute to shopping provision and help to provide an accessible local service. The availability of shops to meet local needs is particularly important for those without private transport and for those with mobility problems who are unable to make journeys to larger centres or food stores to meet their everyday needs.

10.39 Minimising the need to travel and protecting viable shop units are the principal aims of this policy. The Plan therefore seeks to maintain the best service possible for local residents by protecting the local shopping parades and important corner shops. Due to the fact that local circumstances vary so widely across the City, proposals for the loss of retail shops will be judged against the criteria in policy S9. In considering applications for the change of use from A1 retail use in these locations, an assessment of the local provision in that area will be required to identify whether there are any alternative facilities within easy walking distance. Evidence of persistent or long term vacancy or attempts to let, lease or sell a unit for retail use on reasonable terms will be taken into account in such an assessment.

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S10: New Local or Village Shops

Planning permission will be granted for the development or extensions of an existing local/village shop provided that:

- i) the proposal is within defined settlement limits; and
- ii) the shop is intended to serve a local need, and the scale of provision is appropriate to the locality; and
- iii) there is no adverse effect on the amenity of neighbouring properties or on the character of the area.

10.40 In addition to preserving existing local and village shop provision, the Local Plan seeks to support the expansion of such provision through the development of new shops or extension of existing ones. Local and village shopping facilities are recognised as being an important level of retail provision within the City. However, it would clearly be inappropriate to include these facilities as 'shopping centres' for the purposes of the sequential test outlined in the strategy due to the scale and nature of these facilities. New proposals should reflect the locality in terms of the type of provision, scale of development and impact on the local area.

S11: Markets And Car Boot Sales

Planning applications for permanent outdoor markets or car boot sales will only be permitted where:

- a) these are located within defined settlement limits, and
- a) there is no adverse impact on the amenity of neighbouring properties; and
- b) the increase in vehicular traffic and parking on the public highway is minimised.

10.41 The development of permanent outdoor markets or car boot sales requires a degree of permanent infrastructure and is a use, which is inappropriate within the Green Belt or open countryside. Where such facilities may be more appropriately located within settlements, the policy will ensure that detrimental impacts upon local amenity or increases in vehicular traffic are minimised.

S12: Garden Centres

Planning permission will be granted for garden centres within or adjacent to defined settlement limits, provided:

- a) the site is sufficiently screened to minimise any adverse effect on the character of the area; and
- b) the majority of the site is used for the cultivation or sale of plants; and
- c) the type of goods sold is restricted to those directly related, or ancillary, to horticultural purposes.

10.42 Garden centres tend to have a specific horticultural character and site requirement that is distinct from other forms of retail. This can also mean that they can be more easily accommodated than more conventional large retail units with extensive associated parking. However, it is important to ensure that developments of new or extensions to existing garden centres have minimal impact on their local area. Conditions on the nature of goods to be sold will prevent other forms of retailing which may change the nature of the garden centre becoming established. This will also limit the effect of sales from garden centres on the vitality and viability of existing shopping centres including village shops.

S13: Car Showrooms

The use classes order currently provides car showrooms (sui generis use) with permitted development rights for a change of use to retail (A1).

Applications for car showrooms will be assessed against the policies in the Local Plan and a condition to remove permitted development rights will be enforced.

10.43 The use classes order currently provides car showrooms (sui generis use) with permitted development rights for a change of use to retail (A1). By attaching a condition to remove permitted development rights, it ensures that the local planning authority is given greater control over the future development of such use.

LEISURE AND RECREATION

OBJECTIVES:

- To contribute towards the regional, sub-regional and local cultural strategies.
- To ensure existing levels of leisure and recreation are retained and enhanced in order to contribute to the personal fulfilment and physical well-being of York's citizens;
- To improve the amount, quality and accessibility of leisure and recreational facilities;
- To ensure that the City has a sufficient provision of safe, attractive and useable public open space, which is accessible to all, including the mobility impaired and carers. Such open space should promote urban quality, health & the well-being of residents, nature conservation and visual amenity;
- To promote the provision of new, and increased access to existing facilities, to provide a range of leisure and recreational opportunities, suited to the needs of all age groups, with particular regard to those people with special needs.

Introduction

11.1 Leisure and recreation are important elements of current lifestyles, with participation helping to improve the individual's health and enjoyment. In addition, the promotion of sporting excellence can help foster civic and national pride. Leisure and recreation covers a diverse range of activities, ranging from informal pastimes such as walking/cycling and children's play facilities, organised pursuits and sports requiring purpose built facilities and sports pitches, to cultural facilities, such as theatres, arts centres etc.

11.2 The following policies reflect the advice given in PPG17 (Planning for Open Space, Sport, & Recreation – July 2002), which outlines government guidance on the promotion of sport and recreation opportunities for everybody, including disadvantaged or special groups.

11.3 PPG17 states that the Government's objectives for open space, sport and recreation include: supporting an urban renaissance; supporting a rural renewal; promotion of social

inclusion; health & well being; promoting more sustainable development.

11.4 PPG6 (Town Centres and Retail Developments; 1996) introduces the government's concept of adopting a sequential approach to the location of new key town centre uses such as shopping, employment and leisure.

Major Leisure Facilities

11.5 Applications for major leisure use, including sports and entertainment uses, will be expected to accord with the Local Plan Strategy (policy SP7) which is based on the guidance outlined in the revised PPG6. In the City of York context, adopting the sequential approach means that prospective developers of major leisure facilities would be directed firstly to sites in York City Centre, if suitable sites or buildings are available, followed by edge-of-City-Centre sites and finally, if no other sites are available, out-of-centre sites accessible by various means of transport.

11.6 Whilst opportunities exist for encouraging a range of facilities based on current trends and demands, it is very important that such facilities are accessible to all residents and that they do not have an adverse impact on the locality in which they are based.

11.7 Sites within York City Centre are identified in this Local Plan for a variety of different land uses. Depending on the type of uses that are proposed particular sites may offer the potential to accommodate an element of new leisure uses in a highly accessible location.

11.8 Should no suitable City Centre site be available then the Local Plan identifies two potential edge of centre sites for new leisure facilities at Foss Islands Road (allocated under policy S1 for primarily shopping) and York Central site in accordance with an approved master Plan.

CHAPTER 11: LEISURE AND RECREATION

L1a: Leisure Development

Leisure development is considered appropriate on the following sites:

YC1 York Central
E12e, H1.12 Hungate
S1c - Land at Foss Islands
S1d - Part of Heworth Green

Proposals will be considered as part of comprehensive schemes for the whole of the sites.

The need for leisure development on these sites and others will be considered against a needs assessment which should be undertaken before any planning permission is granted.

Out of centre locations will only be considered for leisure developments when it can be demonstrated, in accordance with policy SP7, that none of the above or alternative City Centre or Edge of Centre sites are suitable to accommodate such a proposal, or if the proposal is primarily to serve local need and is of a suitable scale.

See also: York Central Chapter

11.9 The Council is keen to encourage new leisure developments in the City, for the benefit of all residents and visitors. In order to facilitate this, any proposals should be in accordance with the results of a needs assessment, which should be undertaken before any planning permission for such uses is granted. Proposals should be located in City Centre and Edge of Centre sites, in accordance with the sequential test, as highlighted in Policy SP7a or if the proposal is primarily to serve local need and is of a suitable scale. It is felt that a range of leisure uses would be suitable on the sites identified at Hungate, Foss Islands and Heworth Green. Uses appropriate on York Central would be visitor attractions which should be well related to the NRM and the new central business district.

L1b: Loss of Leisure Facilities

Planning permission will only be granted for a change of use that would result in the loss of a leisure facility where it can be demonstrated that:

- a) a need for the leisure facility no longer exists; or
- b) appropriate alternative facilities exist within the catchment area.

See also: C1

11.10 Leisure facilities provide a valuable service for residents and play an important role in the social and economic character of local areas. Leisure facilities can range from major leisure facilities which serve the City, to local leisure facilities, serving local communities, particularly villages. These facilities can enhance the quality of life of communities and contribute to the vitality and liveliness of neighbourhoods. It is therefore important that all leisure facilities are protected and continue to meet local needs. Leisure facilities cover a variety of uses such as pubs, bingo halls, sports and leisure clubs. Provision of such facilities encourages sustainable modes of transport and is particularly important for those without private transport and for those with mobility problems who are unable to make journeys to other, more distant leisure facilities.

11.11 In considering applications for the change of use of these facilities in these locations, an assessment of provision in that area will be required to identify whether there are any alternative facilities which can be accessed using sustainable transport methods. Evidence of vacancy or attempts to lease, let or sell will also be taken into account. This policy complements policy L1a which seeks to locate new leisure facilities and in accessible locations particularly in the City Centre. The location of existing leisure facilities and the impact on these will be assessed when considering applications for new leisure development.

CHAPTER 11: LEISURE AND RECREATION

L1c: Provision of New Open Space In Development

Developments for all housing sites or commercial proposals over 2,500m² gross floor space will be required to make provision for the open space needs of future occupiers. This should be provided in addition to any area required for landscaping.

For sites of less than 10 dwellings a commuted sum payment will be required towards off site provision.

For sites of 10 or more dwellings, an assessment of existing open space provision accessible to the proposed development site including its capacity to absorb additional usage will be undertaken. This is to ascertain the type of open space required and whether on-site or a commuted sum payment for off-site provision is more appropriate (this will include the cost of land purchase), based on individual site circumstances.

The level of provision or commuted sum equivalent will be based on the following figures (a breakdown of these figures for each dwelling will be provided in a Supplementary Planning Guidance document covering open space).

The following provision of open space (or commuted sum equivalent) will be required:

- a) 0.9ha per 1,000 population / or 1,000 employees of informal amenity open space;

In addition, for housing developments:

- b) 1.7ha per 1,000 population of sports pitches;
- c) 0.7ha per 1,000 population for children's equipped playspaces.

Applicants will be expected to enter into a Section 106 Agreement towards ensuring the provision and future maintenance (whether by means of a commuted sum payment or by some other means) of the open space facility for a period of 10 years.

Rest homes and nursing homes will only be expected to provide amenity open space. Single bedroom dwellings and student accommodation will not be expected to provide children's playspace.

11.12 The Council considers that all residents should have access to safe, attractive and useable public open space and the Local Plan Strategy aims to promote

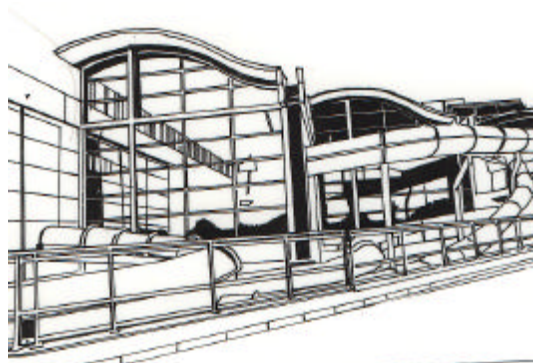
accessible open space in new residential, employment, retail and leisure developments.

11.13 Policy L1c aims to secure open space of a useable and maintainable standard in new residential, employment, retail and leisure developments. The thresholds for the policy to come into force have been chosen to ensure the deliverability of open space of a size, which will be of use to the community who will use it and would be viable for applicants to provide.

11.14 Where residential applications are for less than 10 dwellings, in most cases, a commuted sum payment towards open space provision will be acceptable. In residential developments of 10 or more dwellings and commercial developments of 2,500m² gross floor space an assessment will be undertaken of existing open space in the vicinity of the proposed development. The results of this assessment will help to determine what form the open space should take and whether it should be provided on-site, or a commuted sum payment should be made towards off-site provision (this will include the cost of land purchase). The assessment should also consider whether existing non-public open space or sports pitches can be brought into public usage.

11.15 A commuted sum payment will also be expected from applicants to cover future maintenance of open space, in accordance with Circular 1/97. A period of 10 years will be applied when calculating the maintenance payment to ensure that the open space can become an established feature within the local community.

11.16 Policy L1c should be read in conjunction with any planning advice note produced by the Council on open space at that particular time.



CHAPTER 11: LEISURE AND RECREATION

L1d: New Public Parks, Green Spaces, Woodlands & Wetlands

The following locations are identified on the proposals map as areas for recreational opportunity, such as parks, play areas, green spaces, woodlands and wetlands as part of comprehensive developments to improve the quality of the local environment:

- North Minster Business Park, A59;
- North of Monks Cross;
- Germany Beck, Fulford;
- Metcalfe Lane, Osbaldwick;
- South of Monks Cross
- Tenneco;
- Donnelley's;
- University Campus 3.

Open space in these areas will be brought forward for public access in conjunction with the development of associated allocations and will form part of a comprehensive development brief for each area.

In addition the proposals maps also identify areas for recreational opportunity in connection with reserved land. It is anticipated that these areas would be brought forward with the reserved land, in a comprehensive way, if such land is needed for future development beyond the lifetime of this plan i.e. post 2011.

When preparing a development brief for each area a comprehensive assessment of open space in that area of the City will need to be undertaken, considering type, access, quality and quantity of existing provision.

It will be necessary to ensure that the delivery and maintenance for the proposed open space is secured through a planning agreement with the relevant applicant.

Public involvement will be sought at the earliest opportunity.

11.17 The Council is committed to promoting the development of significant areas of open space within new large developments. Known as New Public Parks, Green Spaces, Woodlands & Wetlands, they will enhance the quality of the recreational opportunities of residents and users of the proposed developments and contribute towards environmental and conservation interests as identified on the proposals map.

11.18 It is anticipated that New Public Parks, Green Spaces, Woodlands & Wetlands will be brought forward through a comprehensive development brief for each site to ensure that the open space and the built environment are designed and developed in harmony and that the open space is provided to the maximum benefit to the residents and users of the adjacent developments.

11.19 The development briefs will be produced by the developer and the Council working in partnership and will be required to be approved by Council members before any development can go ahead. Widespread consultation with the local community and interested parties will take place as part of the process, as well as landscape appraisals and technical analysis. The result of this work will inform the appropriate form the new open space should take. In addition it is anticipated that the Council will produce a strategy for new public open space through Supplementary Planning Guidance.

L2: Allotments

Planning permission for development, which will result in the loss of allotments, will only be granted where a replacement area is provided of an equivalent size and standard in the immediate vicinity.

See also: GP7

11.20 Allotments are an important resource within the community, especially for those people with small gardens, or who lack a garden altogether. In addition, they can have a significant amenity and nature conservation role. Although demand has reduced over the last few years, regard must be had to future community leisure needs. Once developed for an alternative use, there is an irreversible loss of the facility. In assessing any development proposals, the level of occupancy of the allotment site, and opportunities to relocate users to similar facilities of equal or better standard in the immediate vicinity will be taken into account

CHAPTER 11: LEISURE AND RECREATION

L3: Golf Courses and Driving Ranges

Applications for golf courses and driving range developments will be permitted providing:

- a) the proposal would not have an adverse effect on the landscape, the dominant features of which should be retained; and
- b) new buildings are kept to the minimum in line with the operational requirements of the activity; and
- c) proposals would not lead to the loss of existing public rights of way and would exploit the opportunity to provide new public access to the countryside; and
- d) the proposal does not involve development on the best and most versatile agricultural land (defined as grades 1, 2, or 3a); and
- e) the proposal would not be visually intrusive due to the use of floodlighting or extensive fencing.

see also: GB1, GB13

11.21 PPG17 acknowledges that while golf courses can open up the countryside for recreation, they can also have a substantial impact on the landscape. Where possible, they should be located and designed to ensure harmony with the surrounding countryside and the natural environment.

11.22 Developers should demonstrate how they will create new wildlife habitats within the proposed golf course. Care should be taken to ensure that the species used are indigenous to the area and that the pattern and form of new planting is characteristic of the area.

11.23 Wherever possible, golf course proposals should make use of existing buildings to provide clubhouses and other essential ancillary uses. Any additional buildings should be limited to those essential facilities necessary for the operation of the golf course and must not adversely affect the openness of the area.

11.24 It is necessary to ensure that proposals for golf courses do not adversely affect the general public's enjoyment of the countryside and public rights of way. Golf courses should be designed in such a way that existing public rights of way can be incorporated safely into the layout.

11.25 It is important to avoid development on the best and most versatile agricultural land. A large proportion of the land within the City is classified as being within grades 1, 2 or 3a and, consequently, inappropriate for golf course development. The Ministry of Agriculture, Fisheries and Food will be consulted on developments of 20 hectares or more, which affect such high quality agricultural land.

L4: Development Adjacent to Rivers

Planning permission will only be granted for development adjacent to rivers where:

- a) there would be no loss to established and thriving recreational interests and uses; and
- b) the proposed development would complement existing recreational uses and the existing character of the area; and
- c) the navigational capacity of the rivers would not be decreased; and
- d) existing walkways and cycleways along the river banks are retained, and where possible enhanced, as part of the proposed development.

See also: NE2, GP15a

11.26 The City of York contains sections of three principal rivers: the Ouse, the Foss and the Derwent and their tributaries. River corridors are important for amenity and recreation uses. It is appropriate to encourage sensitive development in these corridors, whilst at the same time minimising any potential conflict between competing uses or interests. It is important that the mooring of houseboats does not conflict with the established uses of the River Foss, which provide its interest and vitality, and does not impede the river's navigation or cause loss of amenity. Where developments are permitted in these corridors, they should complement and enhance the river environment, for example, by landscaping, planting or improving public access.

11.27 A number of walkways and cycle tracks follow the river corridors, forming important network links. These must be retained and developments will be encouraged to incorporate proposals to extend and enhance the network where appropriate.

CHAPTER 11: LEISURE AND RECREATION

CHAPTER 12: VISITORS

VISITORS

OBJECTIVES:

- To maximise economic and other benefits brought by visitors, whilst minimising any adverse impact on residents, businesses and the environment in the City;
- To promote improvements in the range, quality and sustainability of visitor and leisure attractions in the City for the benefit of local residents and visitors.

Introduction

12.1 York has long been established as one of the country's main tourist centres, for both British and foreign visitors. Consequently, tourism is a major element of the City's economic and social life, with a large number of jobs being related to the tourist industry and large revenue being created by visitor spending. £250mpa (2000yr).

12.2 Estimates by the York Research Partnership for the year 2000 showed that 4 million visitors a year come to the City and that as many as 8,500 jobs (2000) are generated by these visits. However, these benefits must be considered against the environmental implications for the historic City and it's citizens, such as crowded streets and traffic problems, and development pressures on the surrounding countryside.

12.3 This chapter outlines the significance of visitors to the local economy and considers their impact on the City and it's infrastructure. The policies aim at striking a balance between the economic benefits of visitor spending and the social and economic costs which result.



12.4 The Local Plan will attempt to achieve sustainable forms of tourism, based on the following advantages:

- The City has one of the best rail links outside London;
- It has good road links and provides coach parking and drop-off points;
- The City has an excellent and expanding cycle network, both within the City and has links with other settlements, such as Hull, Liverpool, Dover and Inverness, as part of the National Cycling Network and the Trans Pennine Trail;
- The built environment is of a particularly high quality with 1,700 listed buildings;
- The success of park and ride allows a high number of car borne visitors to visit the City, whilst minimising traffic congestion;
- The City has a diverse range of visitor attractions and a variety of reasons for people to come to the city, which helps to spread the visitor load across the city and throughout the year.

National Planning Guidance

12.5 Central Government policy towards tourism is provided by PPG21 (Tourism; 1992). It states that "...the tourism industry should flourish in response to the market, while respecting the environment which attracts visitors". The government's White Paper 'This Common Inheritance' sets out its sustainability strategy which local plan policies are generally expected to accord with. The White Paper's central objective is "to achieve sustainable development that serves the interests of both economic growth and conservation of the environment".

12.6 PPG13 (Transport) gives guidance on how visitors and the transport system should integrate, and how visitor facilities should be located to cause the minimum impact on the transport network.

CHAPTER 12: VISITORS

V1: Visitor Related Development

Visitor related development will be encouraged. In determining applications account will be taken of whether the proposal:

- a) has made adequate servicing arrangements;
- b) is accessible to public transport routes;
- c) will result in increased traffic, parking, cycles and pedestrian movement on the public highway and pedestrian / cycle routes;
- d) is likely to improve the prosperity of the tourism industry and the City's economy;
- e) will adversely impact on the reasonable use and enjoyment of adjacent buildings and land;
- f) adversely impacts on the countryside setting of the City.

see also: GB1

12.7 The very significant economic and employment gains provided to the City by tourism have to be balanced against the potential adverse effect visitors may have on the City's environment and residents' amenity. In determining planning applications for visitor related developments, the aim will be to maximise the potential economic and employment gains, whilst minimising any adverse environmental and amenity costs. Applicants should assess the potential impact of the development on the City's infrastructure, for example public transport, in order to reduce any adverse effects of the proposals.

12.8 Developments located outside settlements within the Green Belt and open countryside will be discouraged unless they utilise existing buildings and can demonstrate that alternative means of access other than the private car are readily available to users of the facility.

V2: Infrastructure and Services

The provision of infrastructure and services to enable the management of visitors will be encouraged.

12.9 The careful management of the impact of tourists and the provision of infrastructure is vital in a historic City, such as York, with such a high turnover of tourists. The Government set up a special task force, which reported in May 1991, comprising representatives of the tourism industry, local authorities and environmental

and other interests, to advise on how tourism could develop in harmony with the environment. The Council has assessed this report, together with the Government guidance in PPG21 and consequently, has a strategy for managing visitors in place, as well as a series of initiatives, which provide practical support.

12.10 At a strategic level, the established park and ride sites on the fringe of York have assisted in minimising traffic congestion within York City Centre by reducing car journeys by both tourists and commuters. In addition, a ban has been imposed on coaches entering the walled City, due to their adverse impact on the historic City Centre. Pick up and drop off points and coach parking facilities outside the City walls have been established to counter the problem. The distribution of multi-lingual leaflets and signs explaining what the ban covers have gained support. A system of finger signposts directing tourists to visitor attractions has been established and will continue to expand, as new attractions are established. This has been achieved through a public / private tourism partnership called 'First Stop York'

V3: Hotels and Guest Houses

Planning permission will be granted for new, and extensions to existing, hotels and guest houses within defined settlement limits, provided the proposal:

- a) is compatible with its surroundings in terms of siting, scale and design; and
- b) would not result in the loss of residential accommodation which when originally built had less than four bedrooms; and
- c) would not have an adverse effect on the residential character of an area; and
- d) is well related in terms of walking, cycling and access to public transport in relation to York City Centre or other visitor attractions.

12.11 Hotels and guesthouses provide the main form of overnight accommodation in the district and consequently, their provision is vital in contributing to the tourism economy within the City of York. The Local Plan aims to promote the provision of serviced accommodation such as hotels, guesthouses and bed & breakfast accommodation to support the tourism economy of the City.

12.12 Nearly all the district outside the defined settlement limits is designated as Green Belt, where there is a presumption against most types of new development. Proposed hotels

CHAPTER 12: VISITORS

and guesthouses should be guided to settlements where they can generally be assimilated into the environment more easily.

12.13 However, within settlements, hotels and guesthouses can sometimes create amenity problems for neighbours, especially when guests are travelling to and from them. Proposals should therefore, be designed to be compatible with their surroundings. There will be a presumption against new hotels / guest houses where it is considered that the concentration is too high within an existing residential area and a detrimental impact on local amenity may result from any additional visitor accommodation.

12.14 Any potential loss of accommodation from the domestic housing stock is a matter of concern. Therefore, policy V3 aims to reduce the pressure on the main housing stock by ensuring that only large properties are converted to hotels or guesthouses.



V4: Hotel Sites

Hotel development will be acceptable on the following sites as part of a comprehensive scheme for the whole site:

York Central
Heworth Green
Hungate

See also: York Central chapter, SP9, E6

12.15 The City needs to attract more overnight visitors, since they contribute more to the local economy, and place comparatively less strain on the City's infrastructure, than day visitors. The proposed allocation at York Central will be part of a mixed use site, forming part of a comprehensive redevelopment of the Railtrack land to the north and west of York Railway Station.

V5: Caravan / Camping Sites

Planning permission for new (or extensions to existing) caravan / camping sites outside defined settlement limits will be granted provided:

- a) the number of pitches does not exceed 20; and
- b) there will be no pitches for static caravans on the site; and
- c) the proposal does not involve the erection of permanently-sited ancillary buildings other than toilets / washrooms and a site office; and
- d) the site is associated with an existing settlement and of a compatible scale to that settlement; and
- e) the site is readily accessible by public transport; and
- f) there is no adverse effect on the openness of the Green Belt; and
- g) it provides a direct benefit to the local residential workforce; and
- h) the approach roads are of a suitable standard to accommodate caravans; and
- i) there is no adverse effect on the provision of local services; and
- j) the proposal is complimentary to recreational opportunities in the vicinity; and
- k) it provides a direct benefit to the local residential rural community.

See also: GB1

12.16 Caravan sites are an alternative form of accommodation for those visitors to the City, and so contribute to the City's economy. The majority of caravan sites within the district are located outside the main settlements, either in open countryside or within smaller villages.

12.17 PPG21 recognises the need to carefully consider whether there is adequate provision of caravan sites whilst still protecting and preserving the environment.

CHAPTER 12: VISITORS

12.18 Although the majority of the local plan area is designated as Green Belt, it is considered that small-scale proposals for touring caravans or tents which do not involve the erection of permanently sited ancillary buildings other than toilets/washrooms and site offices are unlikely to compromise Green Belt objectives and may be acceptable provided that they meet other criteria in policy V5.

12.19 Ideally, caravan sites should be located in well wooded areas and avoid elevated sites. It will generally be inappropriate to site caravans within areas at risk of flooding, particularly in low lying areas. Proposals for such development will be assessed in accordance with policy GP15a. The essential screening of sites should consist of already well established tree cover and any new planting should only be necessary to reinforce existing cover. Due to their visually intrusive characteristics and permanent nature further static caravans are not considered appropriate in the district. The total number of pitches on a caravan site should not exceed 20. This includes existing pitches together with any extensions.

12.20 Sites should be located in or close to existing settlements where they can provide direct economic benefit to rural communities or help support village shops and links with other recreational facilities. However they must be of a scale that does not detract from the amenity enjoyed by local residents, or overload local services or public utilities.

12.21 The location of sites should not add significantly to traffic congestion. Consequently, they should be located close to the main highway network and approach roads must be of a suitable standard. Additionally, in accordance with PPG13, sites should be located on or adjacent to public transport routes, in order to reduce the impact on the road network.

V6: Directional Signs For Tourists

Advertisement consent will be granted for signposting to improve visitor awareness of tourist facilities, provided the signage is appropriate to its proposed location.

12.22 It is recognised that for tourist facilities to be utilised to their full potential, visitors must be aware of their presence. However, because of the danger of a proliferation of signs being detrimental to road safety, the City's policy for existing settlements is to only allow fingerpost signs to direct visitors to attractions and sites.

12.23 Over and above these, new directional ("white-on-brown") traffic signs located on the

public highway for visitor destinations will be limited to those meeting the criteria set out in the City of York's Tourism Signing Policy, which has been devised in line with Circular 3/95, and agreed between the Council and tourism industry. As with all other directional signs, consideration will be given to the environmental impact of the proposal and its likely effect on road safety.

CHAPTER 13: COMMUNITY FACILITIES

COMMUNITY FACILITIES

OBJECTIVES:

- To promote the provision of new community facilities
- To protect and enhance existing community facilities

Introduction

13.1 The City of York is organised at the local level within parishes in the rural area, or neighbourhoods within the urban area. Basic services are provided to local communities by a number of different agencies including the City of York Council. The Local Plan policies seek to assist these agencies in protecting and expanding the existing provision of community-based services and in providing for new facilities.

13.2 This chapter addresses the need for land and buildings for health care, community centres, places of worship and childcare provision. Some of these facilities have a role in delivering the Local Cultural Strategy.

C1: Community Facilities

Planning applications for social, health, community and religious facilities will be granted permission provided that:

- a) the proposed development is of a scale and design appropriate to the character and appearance of the locality; and
- b) it would meet a recognised need.

13.3 To ensure the social and economic well being of the local community, the policy is designed to allow the provision of a full range of community facilities where these are needed.

13.4 The definition of community services is broad and for the purpose of the Local Plan also includes uses associated with statutory undertakers, emergency services, indoor recreation serving a local catchment (especially dual use) and welfare or meeting halls.

13.5 Whilst promoting the development of community facilities the policy also seeks to ensure that the proposal is needed and that it is designed in a way that compliments the local area.

13.6 Whilst the use of educational facilities is not covered by this chapter it should be noted

that they do and should provide valuable community facilities.

C3: Change Of Use Of Community Facilities

Planning permission will only be granted for the redevelopment or change of use of social, health, care homes, community and religious facilities where;

- a) the proposal is of a scale and design appropriate to the character and appearance of the locality; and
- b) it can be demonstrated that the existing land or buildings are surplus to, or no longer capable of meeting, the existing or future needs of the local community; or
- c) it can be demonstrated that alternative acceptable sites for the existing use can be provided.

13.7 On existing sites and where future sites for facilities have been identified, planning permission will only be granted for alternative uses where it can be demonstrated that either the facilities are no longer required, now or in the future, or that alternative acceptable sites can be provided.

13.8 Where a building is no longer capable of meeting the needs of the community and the site is not capable of expanded use, consideration will be given to its redevelopment provided that alternative provision can be made which is capable of meeting the needs of the local community.

13.9 The Government is placing a larger amount of emphasis on 'care in the community' and better home care support for our ageing population. It is therefore important that policies are in place to retain elderly persons accommodation. In determining applications for the loss of care homes, their viability and the potential for providing more suitable replacement accommodation for the elderly within the community will be an important material consideration.

CHAPTER 13: COMMUNITY FACILITIES

C4: York District Hospital

Planning permission will be granted for further hospital development within the York District Hospital site provided:

- a) the proposal will not lead to a net increase in car parking spaces within the site; and
- b) sufficient provision is made for access by public transport, including consideration of an adjacent rail halt; and
- c) sufficient provision is made for cyclists and pedestrians; and
- d) there is no adverse impact on residential amenity.

13.10 It is important that the health needs of the citizens of the City are met and it is recognised that this may necessitate the expansion of York District Hospital. However, any such expansion should not reduce the amenity of local residents; result in the loss of key areas of landscaping, or cause traffic problems. It is of particular concern that the space for expansion at the hospital is extremely limited and will undoubtedly place pressure on existing areas of open space and car parking spaces. Proposals for development will be required to demonstrate that access by alternative forms of transport, including the potential rail halt adjacent to the site, is given a high priority and that new development would not place pressure on adjoining residential areas.

C5: Bootham Park Hospital

Hospital development proposals within the grounds of Bootham Park will only be supported if they would not detract from the setting of the listed buildings and the environment of the park. Other non-health service uses will be opposed.

13.11 The Bootham Park Hospital site includes unique listed buildings within a parkland setting that contributes to the amenity of both patients and local residents. As a result of the limited opportunities to develop alternative sites in York it is likely to be placed under greater development pressure than other listed buildings in the City. The policy is intended to make explicit the importance of maintaining the setting and amenity value of the site and buildings.

C6: Developer Contributions Towards Community Facilities

In considering proposals for new residential development, any consequences for existing community facilities will be assessed. Where additional provision is necessary, either by increasing the capacity at, or enhancing current facilities, and/or the creation of new facilities, negotiations will take place with developers to enter into a Section 106 agreement, to make a financial contribution. It should be demonstrated that the basis of such a contribution is necessary, relevant to planning, directly related to the proposed development, and fairly and reasonably related in scale and kind to the proposed development.

See also: GP13, L1c

13.12 New development may have a direct impact on the provision of existing community facilities, for instance crèches, libraries, health facilities, allotments and open space. This may require the enhancement of existing facilities or the provision of entirely new facilities to serve the needs of the new housing development.



13.13 The particular scale and location of the proposed housing development and the circumstances of the local area will be the determining factors in assessing the level of contribution that will be required. Consideration will be given to the level of provision and accessibility of existing community facilities.

13.14 Developer contributions towards open space will normally be required on all residential developments. It is considered that the same threshold is appropriate for community facilities. This is currently viewed as an appropriate threshold beyond which housing developments begin to have a significant impact on existing community facilities. Except for child-care facilities the policy will also not apply to 1

CHAPTER 13: COMMUNITY FACILITIES

bedroom dwellings (regardless of the size of the development to which they are associated) or to sheltered housing.

C7: Children's Nurseries

Planning permission will be granted for the development of, or the change of use to, a children's nursery provided:

- a) adequate internal and external play space is provided; and
- c) where development will not adversely affect the amenity of neighbouring properties or the residential character of the area; and
- d) the proposed development is well served by footpaths, cycleways and public transport routes.

13.15 The importance of children's nurseries in the local economy is recognised. However, it is equally important to ensure that a proposal for a nursery use does not conflict with neighbouring uses or result in the loss of residential accommodation. Any potential loss of accommodation from the domestic housing stock is a matter of concern. Therefore, policy C7 aims to reduce the pressure on the main housing stock by ensuring that only large properties are considered as the location for children's nurseries.

13.16 The number of children accommodated on the site will be controlled by condition where this is considered appropriate.

CHAPTER 13: COMMUNITY FACILITIES

CHAPTER 14: MINERALS AND WASTE

MINERALS AND WASTE

OBJECTIVES:

- To minimise waste disposal;
- To maximise potential opportunities for the recovery, transfer, treatment and recycling of waste;
- To limit to an acceptable level the adverse effects of any additional mineral extraction on the environment and local amenity;
- To maximise use of recycled materials in new development.

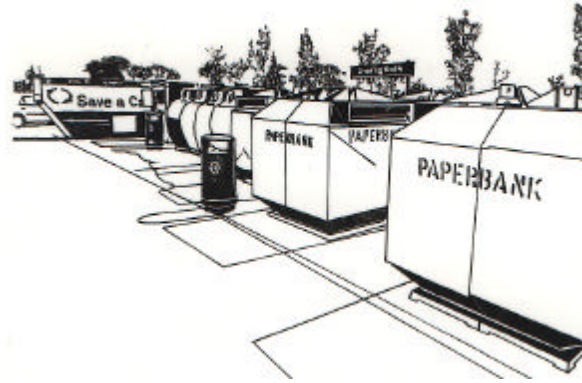
WASTE

14.1 The Local Plan objective is to manage waste in a sustainable way by selecting the Best Practical Environmental Option (BPEO). This approach works in conjunction with a waste hierarchy, which prioritises the relative sustainability of each waste management option. The higher the ranking the more sustainable the option may be. The waste hierarchy is set out below.

- Reduction
- Reuse
- Recovery (Recycling, Composting, Waste-to-Energy)
- Disposal

The Council is preparing supplementary planning guidance for sustainable development. The way we manage our resources and the waste that we produce can make an important contribution to sustainable development. This will include for households, the encouragement of Green Waste Composting and materials recycling.

14.2 The City of York currently has three landfill sites for waste disposal. These include two private sites at Elvington Airfield and one municipal site at Harewood Whin (near Rufforth Airfield) together with three civic amenity sites at Foss Islands Road, Beckfield Lane, and Moor Lane (Towthorpe). The Council has responsibility for the monitoring and aftercare of former waste disposal sites in its area. In line with national trends, the rate of waste disposal through landfill in the City of York is increasing at almost 7% per year. Although spare capacity at the Harewood Whin site is estimated as being sufficient for the short to medium term.



14.3 The overall aim is to handle as much waste as possible at the top end of the hierarchy and therefore minimising the amount of waste, which must be sent for disposal. The Environment Agency has responsibility for waste regulation functions for local authorities. Its partnership with local authorities will have a key role in establishing sustainable waste management. The Council has formulated a Waste Management Strategy for the City, which will be published shortly, and deal comprehensively with waste disposal issues.

14.4 In line with the BPEO and waste hierarchy, the Council's objective is to reduce the amount of waste that is currently disposed of through landfill / landraising, the Local Plan sets the following targets:

- to reduce the proportion of controlled waste going to landfill to 60% by 2005;
- to recover 40% of municipal solid waste (MSW) by 2005.

This is in line with the EC Landfill Directive ('1999/31/EC), which states that by 2010 to reduce biodegradable municipal waste landfilled to 75% of that produced in 1995. The UK Government's 'Waste Strategy 2000' provides a key target to recycle or compost at least 25% of household waste by 2005.

14.5 A landfill tax was introduced by the government in 1996 in order to bring environmental considerations to the forefront of the waste agenda. The overall aim of the tax - as with this Local Plan - is to make the economics of waste disposal work in favour of alternatives to landfill, such as reuse and recycling, so that these alternatives can be further developed on a commercial basis at the local level.

CHAPTER 14: MINERALS AND WASTE

MINERALS

14.6 It is nationally recognised that the construction industry requires an adequate and steady supply of aggregates. However, there is growing concern that the continued extraction of minerals creates environmental costs, which can be irreversible. In strict terms mineral extraction is unsustainable since it involves the exploitation of a non-renewable resource. Once removed the resource no longer exists in its original form. Consequently, the application of the Local Plan's sustainable principles in terms of minerals planning relates closely to promoting efficiency of use, waste minimisation, encouraging the use of recycled materials, and ensuring high environmental standards.

14.7 Local government reorganisation in April 1996 resulted in the City of York Council becoming responsible for minerals planning within its area.

14.8 In December 1997 North Yorkshire County Council adopted its Minerals Local Plan. This Plan deals with mineral related issues for the whole of North Yorkshire for the period 1994 to 2006. As North Yorkshire's Minerals Local Plan offers a detailed interpretation of the Structure Plan policies, and covers most of the minerals issues the City of York will face over the Plan period, it forms the basis for the policies and proposals in this Local Plan. However, due to Local Government reorganisation in 1996 the City of York area is excluded.

National Planning Guidance

14.9 Minerals Planning Guidance Note 1 (1996) states that local plans should give detailed expression to the minerals policies contained in the structure plan and identify precisely on the proposals map any areas of potential minerals deposits highlighted by the structure plan. Unitary authorities not preparing UDP's may be authorised by the Secretary of State to include their minerals local plan policies in their district-wide local plans. The interactions between the mineral policies and other uses of land should be considered in the reasoned justification for the policies.

14.10 MPG6: Guidelines for Aggregates Provision in England (1994) requires the identification of land banks (stocks of reserves with planning permission for extraction) for aggregate minerals to enable the industry to maintain access to a continuous supply.

14.11 In the case of sand and gravel, MPG6 states that land banks should be sufficient for at least 7 years supply. Government guidance

does not specify the duration required for crushed rocks landbanks, although the North Yorkshire Minerals Local Plan considers a period of 10 years to be appropriate.

14.12 In its aim to provide sufficient land banks for aggregate minerals the North Yorkshire Minerals Local Plan identifies "Preferred Areas" for future mineral workings. None of these "Preferred Areas" are located in the City of York. However, any aggregate minerals that are worked in the City will contribute to the North Yorkshire aggregates land bank, and to the County's share of the regional supply.

MW1: Areas of Search

To provide flexibility in meeting demand for aggregate minerals the Area of Search outlined on the Proposals Map will be safeguarded to meet demand for sand and gravel extraction beyond the period of the Local Plan.

14.13 Preferred areas for minerals extraction together with Areas of Search have been identified in the North Yorkshire Minerals Local Plan. These are intended to assist in meeting any shortfall in the availability of aggregate minerals after 2006 and to provide flexibility in meeting demand should any of the preferred areas not come forward. These areas of search have principally been defined on the basis of the most detailed geological information currently available.

14.14 Part of one of the sand and gravel areas of search lies within the City of York, between Upper Poppleton, Rufforth and the north western boundary of the District. This allocation is carried forward in this Local Plan (albeit on the basis that its primary purpose is to offer long term flexibility). Should circumstances warrant its consideration for extraction during the Plan period prospective developers of this area would be encouraged to investigate the possibility of moving extracted minerals by rail. Any planning application would also need to be acceptable in environmental and amenity terms before permission could be granted.

CHAPTER 14: MINERALS AND WASTE

MW2: Sterilisation of Unworked Minerals

Where appropriate, non-mineral development will be restricted in order to prevent the sterilisation of unworked mineral resources or where it would not be compatible with mineral working and ancillary development.

14.15 Minerals are a finite resource and care has to be taken to safeguard those deposits, which are of economic importance against other types of development, which may sterilise deposits or be a serious hindrance to their potential extraction.

MW3: Minerals Extraction

Proposals for new, or extensions to existing, mineral workings will be permitted provided:

- b) the mineral deposit on the application site has been fully investigated and is of sufficient quantity and quality to justify the development; and
- c) the proposal will not unacceptably affect statutory or non-statutory nature conservation sites, or sites of known archaeological significance; and
- d) the application is accompanied by an environmental statement; where required; and
- e) mitigation measures will be taken to ensure the minimisation of nuisance and disturbance to local residents in terms of dust, noise or vibration from either the minerals operation or any associated road traffic; and
- f) all options for the transportation of extracted minerals have been assessed in detail; and
- g) water supply, drainage, fishery and river management interests will be protected; and
- h) the working, landscaping, restoration and aftercare of the site will be carried out in accordance with a scheme approved in advance. The scheme should incorporate progressive restoration where practicable; and
- i) provision will be made to temporarily divert any public footpaths, cycleways or bridleways affected by the proposal, subject to the length and route of the diversion being acceptable; and
- j) mitigation measures have been proposed to minimise any potential effects from

subsidence on surface properties, drainage and services as a result of the development; and

- k) details will be required of the siting and design of buildings, machinery and plant together with proposals for their removal when no longer required in connection with the development.

14.16 Policy MW3 sets out the range of matters, which will be carefully considered in determining planning applications for minerals extraction. Where planning permission is granted, high standards of working, restoration and aftercare will be essential to minimise environmental intrusion and disturbance to local amenity and to achieve high quality restoration.

14.17 In the City of York, coal production is centred on the existing planning permission for the Selby Coalfield, which extends into the southern part of the District as far as Copmanthorpe, Bishopthorpe and Elvington. Although all the coal from the coalfield is currently extracted within Selby District, an access shaft to the coal seam used to operate within the City of York, at North Selby Mine. This has not been filled and capped. The Selby coalfield is currently planned to close in 2004.

14.18 The public rights of way network is an important means of accessing the open countryside around the City of York. Mineral operators will be required to protect existing users and to provide acceptable alternative arrangements with a measure of segregation from mineral activities.

14.19 Subsidence can cause damage to surface buildings, roads, drainage, and flood defences and affects agricultural activity and nature conservation interests. In a low lying area such as the Selby Coalfield, it is important that remedial flood defence and drainage works are carried out and a standing arrangement exists between the Environment Agency, the Internal Drainage Board and UK Coal Mining Ltd to cover such works. The Lower Derwent Valley Ramsar site, Acaster South Ings SSSI and Heslington Tillmire SSSI may be particularly sensitive to changes in subsidence levels.

CHAPTER 14: MINERALS AND WASTE

MW4: After Use of Minerals Workings

Planning permission for mineral working and ancillary development will not be permitted unless satisfactory provision is made for a beneficial after-use of the site. There will be a presumption in favour of returning the land to agricultural uses or public open space unless it can be shown that there is another use to which the land can be restored, which does not conflict with other planning policies for that area.

14.20 Unlike other forms of development, mineral extraction is an ongoing activity, as a result of which, the land can and should be recycled either to its former use or to an acceptable alternative use. The mineral extraction process provides a significant opportunity to achieve landscape, nature conservation and amenity benefits within a variety of timescales. Government guidance favours uses, such as woodland, which can provide multi-purpose benefits such as the creation of new habitats and landscape improvements.

14.21 Restoration to agricultural use will be the most appropriate course of action in instances involving the best and most versatile categories of agricultural land (i.e. Grades 1, 2 and 3a). Restoration to agriculture, however, may still be appropriate on land of lower agricultural quality, in which case the objective will normally be to restore the land to its previous quality or better if reasonably practicable.

14.22 The Farming and Rural Conservation Agency an Executive Agency of the Department for Environment, Food and Rural Affairs (DEFRA) will be consulted for a technical appraisal of applications, including proposals for agricultural restoration. Where non-agricultural after uses are proposed, schemes should indicate how high standards of implementation will be achieved, and facilities will be considered on demonstrating a commitment to ensure that the land use can be managed appropriately.

MW5: Waste Management Facilities

Development of waste management facilities will be considered on the individual merits and the characteristics of particular sites, taking into account:

- a) the need for the facility, its proposed location, its impact on adjoining land uses and the duration of the proposal;

- b) the proximity principle whereby waste is disposed as close as possible to where it is produced;
- c) the mode of transport to be utilised for carrying waste to the site;
- d) proposed measures for eliminating leakage and gas emissions;
- e) measures to be taken to protect natural water resources;
- f) any adverse effects on important landscape, ecological, historic or archaeological features;
- g) proposed measures to minimise the environmental impact of visual intrusion, noise, dust, odour and wind-blown material;
- h) for landfill arrangements for the site's phased restoration to an acceptable use.

14.23 There are many types of waste management facility that vary in size and characteristics. These include recycling and composting facilities, incinerators, landfill/land raising, energy from waste (EfW) and waste transfer stations. The disposal of waste by such methods have the potential to pollute groundwater, contaminate land, adversely affect local amenity or give rise to hazards such as landfill gas, which can migrate into adjacent land and constrain development for particular uses. The combination of potential noise disturbance, dust, emissions and malodorous discharge emphasise the need for agreeing reasonable limitations to working hours. Where appropriate, conditions controlling hours of work and duration of operations will be imposed on planning permissions involving waste disposal in order to safeguard residential amenities.

14.24 Different types of Waste Management Facilities not only require planning permission but a Waste Management Licence obtained by the Environment Agency. This Licence is intended to offer the primary means of preventing pollution resulting from waste disposal. Where the potential for harm to residents or the local environment affects the use of land, then planning conditions attached to permissions may legitimately overlap with the details of the Waste Management Licence. Close consultation between the Environment Agency and the Council will be required in all cases to ensure environmental and amenity standards are maintained.

CHAPTER 14: MINERALS AND WASTE

MW6: Waste Disposal on Agricultural Land

Proposals for the disposal of waste on agricultural land will only be permitted where:

- a) it does not involve the best and most versatile agricultural land (defined as grades 1, 2 or 3a); and
- b) it does not involve the disposal of contaminated material; and
- c) the scheme would not divert waste infill from former minerals workings or other derelict land, thereby prejudicing their early restoration; and
- d) the scheme has been assessed against the criteria in policy MW5.

14.25 PPG10: Planning and Waste Management, makes clear that agricultural land quality is one of the key factors that should be considered by waste planning authorities when considering applications for waste disposal by landfill or land raising.

14.26 The use of agricultural land for the disposal of waste would generally encounter more potential problems in terms of injury to local amenity and environmental pollution than would usually be the case with redundant minerals sites or other derelict land. Waste disposal on agricultural land could also potentially prejudice the restoration of mineral sites or derelict land, which may often only be restored by backfilling of waste material. In such instances the Council will expect to be satisfied that landfill applications on agricultural land have examined possible alternative derelict land sites.

MW7: Temporary Storage for Recyclable Material

Proposals for new development, particularly employment, housing, shopping, leisure and community facilities will be expected to provide an appropriate level of space for the temporary storage of recyclable material.

See also: GP4

14.27 The lack of formal storage facilities can often be a disincentive for companies and individuals to become involved in the process of recycling.

14.28 This policy is particularly aimed at proposals for large office developments, shopping centres, food superstores, retail warehouse parks and appropriate new community facilities

which are large traffic generators and therefore offer the possibility of individuals bringing recyclable material with them to that destination. In all cases, large shopping developments will be expected to provide a publicly accessible secure space for the storage of bottle, cans, newspapers and other household items. Further details relating to recycling facilities in development will be found in the Councils supplementary planning guidance for sustainable development.

14.29 In the case of new housing developments, the potential for providing storage facilities on either a communal or individual property basis will need to be examined by applicants during the initial design process.

CHAPTER 14: MINERALS AND WASTE

CHAPTER 15: YORK CENTRAL

YORK CENTRAL

OBJECTIVES:

- * To ensure that the York Central area contributes to the City's long term sustainable development
- * To ensure that the area is developed comprehensively and in a coordinated manner in accordance with an approved masterplan and planning brief.

15.1 York Central comprises some 30-35 hectares of land to the north west of York City Centre and the north and west of York Railway Station. The area is currently occupied by a mix of uses primarily related to the rail industry, including York Railway Station, the National Railway Museum, Thrall Europa (rail freight manufacturers), railway sidings and other operational rail facilities. In addition, a significant number of residential properties (some recently constructed) are located on part of the site adjacent to Leeman Road, the only public access road through the area.



15.2 The area also comprises Holgate Park, a regenerated business park that was once the location for the York Carriageworks. Holgate Park also has some significant existing businesses operating from it, including Credit Protection Plan and Thrall Europa. The Thrall site has a connection into the rail network. Rail infrastructure is of strategic significance to the City and the Council will look carefully at development proposals to ensure connections are not compromised.

YC1: York Central Action Area

The York Central area, as shown on the proposals map, is designated as an Action Area. The York Central Action Area comprises two distinct areas of land; a comprehensive development site and the land surrounding it. Development within the comprehensive development site will be undertaken comprehensively to provide a modern central business district around the focal point of York Station, a new residential community, together with the appropriate uses related to the needs of the new community. Uses related to the wider needs of the city and region may be accommodated on site. The remainder of the Action Area, surrounding the development site, is not part of the mixed use comprehensive development site and can be developed independently once the masterplan is approved.

Hotel development and, where no sequentially preferable sites exist, large-scale leisure/tourism developments may also be incorporated into the development scheme for the area.

Development will be carried out in accordance with an approved masterplan.

15.3 The York Central Action Area comprises two distinct areas of land, shown on the proposals map. The York Central redevelopment opportunity which is shown hatched on the map and the remainder of the Action Area outlined in red, outside the hatching. Both areas are included in the Action Area as it is essential that the redevelopment opportunity is not seen in isolation. York Central provides a singular opportunity for the comprehensive development of a central business district, to function as an extension of the existing City Centre of York. It also provides the opportunity for significant new residential development in close proximity to the City Centre. In providing such opportunities on previously developed land within the main urban area, the York Central site should also reduce the need for Green Belt and other greenfield land releases for business and housing purposes.

15.4 York Central may also provide opportunities for hotel development and large scale leisure/tourist attractions. There is potential to link such developments to the National Railway Museum, provided that such proposals would not undermine the main role of the site in meeting business and residential development needs.

CHAPTER 15: YORK CENTRAL

15.5 As part of the comprehensive re-development of York Central, the Council will encourage proposals for local retail and service uses of a scale appropriate to serve the needs of the new residential and workforce population of York Central, and any other surrounding communities which are currently deficient in local retail and service facilities.

15.6 Realising the development potential of York Central will require the assembly of the site, large scale clearance, and infrastructure works both on and off-site. It is therefore necessary to safeguard the Action Area from piecemeal development until comprehensive redevelopment proposals can be brought forward and a masterplan approved for the site.

YC2: Supplementary Planning Guidance for York Central

The Council will, through Supplementary Planning Guidance, define the scale and general location of local retail and service facilities and other community facilities including educational, health and social services, leisure uses and a transport interchange. The Supplementary Planning Guidance will also seek to define the role of planning obligations in ensuring the necessary facilities are provided.

15.7 In order to ensure that the Action Area can be brought forward during the plan period, it is clear that a detailed strategy will be required to guide development. It is intended that the strategy proposed for the site, including the scale, location and mix of uses, will be identified in Supplementary Planning Guidance.

15.8 A Planning Brief for the Action Area, which will be adopted as supplementary planning guidance, was agreed by the Council in April 2003 with a minor boundary amendment agreed in February 2004. This was developed in consultation with landowners, local communities and businesses, developers and public agencies.

15.9 The Planning Brief sets out the requirements for community uses such as educational, health and social services, leisure and transport interchange facilities, which the Council will seek to negotiate through planning obligations.

YC3: Integration of York Central Area

The Council will require that development proposals for York Central should maximise the linkages between the site, the City Centre and the rest of the City. In order to ensure that future developments at York Central are integrated in transportation and accessibility terms with the rest of the city, the Council will, where necessary, seek to negotiate planning obligations with developers in relation to off-site transportation improvements.

15.10 Development of the York Central site will involve new road, public transport and pedestrian access into the area. In determining application proposals for its comprehensive re-development, the Council will seek to ensure that the site is fully integrated with the rest of the City in transportation terms, and that full advantage is taken of the opportunity to create linkages with the existing City Centre, the outer ring road, the existing riverside walkway and York Railway Station.

YC4: Design of York Central Development

Planning permission will only be granted at York Central for proposals, which incorporate both high standards of design and good quality materials, reflecting the location of the site in close proximity to the historic city centre, and its need to attract premier type development.

15.11 In preparing Supplementary Planning Guidance for the York Central site, and in determining application proposals for its comprehensive re-development, the Council will also seek to encourage high standards of design and usage of good quality materials throughout the site, reflecting its location within the historic city of York, and its proximity to the city centre.

GLOSSARY

ACCESSIBLE HOUSING: That which is designed with (1) a good layout which incorporates design features to permit general easy access and use by its occupants or visitors who may have mobility problems, and (2) in-built flexibility to be capable of being adapted in the future, as required, to incorporate special additional features such as a chair lift or a specially equipped bathroom.

ADOPTED LOCAL PLAN: A LOCAL PLAN which has been through the CONSULTATION DRAFT, DEPOSIT DRAFT and LOCAL PLAN INQUIRY stages, and has been formally approved by the Secretary of State.

AGENDA 21: The programme for achieving sustainable development world-wide, as set out by the United Nations Earth Summit in 1992. (See also LOCAL AGENDA 21).

ALLOCATION: Site identified in a LOCAL PLAN as appropriate for a specific land use(s) in advance of any planning permission for that use.

AREA OF ARCHAEOLOGICAL IMPORTANCE: A designation given under the Ancient Monuments and Archaeological Areas Act 1979 that currently applies to only five sites in the country that possess archaeological deposits of outstanding importance.

ARTICLE 4 DIRECTION: A direction by the local planning authority, under Article 4 of the GENERAL DEVELOPMENT ORDER, which removes permitted development rights for certain specified types of development that do not normally need planning permission.

BACKLAND DEVELOPMENT: Development in the rear gardens or yards of existing property. (See also INFILLING).

BIODIVERSITY AUDIT: A survey assessing the quality of FLORA and FAUNA resources.

BLIGHT: A fall in value, and consequently the neglect, of property and/or land in an area, caused by uncertainty about development proposals in the vicinity.

BROWNFIELD SITE: Land which is, or has previously been, developed.

BUILDING REGULATIONS: A set of national standards set by government to ensure that buildings are constructed in a safe manner. New building work and most refurbishment requires Building Regulations consent from the local authority.

COMMUTED PAYMENTS: Most commonly related to the provision of car/cycle parking and open space. Developers may be required to make such a payment(s) to the local authority towards the cost of providing or maintaining the facility.

COMPARISON GOODS: Relatively expensive household items which are purchased sporadically. So called because shoppers may visit a number of shops to make comparisons of price and quality.

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CONSERVATION AREA: An area designated by a local planning authority under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act, 1990, regarded as being an area of special architectural or historic interest, the character or appearance of which is desirable to preserve or enhance.

CONVENIENCE GOODS: Goods purchased for regular consumption, such as food, groceries, drink, confectionery, tobacco and newspapers.

CURTILAGE: A small court, yard, garden, enclosure or piece of ground attached to a building, and forming one enclosure with it, or so regarded by law; the area attached to and containing a dwelling house and its outbuildings. The curtilage boundary will therefore normally define the area of a planning unit.

COUNSEL: Legal advice or representation

DEFINED SETTLEMENT LIMIT: The boundary drawn around a settlement to define the limit of the built up area for the purposes of local plan policies.

DEMOGRAPHIC CHANGES: Changes in size, density or distribution of the population.

DEVELOPMENT: "...the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land" (Town and Country Planning Act, 1990).

DEVELOPMENT PLAN: The Town and Country Planning Act 1971, introduced a two tier system of STRUCTURE PLANS and LOCAL PLANS, which together form the Development Plan for a particular area. This system was consolidated by the Town and Country Planning Act, 1990.

DISTRICT CENTRE: A concentration of facilities serving a large suburban population. PPG6 defines a District Centre as "Group of shops, separate from the town centre, usually containing at least one supermarket or superstore, and non retail services such as banks, building societies and restaurants".

EDGE OF CENTRE: A location within easy walking distance (i.e. less than 300 m) of the primary shopping area, often providing parking that serves the centre as well as the store, thus enabling one trip to serve several purposes.

ENVIRONMENTAL ASSESSMENT: The Town and Country Planning (Assessment of Environmental Effects) Regulations, 1998 (as amended), requires that information relating to the likely environmental effects of certain major projects be collected, assessed and submitted to the local planning authority in the form of an ENVIRONMENTAL STATEMENT, to be taken into account in determining whether DEVELOPMENT should go ahead. Environmental Assessment is mandatory for certain development projects (listed in Schedule 1 of the Regulations) but is also required if the particular development proposed would be likely to have significant

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environmental effects by virtue of factors such as its nature, size and location (As listed in Schedule 2). Environmental Assessment is also known as “Environmental Impact Assessment”.

ENVIRONMENTAL STATEMENT: A document produced as a result of an ENVIRONMENTAL ASSESSMENT carried out on proposed developments that are likely to have a significant effect on the environment.

ENVIRONMENTAL SUSTAINABILITY: Minimising the adverse impact of new or existing development on the environment.

ENVIRONMENTALLY FRIENDLY MODES OF TRANSPORT: Types of transport other than private vehicles.

FAUNA: Forms of animal life.

FLORA: Forms of plant life.

FOOTFALL: Number of pedestrians passing a particular point over a defined period of time.

GENERAL DEVELOPMENT ORDER: A Government Order made under the Town and Country Planning Acts which exempts certain types of minor or governmental / institutional development (termed “Permitted Development”) from the need to obtain planning permission.

GREEN BELT: Designation of land surrounding an urban area for 5 distinct purposes:

- (1) to check the unrestricted sprawl of large built up areas;
- (2) to assist in safeguarding the countryside from encroachment;
- (3) to prevent neighbouring towns from merging into one another;
- (4) to preserve the setting and special character of historic towns and;
- (5) to assist in urban regeneration by encouraging the recycling of derelict and other urban land.

Advice on Green Belts is given in PPG2 (January 1995).

GREENFIELD SITE: An area of land that has never been built upon.

GREEN WEDGE: Major wedge shaped breaks in the physical structure and appearance of the built up area formed by green spaces including continuous areas such as parks, playing fields, woodlands and strays.

GYPSY / TRAVELLER: A person of nomadic lifestyle, whatever their race or origin. Does not include members of an organised group of travelling showmen, or persons engaged in travelling circuses.

HOUSING ASSOCIATION: An independent, non-profit making organisation funded primarily by the Government grants to build, improve and manage affordable housing for sale or rent.

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HOUSING WAITING LIST: Statutory register of people who are in housing need and make application to the local authority and other social landlords for re-housing.

INFILLING: The filling of a small gap in an otherwise built up frontage.

INGS: Water meadows; open space lying within the floodplain of a river.

LISTED BUILDING: A building included and described in the statutory list of Buildings of Special Architectural and Historic Interest published by the Department of Culture. Listed Buildings are considered worthy of special protection because of their architecture, history or other notable features, and listed building consent must be obtained from the local planning authority before they can be altered, extended or demolished.

LOCAL AGENDA 21: A strategy decided upon by local communities to implement the aims of AGENDA21.

LOCAL PLAN: A document which, together with the STRUCTURE PLAN, forms part of the DEVELOPMENT PLAN for a specified area. The Local Plan consists of a WRITTEN STATEMENT and a PROPOSALS MAP. It sets out detailed policies and proposals for the DEVELOPMENT and use of land within a District. Local plans are prepared by local planning authorities at District level, following statutory procedures, including public consultation exercises and if necessary, a LOCAL PLAN INQUIRY. The Planning and Compensation Act 1991, requires that new plans provide district-wide coverage.

MATERIAL CONSIDERATION: A legal term describing a matter or subject which is relevant ("material") for a local authority to consider when using its powers under planning law.

MITIGATION STRATEGY: Part of a development proposal which identifies possible disadvantages of the scheme and forms a strategy to minimise or rectify those disadvantages. Associated particularly with an assessment of a development's effects on the environment.

MIXED USE: A mixed use site is one where a mixture of uses (for example, offices, light industry, housing, leisure, shopping) is deemed acceptable or desirable. (See also USE CLASSES ORDER).

MODAL SPLIT: A breakdown of the proportion of journeys undertaken by different modes of transport.

MULTIPLE OCCUPATION: The occupation of non-self contained accommodation in a flat or house by persons who do not form a single household.

NATIONAL NATURE RESERVE: An area of land designated as an area of national importance for the purposes of:-

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- (1) preserving flora, fauna or geological or physiological features, and
- (2) providing opportunities for the study of these features.

NON-STATUTORY NATURE CONSERVATION SITE: An area of land designated by the local authority which is considered to be a locally significant environmental resource and therefore in need of protection from insensitive use. Non-Statutory Nature Conservation Sites are semi-natural habitats, important for the quality of their FLORA, FAUNA or both.

OUT-OF-CENTRE: A location that is clearly separate from the City Centre, but not necessarily outside the urban area.

PARK AND RIDE: A scheme to enable private vehicle users to travel to a convenient location (usually on the edge of a city) where they may park and transfer to public transport to complete their journeys into the main urban areas. The objectives are to reduce congestion, improve the efficiency of the transport network and to enhance the environmental qualities of the city centre.

PLANNING ACTS: A collective term given to the Town and Country Planning Act and three associated acts which became law on 24 May 1990.

PLANNING AGREEMENTS: See SECTION 106 AGREEMENTS.

PLANNING BRIEF: Sometimes called a Development Brief, this is a document prepared by the local authority to guide the development of a particular site. The brief gives details of site characteristics and constraints, suitable land use(s) and any relevant policy considerations.

PLANNING POLICY GUIDANCE NOTES (PPGs): A series of central government notes on many aspects of planning, which sets out the government's broad advice on various topics, local planning authorities must have regard to, and take into account guidance contained in PPGs when using their powers under planning law.

PROPOSALS MAP: A map, on an Ordnance Survey base, forming part of the LOCAL PLAN, to be read in conjunction with the WRITTEN STATEMENT. The proposals Map should illustrate each of the detailed policies and proposals in the Written Statement, defining sites for particular developments or land uses and areas to which specified development control policies will be applied. It can comprise of one or more sheets and may be accompanied by insets, such as city centres, on a larger scale, where it is necessary to show certain proposals more clearly. The boundaries of each inset must be shown precisely on the Proposals Map and the proposals shown on an inset must not appear on the main map.

PUBLIC TRANSPORT: Modes of transport which are aimed at carrying more than one person, the operators providing a service to the general public, e.g. buses, trains, taxis etc.

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REGIONAL PLANNING GUIDANCE: Produced by the Government's Regional Offices, this guidance outlines the long term planning strategy for a region (e.g. Yorkshire and the Humber). Local authorities are required to have regard to regional planning guidance when preparing DEVELOPMENT PLANS.

RESIDENTIAL INSTITUTIONS: Residential accommodation where care is given to residents (for example, a residential care home), or on site accommodation for those attending training (for example residential schools, colleges or training colleges).

RETAIL WAREHOUSE: A large single storey building with adjoining surface level car parking selling a specific range of COMPARISON GOODS (for example D.I.Y.) and generally attracting a high proportion of car-borne trade.

RETAIL WAREHOUSE PARK: A group of 3 or more retail warehouse units which have common, shared surface level car parking.

ROAD PRICING: Any one of a number of different measures whereby drivers are charged directly for using a road. Schemes may be specific to certain stretches of road or to certain periods of the day, but all have the objective of reducing congestion and improving the efficiency of the transport network. Legislation, however, does not yet exist to implement road pricing in the UK.

SAFEGUARDED LAND: Potential development land for consideration beyond the end of the plan period.

SCHEDULED ANCIENT MONUMENT: Land or buildings identified under the Ancient Monuments and Archaeological Areas Act 1979, whose preservation is of national importance because of its historical, traditional, artistic or archaeological interest.

SECTION 106 AGREEMENT: A voluntary legal agreement, under Section 106 of the Town & Country Planning Act 1990, between a local planning authority and a developer, intended to regulate the development or use of land in a way that cannot be controlled by planning conditions.

SEQUENTIAL TEST: A locational approach highlighted in PPG6, which is aimed to apply to all key town centre uses which attract a lot of people, including retail, commercial / public offices, entertainment, leisure and other such uses. Adopting a sequential approach means that first preference should be for city centre sites, where suitable sites or buildings suitable for conversion are available, followed by edge-of city centre sites, district centres and only then out-of-centre sites in locations that are accessible by a choice of means of transport.

SHOPMOBILITY: A scheme designed to improve access to shopping centres for people with disabilities by providing wheelchairs etc. for hire at various points in the centre.

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SITE OF SPECIAL SCIENTIFIC INTEREST (SSSI): An area of land notified under the Wildlife and Countryside Act 1981 as being of special nature conservation interest by reason of its FLORA, FAUNA, geological or physiological features.

STALLRISER: The vertical panel between ground level and the underside of the display window in a traditional shop front.

STRAYS: Within York, there are Strays located within Bootham, Micklegate, Monk and Walmgate Wards. They are a series of major open spaces, which are of vital importance to the natural environment and the historic character of the City. They are managed by the Council and are to be retained as open space for the benefit of the residents of York.

STRUCTURE PLAN: A statutory document, which provides the broad strategic planning framework for the area. In North Yorkshire, this was formerly the responsibility of North Yorkshire County Council, but its production is now the joint responsibility of the County Council and the City of York Council, together with the North York Moors and the Yorkshire Dales National Parks.

SUPPLEMENTARY PLANNING GUIDANCE: Supplementary material such as design guides and PLANNING BRIEFS which set out planning requirements or advice at a greater level of detail than appropriate for inclusion in the LOCAL PLAN.

TOWN CRAMMING: The over-development of built up areas resulting in environmental damage and threats to the character of the established residential area.

TRAFFIC CALMING: The reduction of the intrusive effects of motor vehicles, especially speed, by a co-ordinated series of measures including road humps, speed tables, chicanes, speed limits and one way systems. The objective of such measure is usually to improve safety and amenity, particularly in relation to pedestrians and cyclists.

TRAFFIC MANAGEMENT: Tools employed to make the most efficient use of existing road capacity and to provide for key users, particularly pedestrians, cyclists and public transport.

TRANSPORT HIERARCHY: The order of priority in which different groups of users will be considered when making transport related decisions and when implementing transportation measures.

TRANSPORT NODE: A Park and Ride site, rail halt or bus route (with a frequency of 4 or more per hour).

TRANSHIPMENT: The principle of using large commercial vehicles for the major part of a journey and smaller ones for local delivery and collection.

URBAN SPRAWL: The unrestrained expansion of an urban area.

GLOSSARY

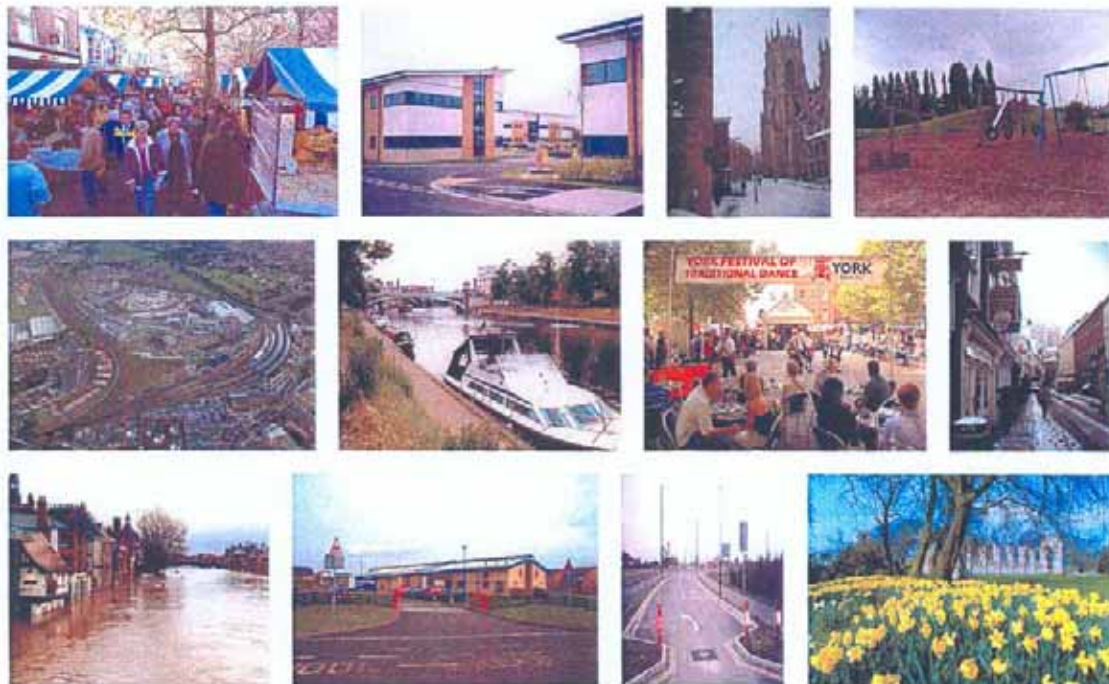
USE CLASSES ORDER: Government regulation which classifies different land uses as follows:

- A1 - Shops, including retail warehouses, post offices, hairdressers, dry cleaners etc.
- A2 - Banks, building societies, estate agents etc.
- A3 - Restaurants, pubs, snack-bars, cafes, take-aways etc.
- B1 - (Business): Offices not within A2.
- B2 - General industry.
- B8 - Wholesale warehouses, distribution centres.
- C1 - Hotels, boarding houses and guest houses.
- C2 - Residential schools and colleges, hospitals and convalescent/nursing homes.
- C3 - Dwelling houses.
- D1 - Places of worship, church halls, clinics, health centres, crèches, nurseries, museums, public halls, non-residential education and training centres.
- D2 - (Assembly and Leisure): Cinemas, music halls, concert halls, dance halls, sports halls, swimming baths, skating rinks, gymnasiums, bingo halls and casinos.
- SUI GENERIS - Car showrooms, etc.

WASHLANDS: Flat areas adjacent to rivers which are set aside to accommodate floodwaters.

WINDFALL SITES: Housing sites not identified in the LOCAL PLAN which may become available for development during the PLAN PERIOD. They usually consist of infill sites, disused land or sites currently in another use which become available.

WRITTEN STATEMENT: The Written Statement is the part of a LOCAL PLAN which contains the local planning authorities land use planning policies and their justifications, forming the basis for development control decisions. The Written Statement should be read in conjunction with the PROPOSALS MAP, which illustrates the policies in the Written Statement. In the event of a contradiction between the Written Statement and the Proposals Map, the provisions in the Written Statement prevail.



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