



YORK

CITY OF YORK  
CROSS BOUNDARY WORKING:  
DEMONSTRATING THE DUTY  
TO COOPERATE (JUNE 2013)



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## Executive Summary

The City of York Council has a long history of joint working and co-operation with its neighbouring authorities and key stakeholders to achieve better spatial planning outcomes, particularly in the preparation of local planning documents. The approach taken in preparing the Local Plan Preferred Options is no exception to this, and it has ensured that the Council has complied with the Duty to Cooperate, established through the Localism Act, in doing so.

The legal tests under the Act, as they relate to local planning authorities and the preparation of local plans are:

- A local planning authority must co-operate with certain bodies in maximising the effectiveness with which activities in the preparation of development plan documents are undertaken.
- the planning authority is required to engage constructively, actively and on an ongoing basis in any process

Previous work undertaken by City of York Council in preparing and submitting a Local Development Framework Core Strategy (as the antecedent to the Local Plan) for Examination in Public (EiP) was deemed, by the EiP Inspector, to have demonstrated compliance with the first of the two legal tests outlined above:

***‘As I stated at the Exploratory Meeting, having examined your Council’s Duty to Co-operate Supporting Paper of April 2012 I am satisfied that that it has complied with the duty to cooperate legal test set in section 33A of the 2004 Act.’***

Within the National Planning Policy Framework (NPPF), one of the key messages relating to demonstrating joint working is that local planning authorities should **work collaboratively** with other bodies to ensure that strategic priorities across local boundaries are properly **co-ordinated** and **clearly reflected** in individual Local Plans. Furthermore, there are two tests of soundness in the NPPF relate directly to the Duty as follows:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is practical to do so consistently with the presumption in favour of sustainable development; and
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.

This paper shows how the council has satisfied the current requirements of the Duty, by continuing and improving the arrangements for joint working (initially in place between 2004 and 2011/12 for the CS) through 2011/12 to 2013 in preparing the Local Plan Preferred Options.

Examples of the Joint working arrangements, procedures and approaches that have been taken, and the resultant priorities and policies that have emerged to demonstrate this include (but are not limited to):

#### Process

- Leeds City Region Heads of Planning, and Strategic Planning Leads Groups
- Leeds City region Interim Strategy Statement
- North Yorkshire and York Spatial Planning and Transport Board
- York Sub Area Joint Infrastructure Working Forum

#### Policy and strategy

- Housing and Employment targets in the City of York Local Plan Preferred Options policies that, whilst recognising York's importance as a sub-regional city, seek to reduce inward commuting from neighbouring authorities and complement their respective growth targets
- Joint City of York, North Yorkshire and North York Moors Minerals and Waste Plan

#### Outcomes and evidence

- Draft Memorandum of Understanding (MoU) between the York Sub Area Joint Infrastructure Working Forum and the Highways Agency for the A64
- North Yorkshire Strategic Housing Market Assessment
- Leeds – Harrogate – York Rail Line Transport Business Case Study

These arrangements, priorities and policies etc., will be continued and refined as the Local Plan progresses towards Examination.

## 1 Introduction

- 1.1 The City of York Council has a long history of joint working and co-operation with its neighbouring authorities and key stakeholders to achieve better spatial planning outcomes. The Local Plan is no exception. On-going and constructive engagement with neighbouring authorities and relevant organisations has taken place since work on the Local Development Framework Core Strategy (CS), as the antecedent to the Local Plan, began in 2004. It is important to note that this not only occurred locally between the City of York Council and individual neighbouring authorities and organisations, but also as part of wider planning arrangements at sub-regional and regional levels. Engagement at the wider level includes:
- The Leeds City Region (LCR) in which the Council has been an active Member since 2004, and
  - the 'Local Government North Yorkshire and York (LGNYY)' arrangement for local authority partners in the North Yorkshire and York Sub Region, since 2009.
- 1.2 The CS Submission (Publication) (2011) was prepared in line with Government guidance in Planning Policy Statement 12 and the Council's Local Development Scheme, prior to the new requirements of a 'Duty to Co-operate' (the 'Duty') being established in the Localism Act and the National Planning Policy Framework (NPPF). Subsequent to the introduction of these new requirements the CS was tested against them as the CS went through the Examination in Public (EiP) process.
- 1.3 The Inspector for the EiP determined that **the Council had demonstrated compliance with one of the two separate aspects of the Duty** - the legal test - throughout the plan-making process up to that point.
- 'As I stated at the Exploratory Meeting, having examined your Council's Duty to Co-operate Supporting Paper of April 2012 I am satisfied that that it has complied with the duty to cooperate legal test set in section 33A of the 2004 Act.'*
- 1.4 The second aspect – the Framework soundness criteria 'test' was due be examined as part of the EiP hearings. However, the CS was withdrawn from EiP before progressing to the hearings stage.
- 1.5 This paper shows how the council has satisfied the current requirements of the Duty, by continuing and improving the arrangements for joint working (initially in place between 2004 and 2011/12 for the CS) through 2011/12 to 2013 in preparing the Local Plan.
- 1.6 In developing the CS into the Local Plan the Council has continued to be a Member of the LCR Partnership as well as performing the role of secretariat for the LGNYY Spatial Planning and Transport Board (and its supporting Technical Officer Group). Working in partnership with the LCR, LGNYY and authorities across a wider area, including the East Riding of Yorkshire, City of York Council has helped shape new arrangements for plan making, in the context of the Duty, and will continue to do so the future.

## **2 The Purpose of the Paper**

- 2.1 This paper updates the DtC 2012. It shows that the council has continued comply with the Duty's legal test and that this provides the foundation for proving that the second aspect will be demonstrated once the Local Plan is examined. It draws on the evidence highlighted under paragraph 2.3 above, and should be read alongside them, particularly DtC 2012. At this stage it is not intended for this update paper to replicate the information from these previous documents, unless specifically required to provide clarity or amplify specific points within them. It covers the following:
- the process of co-operation undertaken in preparing the Local Plan, this includes the outcomes of joint working that has influenced the plan (and its antecedents);
  - consideration of the comments received from the local authorities, prescribed bodies and other organisations and using them, as appropriate for informing policies in the Local Plan;
  - contemporary and future methods of co-operation
  - outcomes of cooperation
- 2.2 It is intended that, as the Local Plan progresses toward EiP, this update paper and the previous DtC 2012 will be consolidated into a single paper in support of the Local Plan Submission document.

## **3.0 Context**

### **The Localism Act**

- 3.1 Section 110 of the Localism Act transposes the Duty to Co-operate into the Planning and Compulsory Purchase Act 2004 and introduces section 33a, which sets out a duty to co-operate in relation to the planning of sustainable development ("the Duty"). The Duty applies to all local planning authorities, county councils and 'prescribed bodies' and requires that they must co-operate with each other in maximising the effectiveness with which development plan documents are prepared. Further details pertaining to the planning authorities City of York Council co-operates with the and the level of engagement expected is contained in DtC 2012.
- 3.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the prescribed bodies for the purposes of implementing section 33 a (i) of the 2004 Act. Further detail pertaining to the prescribed bodies is contained in DtC 2012.
- 3.3 It is important to note that in demonstrating wider co-operation in plan making this co-operation needs to be across organisational boundaries as well as geographical boundaries.



## The National Planning Policy Framework

3.3 The NPPF (2012) sets out further details on how the provisions of the Localism Act should be implemented. It states that Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities, and that local planning authorities (LPAs) should:

- **Work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in individual Local Plans;**
- consider producing joint planning policies and informal strategies;
- take account of different geographic areas, including travel-to-work areas;
- work collaboratively with private sector bodies, utility and infrastructure providers; and
- demonstrate evidence of having effectively co-operated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination.

3.4 Further detail relating to the above list is contained in DtC 2012

3.5 Two tests of soundness in the NPPF relate directly to the Duty as follows:

- Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is practical to do so consistently with the presumption in favour of sustainable development; and
- Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.

## Fulfilling the requirements of the Duty to Co-operate

3.6 Although no guidance on the Duty has been issued by the Government the Planning Advisory Service (PAS) has released advice on its web-site as to the implementation of the Duty. This guidance is useful in helping to establish arrangements for strategic planning work and deliver positive outcomes.

3.7 In preparing the Local Development Framework Core Strategy (CS) and taking it forward to EiP, the Council considered that the requirements of the Duty could be split into two main components: - the process of co-operation and the outcomes of co-operation. This approach has been continued in the preparation of the Local Plan and demonstrates two things:

- that it has striven to co-operate with neighbouring authorities and prescribed bodies i.e. that constructive engagement has occurred, actively and on an on-going basis in line with section 33 a of the Planning Act 2004. In other words the process of co-operation, covered in Section 4.0 of this paper; and
- that the basis and results of this co-operation have been positively prepared and are effective i.e. that the relevant cross-boundary issues have been identified and addressed within the Local Plan, in line with the National

Planning Policy Framework. In other words the outcomes of co-operation, covered in Section 5.0.

### **Previous demonstration of compliance with the Duty to Co-operate**

- 3.8 The Council provided evidence relevant to the Duty when it submitted the Core Strategy on 14 February 2012 through the following papers:
- Duty to Co-operate Supporting Paper (DtC 2012)
  - Supporting Paper 6: Strategic Spatial Context and Co-operation (SP6);
  - Planning Advisory Service Self-assessment Legal Compliance and Soundness Tool (SLCST);
  - Core Strategy Consultation Statement (Regulation 30 (1) (d)) (R30 1 (d)); and
  - Core Strategy Consultation Statement (Regulation 30 (1) (e)) (R30 1 (e))
- 3.9 The Inspector wrote to the Council in March 2012 setting out some areas where he had concerns around the submission Core Strategy. This included addressing the Duty to Co-operate and the Inspector noted that SP6 “does not address the relevant questions about the 'local' strategic impact of the Core Strategy itself on its immediate neighbours in terms of its allocations, policy implications, and its infrastructure and infrastructure requirements – or vice versa (i.e. the impact of neighbouring Plans on the City of York). The duty is about strategic planning in the context of localism.”
- 3.10 Many of the Inspectors concerns were addressed in DtC 2012, submitted to the Inspector in April 2012. **The Inspector wrote to the Council on 1 May 2012, stating that he was satisfied that the Council had complied with the Duty’s legal test** (see also paragraph 1.3), whilst informing the Council that he had decided to suspend the EiP for approximately six months.

## **4.0 Continuing the process of Co-operation**

- 4.1 Given the wider national and regional changes, outside the control of the City Council, over the time-line for preparing the CS and Local Plan, the approach to co-operation in relation to local and strategic (cross-boundary) planning has evolved throughout the preparation of the plan. Table 1 shows the evolving but ongoing methods of co-operation at the sub-regional and regional level that the City of York Council has been engaged in whilst preparing the Local Plan.
- 4.2 Further detail relating to the nature of this co-operation is provided in SP6. In addition to the more formal structures for preparing the CS and Local Plan, summarised in Table 1, City of York Council has actively engaged with neighbouring authorities and bodies as highlighted in R30 1 (d) and R30 1 (e). Key aspects of this engagement through the consultation process are set-out later in this section.

**Table 1: Changing methods of co-operation through the Local Plan plan-making process**

Dates	Vehicle for Co-operation	Role of City of York Council
Pre-2004 to 2011	<ul style="list-style-type: none"> <li>• North Yorkshire and York Structure Plan</li> <li>• North Yorkshire Local Plan Forum</li> <li>• Yorkshire and Humber Plan (Regional Spatial Strategy to 2026)</li> <li>• Leeds City Region Partnership</li> <li>• North Yorkshire Development Plan Forum</li> <li>• North Yorkshire and York Sub-Regional Strategy</li> <li>• Leeds City Region Partnership</li> </ul>	Detailed in DtC 2012
2011 – present day	<ul style="list-style-type: none"> <li>• Leeds City Region Partnership and Local Enterprise Partnership</li> <li>• York, North Yorkshire and East Riding Local Enterprise Partnership</li> <li>• York Sub Area Joint Infrastructure Working Forum</li> </ul>	
2009 – present day (not already described above)	<ul style="list-style-type: none"> <li>• Local Government North Yorkshire and York</li> <li>• North Yorkshire and York Spatial Planning and Transport Board</li> <li>• Leeds City Region Heads of Planning Group</li> <li>• Leeds City Region Strategic Planning Leads Group</li> <li>• Joint City of York, North Yorkshire and North York Moors Minerals and Waste Plan</li> </ul>	Constituent authority  Secretariat for the Board (elected Members) and its supporting Technical Officer Group. Member  Member  Joint commissioner/author

### **The Regional Spatial Strategy (RSS) Process and Revocation**

4.3 The Yorkshire and Humber Plan Regional Spatial Strategy (RSS) was, with the exception of the RSS York Green Belt policies and the Key Diagram of the RSS (insofar as it illustrates the RSS York Green Belt policies and the general extent of the Green Belt around the City of York), revoked by the Regional Strategy for Yorkshire and Humber (Partial Revocation) Order 2013. Even though the RSS has been revoked it is important to recognise the collaborative working that was undertaken as part of the RSS process, and the resulting evidence base, as it relates to York and neighbouring authorities. This is because its key approaches continue to underpin emerging development plans and existing plans in the functional sub-regions and the York sub area. It provided the vehicle for consideration of cross

boundary strategic issues and identifying suitable policy approaches to address them. Further detail of this is contained in DtC 2012. The main local strategic planning issues for York identified through the RSS plan making process include:

- The functional nature of the York sub area;
- particularly strong connections between York and Malton on the A64 and eastern TransPennine rail route and with Selby along A19;
- the need to improve accessibility within the City of York Council and between places within the York sub area, especially East Riding;
- developing complementary roles of Malton and Selby as service centres;
- overlapping functional relationships with the Leeds City Region;
- restraint to the north and east of York;
- striking the right balance between planning for economic growth, the housing and services required to support it and safeguarding the special historic character of York itself, and
- addressing flood risk within wider catchments and seeking upstream management measures.

4.4 These matters, derived through extensive consultation and joint working on the RSS, form the strategic basis of the Plan and the plans of neighbouring authorities. They remain relevant and important today. Section 5.0 expands on this, providing further detail on the local strategic issues that have shaped our Local Plan.

### **Joint Working Outcomes**

4.5 City of York Council has been involved in extensive collaborative joint working with its neighbouring authorities on a range of documents to support the strategies identified in Table 1 and to address specific strategic issues. The various documents, covering a broad range of issues that have influenced our work during the preparation of the Local Plan are listed in DtC 2012. In addition, documents produced, or in production since the publication of DtC 2012 are listed below

- Housing Requirements in York: Assessment of the Evidence on Housing Requirements in York (2013)
- City of York Council Local Plan Viability Stage 1 (2013)
- North Yorkshire Strategic Housing Market Assessment (2011)
- Creating Homes, Building Communities: York Housing Strategy 2011-2015 (2011)
- Leeds City region Interim Strategy Statement
- Leeds – Harrogate – York Rail Line Transport Business Case Study (2013)
- Joint City of York, North Yorkshire and North York Moors Minerals and Waste Plan (In production, 2013)

4.6 Working with other Mineral Planning Authorities in the region, City of York Council has played an important role in work to explore the feasibility of preparing a joint marine aggregates study for the region and adjacent authorities, such as Derbyshire, and scoping what such a study would cover. Funding from the Council and other marine planning authorities in the region has secured consultancy URS to undertake this study to investigate ways to reduce dependency on land-sourced mineral

resources in environmentally sensitive locations. A steering group, comprising representatives from local authorities, the Crown Estate and the Minerals Products Association has been set up to oversee the project .

- 4.7 City of York Council is also working in partnership with the train operating companies, Network Rail and other agencies to develop a long-term master-plan and phased development programme to make York Station a 'gateway' station fit for the 21<sup>st</sup> century.
- 4.8 Beyond the local, sub-regional and regional levels, City of York Council has been involved in collaborative joint working in relation to the East Coast Main Line and how it impacts on the authorities through which it runs and on the authorities that have a dependency on it. This joint working has been achieved through the East Coast Mainline Authorities group (ECMA), which has been brought together by City of York Council to present and lobby the business case for further investment in the East Coast Main Line, over and above that already ring fenced by Government for the period 2014/19, to fully realise the opportunities for economic growth along the line. City of York Council is the secretariat for the main ECMA (Elected Member and Chief Executive) group and it supporting Technical Officer Groups.
- 4.9 Several productive meetings have taken place between representatives of ECMA (as the 'single' representative group for local authorities) and the Department for Transport as the business case has been prepared.

#### **Engagement and consultation during the plan preparation process**

- 4.10 Extensive collaborative joint working has been undertaken in producing the Local Plan. This includes ongoing engagement at all stages of plan preparation with neighbouring local authorities, and consultation with prescribed bodies, specific consultation bodies and a wide range of interested parties.
- 4.11 The Submission (Publication) LDF Core Strategy (as the antecedent to the Local Plan) was published for consultation to allow interested parties to make representations on its legal compliance and soundness. Further details of the organisations contacted, the consultations undertaken and the responses received are contained in DtC 2012.
- 4.12 During the preparation of the Infrastructure Delivery Plan, that initially supported the CS and which has been revised to support the Local plan, it was important to undertake consultation with infrastructure providers to make them aware of the levels and locations of development emerging through the Local plan and to identify any implications for strategic infrastructure and any other cross boundary issues. The following prescribed bodies were identified as key infrastructure partners; the Highways Agency, the Environment Agency and the North Yorkshire and York Primary Care Trust. A number of meetings, as well as discussions and correspondence, have taken place with many these bodies to explore the impacts of growth on their infrastructure and the investment in infrastructure needed to enable growth.

## **5.0 The Key Local Strategic Issues and how cooperation has influenced outcomes**

- 5.1 A full description of the key local strategic issues and how they were addressed with the LDF Core Strategy (CS) (as antecedent to the Local Plan) is contained in DtC 2012.
- 5.2 This section sets out how the Local Plan addresses the key local strategic issues, and how, through ongoing engagement and cooperation, York's Local Plan aligns with those of its neighbouring authorities. Although the issues are largely unchanged from the CS, the way in which the Local Plan addressed them differs significantly in some areas.
- 5.3 Each of the issues within this section has been presented in the following sequence:
- The strategic approach taken Local Plan
  - How the outcomes from cooperation have influenced the approach
  - Consultation responses on the LDF Core Strategy (as the antecedent to the Local Plan)
  - The approaches of neighbouring authorities
  - Commentary on how due consideration all the above demonstrates that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in the Local Plan
- 5.4 Through the process of plan preparation and engagement, the main cross boundary strategic priorities identified for York are considered to be the homes and jobs needed in the area alongside the provision of retail and infrastructure and climate change and environmental considerations. It is these policy areas where the key local strategic issues lie.

### **The homes needed in the area**

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#### ***Strategic Approach***

- 5.5 The DtC 2012 states that the RSS settlement hierarchy, location of development, distribution and levels of housing approaches has shaped Hambleton District Council's and Harrogate Borough Council's adopted Core Strategies<sup>1</sup> and remains the overall strategic approach for the emerging Ryedale, Selby and East Riding Core Strategies. DtC 2012 states that all authorities (apart from Hambleton District Council) provide for fewer homes than their CLG household projections. Although CLG household projections had formed part of the evidence base for setting additional housing figures across the region, the figures were not derived directly from one mathematical model or set of projections. Rather they were the result of the range of evidence and debate that has been considered through the process of preparing the Plan. The strategy within RSS was to create more sustainable patterns

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<sup>1</sup> Hambleton's Core Strategy was adopted in 2007 and Harrogate's Core Strategy was adopted in 2009

of development and reverse historic trends of dispersal away from the Regional Cities and Sub Regional Cities and Towns, whilst allowing an appropriate level of market and affordable housing in rural areas. In North Yorkshire, growth was focussed on the Sub Regional Towns of Harrogate and Scarborough and City of York, giving due consideration of their role, environment and setting.

5.6 The NPPF states that *'Local Planning Authorities (LPAs) should positively seek to meet the development needs of their area' and 'Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change..'* This requirement, together with the revocation of the RSS led City of York Council to review its strategic approach for housing, independent of the previous approach in the RSS. However, it is important to note that in the RSS process (as described in greater detail in DtC 2012) the distribution of development was influenced by the role of places in the Yorkshire and the Humber Sub-region.

5.7 The housing markets of York and the previous assessment of the demand for homes for the CS are described in DtC 2012. In these analyses, the RSS housing targets were used as a starting point for the work undertaken by Arup in its Population Topic Paper in support of the CS which explored housing need in York. This objective approach to identifying housing numbers was supported by work undertaken on the York Sub-area Study which analysed commuting flows to inform the definition of the geographic extent of the Sub Area, and the North Yorkshire Strategic Housing Market Assessment (SHMA) (2011) which considered strategic sub-market areas and determined that:

*'The dynamics of movements between authorities across North Yorkshire have been analysed with linkages evident across a number of the strategic sub-market areas. Importantly links with authorities such as Bradford and Leeds and in particular Craven and Harrogate are shown to have an important bearing on the operation of the market in the sub-region.'*

5.8 To establish the baseline position on housing growth for the Local Plan, Arup reviewed the range of evidence on housing and population growth in York. This review is presented in its report 'Housing Requirements in York: Assessment of the Evidence on Housing Requirements in York (Arup, 2013)'. Based on this review, Arup put forward a number of housing growth options for York as follows:

- **Option 1 – Baseline of 850 dwellings per annum:** - This is consistent with the overall level of population growth set out in the 2010 based SNPP and the North Yorkshire SHMA. This figure would not be commensurate with the forecast economic growth and so would not provide the choice of housing for those with jobs in York to live in York and would increase in-commuting.
- **Option 2 – 1090 dwellings per annum:** - This option provides the scale of housing growth to support the employment growth forecast in the York Economic and Retailing Growth and Analysis and Visioning Work (2013) and would provide the choice for those who may take up new jobs to reside in York rather than commute into the district.

- **Option 3 – 1500 dwellings per annum:** - Delivering 1500 dwellings per annum is not purely derived from future demographic need but is an assessment of what the overall housing growth figure would need to be in order to meet the newly arising affordable housing need over the plan period based on the existing affordable housing target.
- **Option 4 – 2060 dwellings per annum:** - Delivering 2060 dwellings per annum exceeds, significantly, any of the household projections for York published since 2003. This option would theoretically meet the affordable housing target of 790 affordable dwellings per annum over the plan period including both the backlog and the newly arising affordable housing need as set out in the North Yorkshire SHMA.

5.9 In order to meet the needs and aspirations of present and future residents of the City of York and to support a thriving economy, the Local Plan will make provision for at least 21,936 dwellings in the period 1st October 2012 to 31st March 2030. This will deliver a minimum annual housing target of 1090 dwellings per annum over the plan period to 2030 with an additional land supply buffer of 15%, taking the annual housing target to 1253 per annum, to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.

5.10 In order to realise the housing growth levels the Local Plan identifies several 'Strategic Housing Allocations' and a 'New Settlement'. Some of the former (as extensions to urban areas) propose development levels ranging from approximately 1,600 dwellings to approximately 4,000 dwellings and are located on the periphery of York's urban area, close to the Outer Ring Road (A64 and A1237). The latter, south east of the A64 proposes approximately 5,600 dwellings (900 of which after 2030).

#### ***Outcomes from cooperation with neighbouring authorities and Prescribed Bodies***

5.11 Engagement with neighbouring authorities undertaken in preparing the CS highlighted York's role as the main economic driver in the North Yorkshire and York sub-region and, more particularly, in the York sub-area. At that time concerns were raised regarding the transport impacts and mitigation needed due to the potential future high level of inward commuting into York as more people living outside of the York authority (e.g. from Pocklington and, to a lesser extent, Market Weighton in the East Riding of Yorkshire) area travel to work in York.

5.12 The higher housing target, compared to the CS target, subsequently proposed in the Local Plan seeks to address the concerns relating to the potential for increased inward commuting, in addition to the issues outlined in the options stated in paragraph 5.8. In addition the East Riding Local Plan Draft Strategy Document (January 2013) *'aims to support jobs and businesses to ensure that the East Riding can maximise opportunities for economic development'*. The document also identifies a 'Vale of York sub-area' that includes the towns of Market Weighton and Pocklington, adding for both of these towns *'There will be alternatives to commuting away from the town as a result of the enhanced employment, retail and leisure facilities'*.



- 5.13 In preparing the CS, discussions took place with the Highways Agency (HA) for determining the scale and location of development and how it may affect the A64, having due regard to DfT Circular 02/2007 'Planning and the Strategic Road Network'. More recent discussions with the HA regarding the growth targets in the Local Plan have taken place, with respect to 'The Highways Agency and the Local Plan process A protocol for local authorities, developers and the Highways Agency' which is intended to be a companion document to Protocol for Dealing with Planning Applications published in December 2012, to be read in conjunction with NPPF. These discussions have focussed on how the HA could support Development and Facilitate growth, with particular regard to potential strategic sites or new settlements adjacent to the A64. The initial view from the HA is that the development of such sites could stimulate economic growth.
- 5.13 Further engagement will take place with neighbouring authorities and Prescribed Bodies through continuing the joint working and cooperation processes outlined in Table 1 and through inviting comment on and discussion of the Local Plan Preferred Options when it is issued for consultation in June 2014.

***Consultation Responses from cooperation with neighbouring authorities and Prescribed Bodies – LDF Core Strategy***

- 5.15 Ryedale District Council welcomed the housing targets and noted that delivery is increased after 2015-16 reflecting the state of the economy and need to step up delivery of housing. Hambleton District Council did not object to the Core Strategy but expressed some concern about flexibility of planning for York to ensure that long term development needs can be met, without adversely impacting on neighbouring parts of Hambleton District lying outside Green Belt. East Riding of Yorkshire noted that it is important that housing and employment growth are balanced and seek to reduce (or at least not exacerbate) levels of commuting from neighbouring authorities. Selby District Council welcomed the further work undertaken to review evidence on targets in particular consideration of RSS targets and more recent CLG projections however they expressed some concern that if York is being over cautious leading to under provision in the plan period this will lead to pressure on Selby.
- 5.16 North Yorkshire County Council considered that the document is likely to enable the Council to accommodate its full housing needs throughout the plan period. They considered that the Council should identify 'safeguarded' areas of land within the proposed Green Belt for future housing development through the Allocations DPD. The County Council supports the proposal to take account of windfall sites which is a significant issue for all authorities in North Yorkshire where windfall sites traditionally represent a major element of new housing growth. It was suggested that excluding them can result in significant over-allocation of land, which can distort the overall strategy.
- 5.17 The Highways Authority consider that the York Northwest Strategic Allocations will have a significant impact on the Strategic Road Network and as such they would like to be involved in future analysis of sites to ensure that potential cumulative impact of sites is fully analysed at later stages. At the preferred options stage English Heritage questioned the potential impact of development on the historic character and setting

of the city. However at the Submission stage their concerns had been addressed and they support the approach.

### ***Approaches of Neighbouring Authorities***

- 5.18 The RSS distribution and levels of development remain unaltered in the adopted Core Strategies of Hambleton and Harrogate and have been reassessed in the context of the 2008-based household projections in Selby, Ryedale and East Riding. These assessments have resulted in housing figures remaining broadly in line with the RSS for Ryedale and Selby, while in East Riding<sup>2</sup> there has been potentially some increase in line with a proportionately significant increase in household projections.
- 5.19 The East Riding of Yorkshire identifies a 'Vale of York Sub area' in its emerging Core Strategy which has two main towns, Market Weighton and Pocklington identified as a Local Services centres. These form part of the settlement hierarchy which will be the focus for housing development. However, it is noted that because of its links to York it is generally an area of high housing demand and as such, the policy approach for this sub area focuses on supporting economic growth to reduce out-commuting (from the sub area) and improve the overall sustainability of the area.
- 5.20 The emerging Ryedale Plan identifies that Malton and Norton as the Principal Towns in Ryedale perform a local and wider strategic role within the York sub area. The plan also notes that the proposed annual housing target reflects the annual rate of delivery which was established by the RSS. Through that process, this target was supported by robust evidence and in the context of more recent evidence, including household projections. Ryedale District Council considers that it remains an appropriate level of housing provision which balances the need to accommodate objectively assessed requirements with local aspirations, issues and constraints. In a sub-regional context, it is a target which will help to manage externally driven demand for housing in Ryedale and reflect relationships with neighbouring authorities. This is particularly important given the close proximity of the City Of York with its high demand housing market. For Selby in its emerging Core Strategy reinforcing the role of Selby locally as well as sub-regionally is sought by providing a focus for housing in the town.
- 5.21 The Selby Core Strategy has been subject to an Examination in Public which has been adjourned and reconvened several times. The Inspector was about to finalise his Report to the Council into the Examination when, on 9 April, the Government released its 2011-based household projections. These new projections represent a potentially significant source of up-to-date data which may (or may not) have a bearing on the level of housing need proposed in the Core Strategy. The Inspector is required to have regard to the latest available information at the time that he submits his Report. So this will need to be to reflect the new household forecasts.

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<sup>2</sup> It should be noted that East Riding provides for housing arising from the main urban area of the City of Kingston upon Hull but that relationship, subject to a separate Duty to Co-operate, is not seen to affect the policies of the City of York plan.

- 5.22 The adopted Harrogate Core Strategy focuses most of its development for housing within the towns of Harrogate and Knaresborough and recognises that due to the rail link between Leeds/Harrogate/York many residents leave the Borough to work in York. Whilst the adopted Hambleton Core Strategy focuses housing development on the Principal Towns of Northallerton and Thirsk and identifies an area of restraint to the south of the District. This includes the local service centre of Easingwold which otherwise would face development pressure due to its proximity and ease of access to York.
- 5.23 It is noted that all neighbouring authorities propose to provide for the needs of Gypsies, Travellers and Show People.

### ***Commentary***

- 5.24 The Council considers that the City of York delivers sufficient homes to address needs arising in the local authority area and the approach set out in our Local Plan Preferred Options is coordinated with neighbouring authorities approaches to housing. There is an acknowledged overlapping housing market between York and its neighbouring authorities as would be expected from a city with a tightly drawn unitary boundary and an extensive functional hinterland. This has resulted in recognition from all surrounding local authorities of the roles of different places in relation to York. In Harrogate and Hambleton the areas immediately adjoining the City of York are not a focus for housing growth. In Ryedale and Selby the Principal Towns, by virtue of their economic relationship and transport connections to York, do serve a wider than local role, but both authorities in their Core Strategies are seeking to create a more robust economic and service base which affords the opportunity for people to live and work more locally.

### **The jobs needed in the area**

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#### ***Strategic Approach***

- 5.25 The City of York is the focus for a functional, economic sub area that stretches beyond its authority boundaries. The status of the City of York as an economic driver was established through the RSS process by virtue of the designation of the City as a 'Sub-Regional City' where sub-regional economic growth should be focussed so as to make best use of competitive advantage, local and wider links with other firms and sectors and to provide links to the knowledge-bases in the region which are focussed on the main cities.
- 5.26 The RSS also set out, in Policy Y1 'York Sub area Policy' (see Annex 3), that the hinterland of York plays a critical complementary role in supporting sub area and local objectives. In this way the RSS identified that secondary locations are critical to the success of the York sub area economy and identified in particular a role for Malton/Norton and Selby. Selby's proximity to the south of York, especially York Science Park and the research base at the University of York, along with a track record in power generation and supply, availability of land and industrial premises means that it is well placed to provide for local and wider economic growth and links, particularly around the low carbon economy.

- 5.27 The sub area approach of the RSS has been retained in recent economic analysis undertaken by the York and North Yorkshire Partnership Unit<sup>3</sup>. The analysis of economic linkages provided the economic assessment with a view of economic geographies across the sub region. It was concluded that these economic geographies do not follow administrative boundaries but do have distinctive characteristics both physically and economically making them a good spatial basis for this assessment. These are based on the spatial areas set out within the RSS and through discussions with the local authorities and include York and Hinterland i.e. the York Sub area. Within the York Sub area only 1% more residents are in employment than jobs in the area. This shows a high level of 'self containment' within the sub area.
- 5.28 Whilst York has experienced the impact of the recent recession, as a whole the City remains in a strong position to fulfil its role as a sub-regional economic driver with links beyond its boundaries.

### ***Strategic Issues***

- 5.29 The City of York authority area has a significant level of daily in-commuting (See Supporting Paper 5: The Relationship Between Housing, Employment and commuting), as befits a sub-regional centre. This leads to pressure on public transport and the road network. The challenge is to build on the economic success of York whilst reflecting constraints, this includes maintaining and diversifying the economic growth of the City in a manner which is complementary to the places around York included in within the wider sub area.
- 5.30 The places around York benefit from proximity to the City as an economic hub, as a knowledge centre and as a location for wider sectoral and cross sector supply chains. Key sectors include high value sectors such as financial and business services, alongside growing bioscience, creative industries, and IT and digital services and tourism, retail and construction. However, the local authorities around York recognise that they need to maintain a strong local economic base.

### ***The Local Plan Approach***

- 5.31 The Local Plan will ensure that York fulfils its role as a key driver in the regional economy and that employment levels remain high. To this end, the creation of up to 1,000 new jobs a year is a key target. Providing sufficient land in the right locations to allow the economy to realise its potential and maintain its role in the wider functional area, whilst respecting the City's special historic and natural environment will be fundamental to supporting growth and deliver increased prosperity. To ensure sustainable economic growth the Local Plan will focus economic development in the city centre and other sustainable locations. This will include a new office quarter within the York Central Strategic Site. Strategic Sites for employment have also been identified at land adjacent to the existing Northminster Business Park and north of the Monks Cross retail park. Existing employment sites and areas will also be protected.

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<sup>3</sup> York and North Yorkshire Economic Assessment (2010) York and North Yorkshire Partnership Unit

- 5.32 Science City York, York Science Park and expansion of the University of York have encouraged knowledge-led industries to locate and expand their operations in the city. This is supported within the Local Plan. In addition business clusters which have developed at York Science Park (Bioscience, Cultural & Creative, IT & Digital) are beginning to have spin-off benefits for other locations both within and outside the City of York area for example the Food and Environment Research Agency in Ryedale.

***Consultation Responses from Neighbouring Authorities and Prescribed Bodies – LDF Core Strategy***

- 5.33 East Riding considered that it important to clarify that housing and employment growth in city are balanced and seek to reduce (or at least not exacerbate) level of commuting from neighbouring authorities. English Heritage welcomes the recognition that economic success must be delivered in a way which respects City's unique character. The Highways Authority consider that York Northwest will have a significant impact on the Strategic Road Network and as such they would like to be involved in future analysis of sites to ensure that potential cumulative impact of sites is fully analysed at later stages. It is anticipated that this could done as part of the work on the Allocations and Designations DPD.

***Approaches of Neighbouring Authorities***

- 5.34 The emerging Ryedale Plan notes that it is important for Malton/Norton to play a more strategic role both for the District and in terms of their relationship with the City of York. The aim is to capitalise on the proximity to and connections with York's successful economy in order to try and stimulate economic links and the growth of specific sectors in Ryedale such as science/knowledge based activity. The strategy is not to compete with the City of York but to provide for those businesses that need good links to York and attractive surroundings but which do not require a location in the City itself. The approach represents a good opportunity to diversify the economy of the Principal Town and in doing so to create wider economic benefits and employment choices for Ryedale as a whole.
- 5.35 The Emerging East Riding strategy includes supporting economic growth in the area immediately to the east of York so as to reduce out-commuting and improve the overall sustainability of the area. Hambleton District's centres of employment in Northallerton and Thirsk are some way from the City of York and serve different markets. The main links are with Easingwold and this is defined in its Core Strategy as a local service centre which provides for local job opportunities only. However the Adopted Core Strategy does recognise that Easingwold will benefit from being within the "sphere of influence" of York.
- 5.36 Harrogate recognises that while there are some functional employment links with the City of York the main relationship is with Leeds, so its plan focuses on wider cross boundary links with the Leeds City Region (which includes York), particularly as the A1/A1(M) runs north/south through the eastern part of the District and provides good road links with the rest of the national motorway network. Harrogate identifies Boroughbridge, Green Hammerton and Tockwith (the closest settlements to York) as local service centres which may grow to serve local economic needs in their

immediate rural areas. The policies in the York Local Plan do not impinge on these roles. Northminster Business Park is the closest employment site to Harrogate District but its growth is not considered to substantially displace potential employment growth from the Harrogate area.

- 5.37 The emerging Selby Core Strategy notes that as a result of a high level of out-commuting to Leeds and York, the District to a degree has become a dormitory location for these cities, supplying them with skilled labour, at the expense of the local economy and sustainable development objectives. It therefore seeks to reduce out-commuting to York and strengthen the economic base of Selby Town in particular. It considers that that Selby is well placed to benefit from overspill of highly skilled, knowledge and technology based forms of employment from other parts of the Leeds City Region, and York (but see also paragraph 5.21).

### ***Commentary***

- 5.38 The Council considers that the role of the City of York is as a driver of the sub-region's and the sub area's economy. The RSS set in place a framework of complementary roles where spin-offs from the York economy could be spread so as to benefit places like Selby. This is maintained in both the York Local Plan and the development plans of neighbouring authorities. The location of employment land in York is very much concerned with fostering and enhancing the economic base that already exists e.g. in the City Centre, at the University and existing business areas.
- 5.39 Some concern was raised by East Riding of Yorkshire, in its consultation response to the CS, advising that the job growth and housing growth of the City needs to be balanced. However, it is considered that the approach taken by the City of York Council is appropriately balanced in light of the conclusions of Supporting Paper 5: The Relationship between Housing, Employment and Commuting.

## **The provision of retail**

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### ***Strategic Approach***

- 5.40 The provision of retail is driven by the Retail Hierarchy of the Local Plan (Policy R1) which reflects the key principles established through the RSS process. These roles are reflected in the approach taken by neighbouring authorities and established in their own Core Strategies.

### ***Strategic Issues***

- 5.41 The retail/catchment role of York stretches beyond its local authority boundaries. This arises from the considerable draw of the city centre and its other retail centres.
- 5.42 It is considered important to retain the strength of the City's offer as this supports the wider sub-regional economy. However, it is expected that the key focuses for development in adjoining authorities will remain as their own principal towns as it is important they retain their capacity to meet local services needs for local residents, whilst acknowledging that York will continue to meet some of their needs.

### ***The Local Plan Approach***

- 5.43 The Local Plan seeks to support and enhance the vitality and viability of the City Centre with the Primary Shopping Area (PSA) providing the primary focus for new retail floorspace. New floorspace and support for existing retailers will include the promotion of Castle Piccadilly for main town centre uses to support and enhance the offer within the PSA. Niche or ancillary retail facilities at York Central will complement city centre retail. At out of centre retailing sites the creation of further floorspace or changes to the type of retail at these locations will only be permitted if the proposal is small in nature (less than 200 m<sup>2</sup>) and will not impact upon the city centre vitality and viability.

### ***Consultation Responses from Neighbouring Authorities and Prescribed Bodies - LDF Core Strategy***

- 5.44 English Heritage supported Policy CS17 'The Distribution of Retail Growth'. No further strategic comments were received on retail from other bodies or authorities.

### ***Approaches of Neighbouring Authorities***

- 5.45 The adopted Hambleton and Harrogate Core Strategies and emerging East Riding Core Strategy are complementary to York's approach as their centres closest to the boundary of York are identified for day to day retail provision only. For Selby, its emerging Core Strategy seeks to strengthen and regenerate the Principal Town of Selby and the local service centres of Tadcaster and Sherburn in Elmet to retain some of the leakage of retail spend to York, Leeds and Doncaster. The emerging Ryedale Core Strategy highlights that there is 'leakage' of Ryedale residents, particularly for non-food items, to York and that the Principal Town of Malton/Norton will be a focus for local retail and seek to retain some of this leakage within the District through provision of an additional food supermarket.

### ***Commentary***

- 5.46 While many of the neighbouring authorities point to some leakage of retail spend from their areas to the City of York this is to be expected from settlements within the hinterland of a major City. Their approaches to providing more convenience and appropriate levels of comparison retail to strengthen their towns capacity to meet local services needs for local residents, whilst acknowledging that York will continue to meet some of their needs, is complementary to and coordinated with the approach taken in the City of York Local Plan for focussing its retail strategy on supporting a vital and viable city centre.

## **The provision of infrastructure for transport, waste management and energy**

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### ***Strategic Approach***

- 5.47 The RSS set out to optimise the existing critical infrastructure in the area through a settlement network which distributed levels of development according to role of place reflecting sustainable transport objectives.

- 5.48 Waste Management was also a key theme in the RSS, indicating that waste planning authorities should ensure that adequate sites and facilities are available to deal with the highlighted waste tonnages set out in the RSS and this could be done jointly or individually.
- 5.49 Indicative local targets for installed grid connected renewable energy were set out with the RSS and specific targets are given for York. The targets in the RSS came from the Sub-regional Renewable Energy Assessment and Targets Study (REAT) (2004). The REAT study focused on large scale renewable energy generation. The outcomes of a study undertaken by Land Use Consultants for York and North Yorkshire in 2005 fed into creating the targets in the RSS in relation to micro-generation. However it should be noted that these targets have now largely been superseded by more locally specific studies into renewable energy capacity factoring in deliverability and location of facilities. In many cases these facilities are close to authority borders and will, therefore, be considered through the joint-working and cooperation methods outlined in Table 1 as the Local Plan is progressed to Examination to ensure the most efficient and sustainable development of such facilities is realised

### ***Strategic Issues***

- 5.50 The main issues arising around infrastructure relate to the challenges of providing sufficient infrastructure to enable the delivery of sustainable new development in an economic climate where external funding is reduced. This is shared amongst the neighbouring authorities of the City of York. The City of York Council's Infrastructure Delivery Plan, in support of the CS, and work done with neighbouring authorities points to the cross boundary transport related infrastructure issues which are well known and relate to congestion on the York outer ring road, the A64 and to a lesser extent the A19. The A1079 is used by the majority of York's daily commuters into the City from the east and has poor public transport provision.
- 5.51 For waste management, continued joint working with North Yorkshire County Council on the Waste PFI project at Allerton Park<sup>4</sup> reflected in the Local Plan is considered to be essential for dealing with future levels of municipal waste. To this end, City of York Council and North Yorkshire County Council received £65million of PFI credits to secure a waste treatment facility to divert biodegradable municipal waste from landfill. However, the PFI credits were withdrawn by Government in February 2013, and the two Councils are currently pursuing a judicial review into this decision. If the PFI project cannot go ahead if alternative funding cannot be sourced then an alternative solution will need to be examined as the Local Plan is progressed towards Examination.

### ***The Local Plan Approach***

- 5.52 As set out in Section 4, the Council's Infrastructure Delivery Plan involved consultation with many different infrastructure providers (as listed in Annex 1 of that document) and each of the neighbouring authorities. The Council will continue to work with infrastructure providers to ensure that new development will be supported

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<sup>4</sup> Allerton Park Waste PFI Planning Application (2011) – joint planning application for York and North Yorkshire.



by appropriate and timely infrastructure provision. If critical elements of infrastructure cannot be delivered this could trigger a review of development levels or a review of the timescale for the provision of strategic infrastructure.

- 5.53 The Local Plan will play a key role in addressing the City's transport issues but also the issues of congestion accessibility, safety and air quality. Within the context of meeting the city's development needs the Local Plan will complement the City of York's Local Transport Plan 2011-2031 (LTP3) and will help deliver a fundamental shift in travel patterns away from private car use to more sustainable modes, firstly, by reducing the need to travel and, secondly, by ensuring that sustainable transport provision is a key component of future development. It will also be ensured that future transport infrastructure is appropriate to the level of development proposed in this plan. The implications on the transport network arising from the proposed growth assumptions within Local Plan are considered in The Transport Implications of the Local Plan.
- 5.54 The Council has worked alongside North Yorkshire County Council in the preparation of its emerging Waste Core Strategy and the City Council is a member of the York and North Yorkshire Waste Partnership<sup>5</sup>. If the PFI credits, or other funding, for proposals for a waste management facility at Allerton Park (see also paragraph 5.51) can not be secured, the criteria based policy set out in WM1 will enable alternative sites to be considered in accordance with PPS10 as will the evidence base work for the Joint Plan and the Plan itself.

***Consultation Responses from Neighbouring Authorities and Prescribed Bodies - LDF Core Strategy***

- 5.55 Natural England and the Environment Agency support the use of planning obligations to secure infrastructure provision. The Highways Agency would like to work with the Council to establish what transport infrastructure is required to deliver LDF aspirations and understand how these will be funded. It was also suggested that the strategic road network be added to the list of site specific and strategic infrastructure provision where contributions may be required. No strategic comments were received from neighbouring authorities or prescribed bodies regarding waste or energy provision.

***Approaches of Neighbouring Authorities***

- 5.56 Most of the main cross boundary issues relate to the strategic road network which crosses the City of York boundary. The emerging Ryedale Plan notes that focussing development at Malton and Norton is likely to increase the volume of traffic using the A64, especially in the York direction. This will be mitigated by encouraging the use of bus and rail travel, ensuring that new development is accessible to the bus rail interchange and that improvements to this facility are delivered. In addition, the District Council will work with the Highways Agency, the City of York and other neighbouring authorities to identify a package of improvements to the A64 corridor (including rail and road based public transport) to be funded through developer

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<sup>5</sup> Let's Talk Less Rubbish: A Municipal Waste Management Strategy for the City of York and North Yorkshire 2006-2026 York and North Yorkshire Waste Partnership, supported by Enviro Consulting Ltd

contributions and in time, the Community Infrastructure Levy. In the longer term it is anticipated that the strategy of diversifying the economy of the Principal Town will mean that a broader range of employment opportunities will be available locally, reducing the need for some residents to travel to York.

- 5.57 The adopted Harrogate Core Strategy includes significant improvement to rail services between Harrogate, Knaresborough and York in its vision. This is seen as important to open up the towns economic role especially tourism and conferencing. For Hambleton, its adopted Core Strategy identifies its infrastructure improvements on the Principal Towns of Northallerton and Thirsk in recognition of their role in the District. The emerging Selby Core Strategy seeks to focus its infrastructure improvements on the town of Selby, Sherburn in Elmet and Tadcaster.
- 5.58 The North Yorkshire County Council Local Transport Plan 3 has not set out scheme prioritisation yet and is establishing the broad principles of how this may operate within the area. The emerging East Riding Core Strategy focuses infrastructure improvements on the A1079 in recognition of the poor quality public transport provision currently. The plan lists the City of York as a delivery partner.

### ***Commentary***

- 5.59 Most of the infrastructure initiatives that are raised through the City of York and neighbouring core strategies relate to the delivery of development within the main settlements. For the East Riding many people commute into York along the A1079 and the authorities are committed to improving public transport access along this link. East Riding is investigating, through its recently commissioned infrastructure study, improvements at key junctions on the A1079. This is particularly relevant in relation to the A1079 / A64T Grimston Bar interchange areas where significant additional demands on the existing road capacity could arise. It should also be noted that the Highways Agency has recently completed traffic modelling of the A64/A1079 junction to identify improvements required in the short, medium and long-term. The City of York's LTP3 aligns with the wider North Yorkshire and East Riding Plans (including the North Yorkshire and York Transport Strategy). This is helped by the activities of the North Yorkshire and York Transport Board and officers group, for which the City of York Council provide a secretariat function. See Annex 1.
- 5.60 Growth targets in the Local Plan have been discussions with the HA having due regard to new HA protocols and the NPPF. These discussions have focussed on how the HA could support Development and Facilitate growth, with particular regard to potential strategic sites or new settlements adjacent to the A64, most notably those near to the A1079 / A64T Grimston Bar interchange. The initial view from the HA is that the development of such sites could stimulate economic growth.
- 5.61 A York Sub Area Joint Infrastructure Working Forum has recently been established as a forum for authorities that comprise the sub area. It will play an important role in engaging authorities in a dialogue regarding strategic infrastructure issues. This includes the consideration of cross boundary potential offered by the Community Infrastructure Levy.

- 5.62•City of York Council, has with North Yorkshire County Council, Harrogate District Council and METRO jointly commissioned a Leeds – Harrogate – York Rail Line Transport Business Case Study (2013) to set out the requirements for and benefits of improving rail infrastructure and services on this line to realise the vision in Harrogate’s Core Strategy.
- 5.63 With regard to waste management sub regional working has taken place between the York and North Yorkshire authorities on providing a municipal waste facility at Allerton Park.

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## **Strategic environmental considerations**

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### ***Strategic Approach***

- 5.64 All authorities in the Leeds City Region and North Yorkshire and York Sub Region are committed to adapting to the effects of and mitigating the causes of climate change. The distribution of development in the RSS sought to reduce the need to travel and ensure that new development was accessible. The Leeds City Region LEP Plan includes as a strategic priority the facilitation of a low carbon economy.
- 5.65 The approach to green infrastructure has been driven by work undertaken by Natural England at a regional level and has been developed in tandem, and as part of, the wider Leeds City Region Green Infrastructure Strategy which highlights key cross boundary assets and projects.
- 5.66 Under the RSS the strategic approach to Flood Risk relates to its pro-active management by avoiding development in high risk areas through the application of the sequential approach. This reflects the importance of using Strategic Flood Risk Assessments to help inform the location of development. It is essential, within this approach, that flood risk is managed for the whole of a River from its source to its mouth due to their cross boundary catchments.

### ***Strategic Issues***

- 5.67 In addition to the wider challenge of addressing climate change, the key strategic issue relates to ensuring that a common approach to the retention and enhancement of Green Infrastructure Corridors is adapted across the region. This includes delivering the aspirations of partner strategy documents and actions plans, including the Regional Biodiversity Strategy and River Basin Management Plans. It is also important to recognise the role that York’s historic character plays in enhancing the region’s social and cultural identity, acknowledging that historic assets offer wider benefits in terms of investment, employment and tourism across the wider region.
- 5.68 In relation to the provision of infrastructure for flood risk management it is important to continue joint working with the Environment Agency on flood risk modelling. In light of new flooding events and climate change it will be essential to ensure that future development continues to be located in areas of low flood risk, and that any development does not give rise to flood events upstream or downstream. City of York council is working with the Environment Agency, and appropriate internal drainage boards (IDBs) and local planning authorities on this issue, principally

through the development of Catchment Flood Management Plans (CFMPs) for the Yorkshire and North East Region. The two relevant CFMPs for York are the Derwent CFMP and the Ouse CFMP.

### ***The Local Plan Approach***

- 5.69 Addressing climate change is a key influence of the Local Plan vision. York's Local Plan will promote the creation of sustainable neighbourhoods to help people live lower carbon lifestyles and will aim to support the growth of the local economy in a sustainable way which delivers increased prosperity for the whole community whilst reflecting the challenge of addressing climate change. The promotion of a low carbon economy will be central to this approach. The Local Plan will play a key role in helping contributing to a reduction of York's carbon and eco-footprint and helping the City to adapt to and mitigate against climate change. This will involve striking an appropriate balance between physical growth and environmental sustainability and ensuring that the environmental consequences of our actions are adequately understood and managed.
- 5.70 The Local Plan embeds within its spatial strategy the protection of Green Corridors, nature conservation sites, open space and areas which contribute to the historic character and setting of the City. Further, it sets in place the Council's intent to develop a Green Infrastructure Strategy, recognising the value of York's landscape, biodiversity and geodiversity in supporting healthy communities, cultural value, a buoyant economy and aiding resilience to climate change.
- 5.71 The Local Plan will ensure that the City's heritage assets are preserved and enhanced. The Local Plan will help York to safeguard its outstanding heritage for future generations by promoting development that respects the City's special character and encourages opportunities for rediscovering and reinterpreting those assets.
- 5.72 A key element of the Local Plan vision is to ensure that new development is not subject to, nor contributes to, inappropriate levels of flood risk from the River Ouse, Foss and Derwent and other sources. This is an important component of the overall Spatial Strategy of the Plan. This approach is underpinned by the Council's SFRA on which the Council has worked closely with the Environment Agency. The rivers Ouse, Foss and Derwent all cross more than one local authority boundary, but the Local Plan approach seeks to ensure that development in the City of York area does not cause problems with the Local Authority area or elsewhere.

### ***Consultation Responses from Neighbouring Authorities and Prescribed Bodies – LDF Core Strategy***

- 5.73 No comments were received on climate change from neighbouring authorities or prescribed bodies, or with regard to flood risk, waste, minerals or energy provision.
- 5.74 The Environment Agency indicated that they were satisfied that aspirations of the vision would avoid inappropriate development in areas of flood risk. They also supported the approach that "greenfield areas subject to high flood risk (Flood Risk Zones 3a and 3b) are considered as inappropriate for future development for

housing or employment”. The Agency indicated however that they expected to see a freestanding Sequential Test Topic Paper and further references to the sequential test in relevant policies relating to development and the Sustainability Appraisal. They also indicated that they felt further clarity was required in the specific flood risk policy.

- 5.72 At the preferred options stage English Heritage questioned the approach to York’s distinct heritage assets and the potential impact of development on the historic character and setting of the city. However at the Submission Draft stage their concerns had been addressed and they support the approach taken.

### ***Approaches of Neighbouring Authorities***

- 5.73 The approaches of neighbouring authorities to addressing climate change is consistent with that of the Council. The main area where environmental issues arise relates to green infrastructure. The wider strategic work on Green Infrastructure<sup>6</sup> identifies a common vision for Green Infrastructure in the Leeds City Region to determine how future investment in Green Infrastructure will be secured and targeted. It comprises the cities and districts of Bradford, Calderdale, Kirklees, Leeds, Wakefield, Barnsley, Craven, Harrogate, Selby, York and parts of North Yorkshire. This strategic work also identified region wide Green Corridors, focuses the work of authorities and statutory and voluntary agencies, providing the evidence necessary to protect strategic and local green corridors and networks.

- 5.74 Yorkshire Water’s 2009 Water Resources Management Plan, identified that the Yorkshire Water region will remain in a water supply surplus throughout the planning period to 2034/35. These forecasts are currently being reviewed and updated as part of the development of the 2013 Yorkshire Water Draft Water Resources Management Plan. The Council will continue to work closely with Yorkshire Water and neighbouring authorities, to address any issues that may arise from this review as the Local Plan progresses towards Examination.

### ***Commentary***

- 5.74 Climate change mitigation and adaption have been a key influence in the preparation of Core Strategies across the region and are embedded within the City of York’s Local Plan and neighbouring authorities’ plans. Green Infrastructure being the main cross boundary environmental issue in the conservation and enhancement of the natural environment. The City of York has worked closely with neighbouring partners to develop a common approach to Green Infrastructure, including playing a key role in the production of the Leeds City Region Green Infrastructure Strategy (2010). York’s policy approach will help to deliver the shared aspirations of these partners.

- 5.75 For flood risk management the City of York Council has worked closely with the Environment Agency in developing its SFRA. This underpins the approach in the plan. The policy response included within the Local Plan is considered by the Council to be an appropriate response. The strategic approach within the Local Plan

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<sup>6</sup> Natural England Green Infrastructure Study (2009), Leeds City Region Green Infrastructure Study (2010)

aims to ensure that development in the City of York area will not cause flood management problems for neighbouring authorities.

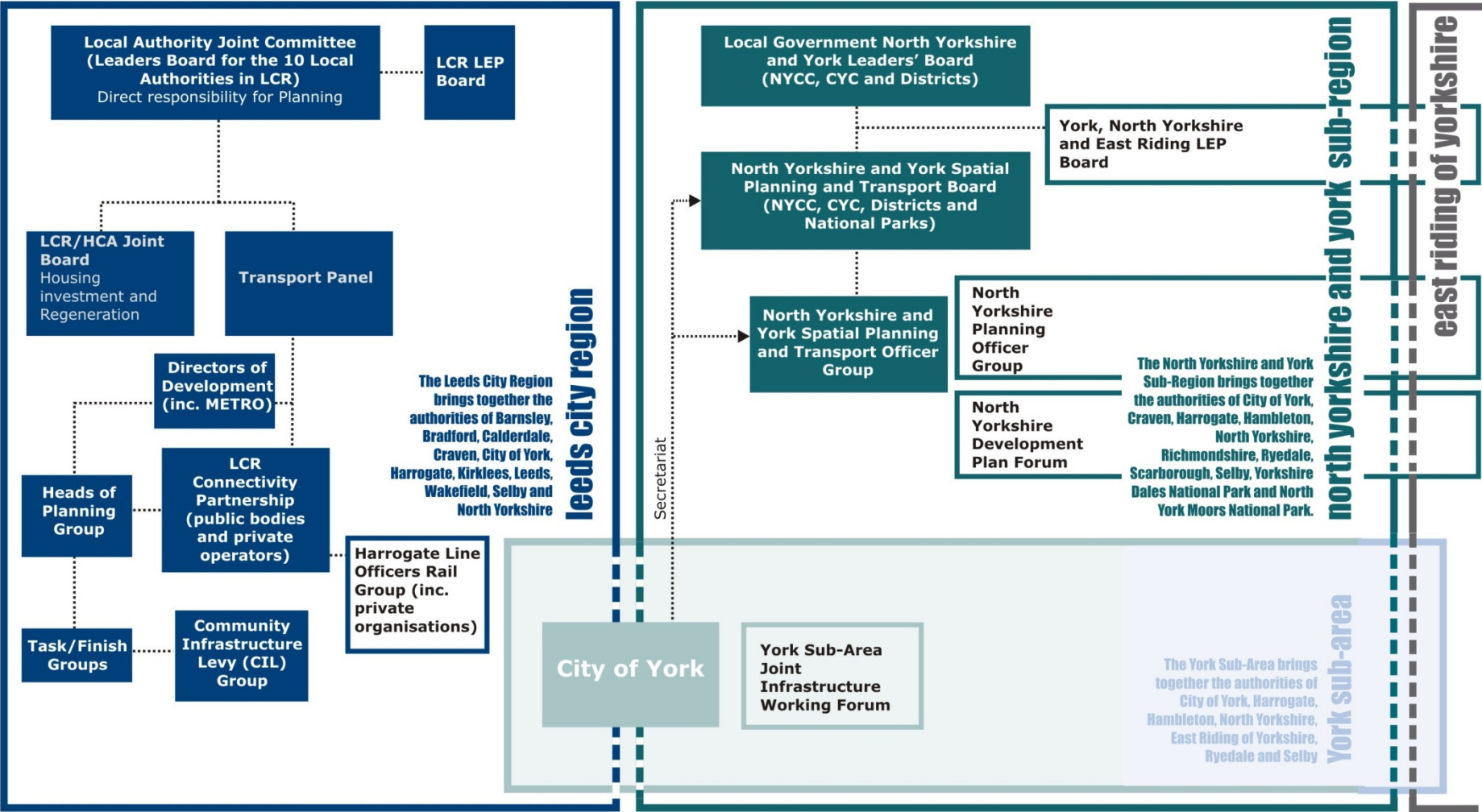
## **6.0 Contemporary Strategic Approach to Co-operation**

- 6.1 Supporting Paper 6 and the Duty to Co-operate Supporting Paper set out the context of cross boundary strategic planning relevant to the preparation of the City of York Council LDF Core Strategy (as the antecedent to the Local Plan). In taking this forward for preparing the Local Plan due consideration has been given to Leeds City Region Interim Strategy Statement (2011) and the North Yorkshire and York Sub Regional Strategy (2011), both of which examined the mechanisms for continued strategic work in their respective areas of influence..
- 6.2 Annex 1 shows the current governance arrangements for the North Yorkshire and York sub area (extended to include East Riding of Yorkshire in the LEP) and the Leeds City Region as they affect and can be influenced by York. The York Sub-area is a functional sub area in its own right and it cuts across these two larger sub areas. It can be seen from Annex 1 that the emerging new structures are complex but City of York Council are engaged in all of the Boards/Groups either formally with Member representation or at officer level (both formally and informally).
- 6.3 The City of York Council continues to play a proactive role in the newly created governance structures. It fulfils the secretariat function for the Local Government North Yorkshire and York Spatial Planning and Transport (LGNYY SP & T) Board and its supporting technical officer group (TOG). City of York Council's Cabinet Member for Planning and Transport is also the current Chair of the SP & T Board. At the Leeds City Region (LCR) level it is, at the political level, a member of the Local Authority Joint Committee is also, whilst at the officer level it is actively involved in Heads of Planning Group and the Strategic Planning Leads Group.
- 6.4 Relevant extracts from the Terms of reference for the LGNYY SP & T Board and its supporting officer group are shown at Annex 2. These have set the principles for co-operation within the LGNYY area and the areas it has a spatial relationship with.
- 6.5 These arrangements have enabled ongoing meaningful and productive co-operation with other authorities in the preparation of coordinated strategies.

Annex 1: Current Joint Working Arrangements

**LEEDS CITY REGION**

**NORTH YORKSHIRE AND YORK  
 WITH THE EAST RIDING**







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## **Annex 2: Relevant extracts from North Yorkshire and York Spatial Planning and Transport Board (and Technical Officer Group) Terms of Reference**

### **Spatial Planning and Transport Board Terms of Reference**

#### **1. Purpose**

- 1.1. To promote effective, elected member-led, collaborative working between local authorities in the North Yorkshire and York Sub-region on strategic spatial planning and transport issues that extend across geographical and organisational boundaries within and beyond the Sub-region.
- 1.2. The Board will focus on developing appropriate strategic approaches, connections and consultations between authorities, and other 'prescribed bodies' with particular regard to demonstrating compliance with the provisions and two tests of soundness under the 'Duty to Cooperate', as laid down in Section 110 of the Localism Act, 2011:
- 1.3. Each authority retains its own statutory responsibilities.

#### **2. Membership and Secretariat**

- 2.1. Core membership shall be:
  - One elected member nominated by each of:
    - Craven District Council
    - Hambleton District Council
    - Harrogate Borough Council
    - Richmondshire District Council
    - Ryedale District Council
    - Scarborough Borough Council
    - Selby District Council
    - North Yorkshire County Council
    - City of York Council
  - One authority member nominated by each of:
    - North York Moors National Park Authority
    - Yorkshire Dales National Park Authority
- 2.2. The Chairman of the York and North Yorkshire Local Enterprise Partnership will also be invited to be a member or nominate a non-local authority member of the LEP Board as a member.
- 2.3. A member representative from East Riding of Yorkshire Council (as a constituent member of the York, North Yorkshire and East Riding of Yorkshire LEP), Hull and Humber Ports City Region, Leeds City Region, Tees Valley, Lancashire and Durham will also be invited to be non-voting members of the Board.

## **Secretariat**

- 3.5. City of York Council will be the Secretariat for the Board.

## **4. Officer Groups**

- 4.1. A Technical Officer Group (with a spatial planning and transport focus) will continue to meet as required to facilitate the work of the Board and effective work between local authorities in North Yorkshire and York and their neighbours on spatial planning and transport issues.
- 4.2. If required, the Board may establish time-limited task and finish groups to undertake specified tasks related to the purpose of the Board. These groups may either report directly to the Board or via the Technical Officer Group (TOG).
- 4.3. The Chairs of these groups will work with the Secretariat to facilitate the overall working of the Board.

## **Spatial Planning and Transport Technical Officers Group Terms of Reference**

### **1. Purpose**

- 1.1. To provide advice and support to the North Yorkshire and York Spatial Planning and Transport Board (the Board) in:
- Co-ordinating and developing the sub-region's planning and transport responses and input in terms of emerging national legislation and national, regional and sub-regional strategies, plans and programs.
  - Improving partnership working between authorities and with other 'prescribed bodies' on spatial planning and transport related matters, particularly those of a strategic nature that are 'larger than a single authority area'.
- 1.2. To share information and approaches on spatial planning issues and to work collaboratively to seek to ensure consistency of planning related and transport related strategies and policies across the sub-region, particularly in relation to demonstrating compliance with the provisions and two tests of soundness under the 'Duty to Cooperate', as laid down in Section 110 of the Localism Act, 2011.
- 1.3. More specifically, the group will:
- Consider, develop and undertake joint working and initiatives where beneficial and feasible (including joint funding and commissioning of consultants where appropriate);

- Work across local authority, sub-regional and regional boundaries to ensure an effective interface with regard to spatial planning issues within the North East and North West Regions, and the City Regions;
- Act with other York and North Yorkshire thematic groups to ensure effective integration of wider economic, climate change and housing policies;
- Advise the Board on the content of the emerging sub regional spatial planning assessment and any other relevant planning issues including policy and resource implications; and
- Facilitate cross-boundary working on transport issues of sub regional importance;
- Advise the Board with regard to demonstrating compliance with the provisions and two tests of soundness under the 'Duty to Cooperate'
- Advise the Board with regard to the scope, application and priorities for Devolution of Major Scheme funding;
- Assist in updating the North Yorkshire and York sub-regional transport strategy to guide any future revisions to North Yorkshire County Council's and City of York Council's Third Local Transport Plans (LTP3s);
- Be kept informed on and inform the Board on the prioritisation and progress of key projects identified in the North Yorkshire and City of York LTP3s;
- Carry out evaluations of completed schemes where appropriate and share best practice in the sub-region on behalf of the Board;
- Seek to improve links between Transport (LTP), Land Use (LDF) and economic planning and policies;
- Advise the Board on issues arising from national government legislation, guidance and consultations;
- Assist in raising the profile of rural transport issues at a regional and national level;
- Assist in integrating transport policy in those areas of North Yorkshire and York that are within both the functional sub-region and the Leeds City Region and extending to neighbouring areas including East Riding of Yorkshire Council, Hull and Humber Ports City Region, Tees Valley, Lancashire and Durham;
- Liaise with the Highways Agency and relevant rail industry organisations, respectively, on issues pertaining to the strategic highway and rail network;
- Advise the Board as to how it can influence, incorporate or otherwise manage the expectations of other agencies;
- Develop a forward work programme in consultation with the Board for sub-regional priority issues, and
- Establish (in conjunction with the Board) and co-ordinate 'Task and Finish' groups for specific work streams as required.

## **2. Membership**

2.1. Core membership will be representatives of the eleven sub-regional planning / transport authorities with responsibility for strategic planning issues and transport planning/delivery within their authority areas:

- City of York Council
- Craven District Council
- Hambleton District Council
- Harrogate District Council
- North York Moors National Park Authority
- North Yorkshire County Council
- Richmondshire District Council
- Ryedale District Council
- Scarborough Borough Council
- Selby District Council
- Yorkshire Dales National Park Authority.

2.2. Membership will also include representatives from:

- East Riding of Yorkshire Council and Leeds City Region (regular)
- Hull and Humber Ports City Region, Tees Valley, Lancashire and Durham (attendance subject to items on Agenda)

## **5. Chair, minutes and organisation**

5.1. City of York Council will provide a supporting (secretariat) role which includes:

- Chairing the meetings,
- Hosting and organising a forward programme of meetings (unless other arrangements for hosting agreed by TOG),
- Producing and circulating an agenda ahead of each meeting,
- Producing and circulating minutes following each meeting, and
- Co-coordinating the production of reports for the Board.

## Annex 3: RSS York Sub area Policy

### POLICY Y1: York sub area policy

Plans, strategies, investment decisions and programmes for the York sub area should:

#### A Roles and functions of places

1. Ensure the roles and function of places in the York sub area complement and support those described in the Leeds City Region
2. Develop the role of York as a Sub Regional City and support the roles of Selby and Malton as Principal Towns

#### B Economy

1. Diversify and grow York as a key driver of the Leeds City Region economy by encouraging the business and financial services sector, knowledge and science-based industries, leisure and retail services and the evening economy, and further developing its tourism sector
2. Spread the benefits of York's economic success to other parts of the sub area and ensure that all members of the community have access to employment opportunities
3. Deliver economic growth at Selby and Malton in line with their roles as Principal Towns
4. Identify and safeguard a site for the Spallation project, in the vicinity of Selby

#### C Environment

1. In the City of York LDF, define the detailed boundaries of the outstanding sections of the outer boundary of the York Green Belt about 6 miles from York city centre and the inner boundary in line with policy Y-B3C.
2. Protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas
3. Protect and enhance the particular biodiversity, landscape character and environmental quality of the York sub area – including the 'Vales' area, Humberhead Levels area, the Derwent Valley area, the Wolds, Howardian Hills AONB, and protect the integrity of internationally important biodiversity sites
4. Help to mitigate flooding through proactive planning and management, and provide appropriate protection, especially in York and Selby
5. Avoid depleting the Sherwood Sandstone aquifer
6. Improve air quality, particularly along main road corridors in York (based on AQMAs)

## **POLICY Y1: York sub area policy *continued***

### **D Transport**

1. Develop the role of York as a key node for public transport services for the sub area
2. Implement stronger demand management in York and in relation to the strategic highway network
3. Improve accessibility to and within York, particularly by improved facilities for walking and cycling, increased capacity and quality of public transport, and new park and ride facilities
4. Improve public transport links between Local Service Centres and other rural communities and York and the sub area's Principal Towns
5. Improve access between York and Scarborough / the east coast

### **E Strategic patterns of development**

1. Focus most development on the Sub Regional City of York, whilst safeguarding its historic character and environmental capacity
2. Promote development at Selby to foster regeneration and strengthen and diversify its economy within the Leeds City Region
3. Support an appropriate scale of development at Malton to support local regeneration and the role of York
4. Elsewhere in the sub area, use a managed approach to development to focus on meeting local housing needs and appropriate economic diversification

### **F Regionally significant investment priorities**

1. Develop the sub area economy with major new development and initiatives including Science City York, York Northwest, further developing and expanding York University and supporting the SPALLATION Project at Selby
2. Manage flood risk in line policy ENM1 along the Ouse at York and Selby, in the Derwent Valley, and in the Humberhead Levels area

### **G Joined up working**

Promote partnership approaches to economic diversification, regeneration, housing distribution, development and flood risk management throughout the York sub area

