



YORK

CITY OF YORK  
Local Development Scheme  
November 2017



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## 1 Introduction

- 1.1 The Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) introduced the requirement for local planning authorities to prepare and maintain a Local Development Scheme (LDS).
- 1.2 The LDS is a project plan that sets out the timetable for the production of Development Plan Documents which will form the Council's Local Plan. This LDS, which supersedes previous versions, sets out a planning work programme for the Council until 2019. It will be reviewed as necessary to keep it up to date.
- 1.3 This LDS covers the following documents:
- The City of York Local Plan
  - The Mineral's and Waste Joint Plan (North Yorkshire County Council, North York Moors National Park Authority and City of York Council)
  - The Community Infrastructure Levy (CIL) Charging Schedule
  - Neighbourhood Plans
  - Supplementary Planning Documents (SPDs).

## 2 Context

### National

- 2.1 The Planning and Compulsory Purchase Act 2004 (PCPA), (as amended)<sup>1</sup> established the requirement for local planning authorities to produce a LDS for their area and sets out what such a scheme must specify, this includes:
- the local development documents which are to be development plan documents;
  - the subject matter and geographical area to which each development plan document is to relate;
  - which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities, and
  - the timetable for the preparation and revision of the development plan documents.
- 2.2 The Planning and Compulsory Purchase Act (2004) requires that local authorities establish policies relating to the development and use of land in their area in Local Development Documents. Local Development Documents (LDD) include Development Plan Documents (which form part of the statutory development plan) and Supplementary Planning Documents (which do not form part of the statutory development plan). LDDs collectively deliver the spatial planning strategy for the local planning authority's area.

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<sup>1</sup> Amended by Section 180 of the 2008 Planning Act and Section 111 of the Localism Act, 2011

## *Local Development Documents*

### Development Plan Documents

Development Plan Documents (DPDs) are prepared by local planning authorities and outline the key development goals of the Local Plan. All DPDs are subject to rigorous procedures of community involvement, consultation and independent examination, and adopted after receipt of an inspector's binding report. Once adopted, development management decisions must be made in accordance with them (and any other policies forming part of the development plan) unless material considerations indicate otherwise.

### Supplementary Planning Documents

Supplementary Planning Documents (SPDs) are also Local Development Documents but do not form part of the statutory development plan, but they do provide supplementary advice and guidance, which are material considerations in the determination of a planning application. SPDs are not subject to independent testing; however they are subject to community involvement procedures.

It is our intention to produce several SPD's, these will be clarified following further public consultation on the Local Plan.

### Statement of Community Involvement

A Statement of Community Involvement (SCI) was adopted by the City Council in 2007. This in turn sets out the processes by which the community will be engaged in consultation on each type of document and at every stage of its preparation. The SCI also sets out how the community will engage in the consideration of major development management decisions.

## *Other parts of the statutory Development Plan*

### Neighbourhood Plans

These offer local communities (via a Neighbourhood Forum or Parish Council) the opportunity to prepare locally specific policies in conformity with the Local Plan. A neighbourhood plan attains the same legal status as the Local Plan once it has been agreed at a referendum and is 'made' by the local planning authority (i.e. brought into legal force following an independent Examination).

2.3 National guidance sets out that the Local Plan should make clear what is intended to happen in the area over the life of the plan, where and when this will occur and how it will be delivered. Local Plans should be tailored to the needs of each area in terms of their strategy and the policies required. The preparation of Local Plans is a continuous and iterative process, which legislation and statutory national guidance require, this includes:

- An up to date evidence base - a number of surveys, technical studies and monitoring activities are emerging and many have already been completed, these are kept under review about the economic, social and environmental characteristics and prospects of the City. Please refer to Section 3.8 for further information.

- Monitoring and review. We produce reports on progress against a series of indicators, which aim to monitor the extent to which Development Plan policies are being achieved, and a commentary and progress update on how the City of York Council is performing against timescales and milestones set out in the Local Development Scheme.
- Community Infrastructure Levy (CIL) Charging Schedule. The Planning Act 2008 established powers to create a Community Infrastructure Levy in England and Wales. The Community Infrastructure Levy regulations 2010<sup>2</sup> made the first use of these powers and came into effect in April 2010. The Community Infrastructure Levy (CIL) is a discretionary fixed charge on new building above a certain size, which local authorities, as charging authorities, are empowered to set (with some exceptions) on most types of new development in their area. The proceeds of the levy will be spent on local and sub-regional infrastructure to support the development of the area. It is intended for the benefit of identified infrastructure generally, and that infrastructure need not relate to the development itself. CIL will be paid primarily by owners or developers of land that is developed.
- Strategic Environmental Assessment/Sustainability Appraisal, in accordance with the Local Plan regulations and the European Directive 2001/42/EC. These are tools to ensure that LDDs take into account environmental, economic and social issues as part of an integrated approach.

### **3 The Development Plan for the City of York**

#### **Regional Spatial Strategy (RSS)**

- 3.1 The York Green Belt has been established for many years but has never been formally adopted. Whilst the Regional Strategy for Yorkshire and Humber has otherwise been revoked, its York Green Belt policies have been saved together with the key diagram which illustrates those policies and the general extent of the Green Belt around York.
- 3.2 The Regional Strategy for Yorkshire and Humber (Partial Revocation) Order 2013 came into force on 22nd February 2013. The revocation order of the Regional Strategy for Yorkshire and Humber is as follows:

#### **Partial revocation of Regional Strategy**

2. (1) The Regional Strategy for Yorkshire and Humber comprises—
- (a) the regional spatial strategy for the region (“the RSS”); and
  - (b) the regional economic strategy for the region (“the RES”).
- (2) The Regional Strategy for Yorkshire and Humber is revoked except for—
- (a) the policies of the RSS set out in the Schedule to this Order (“the RSS York Green Belt policies”); and
  - (b) 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.

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<sup>2</sup> As amended by the Community Infrastructure Levy (Amendment) Regulations 2012, 2013 and 2014

3.3 The schedule includes the following policy references:

**POLICY YH9: Green belts**

C The detailed inner boundaries of the Green Belt around York should be defined in order to establish long term development limits that safeguard the special character and setting of the historic city.

**POLICY Y1: York sub area policy**

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

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 YH9C.

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.

**City of York Local Plan**

3.4 The City of York Council does not have a formally adopted Local Plan. Nevertheless The City of York Draft Local Plan Incorporating the Fourth Set of Changes Development Control Local Plan (Approved April 2005) was approved for Development Management purposes.

3.5 The 2005 Draft Local Plan does not form part of the statutory development plan for the purposes of S38 of the 1990 Act. Its policies are however considered to be capable of being material considerations in the determination of planning applications where policies relevant to the application are consistent with those in the NPPF.

3.6 An emerging Local Plan for the City of York is currently being progressed. This includes the Local Plan and the Minerals and Waste Joint Plan (North Yorkshire County Council, North York Moors National Park Authority and City of York Council). In addition the Poppleton Neighbourhood Plan has been adopted.

3.7 The emerging City of York Local Plan is currently at Regulation 18 stage. The Minerals and Waste Joint Plan is to be submitted to government on the 28<sup>th</sup> November 2017. The Neighbourhood Plans are at various stages. Please refer to Figures 3.1a-3.1c for the work programmes. In addition the work programme for the Community Infrastructure Levy Charging Schedule is shown in Figure 3.1d.



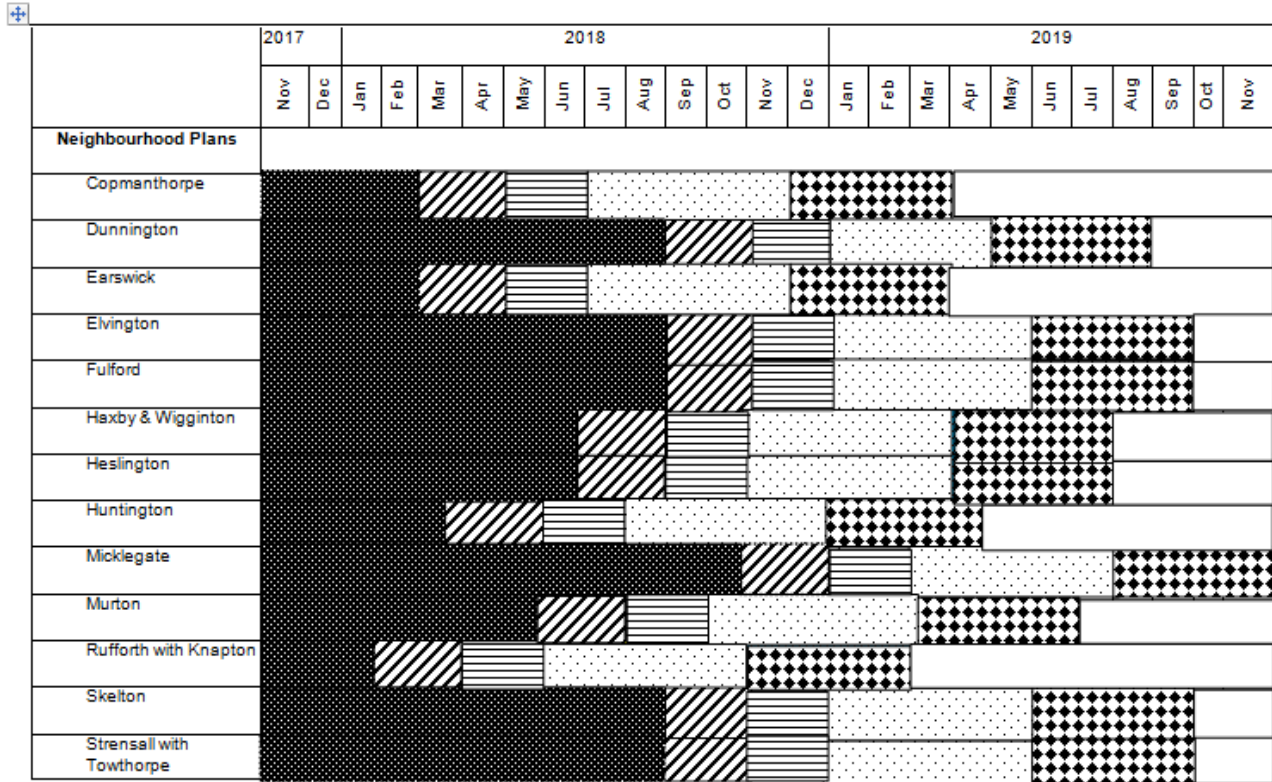
**Figure 3.1a Development Plan Document (DPD) Work Programme - Local Plan**

Month No.	2017		2018												2019								
	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	
<b>Overall timescale</b>																							
Pre-Publication Draft																							
Analysis / Coding / consideration of responses to Reg 18																							
Publication (Submission) Draft																							
Preparation of Reg 19 and associated documents																							
Consultation																							
Analysing / Coding / consideration of responses																							
Examination Period																							
Preparing Submission Documents and submission																							
Examination Period and Adoption																							

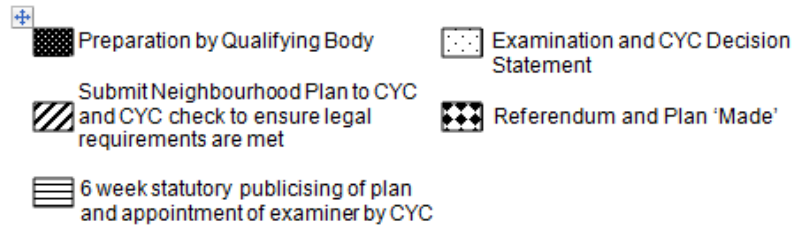
**Figure 3.1b Development Plan Document (DPD) Work Programme – Minerals and Waste Joint Plan (CYC, NYCC and NYMNP)**

	2017		2018		
	Nov	Dec	Jan	Feb	Mar
	Month No. 1	2	3	4	5
<b>Overall timescale</b>					
Submission					
Examination Period and Adoption					

**Figure 3.1c Development Plan Document (DPD) Work Programme – Neighbourhood Plans**



Note the above work programme neither includes the time taken before May 2016 by town/parish councils and neighbourhood forums nor does it include the time and assistance given by CYC for working-up neighbourhood plans to the point where a draft plan has been prepared for pre-submission consultation.



**3.1d Work Programme – Community Infrastructure Levy Charging Schedule**

Month No.	2017		2018												2019												2020			
	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	
<b>Overall timescale</b>																														
Preliminary Draft Charging Schedule (PDCS)																														
Preparation inc. 'Regulation 123 list' (infrastructure to be funded through CIL)																														
Executive approval to consult																														
Consultation																														
Analysis / consideration of responses																														
Draft Charging Schedule (DCS)																														
Preparation inc. updated 'Reg. 123 list'																														
Executive approval to consult																														
Consultation																														
Analysis / consideration of responses																														
Modifications																														
Preparation inc. updated 'Reg. 123 list'																														
Executive approval to consult																														
Consultation																														
Analysis / consideration of responses																														
Examination Period and Adoption																														

### **Evidence Base**

- 3.8 A key feature of the Local Plan is that its policies and proposals are soundly based on up-to-date and reliable evidence. A robust evidence base is, therefore, required to inform content and direction. This evidence base will also provide vital information for its subsequent monitoring and review. A full list of the existing Local Plan evidence base can be found using the following link [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

## **4 Programme Management and Reporting**

### **Programme Management**

- 4.1 The overall management of the Local Plan falls between the Assistant Director for Planning and Public Protection and the Head of Strategic Planning. The Strategic Planning Team combines the provision of a statutory strategic planning function for CYC together with specialism relating to design, heritage, ecology and conservation.

### **Reporting**

- 4.2 Issues relating to the Local Plan, other DPDs and LDDs are normally reported to Council Members via the Local Plan Working Group. This is a formally constituted cross party advisory committee of the Council which meets in public and makes recommendations to the Council's Executive. The Council's Executive is responsible for making decisions relating to the production of the Local Plan, other DPDs and LDDs, save for approving documents for submission to the Secretary of State or final adoption of DPDs. Decisions relating to these issues must be made by Full Council.