

Craven Spatial Planning Sub-Committee

at 6.30pm on Tuesday, 28th August 2018
Belle Vue Suite, Belle Vue Square Offices, Skipton

Sub-Committee Members : Councillors Barrett, Brockbank, Dawson, Rose, Shuttleworth, Staveley and Sutcliffe. Substitute Members : Councillors Madeley, Mulligan and Solloway.

AGENDA

1. Apologies for absence
2. Appointment of Chairman and Vice-Chairman
3. Confirmation of Minutes of meeting held on 27th November, 2017.
4. Public Participation – In the event that any questions/statements are received or members of the public attend, the public participation session will proceed for a period of up to fifteen minutes.
5. Declarations of Interest – – All Members are invited to declare at this point any interests they have in items appearing on this agenda, including the nature of those interests.

(Note: Declarations should be in the form of:

a “**disclosable pecuniary interest**” under Appendix A to the Council’s Code of Conduct, or “**other interests**” under Appendix B or under Paragraph 15 where a matter arises at the meeting which relates to a financial interest of a friend, relative or close associate.

A Member of Council who has a disclosable pecuniary interest must leave the room and not take part in the discussion or vote. When declaring interests under Appendix B or Paragraph 15 of the Code, Members must move to the public seating area, not vote, and speak only if members of the public are also allowed to speak at the meeting.)

6. Gargrave Neighbourhood Plan – Report of the Strategic Manager for Planning and Regeneration. Attached.

Purpose of Report – To explain the process of examining a neighbourhood plan and appointing an independent examiner to examine neighbourhood plans submitted to Craven District Council; recommend the appointment of an independent examiner to examine the submitted Gargrave Neighbourhood Plan; and request delegated authority for the Strategic Manager for Planning and Regeneration to appoint suitable independent examiners to examine neighbourhood plans submitted to Craven District Council in the future.

7. Clapham cum Newby Neighbourhood Plan : Neighbourhood Area – Report of the Strategic Manager for Planning and Regeneration. Attached.

Purpose of Report – To provide an update on the application made by Clapham cum Newby Parish Council to designate a neighbourhood area for the preparation of the Clapham Neighbourhood Plan

8. **Local Plan Examination Process** – Report of the Strategic Manager for Planning and Regeneration. Attached.

Purpose of Report – To apprise Members of the dates, arrangements and procedures for the Examination Hearings on the Submission Draft Craven Local Plan.

9. **Meetings : Start Time** – The Sub-Committee is asked to agree the normal start time for its meetings for the remainder of the current municipal year.
10. **Date of Next Meeting** (if required)
11. **Any other items** which the Chairman decides are urgent in accordance with Section 100B(4) of the Local Government Act, 1972.

Agenda Contact : Chris Waterhouse – Committee Officer
Tel. 01756 706235 or e-mail cwaterhouse@cravenc.gov.uk
17th August 2018

Emergency Evacuation Procedure

In case of an emergency or if the alarm sounds, leave the committee room and leave the building using the nearest available door. The assembly point is in the main square at the front entrance. An officer will take a roll call at that point. Please do not leave without telling the Chairman or the Democratic Services Section's representative.

Craven Spatial Planning Sub-Committee Terms of Reference

(a) To deal with all aspects of preparation of Local Development Framework documents up to the key decision stages set out below:

(i) Development Plan Document – up to, but not including final approval of the Publication Document (published for formal consultation before submission to the Secretary of State for examination in public) as defined in Regulation 25 of the Town and Country Planning (Local Development) Regulations 2004 (as amended in 2008) or as defined in any successor regulations.

(ii) Supplementary Planning Document – up to and including approval of a draft for public consultation.

(b) To act as an initial reference point to provide feedback and input into emerging documents up to Publication stage.

(c) To receive and accept evidence base reports for the Local Development Framework as they are completed.

(d) To consider and approve Planning Guidance for Development Control purposes.

(e) To provide an arena for discussion and response to regional and sub-regional initiatives which have implications for spatial planning in Craven.

(f) Community Infrastructure Levy – To deal with all aspects of preparation of the Community Infrastructure Levy Charging Schedule up to, but not including final approval of the Publication

charging schedule for formal consultation prior to examination as defined in Regulation 16 of the Community Infrastructure Levy Regulations 2010 (as amended in 2011).

(g) Neighbourhood Planning – To designate neighbourhood plan areas under the Neighbourhood Planning (General) Regulations 2012 and publish the same for consultation.

(h) To grant delegated authority to the Strategic Manager for Planning and Regeneration to determine valid neighbourhood area applications where no comments are received during the publication period.

(i) To grant delegate authority to the Strategic Manager for Planning and Regeneration to determine and designate neighbourhood area applications, in consultation with the Chair of this Sub Committee and relevant ward members where comments are received during the publication period.

(j) To consider any issues arising out of the above in the event that there is not consensus between the Chair, Ward Members and Officers.

(k) To undertake any other function of the LPA as may be required in connection with production submission and publication of Neighbourhood Plans under the the Neighbourhood Planning (General) Regulations 2012 and the Neighbourhood Planning Act 2017 or any regulations made thereunder.

Recording at Council Meetings

Recording is allowed at Council, committee and sub-committee meetings which are open to the public, subject to

(i) the recording being conducted with the full knowledge of the Chairman of the meeting; and

(ii) compliance with the Council's protocol on audio/visual recording and photography at meetings, a copy of which is available on request. Anyone wishing to record must contact the Agenda Contact Officer (details above) prior to the start of the meeting. Any recording must be conducted openly and not disrupt proceedings.

CRAVEN SPATIAL PLANNING SUB-COMMITTEE

27th November 2017

Present – The Chairman (Councillor Dawson) and Councillors Barrett, Madeley, Mulligan (substitute for Brockbank), Solloway, Staveley and Sutcliffe. Also in attendance Councillors Hull and Shuttleworth.

Officers – Strategic Manager for Planning and Regeneration, Solicitor to the Council, Legal Services Manager, Spatial Planning Manager, Planning Consultant (x2), Planning Policy Officer and Committee Officer.

Apologies for absence were received from Councillor Brockbank.

Start: 6.30pm

Finish: 8.09pm

Minutes for Report

CSP.151

LOCAL PLAN – EVIDENCE BASE

Further to Minute CSP.149/17-18, the Strategic Manager for Planning and Regeneration submitted a report presenting the following local plan evidence base papers which had been updated in response to representations made regarding the approach taken in the Council's Strategic Housing Market Assessment and the alignment between that paper and the employment land review. Publication of more recent national statistics on population and economic activity rates, and more recent regional economic data had also resulted in the need to update the evidence base.

- Demographic Forecasting.
- Strategic Housing Market Assessment (SHMA).
- Employment Land Review.

The key differences resulting from the updated papers were:

- The full objectively assessed need for housing (FOAN) in the plan area had increased from 182 (SHMA 2016) to 206 dwellings per annum.
- The full objectively assessed need for housing (FOAN) in Craven District as a whole, including that part of the Yorkshire Dales National Park within Craven had increased from 214 (SHMA 2016) to 242 dwellings per annum.
- The annualised need for affordable housing had decreased from 145 to 126 dwellings per annum.
- The proportion of the District's FOAN estimated to be attributed to the National Park remained at 15%.
- The range of employment land requirements for B Class uses to align with the latest evidence on housing and jobs growth had risen from 26 to 29 hectares to 27 to 32 hectares.

The updated evidence represented the most robust position for the Council to adopt as the plan moved forward to publication and submission to the Secretary of State, it was therefore recommended and

Resolved – That the November 2017 evidence base updates in respect of Demographic Forecasting, the Strategic Housing Market Assessment and Employment Land Review are noted and accepted into the evidence base for the Craven Local Plan.

CSP.152

SITE SELECTION PROCESS – SUPPORTING DOCUMENTATION

The Strategic Manager for Planning and Regeneration submitted a report presenting and seeking acceptance of two impact assessment papers as supporting documents to the Publication Draft Local Plan.

The Spatial Planning Manager explained that at the request of Natural England the Council had undertaken a landscape visual impact assessment (LVIA) to assist in the assessment of sites for housing and mixed use allocation. The LVIA assessed whether development would have a detrimental visual impact on views into and out of the Yorkshire Dales National Park and/or the Forest of Bowland Area of Outstanding Natural Beauty; it also made recommendations, where appropriate, for site specific assessment for allocated housing and mixed use sites in the Publication Draft Local Plan.

Similarly following conservation area appraisal work carried out in 2016, Historic England had requested that the Council undertake heritage impact assessment of a number of specific sites in close proximity to important heritage assets to enable a more detailed and better understanding of their potential impact on important heritage assets. Mitigation measures identified by the assessment to preserve and protect heritage assets had been included in development principles for sites allocated in the Publication Draft Local Plan.

It was recommended, and after a brief discussion

Resolved – That the Landscape Visual Impact Assessment 2017 and Heritage Impact Assessment 2016, as now submitted, are noted and accepted into the evidence base as supporting documents to the Publication Draft Local Plan.

CSP.153

HOUSING GROWTH OPTIONS

Further to Minute CSP.145/17-18, the Strategic Manager for Planning and Regeneration submitted a report presenting and seeking the Sub-Committee's approval of an addendum to the Housing Growth Options Paper adopted at Minute CSP.123 in support of the Pre-Publication Draft Local Plan.

Members were reminded that the Council had a responsibility to set its own housing requirement and the addendum to the options paper now before the Sub-Committee presented the Council's response to representations made in respect of the pre-publication draft, and also reflected updated evidence on housing need. Having assessed a range of growth options the addendum concluded that the full objectively assessed housing need for the Craven Local Plan should be 230 dwellings per annum between the years 2012 and 2032 realising 4,600 dwellings by 2032.

As previously indicated the position would be reviewed after a period of five years as required by the National Planning Policy Framework.

Resolved – (1) That the addendum to the Housing Growth Options Paper, as now submitted, is approved as a background paper to support the Publication Draft Local Plan.

(2) That it is recommended to Policy Committee, that the Publication Draft Plan includes within proposed Policy SP1: Meeting Housing Need, a minimum housing

requirement of 4,600 net new dwellings for the plan period from 2012 to 2032; representing a net annual average of 230 dwellings per year.

CSP.154

**DRAFT LOCAL PLAN – RESPONSE TO CONSULTATION
AND RECOMMENDED CHANGES**

Further to Minute CSP.149/17-18, the Strategic Manager for Planning and Regeneration submitted a report presenting responses to the issues which had arisen from consultation on the pre-publication draft local plan and seeking approval of recommended changes to the draft Local Plan for consultation under Regulation 19 of the Planning and Compulsory Purchase Act 2004.

Consideration of the consultation response, and new and/or updated evidence and planning guidance had resulted in new draft policies being proposed for inclusion in the local plan or significant changes being made to existing draft policies. The most significant changes involved the following:-

New Policy SD2: Meeting the Challenge of Climate Change – To ensure that the Council is able to clearly demonstrate that statutory requirements are met ie development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.

Policy SP1: Meeting Housing Need – Housing Growth Options Paper addendum refers.

Policy SP2: Economic Activity and Business Growth – Provision made for 32 hectares of employment land to ensure alignment of the Local Plan's housing and employment growth strategies. Land at the former Cross Hills Railway Station safeguarded from other forms of development and land at Thornton Station Yard, Ingleton included in the supply of existing employment sites

Policy SP4: Spatial Strategy and Housing Growth – Policy significantly revised to include provisions that were previously detailed within Policy H1: New Homes on Unallocated Sites (now deleted and replaced by new Policy H1: Specialist Housing for Older People). Rathmell re-designated as a Tier 5 settlement in the settlement hierarchy, as following the closure of the primary school, Rathmell no longer met the criteria for designation as a Tier 4a settlement. The growth previously allocated to Rathmell (0.8%) re-distributed to the key service centres of Settle and Bentham, (up from 10.5% to 10.9%). Adjustments made to the annual housing provision for Skipton (up from 107 dwellings per annum (dpa) to 115 dpa), Settle and Bentham (up from 23 dpa to 25 dpa), Cononley (up from 5dpa to 6dpa) Embsay (up from 4 dpa to 5dap) and Tier 5 settlement allowance (up from 13 dpa to 14 dpa) to reflect the preferred growth option of 230 dpa for the whole plan area.

Policy SP5: Strategy for Skipton Tier 1. Significant changes include :-

- New housing site allocation proposed on land to the north of A6131 and south of A65 (Site Ref. SK087).

- New primary school to be located on land to the north of Airedale Avenue and Elsey Croft and east of railway line, Skipton (Site Ref. SK089, SK090) and adjustment to estimated dwelling yield from site.

- Adjustment to net developable area on land north of Gargrave Road and west of Park Wood Drive and Stirtonber, Skipton (Site Ref. SK081, SK082, SK108) to take account of increased area of Local Green Space (Site Ref. LGS47).

- Adjustment to net developable area of land to east of North Parade and Cawder Road garage site, Horse Close, Skipton (Site Ref. SK114, SK124).

Policy SP6: Strategy for Settle Tier 2. Significant changes include :-

- Reduced net developable area on land to the north west and south west of Penny Green, Settle (Site Ref. SG021, SG066, SG080) to mitigate landscape visual impact.
- Extended net developable area and green infrastructure area on land to the south of Brockhole View and west of Brockhole Lane, Settle (Site Ref. SG027, SG068).
- Adjusted net developable area land to the south of Ingfield Lane, Settle (Site Ref. SG025) to mitigate impact on heritage assets.
- New housing allocation site proposed on land at F H Ellis Garage, Duke Street, Settle (Site Ref. SG035).
- Reduced net developable area on land to the north of Town Head Way, Settle (Site Ref. SG079) to mitigate impact on heritage assets.
- New housing allocation site proposed on land to the north of Barrel Sykes, Langcliffe (Site Ref. LA004).

Policy SP7: Strategy for Bentham Tier 2. Significant changes include:-

- New housing allocation site on land north of Low Bentham Road, High Bentham (HB023 part).
- Deletion of sites HB039 – Land between Springfield Crescent and Tatterthorn Road and HB042 - Land between Pye Busk and Belle Bank to avoid significant adverse landscape visual impact.

Policy SP11: Strategy for Tier 4a and 4b Villages with Basic Services and Bisected Villages with Basic Services. Significant changes include:-

- New housing allocation site on land adjacent to Lord's Close and Sandholme Close, (Site Ref. SG014). This site is proposed for allocation in response to representations from Giggleswick School, that development of the site will enable the provision of a full size World Rugby 22 3G pitch, which would have a formal community use agreement for peak hours and address the lack of capacity at Wharfedale RUFC and North Ribblesdale RUFC for such facilities. This project is included in the Open Space, Playing Pitch and Built Facilities Strategy and its delivery is supported under Policy INF3 of the Local Plan.

Policy ENV10: Local Green Space. Significant changes include:-

- Increased area of Local Green Space LGS47— Existing protected road approach, north side of Gargrave Road, between roundabout Aireville Grange and Park View, Skipton.
- New Local Green Space designation SK-LGS64 on land to north of Skipton, bounded to the north by Skipton Bypass, to the east by Embsay Road and The Bailey; and to the west by Grassington Road, Skipton.
- Revised area of Local Green Space on land to the north of A6131 and south of A65, (Site Ref. SK087)
- Ingleton Park and Glusburn Park to be designated as Local Green Space.

- Area of Local Green Space designation extended on land at Hellifield Flashes (Site Ref.HE-LGS1)

New Policy H1: Specialist Housing for Older People

Policy EC2: Safeguarding Existing Employment Areas – Land at Thornton Station Yard, Ingleton to be identified on the policies map under Policy EC2.

New Section 9 Monitoring – Sets out proposed indicators for monitoring the local plan.

Copies of the proposed Publication Draft Craven Local Plan, which incorporated the amendments listed above, had been circulated with the Strategic Manager's report.

Resolved – (1) That the amendments highlighted in blue to the policies and text of the June 2017 pre-publication local plan and the sites recommended for deletion or inclusion in the Publication Draft Local Plan as identified in Appendices 1 and 2 of the Strategic Manager's report now presented are recommended to Policy Committee for adoption for purposes of consultation under Regulation 19 of the Planning and Compulsory Purchase Act 2004.

(2) That the intention to present responses to issues arising from the pre-publication consultation exercise in respect of proposed Policy H2 : Affordable Housing and associated supporting text to Policy Committee on 7th December 2017 is noted.

(3) That the Strategic Manager for Planning and Regeneration is authorised to prepare any necessary supporting documents for the Publication Plan and Submission Plan and to make minor amendments to the local plan, policies map and supporting documents to ensure a high quality of presentation of the Draft Publication Plan and Submission Plan.

(Councillor Staveley declared an interest in the above matter under Paragraph 15 of the Council's Code of Conduct, having exercised his right to speak he left the room for the remainder of the Sub-Committee's discussion and voting thereon.)

CSP.155

**CRAVEN LOCAL PLAN – OPEN SPACE, PLAYING PITCHES
 AND SPORTS FACILITIES – PROGRESS ON DELIVERY**

Further to Minute CSP.103/15-16, the Strategic Manager for Planning and Regeneration submitted a report presenting the open space, playing pitch and sports facility annual progress report on delivery for 2017.

At Minute CSP.103, the Playing Pitch Strategy, Open Space and Built Facilities Assessments 2016 had been adopted as part of the evidence base for the Local Plan and Members were reminded that the Assessment was used to (a) determine what open space, sports and recreational provision was required within the plan area, and (b) underpin the local plan policy approach to be developed for the provision of new facilities and the improvement / safeguarding of existing provision.

The 2016 assessment had produced a set of specific site recommendations and policy recommendations all of which had been set out in three action plans for the playing pitch strategy, open space assessment and the built facilities assessment. In accordance with Sport England guidance, progress against delivery of the action plans and policy was subject to an annual report; the evidence base itself to be reviewed every three years.

Following a brief discussion in which attention was drawn to recent changes or developments in respect of the former Malsis School site, Glusburn and Settle Swimming Pool, it was

Resolved – That, subject to it being updated as appropriate to reflect the current situation at Malsis School and Settle Swimming Pool respectively, the Open Space, Playing Pitch and Sports Facility Annual Progress Report on Delivery 2017 is noted and accepted into the evidence base for the Craven Local Plan.

CSP.156

STATEMENT OF COMMUNITY INVOLVEMENT

Further to Minute PER.520/06-07, the Strategic Manager for Planning and Regeneration submitted a report informing the Sub-Committee of the need to update the Council's Statement of Community Involvement which set down how the Council intended to involve the community and stakeholders throughout the preparation of the Craven Local Plan and during the consideration of planning applications in respect of the area of Craven outside the Yorkshire Dales National Park.

The existing Statement had been adopted by Council in 2006 but now required updating to reflect changes in relevant legislation and guidance. It was therefore recommended and

Resolved – (1) That the Strategic Manager for Planning and Regeneration is authorised to prepare a revised Statement of Community Involvement and to carry out public consultation on that draft revised Statement.

(2) That details of any comments received, and any changes proposed, in response to the above public consultation exercise are presented to the Policy Committee prior to the adoption of a revised Statement of Community Involvement.

CSP.157

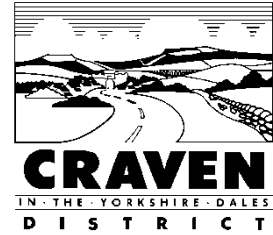
DATE OF NEXT MEETING

To be arranged, if required, in consultation with the Chairman.

Chairman.

On behalf of the Sub-Committee the Chairman expressed thanks to the Planning Policy Team for the volume of work carried out by it in the preparation and presentation of the publication draft local plan and supporting documentation.

Craven Spatial Planning Sub-Committee – 28 August 2018



NEIGHBOURHOOD PLANNING – Examination of Neighbourhood Plans: Appointment of Examiner for Gargrave Neighbourhood Plan

Report of the Strategic Manager for Planning and Regeneration

Ward(s) affected: All

1. **Purpose of Report** – To explain the process of examining a neighbourhood plan and appointing an independent examiner to examine neighbourhood plans submitted to Craven District Council. To recommend the appointment of an independent examiner to examine the submitted Gargrave Neighbourhood Plan. To request delegated authority for the Strategic Manager for Planning and Regeneration to appoint suitable independent examiners to examine neighbourhood plans submitted to Craven District Council in the future.
2. **Recommendations** – Members are recommended:
 - 2.1 To note the process of examining a neighbourhood plan and appointing an independent examiner.
 - 2.2 To agree the appointment of Mr Terry Heselton, as the examiner to undertake the examination of the Gargrave Neighbourhood Plan.
 - 2.3 To grant delegated authority to the Strategic Manager for Planning and Regeneration (in consultation with the Chairman of Craven Spatial Planning Sub-Committee and the relevant Ward Member) to appoint an independent examiner to examine neighbourhood plans submitted to Craven District Council in the future, in agreement with the qualifying body (i.e the relevant Parish or Town Council)
3. **Report**
 - 3.1 A neighbourhood plan is a community-led planning framework, which is prepared by a qualifying body for a designated Neighbourhood Area and which, upon passing independent examination and a parish referendum, becomes part of the statutory development plan. A neighbourhood plan must be in line with the District Council's strategic planning policies (contained within the Local Plan), and must be about enabling, rather than restricting development. In Craven, the only qualifying bodies for preparing neighbourhood plans are town and parish councils.
 - 3.2 It is the role of the Local Planning Authority to appoint an examiner to carry out an independent examination of the neighbourhood plan. This appointment will be

agreed with the parish or town council that submitted the neighbourhood plan to the local authority. The local authority must appoint an appropriately qualified and experienced person who is independent of the qualifying body and does not have an interest in any land that may be affected by the draft plan.

- 3.5 Normally the examination will be conducted by written representations. However, if it is considered necessary, the examiner may invite interested parties to a public hearing to present their comments.
- 3.6 The independent examiner will only consider whether the proposed neighbourhood plan meets the basic conditions set out by law. The examiner will consider whether the plan:
- Has appropriate regard to national policy
 - Contributes to the achievement of sustainable development
 - Is in general conformity with the strategic policies in the development plan for the area
 - Is compatible with human rights requirements
 - Is compatible with EU obligations.
- 3.7 In order to fulfil the role of appointing an independent examiner, Planning Policy Officers contacted Neighbourhood Planning Independent Examiner Referral Service (NPIERS). NPIERS was established in 2013 to enable Local Planning Authorities and qualifying bodies to source independent examiners for neighbourhood plans. In June 2018 NPIERS referred two potential examiners: Mr Terry Heselton and Mr Robert Bryan, who both have a wealth of experience in examining neighbourhood plans. Officers have considered each of the two referrals and consider that Mr Terry Heselton to be the best candidate to act as an examiner for the Gargrave Neighbourhood Plan, given his extensive experience of examining a variety of Neighbourhood Plans, including plans for smaller rural communities, similar in nature to Gargrave. Mr Heselton also has experience of working in policy development for a number of local authorities, including holding the position of Planning Policy Manager at Selby District Council in North Yorkshire.
- 3.8 Details of both potential examiners have been sent to Gargrave Parish Council as the qualifying body for their consideration. The parish council have confirmed that they agree to the appointment of Mr Heselton.
- 3.9 In May 2018, Gargrave Parish Council formally submitted its neighbourhood plan to Craven District Council, under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012. Craven District Council carried out the required 6-week public consultation on the draft plan, from 25th June until 6th August 2018. Following this period of public consultation and appointment of the examiner, Craven District Council will send the plan, supporting information and copies of any comments received during the consultation period to the examiner.

- 3.10 In terms of timings for the examination, Mr Heselton has indicated that he is available to run the examination in November 2018. The examination of the Gargrave Neighbourhood Plan is therefore timetabled to take place following examination of the Craven Local Plan in October 2018.
- 3.11 It is recommended that delegated authority is given to the Strategic Manager for Planning and Regeneration (in consultation with the Chairman and the relevant Ward Member(s)) to appoint an independent examiner to examine Neighbourhood Plans submitted to Craven District Council in the future. Para 7(4a) of Schedule 4B to the Town and Country Planning Act 1990 states that the authority may appoint a person to carry out the examination, but only if the qualifying body consents to the appointment. There is therefore a requirement for both Craven District Council and Town and Parish Council's within Craven District (as qualifying bodies) to agree the appointment of any independent examiner. Para 7(5) of Schedule 4B to the Town and Country Planning Act 1990 allows the Secretary of State to appoint an examiner if there is no agreement between the Local Planning Authority and the qualifying body.
4. **Implications**
- 4.1 **Financial and Value for Money (vfm) Implications** – The Duty to Support does not require the provision of financial assistance to parish or town councils. The Localism Act does however require the local planning authority to pay for the local referendum and examination in respect of a neighbourhood plan. The Ministry of Housing Communities and Local Government provide financial support for neighbourhood planning. For the period 2018/19 the following financial support will be provided:
- **For all areas:** LPAs can claim £20,000 once they have set a date for a referendum following a successful examination where a neighbourhood plan has not previously been made for that area.
 - **Area designation:** LPAs can claim £5,000 for the first five neighbourhood areas designated only. The limit of five areas applies to the total number of areas designated in the LPA (i.e. it includes areas designated in previous years).
- 4.2 An Examiner appointed via the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) will charge £750 plus VAT per day (plus any reasonable expenses) to undertake the examination a neighbourhood plan. In terms of timescales for the examination, a typical examination dealt with by written representations takes generally 4 to 6 days to complete (approximately £3,000 - £4,500). Examinations that involve a public hearing generally take 9 to 11 days to complete (approximately £6,750 -£8,250)
- 4.3 **Legal Implications** – The report sets out the steps the Council is required to take to comply with its legal duties under the Town and Country Planning Act 1990 to appoint a person to carry out a Neighbourhood Plan examination.
- 4.4 The power to appoint an independent examiner is exercisable under paragraph 7 (4) of Schedule 4B of the Town and Country Planning Act 1990.
- 4.5 Paragraph 7 (5) of Schedule 4B of the Town and Country Planning Act 1990 gives powers to the Secretary of State to appoint a person to carry out the examination if:

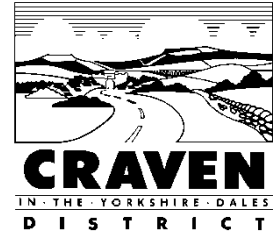
- a) It appears to the Secretary of State that no person may be appointed under sub-paragraph (4), and
- b) The Secretary of State considers, that it is expedient for an appointment to be made under this sub-paragraph

- 4.6 **Contribution to Council Priorities** – Enabling neighbourhood planning positively contributes towards the Council Plan objective to support local citizens to become more actively involved in their communities.
- 4.7 **Risk Management** – The report sets out the steps the Council is required to take to comply with its legal duties under the Town and Country Planning Act to appoint an independent examiner in agreement with the qualifying body.
- 4.8 **Equality Impact Assessment** – No new policy or procedure is proposed in this report which would give rise to a requirement for an Equality Analysis.
- 5. **Consultations with Others** – Financial Services and Legal Services
- 6 **Access to Information : Background Documents** – None
- 7. **Author of the Report** – Ruth Parker, Planning Officer; telephone 01756 706232; e-mail rparker@cravenc.gov.uk

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

- 8. **Appendices - None**

Craven Spatial Planning Sub-Committee – 28th August 2018



NEIGHBOURHOOD PLANNING – Update on the Clapham cum Newby Parish Council Neighbourhood Area Application

Report of the Strategic Manager for Planning and Regeneration

Ward(s) affected: ALL

1. **Purpose of Report** – To provide an update on the application made by Clapham cum Newby Parish Council to designate a neighbourhood area for the preparation of the Clapham Neighbourhood Plan.
2. **Recommendations** – Members are recommended:
 - 2.1 To note the stage reached in designating a neighbourhood area for the Clapham cum Newby parish.
3. **Report**
 - 3.1 In May 2018 Clapham-cum-Newby Parish Council submitted a formal proposal to designate a neighbourhood area, which is an initial step in the preparation of a neighbourhood plan. The proposed neighbourhood area covers the parish of Clapham-cum-Newby, which is split by the Yorkshire Dales National Park boundary. Therefore the two relevant local planning authorities - Craven District Council (CDC) and the Yorkshire Dales National Park Authority (YDNPA) - carried out a 6-week consultation on the proposed neighbourhood area from Monday 18th June until Monday 30 July 2018. The neighbourhood area application is appended to this report.
 - 3.2 Once the neighbourhood area is approved, the local planning authority is legally required to advise or assist parish councils in producing a neighbourhood plan. Both local planning authorities (LPAs) have a legal requirement to assist or advise, however it is helpful, in terms of liaising with the parish council, if one of the LPAs acts as the lead authority. The YDNPA has agreed to be the lead authority in the preparation of the Clapham-cum-Newby Neighbourhood Plan, with CDC assisting as required.
 - 3.3 During this period of public consultation one comment was submitted by Gladman Development Ltd. Gladman Development Ltd do not specifically support nor object to the proposed area, instead their comments summarise relevant legislation, parts of the NPPF and updated parts of the Planning Policy Guidance (PPG) that relate to preparation of neighbourhood plans. They state that they wish to participate in the preparation of the Clapham-cum-Newby Neighbourhood Plan and be notified of further development and consultations. They also offer assistance in the

preparation of the neighbourhood plan and invite the parish council to contact them to discuss this offer. A copy of Gladman's comments has been sent to Clapham-cum-Newby Parish Council by the YDNPA. Planning Policy Officers from both CDC and the YDNP have considered the comments submitted by Gladman Development Ltd and given the fact that they are not objecting to the proposed area application, officers recommend that the area, as proposed, is designated.

- 3.4 In line with Craven Spatial Planning Sub- Committee terms of reference, agreed by Policy Committee on 24th July 2018, the Strategic Manager for Planning and Regeneration has delegated authority to determine and designate neighbourhood area applications, in consultation with the Chair of this Sub Committee and relevant ward members where comments are received during the publication period. As a comment has been received, both the Chair of this Sub Committee and the ward members for the Ingleton & Clapham Ward have been consulted with responses requested by Monday 3rd September at the latest. The Yorkshire Dales National Authority will be informed of the outcome of this consultation in time for their meeting in September 2018.
- 3.5 In terms of requirements for determining this neighbourhood area application, The Neighbourhood Planning (General) (Amendment) Regulations 2015 Regulation (6A)(2)(a) requires, where an area to which the application relates falls within the area of two or more local planning authorities, determination is required within 20 weeks from the date immediately following that on which the application was first publicised. Therefore there is a requirement to determine this neighbourhood area application 20 weeks from Monday 18th June, which is by Monday 5th November 2018. The YDNP authority are taking a report relating to this application to their September Authority Meeting, therefore a formal decision will be made by the YDNP authority on 25th September 2018. Following this date Clapham cum Newby Parish Council will be informed of the decision and it will be published on both CDC and the YDNP websites.
- 3.6 Following the designation of the neighbourhood area Clapham cum Newby Parish Council can start the process of preparing a Neighbourhood Plan that relates to this parish.

4. **Implications**

- 4.1 **Financial and Value for Money (vfm) Implications** – The Duty to Support does not require the provision of financial assistance to parish or town councils. The Localism Act does however require the local planning authority to pay for the local referendum and examination in respect of a neighbourhood plan. The Department for Communities and Local Government provide financial support for neighbourhood planning. For the period 2018/19 the following financial support will be provided:
- **For all areas:** LPAs can claim £20,000 once they have set a date for a referendum following a successful examination where a neighbourhood plan has not previously been made for that area.
 - **Area designation:** LPAs can claim £5,000 for the first five neighbourhood areas designated only. The limit of five areas applies to the total number of areas designated in the LPA (i.e. it includes areas designated in previous

years). Clapham will be the fourth neighbourhood area to be designated in Craven.

- 4.2 Legal Implications** – The report requests the Council complies with its legal duty under the Localism Act 2011 to publicise on its website and designate neighbourhood plan areas where required information is provided in an application from a qualifying body.
- 4.3 Contribution to Council Priorities** – Enabling neighbourhood planning positively contributes towards the Council Plan objective to support local citizens to become more actively involved in their communities.
- 4.4 Risk Management** – The report sets out the steps the Council is required to take to comply with its legal duties under the Town and Country Planning Act to appoint an independent examiner in agreement with the qualifying body.
- 4.5 Equality Impact Assessment** – No new policy or procedure is proposed in this report which would give rise to a requirement for an Equality Analysis.
5. **Consultations with Others** – Financial Services and Legal Services
6. **Access to Information : Background Documents** – None
7. **Author of the Report** – Ruth Parker, Planning Officer; telephone 01756 706232; e-mail rparker@cravenc.gov.uk
- Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.
8. **Appendices**
Appendix 1: Clapham cum Newby Neighbourhood Area Application

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22 MAY 2018

Clapham cum Newby Parish Council
Clerk: Mr. Nigel Harrison, 3 The Beeches, Clapham, via Lancaster, LA2 8DT
Tel:015242 51165
Email: 'JIL!!!L'22Li:'!5.!!!£!!1.:h'd!!!

Ms Ruth Parker
Craven District Council Planning Dept
1 Belle Vue Square
Broughton Road
Skipton
BD23 1FJ

Mr Peter Stockton
Planning Service
YDNPA
Yoredale
Bainbridge
Leyburn
NorthYorkshire
DL83EL

18/05/18

Dear Sir/ Madam

Neighbourhood Plan for Clapham Cum Newby Parish

I am writing to you, on behalf of Clapham cum Newby Parish Council, to give notice to both the Yorkshire Dales National Park Authority and Craven District Council that we wish to make an application under Part 2 (5) (1) of The Neighbourhood Planning (General) Regulations 2012 for the designation of a Neighbourhood Area for the Clapham cum Newby Neighbourhood Plan. We are informing both authorities as the parish falls partly within the Yorkshire Dales National Park and partly in the area of Craven District Council outwith the National Park.

This application is accompanied by a map identifying the area to which the application relates, being the entire parish area of Clapham cum Newby. (The parish boundary is delineated in blue on the enclosed map).

This area is considered appropriate to be designated as a Neighbourhood Area for the following reasons:

- The strong sense of community which exists within the Parish boundaries.
- The ecclesiastical links between St Matthews Church, Keasden and St. James Church, Clapham.
- Common economic interests founded on agriculture and tourism.

Clapham cum Newby parish is made up of the key settlements of Clapham, Newby and Keasden as well as the surrounding rural areas.

Clapham cum Newby Parish Council is the relevant body for the purposes of section 61G of the 1990 Town and Country Planning Act being the parish council for the entire area applied for.



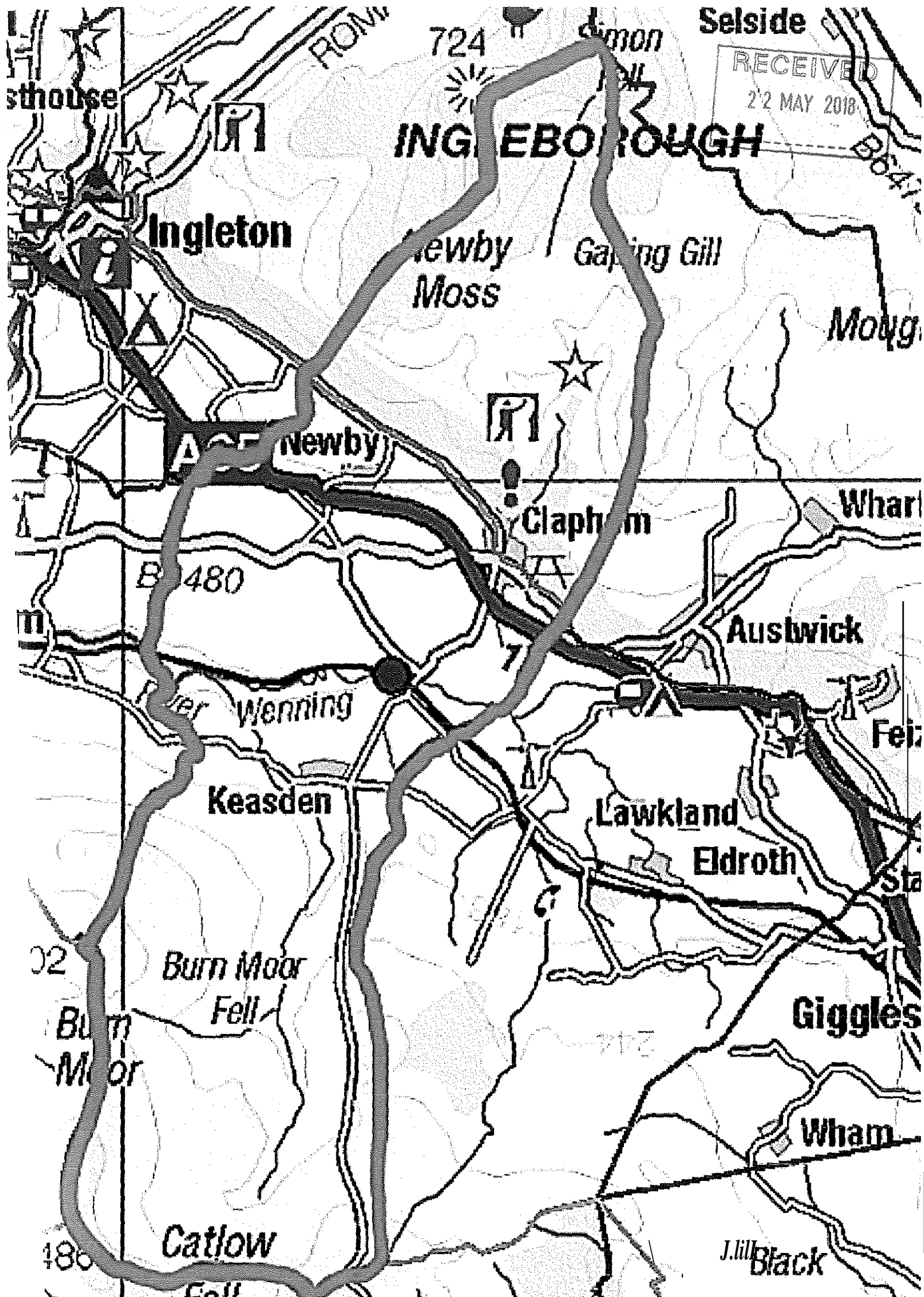
Cllr Ann Sheridan

Chairman, Clapham cum Newby Neighbourhood Plan Steering Group

Tel:

Email:

(



RECEIVED
22 MAY 2018

INGELBOROUGH

Ingleton

Newby Moss

Gapping Gill

Newby

Clapham

B480

Ausbwick

Wenning

Keasden

Lawkland

Eldroth

Burn Moor Fell

Giggleswick

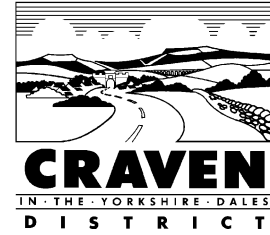
Burn Moor

Catlow

Wham

J. Hill Black

Craven Spatial Planning Sub Committee 28th August 2018



Submission Draft Craven Local Plan – Examination Hearings

Report of the Strategic Manager for Planning and Regeneration

Ward(s) affected: All wards wholly or partly outside the Yorkshire Dales National Park

1. **Purpose of Report** – To apprise Members of the dates, arrangements and procedures for the Examination Hearings on the Submission Draft Craven Local Plan
2. **Recommendations** – Members are recommended to:
 - 2.1 Note the dates, arrangements and procedures for the Examination Hearings on the Submission Draft Craven Local Plan.
- 3 **Report**
 - 3.1 As Members will recall, the Submission draft Craven Local Plan was submitted to the Secretary of State for independent examination on 27th March 2018. In line with the resolution of Full Council on 19th December 2017, granting delegated authority to the Strategic Manager for Planning and Regeneration to prepare and submit any necessary supporting documents for the Submission Local Plan, and following advice from the Council's appointed barrister for the Local Plan, the submitted plan was accompanied by a potential suggested modification of an additional draft policy INF7 : Sustainable Transport and Highways. The draft policy seeks to clarify the Council's position on how the plan will deliver locally, NPPF policy on 'Promoting Sustainable Transport' and allows the policy principles of sustainable transport and highway mitigation, already established in different parts of the Publication Draft Plan (including policy SP2, SP12, INF1 and Appendix C, the Infrastructure Delivery Plan) to be clearly articulated and developed in one 'topic' based policy. The draft policy (Ref MS002) is available to view as part of the Submission Local Plan documents library on the Examination webpage
<https://www.cravencd.gov.uk/planning/planning-policy/new-local-plan/2018-publication-submission-and-examination/>
 - 3.2 The appointed Inspector for the examination is Matthew Birkinshaw BA (Hons) Msc MRTPI. An independent Programme Officer, Tony Blackburn has also been appointed to administer the examination process.

- 3.3 The role of the Inspector is to examine whether or not the Local Plan has been prepared in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 (as amended) and associated Regulations , and whether or not it meets the tests of 'soundness' set out in the National Planning Policy Framework (NPPF).
- 3.4 As part of this process the Inspector will need to determine whether or not:
- The Council has complied with the Duty to Cooperate under section 33A of the Planning and Compulsory Purchase Act 2004 (as amended);
 - The Local Plan has been prepared in accordance with the Local Development Scheme and Statement of Community Involvement;
 - The Local Plan has been subject to an adequate Sustainability Appraisal;
 - The requirements of the Habitats and Species Regulations 2010 have been complied with, having regard to relevant national policy and guidance , and if the Plan would have a significant effect on a European site , that an appropriate assessment has been carried out; and
 - relevant publicity and procedural requirements have been met.
- 3.5 In terms of 'soundness' the Inspector will need to determine whether the plan meets the requirements of the NPPF that Local Plans should be :
- **Positively prepared:** based on a strategy which seeks to meet objectively assessed development and infrastructure requirements;
 - **Justified:** the most appropriate strategy when considered against the reasonable alternatives and based on proportionate evidence;
 - **Effective:** deliverable over the plan period based on effective joint working on cross boundary strategic policies; and
 - **Consistent with national policy:** enables the delivery of sustainable development in accordance with the NPPF
- 3.6 Members will be aware that the revised NPPF was published on 24th July 2018. Paragraph 214 of the revised NPPF confirms that policies in the previous NPPF will apply for the purpose of examining plans submitted on or before 24th January 2019. The Inspector has therefore confirmed that where he has made reference to national planning policy, it refers to the NPPF as published in 2012.
- 3.7 The Inspector released Initial Questions to the Council in May 2018 (Ref EL1.001a), which the Council responded to on 20th June 2018 (Ref EL1.001b). Both these documents are available to view on the Examination webpage <https://www.cravencdc.gov.uk/planning/planning-policy/new-local-plan/craven-district-council-local-plan-examination/> .

- 3.8 The Inspector confirmed that he would be available to conduct examination hearings in October 2018 and on 14th August 2018, the Inspector released details of the Inspector's Matters, Issues and Questions (MIQs), an Examination Hearing Programme and an Examination Guidance Note. These documents are appended to this report and are also available on the Examinaton webpage (Refs: EL1.003b, EL1003c and EL1.003d respectively).
- 3.9 The hearing sessions for the examination will take place over a three week period starting on Tuesday 9th October 2018 and are scheduled to finish on Friday 26th October 2018, although a reserve hearing day has been arranged for Wednesday 31st October, if required. The hearings will be held in the Belle Vue Suite at the Belle Vue Square offices, Skipton. The Inspector will make unaccompanied site visits to the plan area prior to and during the course of the examination where necessary.
- 3.10 The Council are required to produce a Hearing Statement for each Matter, which responds directly to the points raised in the Inspector's MIQs. As Members will note, there are in excess of 500 questions relating to 22 Matters that the Council is required to answer. The deadline for submitting the Hearing Statements to the Inspector is 25th September 2018. This is a challenging task for the Planning Policy team, particularly during the August holiday period.
- 3.11 Any representors who have made comments seeking a change to the Plan and who are invited to the hearing sessions may also submit Statements in response to the Insopector's MIQs, but these are optional and not a requirement of the hearings.
- 3.12 Representors that are not participating at the Hearing sessions may also submit an additional Written Statement where necessary in direct response to the Inspector's MIQs.
- 3.13 Under section 20(6) of the Planning and Compulsory Purchase Act 2004 (as amended) , only those representors seeking a change to the Plan have a right to participate in the Hearing sessions, but the sessions are open to the public to observe. It is also important to note that written representations carry the same weight as those made orally at a Hearing Session.
- 3.14 The Hearing sessions will be less formal than a public inquiry, but nonetheless structured. They will take place in the form of a reoundtable discussion led by the Inspector and are designed to allow the Inspector to explore the matters raised in the MIQs.
- 3.15 The Inspector has confirmed that the potential modification to the Local Plan of an additional policy INF7; Sustainable Transport and Highways suggested by the Council will be discussed, where appropriate at the relevant hearing sessions. The Inspector has also confirmed that it is possible that Main Modifications may be proposed and discussed during the Hearings.

- 3.16 Only the Inspector can recommend ‘Main Modifications ‘ if they are necessary to resolve problems that would otherwise make the submitted Local Plan unsound or not legally compliant. Main Modifications are changes which either alone or in combination with others , would materially alter the plan or its policies. It could be just one word that is changed in a policy, that may (in the view of the Inspector) help it to become effective (one of the tests of soundness), but it would still be classed as a ‘Main Modification’ , could only be recommended by the Inspector and must be subject to consultation and in some cases, further sustainability appraisal may be required.
- 3.17 ‘Additional Modifications’ are changes that do not materially affect the plan (such as typographical errors, factual changes etc). These are changes that are made by the Council on adoption of the plan and are sometimes referred to as ‘Minor Modifications’ and they do not fall within the scope of the Examination.
- 3.18 At Full Council on 7th August 2018, Members resolved to provide delegated authority to the Strategic Manager for Planning and Regeneration to:
- make minor amendments to the Craven Local Plan, Submission Policies Map and any associated and supporting documents;
 - To agree main modifications for publication and further consultation as may be necessary through the Independent Examination process; and
 - To provide specific written authorisation to the Inspector on behalf of the Council (in advance of the Independent Examination Process) under section 20(7C) of the Planning and Compulsory Purchase Act 2004, so as to enable the Inspector to recommend to the Council such modifications as in his opinion are considered necessary to ensure that the plan is sound and satisfies the requirements of section 20(5)(a) of the Planning and Compulsory Purchase Act 2004.
- 3.19 Following the end of the examination hearing sessions, any potential “Main Modifications” that have emerged during the examination hearing sessions will be subject to consultation (minimum of 6 weeks) and if necessary further sustainability appraisal. Consultation responses to the potential main modifications will be sent to the Inspector for his consideration. If there are significant representations raised on proposed Main Modifications, a further hearing session(s) may be necessary The Examination remains open until the Inspector has submitted his final report to the Council which will set out his conclusions and where necessary, any Main Modifications to make the Plan sound and/or legally compliant.

4 **Implications**

- 4.1 **Financial and Value for Money (vfm) Implications** – Budgetary provision of £232,000 has been made to cover the costs of the Examination of the Local Plan, including the Inspector’s fees and the appointed Programme Officer. The daily fee for the Inspector is £993 per day plus any associated travel and subsistence

costs. This will include preparatory work by the Inspector leading up to the examination hearings, the hearing sessions themselves (11 days), site visits and the preparation of the Inspector's final report. It is not possible at this stage to provide a precise total cost for the Inspector, as much will depend on responses to any modifications consulted on after the hearing sessions have finished and whether any further hearings would be required, as this will impact on the time it will take the Inspector to prepare his final report. However, it is envisaged that the budgetary provision already made will be more than sufficient to cover the Inspector's fees and the costs of the Programme Officer.

- 4.2 **Legal Implications** – The requirements of the Independent Examination are set out in statute and regulation. The purpose of the recommendation is to apprise Members of the examination process.
- 4.3 **Contribution to Council Priorities** – The adoption of the Craven Local Plan is of considerable importance to the Council as it shall ensure a modern and up to date local planning policy framework, within which individual planning decisions can be taken.
- 4.4 **Risk Management** – None
- 4.5 **Equality Analysis** – Not applicable
5. **Consultations with Others** – Financial and Legal Services
6. **Access to Information : Background Documents** – None
7. **Author of the Report** – Mrs Sian Watson, Spatial Planning Manager telephone 01756 706462; e-mail: swatson@cravenc.gov.uk

Note : Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

8. **Appendices** –
Appendix A – Independent Examination of the Craven Local Plan – Inspector's Matters, Issues and Questions for Examination, Examination Hearing Programme and Examination Guidance Note – 14th August 2018



The Planning Inspectorate

Independent Examination of the Craven Local Plan

Inspector's Matters, Issues and Questions for Examination

Matthew Birkinshaw BA(Hons) Msc MRTPI

Inspector appointed by the Secretary of State

Date: 14 August 2018

Introduction

Prior to the forthcoming Hearing sessions responses are invited from participants on the following Matters, Issues and Questions ('MIQs') for Examination. The MIQs are based on the Main Issues identified by the Council, the Inspector's Initial Questions and other relevant issues raised by representors.

Further information about the Examination, Hearings and format of written statements is provided in the accompanying Guidance Note, which should be read alongside the MIQs.

Matter 1 – Compliance with the Act and Regulations, the Habitats Regulations and Strategic Flood Risk Assessment

Issue 1 – Duty to Cooperate

- Q1. What strategic, cross-border matters have arisen through the preparation of the Local Plan and what cooperation took place to resolve them? Has the cooperation between neighbouring authorities been constructive and proactive?
- Q2. What actions were identified as a result of dialogue with neighbouring authorities? What were the outcomes and how did they shape the preparation of the Plan?
- Q3. Is the *Memorandum of Understanding between Craven District Council and the Yorkshire Dales National Park Authority* (Appendix 1 to the *Duty to Cooperate Statement Update*¹) the most up-to-date position on cross-boundary issues relating to housing? Does it reflect the latest evidence on housing needs?
- Q4. How were the levels of 'significance' determined in Chapter 6 of the *Duty to Cooperate Statement Update*? How have they been reflected in the preparation of the Local Plan and dialogue with neighbouring authorities?
- Q5. How were issues surrounding economic growth considered with neighbouring authorities? What actions were identified as necessary as a result of dialogue and what were the outcomes?
- Q6. Has the Duty to Cooperate under sections 22(5)(c) and 33A of the 2004 Act and Regulation 4 of the 2012 Regulations been complied with, having regard to advice contained in the National Planning Policy Framework (the 'Framework') and the National Planning Practice Guidance (the 'PPG')?

Issue 2 – Public Consultation

- Q1. Has public consultation been carried out in accordance with the Council's *Statement of Community Involvement*, the Framework and the PPG, and the requirements of the 2004 Act and 2012 Regulations?
- Q2. Were adequate opportunities made available for participants to access and make comments on the Local Plan, and other relevant documents, in different locations?
- Q3. Were representations adequately taken into account?

Issue 3 – Local Development Scheme ('LDS')

- Q1. Has the Local Plan been prepared in accordance with the LDS?

Issue 4 – Sustainability Appraisal

- Q1. Have the likely environmental, social and economic effects of the Local Plan been adequately assessed in the *Sustainability Appraisal*² ('SA')?

¹ Document SD006

² Document PD007

- Q2. Does the SA test the Plan against all reasonable alternatives, such as different options for the distribution of housing and/or employment growth?
- Q3. What is the justification for the number of dwellings used in Housing Growth Options A to D as set out in the SA? Does the SA test a reasonable range of alternative growth scenarios?
- Q4. The March 2018 SA states that further work on potential visual and ecological impacts are required in respect of site Ref SG064, and would be addressed in an expanded, stand-alone SA. Has this been carried out? How does the SA consider the Yorkshire Dales National Park and the River Ribble (Long Preston Deeps) SSSI?

Issue 5 - Habitats Regulations

Recreational Disturbance

- Q1. How have the potential impacts of recreational disturbance (arising from policies and allocations in the Local Plan) on the North and South Pennine Moors SPA and SACs been considered?
- Q2. The *Habitat Regulations Assessment³ (Iteration II)* ('HRA') states that the screening distances of 7km and 2.5km from the boundary of designated sites has been derived from visitor surveys undertaken in 2013 by Bradford Metropolitan District Council. What is the justification for using the same distances in Craven? Are they robust?
- Q3. Has the Council produced a composite list of all sites identified for development in the Local Plan that fall within 7km of the North Pennine Moors SPA and SAC and/or the South Pennine Moors SPA and SAC?
- Q4. Does the Local Plan refer to the buffer zones of 7km and 2.5km in the HRA? Is it necessary when considering the potential for recreational disturbance?
- Q5. In response to the Inspector's Initial Questions⁴ the Council confirmed that the overall aim is to ensure that there are sufficient amounts of usable, public green space to appropriately meet the increased recreational demand resulting from new development within 7km of SPAs and SACs. How does the Local Plan ensure that this will be achieved as part of proposals for new development?
- Q6. Is it clear to decision-makers, developers and local communities what is required of relevant proposals for development falling within the 7km and 2.5km buffer zones?
- Q7. Is land at Malsis, Glusburn (site Ref SC085) the only allocated site to fall within 2.5km of a SPA or SAC?
- Q8. How does the Local Plan ensure that new residential development on site Ref SC085 will not adversely affect the integrity of the South Pennine Moors SPA and SAC?
- Q9. How would a decision-maker respond to a windfall proposal within 2.5km of a SPA/SAC? Is it clear what would be required?

³ Document HR003

⁴ Document EL1.001a

Air Quality and Transport

- Q10. The HRA confirms that the A59 from Skipton briefly runs within 200m of the North Pennine Moors SPA and SAC to the east of the plan boundary, and therefore the in-combination effects need to be analysed further. In response to the Inspector's Initial Questions⁵ the Council confirmed that Harrogate Borough Council is currently compiling their estimate of HGV flows to Craven along this route. Has this data now been completed, and if so, what does it demonstrate?
- Q11. Will the in-combination threshold figure of 1,000 AADT be reached on the A59 as a result of proposed plans and projects in Craven and Harrogate?
- Q12. In response to the Inspector's Initial Questions the Council also advised that contact has been made with Bradford Metropolitan District Council to establish future traffic flows on the A6068. Is this data now available, and if so, what does it demonstrate?
- Q13. Is an assessment of traffic flows on the A6068 necessary given the distance of the A6068 from the South Pennine Moors SPA and SAC?

Loss of supporting feeding sites to development

- Q14. What criteria have been used to assess the likely impacts of proposed development on feeding sites associated with the North and South Pennine Moors SPA and SAC?
- Q15. What impacts will policies and allocations in the Local Plan have on feeding sites?

Other Conservation Interests

- Q16. What effects will the policies and allocations in the Local Plan have on the:
- Ingleborough Complex SAC;
 - Craven Limestone Complex SAC;
 - North Pennine Dales Meadows SAC; and
 - The Bowland Fells SPA.

⁵ Document EL1.001a

Issue 6 – Strategic Flood Risk Assessment ('SFRA')

- Q1. The *Craven District Council Level 1 Strategic Flood Risk Assessment*⁶ states that "...it has not been possible to assess the impact on flood risk that the *Skipton Flood Alleviation Scheme (FAS)* will have, as the scheme is currently under construction. The FAS is accompanied by a modelling study which will produce revised model outputs and information following completion of the scheme." What is the current status regarding this scheme and what effects will its completion have on policies and allocations in the Local Plan?
- Q2. How has the SFRA taken into account the work carried out by North Yorkshire County Council ('NYCC') which has recorded flooding incidents?
- Q3. The SFRA includes a list of sites recommended for withdrawal from the Local Plan. This includes any site within the functional floodplain where 10% or more is within Flood Zone 3b, or, the scale of surface water risk is considered significant enough that possible mitigation is deemed unlikely to be achievable. The sites include:
- Site Ref SC037 – Land at Ashfield Farm, Cross Hills
 - Site Ref SK049 – Land east of Skipton Bypass, Skipton
 - Site Ref SG084 – Land east of A65, Giggleswick

Based on the findings of the SFRA, what is the justification for the inclusion of sites SC037 and SG049 in the Local Plan?

- Q4. Are the allocations and policies consistent with paragraph 100 of the Framework which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change? How has the Council taken a sequential approach to identifying sites for new housing and employment?
- Q5. If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for a development to be located in zones with a lower probability of flooding, paragraph 102 of the Framework confirms that the Exception Test can be applied if appropriate. How do the allocations meet the tests set out in national planning policy?

Issue 7 – Presumption in Favour of Sustainable Development – Policy SD1

- Q1. What is the rationale for the inclusion of Policy SD1? Is it necessary and justified given that it broadly repeats paragraph 14 of the Framework?

Issue 8 – Public Sector Equality Duty ('PSED')

- Q1. In what way does the plan seek to ensure that due regard is had to the three aims expressed in s149 of the Equality Act 2010 in relation to those who have a relevant protected characteristic?

⁶ Document FI001

Matter 2 – Objectively Assessed Need and the Housing Requirement (Policy SP1)

Issue 1 – Housing Market Area ('HMA')

- Q1. What evidence supports the use of a HMA for Craven, having particular regard to levels of containment and household migration? Does it accord with national guidance in the PPG?⁷
- Q2. How has evidence relating to commuting patterns been taken into account? Does this support the use of a HMA for Craven?
- Q3. How does the proposed HMA relate to neighbouring authorities?

Issue 2 – Population and Household Projections

- Q1. What is the demographic starting point derived from the 2014-based household projections? How does this compare to the latest mid-year estimates? What are the reasons for the differences?
- Q2. How has the "re-based" scenario (141 dpa) been calculated?
- Q3. Why has the SHMA⁸ assessed internal rates of migration over 6 years and 15 years? What are the reasons for the variation?
- Q4. How does the SHMA consider household formation rates, what are they based on and are they robust?
- Q5. Paragraph 6.11 of the SHMA and the table that follows (Table 6.1) applies a partial return "...in which the 2014-based headship rates for the 25-34 age group return to a mid-point between the 2014 and 2008-based rates by 2033". Have the same adjustments been made for other age groups?
- Q6. What are the main reasons for the change in the demographic starting point from the 2016 SHMA Update⁹ (188 dwellings)?
- Q7. How has the need for accommodation for older people, especially older people who want to stay in their own home, been taken into account in establishing the housing requirement? Is this set out in the Local Plan?

Issue 3 – Market Signals

- Q1. The PPG¹⁰ advises that household projections should be adjusted to reflect appropriate market signals, as well as other market indicators. How does the evidence demonstrate that Craven is performing with regard to:
 - Land prices;
 - House prices;
 - Rents;
 - Affordability;
 - Rate of development; and

⁷ Paragraph: 011 Reference ID: 2a-011-20140306

⁸ Document Ho013

⁹ Document Ho012

¹⁰ Paragraph: 019 Reference ID: 2a-019-20140306

- Overcrowding.

Issue 4 – Affordability

- Q1. How has affordability been assessed as part of the SHMA? How does the House Price Ratio and the Rental Affordability Ratio compare with neighbouring authorities and the national average?
- Q2. How have ratios determined the level of uplift proposed to the demographic starting point? Is the proposed uplift justified and based on available evidence?
- Q3. What impact will the proposed uplift have on issues relating to affordability in Craven?

Issue 5 – Future Economic Activity

- Q1. The PPG advises that plan makers should also make an assessment of the likely change in job numbers based on past trends and/or economic forecasts as appropriate.¹¹
- What is the justification for the different employment –led growth scenarios in the SHMA? (paragraph 6.16)
- Q2. Has the SHMA taken into account possible economic growth based on an assessment of past take-up rates? If so, how does this differ? What are the implications for the OAN and housing requirement?

Issue 6 – Yorkshire Dales National Park Authority

- Q1. What is the justification for the estimated level of growth likely to take place in the Yorkshire Dales National Park (15%)? What is it based on and is it robust?
- Q2. What level of agreement has the Council reached with the National Park Authority regarding the use of a 15% figure?
- Q3. Does the adopted development plan for the National Park set out a housing requirement for the area falling 'within' Craven?
- Q4. How does the 15% compare with planned levels of growth in the National Park? Can it be delivered?
- Q5. How does the Local Plan for Craven ensure that the full objectively assessed needs for housing across the District will be met?

Issue 7 – Housing Requirement

- Q1. Is the housing requirement justified and is it based on robust, up-to-date and available evidence? If not, what should the housing requirement be, and how have alternative figures been calculated?

¹¹ Paragraph: 018 Reference ID: 2a-018-20140306

Matter 3 – Affordable Housing Need (Policy H2)

Issue 1 – Definition of Affordable Housing

- Q1. Does the Plan include a definition of affordable housing? If not, in order to be effective should one be included?

Issue 2 – Affordable Housing Need

The SHMA states that there is an annual imbalance of 126 affordable dwellings per year. This is expressed as the overall need from the housing register compared with the current supply of affordable housing. In response, Policy H2 requires a minimum of 30% of dwellings on qualifying sites to be affordable.

- Q1. What is the difference between the affordable housing need identified in Policy H2, and the uplift applied to the demographic starting point to reflect affordability issues in Policy SP1?
- Q2. What is the justification for requiring 30% affordable housing on qualifying sites? What is this based on, how was it calculated and what alternatives were considered?
- Q3. Based on the requirements for qualifying developments to provide 30% affordable housing, how many affordable homes is the Local Plan expected to deliver?
- Q4. How does this compare to the identified need?
- Q5. How does this compare to previous performance? How many affordable homes have been provided as a percentage of total output over the past 5-10 years?
- Q6. The PPG states that an increase to the total housing figures should be considered where it would help deliver the required number of affordable homes. Has an uplift to the housing requirement for this reason been considered? If so, where is this set out?
- Q7. What is the justification for requiring proposals of 6-10 dwellings on greenfield sites in designated rural areas to make an equivalent financial contribution?

Issue 3 – Viability

- Q1. How have the residential typology assumptions been defined in the *Local Plan Viability Assessment* and *Local Plan Viability Assessment Addendum Report*?¹² Do the scenarios for Skipton (up to 290 units) and the rest of the District (up to 150 units) reflect the allocations in the Plan?
- Q2. How have existing use values been determined? Are they based on appropriate available evidence?
- Q3. How have infrastructure costs and other contributions been taken into account in the calculation of scheme viability?
- Q4. Is the 30% affordable housing requirement viable for all types of housing, supported by viability evidence?

¹² Document Ec005

Matter 4 – Spatial Strategy and Housing Growth (Policy SP4)

Issue 1 – Settlement Hierarchy

Paragraph 4.37 of the Local Plan states that Skipton is by far the largest town in the District and contains the administrative functions of the District Council, along with a range of employment opportunities, goods and services.

Below Skipton (Tier 1), the hierarchy includes a further 4 tiers as follows;

- Key Service Centres – High and Low Bentham and Settle;
- Local Service Centres – Gargrave, Glusburn and Crosshills and Ingleton;
- Villages with Basic Services and Villages with Basic Services Bisected by the Yorkshire Dales National Park Boundary; and
- Small Villages, Hamlets and Open Countryside

- Q1. How was the hierarchy established?
- Q2. Does it take into account sufficient factors? Is the hierarchy of settlements consistent with the Framework which seeks to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable?
- Q3. Have settlements been appropriately identified in the hierarchy?
- Q4. What is the justification for identifying Villages with Basic Services Bisected by the Yorkshire Dales National Park Authority (Tier 4b) separately from other Villages (Tier 4a)? Does the Local Plan propose a different approach for development falling in Tiers 4a and 4b?
- Q5. How were villages in Tiers 4 and 5 determined? What factors were taken into account in deciding whether or not a village was identified in Policy SP4?

Issue 2 – Housing Growth

- Q1. How was the distribution of housing growth between the settlements established, and what evidence supports it? Is it justified?
- Q2. How does the distribution of housing growth take into account the proximity of settlements to one another? For example, how has the location of services in Settle taken into account when considering housing growth in Giggleswick?
- Q3. Are the levels of growth appropriate and justified having regard to the size, role, function, and accessibility of each settlement to employment, services and facilities?
- Q4. Considering the predominantly rural geography of the District, is it appropriate to focus 50% of the housing growth in Skipton, and almost 72% across Skipton, Low and High Bentham and Settle?
- Q5. How will the spatial distribution of housing support sustainable communities in the Local Service Centres and Villages? Is Policy SP4 consistent with

paragraph 55 of the Framework? Will there be enough growth in small, medium and large villages to help support sustainable rural communities?

- Q6. What is the justification for the very prescriptive levels of housing growth between Tiers 2-4? For example, why is each of the Local Service Centres attributed 10.9% growth and Local Service Centres 3.5%?
- Q7. What is the justification for the level of housing growth proposed in each of the Tier 4 settlements?
- Q8. What is the justification for identifying Bolton Abbey and Long Preston in Tier 4, but not identifying any housing growth in the settlements?
- Q9. Where is the proposed level of housing growth going to come from in the 'Other Villages and Open Countryside' (6%)? How will it be distributed?

Issue 3 – Housing Growth on Non-allocated sites

Land within Settlements

- Q1. What are the reasons for not defining the boundaries of settlements on the Policies Map? Will it be clear to decision-makers, developers and local communities whether a site falls within the main built up area?
- Q2. What is the justification for supporting proposals for new development on non-allocated sites within Tier 1-4 settlements provided that they relate to previously developed land?
- Q3. How would a decision-maker react to a proposal for new residential development on previously undeveloped land within the main built-up area of a Tier 1-4 settlement?

Land adjoining Settlements

- Q4. Policy SP4 I) supports the release of non-allocated sites adjoining the main built up area of settlements where a) to c) are met. Does the policy apply to all settlements, or just Tiers 1-4? As submitted is this clear?
- Q5. The main built up area is defined as the "*continuous built form*" of a settlement. Is this sufficiently clear to decision-makers, developers and local communities? Is the policy effective?
- Q6. What is the justification for restricting proposals for new development coming forward under Policy SP4 I) unless it can be demonstrated that the planned growth for that settlement will not be delivered?
- Q7. How does this requirement relate to Policy SP1 which sets out a minimum (rather than a maximum) housing requirement?
- Q8. How will a decision-maker determine whether or not the planned level of housing growth in a particular settlement will be delivered within the plan period for the purposes of Policy SP4 I)? How will Table 5 be updated?
- Q9. Where planning permission has been granted for new residential development in a settlement, but has not come forward, how would a decision-maker react to a proposal for housing under Policy SP4 I)?
- Q10. Does the policy, or other applicable policies in the Local Plan, encourage the effective use of previously developed (brownfield) land?

- Q11. What are the "special economic, environmental and/or social circumstances" for the purposes of Policy SP4 I)? Is this clear to decision-makers, developers and local communities? Is the policy effective?

Tier 5 Settlements

- Q12. How will a decision-maker determine whether or not a proposal for new development is "*consistent with the role and function of the settlement*" for the purposes of Policy SP4 I) i)?
- Q13. What is the justification for Policy SP4 I) vi)? How does this relate to the spatial strategy and principle of new residential development in or adjoining settlements?
- Q14. Policy SP4 J) supports proposals for housing in Tier 5 settlements subject to meeting criteria a) to e). However, Tier 5 settlements are not listed in Policy SP4. How will decision-makers, developers and local communities determine when part J) applies?
- Q15. Is Policy SP4 J) intended to apply to even very small clusters of houses with no shops, services or facilities?

Residential Development Outside Settlements

- Q16. How is the 'countryside' defined for the purposes of Policy SP4? How would a decision-maker determine whether or not a site falls within the countryside, or a Tier 5 settlement such as a hamlet?
- Q17. What is the justification for requiring proposals for new development to accord with the Framework under Policy SP4 K), and, then meet criteria i) to iii)?
- Q18. How does Policy SP4 allow for circumstances where the design of a new dwelling is of an exceptional quality? Is Policy SP4 consistent with the Framework in this regard?

Matter 5 – Residential Allocations (Policies SP5, SP6, SP7, SP8, SP9, SP10 and SP11)

Issue 1 – Methodology

- Q1. How were different sites considered for inclusion as allocations? What process did the Council follow in deciding which sites to include?
- Q2. How was the spatial distribution of allocations determined? How do they relate to the housing strategy and settlement hierarchy under Policy SP4?
- Q3. How did the guidelines for housing growth between settlements in Policy SP4 determine the number and size of sites?
- Q4. How were site areas and dwelling capacities determined? Are the assumptions justified and based on available evidence?
- Q5. What is the justification for including a very specific, net site area for allocated sites? Is this sufficiently flexible to allow proposals for new development to be deliverable?
- Q6. What contingency arrangements does the Plan include should some of the larger sites not come forward as expected?
- Q7. Are there any factors which indicate that a site(s) should not have been allocated for development? Are all of the sites developable within the plan period?
- Q8. Why do some allocations require a Landscape Visual Impact Assessment ('LVIA') to be carried out, but others do not, such as site Refs IN010, IN022, IN028, IN029 and IN035?
- Q9. How has the effect of allocations on the availability of the best and most versatile agricultural land been assessed?
- Q10. How has the effect of allocations on the local and strategic road network been assessed? Where specific mitigation has been identified as necessary is this set out in the relevant policies?
- Q11. How has the effect of allocations on the natural and built environment been taken into account, including biodiversity, geodiversity and heritage assets?
- Q12. Was the site selection process robust? Was an appropriate selection of potential sites assessed, and were appropriate criteria taken into account?
- Q13. Are the allocations justified, effective and consistent with national policy?

Issue 2 – Strategy for Skipton – Tier 1 (Policy SP5)

SK013 – Land east of Aldersley Avenue and south of Moorview Way

- Q1. The *Craven Local Plan Residential Site Selection Process Background Paper*¹³ states that there may be areas of archaeological significance beneath the site, which subject to the outcomes of site investigations, may possibly reduce the site's area. How has this determined the site area and dwelling capacity?
- Q2. Taking into account the possibility for archaeological remains, is the provision of 100 dwellings deliverable?

SK015 – Cefn Glas, Shortbank Road

- Q3. What is the justification for limiting the site area to 0.442ha, in contrast to the site area considered as part of the *Strategic Housing Land Availability Assessment*¹⁴ ('SHLAA')?

SK044 – Former allotments and garages, Broughton Road

- Q4. What is the fluvial and/or surface water hazard identified in the supporting text to Policy SP5? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?
- Q5. Is it clear to decision-makers, developers and local communities what is required of proposals for new development, having particular regard to flood risk?
- Q6. Is the site deliverable within the plan period for 19 dwellings?

SK058 – Whitakers Chocolate Factory

- Q7. What is the current status regarding the site, is it still actively used for employment purposes? If so, is the site available for development?
- Q8. How have the effects of residential development on designated heritage assets been taken into account?
- Q9. Considering the requirement to retain the two villa-style houses and boundary walls on Upper Street, is the delivery of 16 dwellings feasible?

SK060 – Business premises and land west of Firth Street

- Q10. What is the current status regarding the site, is it still actively used for employment purposes? If so, is the site available for development?
- Q11. How have the effects of residential development on designated heritage assets been taken into account?

¹³ Document Ho007

¹⁴ Document Ho010

SK061 – Land west of Sharphaw Avenue

- Q12. Policy SP5 states that the width of the existing Horse Close Bridge is currently restricted, and therefore would need to be widened (or a new bridge provided) to serve the allocation. What assessments have been carried out to determine whether such works would be feasible and viable?
- Q13. Taking into account the access constraints of the site, is the allocation deliverable?
- Q14. Is the site expected to come forward in conjunction with, or alongside Site Refs SK101 and SK114/124, which also potentially require bridge widening and/or a new crossing over the Leeds & Liverpool Canal?

SK081, SK082 and SK108 – Land north of Gargrave Road and west of Park Wood Drive and Stirtonber

- Q15. What is the justification for allocating part of the site for a new primary school? How will this be delivered, by whom and when? Is it clear to decision-makers, developers and local communities what is required of proposals for new development?
- Q16. How has the suitability of the site to accommodate a new primary school been assessed?
- Q17. What contingency plans does Policy SP5 put in place should the new primary school no longer be required?
- Q18. Taking into account the land required for a new school, is the provision of 324 dwellings deliverable?
- Q19. What is the justification for including an area of green infrastructure running along the north and western site boundary?
- Q20. What is the justification for requiring the production of a masterplan for the site? Is it clear who will be responsible for producing the masterplan and/or what it should contain?
- Q21. How will the necessary infrastructure be provided on the site? Should this be set out in the Plan?

SK087 – Land north of A6131 and south of A65

- Q22. What is the fluvial and/or surface water hazard identified in the supporting text to Policy SP5? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?
- Q23. What is the justification for requiring a pedestrian link alongside the A6131 to the bus stop at Overdale Static Caravan Site?
- Q24. What is the justification for excluding an area of Local Green Space around the periphery of the site? How will this affect the ability to provide a new access and pedestrian footway along the A6131, and have houses front onto the road as required by Policy SP5?

SK088 – Hawbank Fields north of Otley Road and south of A6131

- Q25. What is the current status regarding planning application Ref 2017/18237/OUT?
- Q26. What is the fluvial and/or surface water hazard identified in the supporting text to Policy SP5? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?

SK089 and SK090 – Land north of Airedale Avenue and Elsey Croft and east of Railway Line

- Q27. What is the justification for allocating part of the site for a new primary school? How will this be delivered, by whom and when?
- Q28. Is it clear to decision-makers, developers and local communities where the proposed new primary school will be located?
- Q29. What evidence has been produced to demonstrate that a new school and 218 dwellings can be delivered taking into account site constraints such as the topography, existing infrastructure and land ownerships?
- Q30. Taking into account the land required for a new school, is the provision of 218 dwellings deliverable?
- Q31. What is the fluvial and/or surface water hazard identified in the supporting text to Policy SP5? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?

SK094 – Land bounded by Carleton Road, the railway line and the A629

- Q32. Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?
- Q33. What is the current situation regarding the Skipton Flood Alleviation Scheme? What is the scheme and what effect is it likely to have on the part of the allocation falling within Flood Zones 2 and 3?

SK101 – Land east of Keighley Road and south of Cawder Lane

- Q34. Policy SP5 states that the width of the existing Horse Close Bridge is currently restricted, and therefore would need to be widened (or a new bridge provided) to serve the allocation. What assessments have been carried out to determine whether such works would be feasible and viable?
- Q35. Taking into account the access constraints of the site, is the allocation deliverable?
- Q36. Is the site expected to come forward either in conjunction with, or alongside Site Refs SK061 and SK114/124, which also potentially require bridge widening and/or a new crossing over the Leeds & Liverpool Canal?

SK114 and SK124 – Land north east of North Parade and Cawder Road garage

- Q37. What is the current status regarding planning permission Ref 63/2016/15503?
- Q38. Is access to the site expected to be taken from Cawder Road and/or the existing reservoir track from Whinny Gill Road? At present is it clear to decision-makers, developers and local communities? Is the policy effective?
- Q39. Policy SP5 states that the width of the existing Horse Close Bridge is currently restricted, and therefore would need to be widened (or a new bridge provided) to serve the allocation. What arrangements are proposed/approved for the site under planning permission Ref 63/2016/15503?
- Q40. Taking into account the access constraints of the site, is the allocation deliverable?

Issue 3 – Strategy for Settle - Tier 2 (Policy SP6)

SG021, SG066 and SG080 – Land north-west and south-west of Penny Green

- Q1. Is it clear to decision-makers, developers and local communities what the heritage assets are for the purpose of Policy SP6? Is the policy effective in this regard?
- Q2. Is the site accessible from Penny Green, and if not, is it clear to decision-makers, developers and local communities what is required from access proposals taken from the B6480?

SG025 – Land south of Ingfield Lane

- Q3. What is the current status regarding the planning application submitted to the Council in April 2017 (Ref 62/2017/18067)?
- Q4. What is the justification for specifying that proposals for development on the site must include tree blocks between clusters of dwellings? Does this provide sufficient flexibility to ensure that the site is deliverable?
- Q5. What is the fluvial and/or surface water hazard identified in the supporting text to Policy SP6? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?

SG027 and SG068 – Land south of Brockhole View and west of Brockhole Lane

- Q6. How does site Ref SG027/SG068 relate to the adjacent parcel of land to the north-east which benefits from planning permission for residential development under Ref 62/2015/16414?
- Q7. What is the current status regarding planning application Ref 62/2016/17447?
- Q8. How does the area of green infrastructure referred to in Policy SP6 relate to approved plans for the site?

- Q9. What is the justification for specifying that proposals for development on the site must include tree blocks between clusters of dwellings? Does this provide sufficient flexibility to ensure that the site is deliverable?

SG032 – Car Park off Lower Greenfoot and Commercial Street

- Q10. What is the current use of the site? What effect will the proposed allocation have on the availability of car parking in the area?
- Q11. How would the proposed allocation affect the attractiveness of Settle as a visitor destination?
- Q12. Is it clear to decision-makers, developers and local communities what is expected in relation to the management of surface water run-off?

SG035 – F H Ellis Garage

- Q13. How does the density of development relate to the housing mix set out in Policy SP3?
- Q14. What is the justification for restricting the site to specialist accommodation for older people?
- Q15. Is it clear to decision-makers, developers and local communities what the relevant listed buildings and conservation areas are under Policy SP6?
- Q16. Is it clear to decision-makers, developers and local communities what is expected in relation to the management of surface water run-off?
- Q17. What is the justification for requiring access to be taken from High Hill Grove Street to the rear?

SG079 – Land north of Town Head Way

- Q18. What is the justification for the extent of green infrastructure proposed to the north and east of the site?
- Q19. What is the justification for retaining the existing dry stone boundary walls and creating a new dry stone wall to enclose the field to the north?
- Q20. What is the justification for requiring the layout of any potential future development to retain views of the Watershed Mill chimney, and to specifically "leave gaps" through the site from east to west?

SG042 – NYCC Depot, Kirkgate

- Q21. Is it clear to decision-makers, developers and local communities what the relevant listed buildings and conservation areas are under Policy SP6?

LA004 – Land North of Barrel Sykes

- Q22. What is the justification for requiring the layout of any potential future development to retain views of the Watershed Mill chimney?
- Q23. What is the justification for restricting building heights to 2-storeys and specifying that houses should be front facing and set back from Langcliffe Road?
- Q24. What is the justification for retaining the existing dry stone boundary walls and creating a new dry stone wall to enclose the field to the north?

SG060 – Northern part of Sowarth Industrial Estate

- Q25. Policy SP6 allocates the site for "*commercially led including employment, retail, leisure and some residential uses*". Is it clear to decision-makers, developers and local communities what uses are permitted? In particular, how many dwellings are allocated on the site?
- Q26. How does the Local Plan ensure that development of the site will come forward in a planned and coordinated manner?
- Q27. Is it clear to decision-makers, developers and local communities what "*key stakeholders*" would require involvement in any masterplanning exercise for the site?

Issue 4 – Strategy for Bentham - Tier 2 (Policy SP7)

HB011 – Primary School east of Robin Lane and west of Lowcroft

- Q1. What is the current status regarding the proposed High Bentham Conservation Area?
- Q2. Is it clear to decision-makers, developers and local communities what the relevant heritage assets are for the purposes of Policy SP7?
- Q3. What is the current status regarding the playing fields associated with the former school? Is the allocation consistent with paragraph 74 of the Framework concerning the development of existing open space, sports and recreational buildings and land, including playing fields? How does the proposed allocation meet the tests set out in the Framework?
- Q4. How does the density of development relate to the housing mix set out under Policy SP3?
- Q5. What is the justification for restricting the site to extra care dwellings?
- Q6. Is it clear to decision-makers, developers and local communities where access to the site will be taken from?
- Q7. Is it clear to decision-makers, developers and local communities how the design will "*take account of impacts on the Forest of Bowland AONB*"?
- Q8. Is it clear to decision-makers, developers and local communities what is expected in relation to the management of surface water run-off?

HB023 – Land north of Low Bentham Road

- Q9. What is the surface water hazard identified in the supporting text to Policy SP7? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?
- Q10. Is it clear to decision-makers, developers and local communities how the design will "*take account of impacts on the Forest of Bowland AONB*"?

HB024 – North of Lakeber Drive

- Q11. How, and from where, will the site be accessed?

- Q12. What is the justification for requiring a means of access for emergency vehicles to be taken through the allocated site into site Ref HB052? What about other vehicles and pedestrians/cyclists?
- Q13. Is it clear to decision-makers, developers and local communities how green linkages will be secured across sites HB024, HB044 and HB052?
- Q14. How does the Local Plan ensure that the three adjoining sites come forward in a consistent and coherent manner, having regard to emergency vehicle access and green infrastructure?
- Q15. How does the Local Plan ensure that any potential delays in bringing forward the allocation does not prejudice the delivery of adjacent sites?
- Q16. Is it clear to decision-makers, developers and local communities what is expected in relation to the management of surface water run-off?
- Q17. Is it clear to decision-makers, developers and local communities how the design will *"take account of impacts on the Forest of Bowland AONB"*?

HB025 – Land east of Butts Lane

- Q18. What is the surface water hazard identified in the supporting text to Policy SP7? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?
- Q19. Is it clear to decision-makers, developers and local communities how the design will *"take account of impacts on the Forest of Bowland AONB"*?

HB026 – Land north of Springfield Crescent and East of Butts Lane

- Q20. What is the surface water hazard identified in the supporting text to Policy SP7? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?
- Q21. What is the current status regarding applications for planning permission on the site?
- Q22. Is it clear to decision-makers, developers and local communities how the design will *"take account of impacts on the Forest of Bowland AONB"*?

HB036 – Land east of Robin Lane

- Q23. What is the site currently used for? Is it surplus to requirements as overflow car parking for the golf club?
- Q24. What effects will the allocation have the on the availability of car parking for the golf club?
- Q25. What are the *"risks of groundwater emergence"* identified in the supporting text to Policy SP7? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?

- Q26. Is it clear to decision-makers, developers and local communities how the design will *"take account of impacts on the Forest of Bowland AONB"*?

HB038 – Land south of Low Bentham Road

- Q27. What is the justification for allocating part of the site for an expansion to the primary school? How will this be delivered, by whom and when?
- Q28. Taking into account the land required for the primary school extension, is the provision of 19 dwellings deliverable?
- Q29. Is it clear to decision-makers, developers and local communities how the design will *"take account of impacts on the Forest of Bowland AONB"*?

HB044 – Land west of Goodenber Road

- Q30. How will access be gained to the proposed allocation? Is it deliverable?
- Q31. How does the Local Plan ensure that any potential delays in bringing forward site Ref HB024 does not prejudice the delivery of the allocation?
- Q32. How does the Local Plan ensure that the three adjoining sites come forward in a consistent and coherent manner, having regard to vehicle access and green infrastructure?
- Q33. What is the justification for requiring a Flood Risk Assessment to be provided?
- Q34. Is it clear to decision-makers, developers and local communities how the design will *"take account of impacts on the Forest of Bowland AONB"*?

HB052 – Land North West of Bank Head Farm and South of Ghyllhead Farm

- Q35. What is the justification for requiring a means of access for emergency vehicles to be taken through site Ref HB024? What about other vehicles and pedestrians/cyclists?
- Q36. How does the Local Plan ensure that any potential delays in bringing forward site Ref HB024 does not prejudice the delivery of the allocation?
- Q37. How does the Local Plan ensure that the three adjoining sites come forward in a consistent and coherent manner, having regard to vehicle access and green infrastructure?
- Q38. What is the surface water hazard identified in the supporting text to Policy SP7? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?
- Q39. Is it clear to decision-makers, developers and local communities how the design will *"take account of impacts on the Forest of Bowland AONB"*?

LB012 – Wenning View, Low Bentham Road

- Q40. Is it clear to decision-makers, developers and local communities what is expected in relation to the management of surface water run-off?
- Q41. Is it clear to decision-makers, developers and local communities how the design will *"take account of impacts on the Forest of Bowland AONB"*?

- Q42. What is the justification for requiring an assessment of the site's archaeological interest on this site, but not others within Bentham?

Issue 5 – Strategy for Glusburn/Crosshills - Tier 3 (Policy SP8)

SC085 – Land at Malsis

- Q1. What is the current status regarding development proposals for the site?
- Q2. Is it clear to decision-makers, developers and local communities what is proposed for the site under the heading "*an element of C2 institutional and/or C3 residential*"?
- Q3. In contrast to other allocations, why does Policy SP8 set out a minimum number of dwellings for the site? Is it clear how many dwellings will be permitted?
- Q4. How have the effects of residential development on the integrity of the South Pennine Moors Phase 2 SPA been considered, having particular regard to loss of habitat and recreational disturbance?
- Q5. Has an assessment been carried out to determine whether or not foraging SPA species are using the site?
- Q6. Is it clear to decision-makers, developers and local communities what is required in the provision of "*extensive areas of green infrastructure*"? Is the policy effective in this regard?
- Q7. What is the fluvial and/or surface water hazard identified in the supporting text to Policy SP8? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?
- Q8. Based on the constraints identified in the supporting text to Policy SP8, is the site deliverable?

SC037(a) – Land at Ashfield Farm

- Q9. Is the allocation a brownfield or greenfield site? How was this taken into account in the site selection process?
- Q10. Is it clear to decision-makers, developers and local communities what is expected in relation to the management of surface water run-off?

Issue 6 – Strategy for Ingleton - Tier 3 (Policy SP9)

IN006 – CDC Car Park, Backgate

- Q1. What is the current use of the site? What effect will the proposed allocation have on the availability of car parking in the area?
- Q2. Is it clear to decision-makers, developers and local communities what the relevant listed buildings and conservation areas are under Policy SP9?
- Q3. What is the fluvial and/or surface water hazard identified in the supporting text to Policy SP9? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?

IN010 – Caravan Park, north of River Greta

- Q4. Is it clear to decision-makers, developers and local communities what the relevant listed buildings and conservation areas are under Policy SP9? Does the site fall within a conservation area?
- Q5. Is it clear to decision-makers, developers and local communities what the provision of "*social infrastructure*" would entail for the purposes of Policy SP9? Is the policy effective in this regard?
- Q6. What is the fluvial and/or surface water hazard identified in the supporting text to Policy SP9? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?
- Q7. How has the effect of residential on the character and form of the settlement been considered, having particular regard to the provision of new housing on the western side of the River Greta?

IN028 – Land between Ingleborough Park Drive and Low Demesne

- Q8. Is it clear to decision-makers, developers and local communities what the relevant listed buildings and conservation areas are under Policy SP9?
- Q9. Is it clear to decision-makers, developers and local communities what the provision of "*social infrastructure*" would entail for the purposes of Policy SP9? Is the policy effective in this regard?
- Q10. What is the fluvial and/or surface water hazard identified in the supporting text to Policy SP9? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?
- Q11. What is the area of biodiversity value in the western part of the site? How has this been assessed to determine the suitability of the site for new residential development?

IN029 – Land east of New Village and south of Low Demense

- Q12. Is it clear to decision-makers, developers and local communities what the relevant listed buildings and conservation areas are under Policy SP9?
- Q13. Is it clear to decision-makers, developers and local communities what the provision of "*social infrastructure*" would entail for the purposes of Policy SP9? Is the policy effective in this regard?
- Q14. What is the fluvial and/or surface water hazard identified in the supporting text to Policy SP9? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?
- Q15. How has the effect of new residential development on the character and appearance of the area been considered through the allocation process, having particular regard to landscape sensitivity?

IN049 – Former Playing Fields, Ingleton Middle School

- Q16. Is it clear to decision-makers, developers and local communities what type of housing is proposed on the site?
- Q17. What is the current status regarding the playing fields associated with the former school? Is the allocation consistent with paragraph 74 of the Framework concerning the development of existing open space, sports and recreational buildings and land, including playing fields? How does the proposed allocation meet the tests set out in the Framework?
- Q18. Is it clear to decision-makers, developers and local communities what the relevant listed buildings and conservation areas are under Policy SP9?
- Q19. Is it clear to decision-makers, developers and local communities what the provision of "*social infrastructure*" would entail for the purposes of Policy SP9? Is the policy effective in this regard?
- Q20. What is the fluvial and/or surface water hazard identified in the supporting text to Policy SP9? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?

Issue 7 – Strategy for Gargrave - Tier 3 (Policy SP10)

GA009 – Land off Eshton Road

- Q1. What is the justification for the proposed site boundary, which excludes certain parcels of land to the rear of Eshton Road, but includes others?
- Q2. What is the justification for identifying the site for extra care units?
- Q3. How has the accessibility of the site by non-car modes been taken into account?
- Q4. What is the current status regarding the Gargrave Neighbourhood Plan? Is the site identified for residential development in the NP?
- Q5. Is it clear to decision-makers, developers and local communities what the relevant listed buildings and conservation areas are under Policy SP10?
- Q6. Is it clear to decision-makers, developers and local communities what the provision of "*social infrastructure*" would entail for the purposes of Policy SP10? Is the policy effective in this regard?
- Q7. What is the fluvial and/or surface water hazard identified in the supporting text to Policy SP10? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?

GA031 – Land West of Walton Close

- Q8. How has the accessibility of the site by non-car modes been taken into account?
- Q9. What is the current status regarding the Gargrave Neighbourhood Plan? Is the site identified for residential development in the NP?

- Q10. Is it clear to decision-makers, developers and local communities what the relevant listed buildings and conservation areas are under Policy SP10?
- Q11. Is it clear to decision-makers, developers and local communities what the provision of "social infrastructure" would entail for the purposes of Policy SP10? Is the policy effective in this regard?
- Q12. What is the fluvial and/or surface water hazard identified in the supporting text to Policy SP10? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?

Issue 8 – Strategy for Tier 4A and 4B Villages (Policy SP11)

BU012 – Richard Thornton’s CE Primary School, Burton-in-Lonsdale

- Q1. What is the justification for restricting new build development to the rear of the site? Is this clear to decision-makers, developers and local communities?

BR016 – Land West of Gilders, Langholme Skipton Road, Low Bradley

- Q2. How has the site area been defined, and how will it create a strong boundary to the north of the settlement?

SG014 – Land at Lords Close, Giggleswick

- Q3. Is the allocation consistent with paragraph 74 of the Framework concerning development on existing open space, sports and recreational buildings and land, including playing fields? How does the allocation meet the tests set out in the Framework?
- Q4. Based on the answer to question 3 above, is the site deliverable?

CN006 – Station Works, Cononley

- Q5. What is the current status regarding redevelopment proposals for the site?
- Q6. Is it clear to decision-makers, developers and local communities what uses are permitted across the site and where they are to be located? Is the policy effective in this regard?
- Q7. How has the total number of dwellings been determined, taking into account the necessary retention of the mill buildings?
- Q8. What assessments have been carried out to determine the feasibility and viability of converting the mill buildings? Is the site deliverable?
- Q9. What is the fluvial and/or surface water hazard identified in the supporting text to Policy SP11? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?

Matter 6 – Housing Land Supply

Issue 1 – The Five Year Housing Land Requirement

- Q1. What is the basic five-year housing land requirement, what is it based on and how has it been calculated?
- Q2. How does the five-year housing land requirement compare to previous rates of delivery?

Paragraph 47 of the Framework states that to boost significantly the supply of housing, local planning authorities should identify and update annually a deliverable five-year supply of housing, with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and completion in the market for land. Where there has been a record of persistent under delivery this should be increased to 20% to provide a realistic prospect of achieving the planned supply and also to ensure choice and competition in the market for land.

- Q3. Taking a longer-term view, how has the Council performed against previous annual housing requirements? Does this represent the 'persistent undersupply' defined by the Framework? In this context, should the buffer be 5% or 20%?
- Q4. If a 20% buffer applies, should this be applied to the basic five-year requirement, or the five-year requirement and any undersupply?
- Q5. If there has been an undersupply, should this be addressed within the next five years (the 'Sedgefield' method), or over the remainder of the plan period (the 'Liverpool' method)? Is the Council's approach consistent with the PPG which advises that local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible?¹⁵
- Q6. Taking the above into account, what is the five-year housing land requirement?

Issue 2 – Supply Methodology

The PPG¹⁶ states that planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide clear evidence to support the deliverability of sites, ensuring that judgements on deliverability are clearly and transparently set out.

The PPG¹⁷ also advises that the size of sites will be an important factor in identifying whether or not a housing site is deliverable within five years. Plan makers should consider lead-in times and build-out rates to ensure a robust five-year housing land supply. Taking this into account:

¹⁵ Paragraph: 035 Reference ID: 3-035-20140306

¹⁶ Paragraph: 031 Reference ID: 3-031-20140306

¹⁷ Paragraph: 031 Reference ID: 3-031-20140306

- Q1. What evidence is there to indicate that the sites with planning permission will come forward as illustrated in the *Craven Local Plan Housing Trajectory 2012 to 2032 (2018 Update for Submission)*¹⁸?
- Q2. Are there any sites in the Housing Trajectory which have a resolution to grant planning permission subject to the completion of a planning obligation? If so, how has this been taken into account in determining deliverability?
- Q3. How does the Housing Trajectory take into account sites with outline planning permission, compared to sites with full planning permission?
- Q4. What lead-in times and build-out rates have been applied to sites with planning permission?
- Q5. Have the same lead-in times and build-out rates been used for sites across Craven? If so, is this appropriate and justified?
- Q6. How has the Council calculated the deliverability of sites without planning permission? Have different lead-in times and build-out rates been used?
- Q7. How has the Housing Trajectory taken into account that some sites may not come forward due to unforeseen circumstances. Has a lapse-rate or allowance for non-deliverability been applied? If so, has it been applied to all sites?
- Q8. Based on the latest evidence available, is the estimated delivery of sites realistic, reasonable and justified?

Issue 3 – Components of Supply

- Q1. What is the justification for including 93 dwellings coming forward within the first 5 years at Station Works, Cononley (site Ref CN006)? How does this account for any relocation of existing businesses and conversion of the mill buildings?
- Q2. What is the current status regarding development proposals at St Monica's Convent, Gargrave? The latest Housing Trajectory states that planning permission was granted in 2013 and expired in 2016. Given the amount of time which has elapsed, what is the justification for including 70 dwellings within the first 5 years?
- Q3. What is the justification for including 105 dwellings coming forward within the first 5 years at North Parade, Skipton (site Ref SK114 and SK124)?
- Q4. How has the delivery of 145 dwellings been calculated on land north of the A692 and west of Carleton Road, Skipton (site Ref SK094)?
- Q5. What is the current status regarding the completion of Section 106 agreements at Malsis Hall, Glusburn and Hawkbank Fields, Skipton? How has this been factored into the calculation of the 5 year housing land supply position?
- Q6. Taking into account the site constraints, in particular the requirement to either increase the width of Horse Close Bridge or provide a new access

¹⁸ Document SD004

over the canal, what is the justification for including 74 dwellings coming forward within the first 5 years on land west at Sharpshaw Avenue (site Ref SK061)?

- Q7. What is the justification for including 50 dwellings coming forward within the first 5 years on land south of Runley Bridge Farm (site Ref SG064), including 10 dwellings in 2018/19?

Issue 4 – Windfall Allowance

Paragraph 48 of the Framework states that local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the SHLAA, historic windfall delivery rates and expected future trends, and should not include residential gardens. Taking this into account:

- Q8. What allowance has been made for windfall sites coming forward over the first five years, and thereafter throughout the plan period?
- Q9. What is this based on and is it justified on appropriate available evidence?
- Q10. Having regard to the answers provided to the questions above, and questions regarding the OAN for housing under Matter 2, will there be a five-year supply of deliverable housing sites on adoption of the Local Plan?

Issue 5 – Future Supply

Paragraph 47 of the Framework states that local planning authorities should also identify a supply of specific, developable sites or broad locations for growth for years 6-10, and, where possible, years 11-15.

- Q1. How has the Council arrived at the figures in the Housing Trajectory for years 6-10 and 11-15?
- Q2. What factors were taken into account in arriving at the figures in the Housing Trajectory? Are they justified and based on appropriate available evidence?
- Q3. Is there likely to be a sufficient supply of housing land throughout the lifetime of the Plan?

Issue 6 – Flexibility

- Q1. What flexibility does the plan provide in the event that some of the larger sites do not come forward in the timescales envisaged?
- Q2. Is it necessary to have a review mechanism in the Plan to consider progress against these, and other sites, and to identify any appropriate steps to increase supply if required?

Matter 7 - Affordable Housing Provision (Policy H2)

Issue 1 – Addressing Affordable Housing Need

- Q1. What is the justification for having a different policy requirement for affordable housing on greenfield and brownfield sites?
- Q2. Is it appropriate to require decision-makers and developers to negotiate the level of affordable housing on a case-by-case basis for brownfield sites?
- Q3. What is the justification for requiring development proposals to demonstrate 'exceptional circumstances' where a lower level of affordable housing is proposed?
- Q4. Under what circumstances might the Council apply vacant building credit and "*reduce on-site and/or financial contributions accordingly*"? Is the approach consistent with advice contained in the National Planning Practice Guidance?
- Q5. Which settlement does Policy H2 III) apply to? Is it clear to decision-makers, developers and local communities?
- Q6. Is it clear under what circumstances off-site contributions will be acceptable in lieu of on-site provision? How will a decision-maker determine whether or not an off-site contribution is "*preferable in terms of achieving housing and planning objectives*"?
- Q7. Is Policy H2 consistent with national planning policy concerning the thresholds for affordable housing?

Issue 2 – Rural Exception Sites

- Q1. How will local needs be determined for the purposes of Policy H2 f) I)? Does the 'local area' relate to the settlement in which the development is located, the District or Parish level?
- Q2. What is the justification for allowing rural exception sites to come forward in locations other than Skipton?
- Q3. How would a proposal for affordable housing be considered in or adjoining a Tier 5 settlement not defined under Policy SP4?
- Q4. What is the justification for requiring rural exception sites to be 'small'? How will this be defined? Is the policy effective?
- Q5. What is the justification for requiring rural exception sites with an element of market housing to demonstrate "*very special circumstances*"? Is this consistent with national planning policy and guidance?

Matter 8 – Housing Mix and Density (Policy SP3)

Issue 1 – Housing Mix

- Q1. What is the justification for Policy SP3 a) which sets out a specific mix of house types that will be required as part of proposals for new residential development?
- Q2. Is it appropriate to apply the same mix of house types across the plan area? For example, how would a decision-maker ensure that proposals for new development made an efficient use of land and promoted or reinforced local distinctiveness, especially in highly accessible urban locations?
- Q3. Does Policy SP3 apply to all housing, including proposals for affordable housing?
- Q4. Does the Local Plan include sufficient flexibility to allow for changing circumstances in the mix of new housing required?

Issue 2 – Housing Density

- Q1. What is the justification for Policy SP3 b) which sets out a standard density of 32dph across the plan area and across all tenures?
- Q2. Is it appropriate to set out a density target for the whole plan area given the differences between towns such as Skipton and Settle and more rural areas?
- Q3. How does Policy SP3 ensure that development will optimise the use of land, especially in urban locations that are well served by public transport?
- Q4. Is it clear to decision-makers, developers and local communities what density of development will be required and where? Is the policy effective?

Matter 9 - Specialist Housing for Older People (Policy H1)

Issue 1 – Housing for Older People

- Q1. Paragraph 6.2 of the Local Plan states that the number of people across Craven District aged 65 or over is projected to increase from 14,000 in 2015 to 21,200 by 2037. What provision does the Local Plan include to ensure that this need is met?
- Q2. By reference to the SHMA, paragraph 6.4 of the Local Plan also refers to research which suggests that the majority of older people (generally upwards of 65%) want to stay in their own homes. How has this been factored into account in establishing the overall housing needs for Craven?
- Q3. How will 'sustainable locations' be determined for the purposes of Policy H1? Is this clear to decision-makers, developers and local communities? Is the policy effective?
- Q4. Is it clear what is expected of developers under Policy H1 b)? Is the policy effective in this regard?
- Q5. What is the justification for Policy H1 b) and where is this set out in the evidence base? Is the requirement consistent with advice contained in the PPG?

Matter 10 – Gypsies, Travellers, Showmen and Roma (Policy H3)

Issue 1 – Need for Accommodation

- Q1. The *Craven District Council Traveller Housing Needs Survey*¹⁹ is dated January 2013, with the information and surveys underpinning the findings from 2012. Is the identified need for residential pitches over the plan period justified by appropriate, available and up-to-date evidence?
- Q2. Since publication of the Traveller Housing Needs Survey the National Planning Policy for Traveller Sites (PPTS) has updated the definition of 'gypsies and travellers' and 'travelling showpeople'. Previously included within the definition were those who had ceased to travel temporarily or permanently for reasons of health, education or old age. How has this change been taken into account as part of the assessment of needs?
- Q3. How have other changes in circumstances been reflected since the initial assessment was carried out? Are the findings of the 2013 study still accurate and robust?
- Q4. The *Gypsy and Traveller Analysis 2017*²⁰ paper states that caravans on unauthorised developments has been on the increase since 2010, and that since 2011 caravan demand has exceeded pitch supply. Taking this into account, what is the justification for the conclusion that no demand currently exists for additional pitch provision?
- Q5. The *Craven District Council Traveller Housing Needs Survey* refers to Gargrave as a stopping point for gypsies and travellers en-route to the Appleby fair. With this in mind how has the need for transit provision been taken into account, and how is it reflected in the Local Plan?
- Q6. In order to meet the housing requirements of Gypsies, Travellers, Showmen and Roma Policy H3 states that the Council will maintain an adequate supply of existing sites. How will this be achieved? Are the existing sites identified in the Local Plan and/or the Policies Map?

Issue 2 – Proposals for Gypsies, Travellers, Showmen and Roma Accommodation

- Q1. How will the compatibility of land uses be considered for the purposes of Policy H3 g)? Is this clear to decision-makers, developers and local communities? Is the policy effective?
- Q2. How does Policy H3 take into account the effect of a proposal on the character and appearance of the area?
- Q3. Is it clear to decision-makers, developers and local communities what "any potential impacts on the environment" relates to? Is the policy effective?

¹⁹ Document Ho016

²⁰ Document Ho003

Matter 11 – Transport (Suggested Policy INF7, Policy INF4 and ENV12)

Issue 1 – Transport – Suggested Draft Policy INF7

- Q1. How has the Council:
- Identified the transport demands arising from the policies, allocations and growth aspirations of the Local Plan;
 - Assessed the impacts of policies, allocations and growth aspirations on the performance of the transport network;
 - Identified any outcomes or mitigation as necessary;
 - Assessed the adequacy of any identified outcomes or mitigation; and
 - Identified any phasing and/or funding requirements necessary to ensure that the identified infrastructure measures are viable and deliverable?
- Q2. In response to the Inspector’s Initial Questions²¹ the Council advised that further modelling work was being undertaken and *"would allow CDC and NYCC to produce a Statement of Common Ground on this matter..."* Has the further modelling work now been completed? What does it demonstrate? Does it consider the traffic impacts of additional development on all of the settlements identified for growth?
- Q3. The Council’s response to the Inspector’s Initial Questions also confirmed that it has commission *"some high level traffic modelling for Bentham and Settle..."* What are the reasons for this, and what does the further modelling show? What effect will the allocations and policies in the Plan have on the highway network in and around Bentham and Settle? If mitigation is necessary, how will this be delivered?
- Q4. Is the Plan consistent with paragraph 34 of the Framework which states that plans should ensure that developments which generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised?
- Q5. How do the policies and allocations in the Plan meet the requirements of paragraph 35 of the Framework, having particular regard to prioritising pedestrian and cycle movements, creating safe and secure layouts, incorporating facilities for ultra-low emission vehicles and considering the needs of people with disabilities?
- Q6. What is the justification for suggested **Draft Policy INF7**? Why is it necessary in the interests of soundness?
- Q7. What is the justification in draft Policy INF7 for seeking tariff style contributions for highway improvement works to mitigate the cumulative impact of proposed growth around Skipton? Is the policy consistent with paragraphs 203 and 204 of the Framework relating to planning obligations?

²¹ Document EL1.001c

Issue 2 – Parking Standards – Policy INF4

- Q1. What are the minimum parking standards referred to in Policy INF4?
- Q2. The Written Ministerial Statement ('WMS') of March 2015 states that local planning authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network. Which evidence base documents set out the justification for minimum parking standards in Policy INF4?
- Q3. Is it clear to decision-makers, developers and local communities what the parking policies and objectives of Craven District Council and NYCC are for the purposes of Policy INF4 d)? Is the policy effective?
- Q4. How will the Council encourage the use of electric vehicle charging points under Policy INF4 e)? Is the policy effective in this regard?

Issue 3 – Footpaths, Bridleways, Byways and Cycle Routes – Policy ENV12

- Q1. To be effective is it also necessary to refer to the towpaths associated with the Leeds & Liverpool Canal in Policy ENV12?

Matter 12 – Infrastructure Provision (Policies SP12, INF1, INF5 and INF6)

Issue 1 - Infrastructure – Policies SP12, INF1 and INF5

- Q1. What is the justification for including the Infrastructure Delivery Plan ('IDP') within the Appendices to the Local Plan? Would this render the Plan out-of-date should the IDP be updated?
- Q2. What does the phrase "*Associated decisions should be taken based upon an assessment of the contribution to social, economic and environmental sustainability and effect upon implementation of the strategy, not solely cost*" within Policy SP12 mean? Is it clear to decision-makers, developers and local communities what is required of proposals for new development? Is the policy effective?
- Q3. Paragraph 8.4 of the Local Plan states that a consideration of cost has been built into policy requirements for infrastructure and mitigation measures. Where is this set out, and what does it demonstrate?
- Q4. Paragraph 8.2 of the Local Plan states that the Council will consider the introduction of a Community Infrastructure Levy ('CIL') charging schedule. How does this relate to evidence in the *Local Plan Viability Assessment* and *Local Plan Viability Assessment Addendum Report*²²?
- Q5. In order to be sound is it necessary to include references to specific types of infrastructure provision in Policy INF1, such as schools?
- Q6. Are Policies SP12 and INF1 consistent with paragraph 204 of the Framework which states that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development?
- Q7. What is the definition of sensitive areas for the purposes of Policy INF5? As submitted is this clear to decision-makers, developers and local communities?
- Q8. Will it be possible for all new development to contribute towards, and be compatible with, next generation broadband, even in rural areas?

Issue 2 – Education Provision – Policy INF6

- Q1. What is the justification for the thresholds in Policy INF6? What are they based on and how have they been determined?
- Q2. How does the Local Plan ensure that contributions made by developers are sufficient to deliver the additional school places required to meet the increase in demand generated by new developments, where necessary? Is Policy INF6 effective?
- Q3. Is it clear to decision-makers, developers and local communities what funding mechanisms will be used to provide additional school places?
- Q4. How will a decision-maker determine whether or not a one-bedroom dwelling is "*clearly incapable of being enlarged*"? Is the policy effective?

²² Document Ec005

Matter 13 – Community Facilities (Policies INF2 and INF3)

Issue 1 – Community Facilities and Social Spaces – Policy INF2

- Q1. Would a proposal involving the loss of a community facility have to meet Policy INF2 e)-h) inclusive? As submitted is this clear to decision-makers, developers and local communities?
- Q2. How does Policy INF2 allow for the appropriate re-use of specialist community buildings which are no longer required for their original purpose, such as buildings used for healthcare?
- Q3. Is it clear what community facilities would be considered against Policy INF2?

Issue 2 – Sport, Open Space and Recreation – Policy INF3

- Q1. What criteria would a development proposal for a new sports facility be assessed against?
- Q2. Is it clear to decision-makers, developers and local communities whether a site is "*well located*" for the purposes of Policy INF3? Is the policy effective?
- Q3. What is the justification for requiring all new housing and mixed-use developments to provide or contribute towards open space and sports provision? Is this appropriate and viable for all types of housing, such as specialist housing for older people?
- Q4. How would the proposed redevelopment of an area of publically inaccessible amenity open space be considered under Policy INF3 d)?
- Q5. How were the Open Spaces, Civic Spaces and Sport and Recreation Facilities shown on the Policies Map determined? How were sites considered for inclusion?
- Q6. Was the site selection process robust? Was an appropriate selection of criteria taken into account?
- Q7. Are there any factors which indicate that a site(s) should not have been designated as an Open Space, Civic Space or Sport and Recreation Facility?
- Q8. The *Open Space, Sport and Recreation Facilities Assessment*²³ includes scores highlighted in yellow for certain sites, and some sites which have no scores. Is this the most up-to-date assessment of open spaces for the purposes of Policy INF3?
- Q9. What is the justification for designating land at Beech House, Thornton in Craven as open space?
- Q10. What is the justification for designating land at Giggleswick School as open space?

²³ Document In012

Matter 14 – Economic Development (Policies SP2, EC1 and EC2)

Issue 1 – Need for Employment Land – Policy SP2

- Q1. What is the estimated need for additional employment land over the plan period? What is it based on and is it robust?
- Q2. Are the land requirements set out in Policy SP2 gross or net figures? As submitted is this clear to decision-makers, developers and local communities?
- Q3. What are the reasons for the variation in the amount of employment land considered necessary from the March 2017 *Employment Land Review* to the November 2017 *Employment Land Review Addendum*?²⁴
- Q4. What is the justification for the expected decline in demand for Class B2 General Industrial land, but a growth in the need for Class B1a/b office floorspace?
- Q5. How has the evidence base considered qualitative, as well as quantitative needs for employment land?
- Q6. How does the provision of 32ha of employment land over the plan period relate to past completion? Is the provision of at least 32ha of land realistic?
- Q7. Does the Local Plan provide sufficient sites to meet the identified need for employment land over the plan period?
- Q8. What flexibility has been included to allow for changing economic circumstances, such as increased growth or the loss of existing employment land and buildings?

Issue 2 – Provision of Employment Land – Policies EC1 and SP5 to SP11

- Q1. Policy EC1 supports proposals for employment/economic development in existing employment areas, on land allocated for employment/mixed uses and "*in locations that accord with the Spatial Strategy*". Is it clear to decision-makers, developers and local communities under what circumstances proposals on windfall sites would be supported?
- Q2. Is it clear to decision-makers, developers and local communities what is meant by "*adverse amenity effects on sensitive uses*" for the purposes of Policy EC1 a)?
- Q3. What is the justification for requiring all proposals for economic development to be adequately served by communications infrastructure? Is this likely, even for small-scale proposals in rural settlements?
- Q4. How is the 'local area' defined for the purposes of Policy EC1 g)? Is it clear to decision-makers, developers and local communities? Is the policy effective?

²⁴ Documents EC002 and EC003

Issue 3 – Employment Land Allocations

Methodology

- Q1. How were different sites considered for inclusion as allocations? What process did the Council follow in deciding which sites to include in the Local Plan?
- Q2. How was the spatial distribution of employment allocations determined? How does it relate to the spatial strategy and settlement hierarchy?
- Q3. Was the site selection process robust? Was an appropriate selection of potential sites assessed, and were appropriate criteria taken into account?
- Q4. Are there any factors which indicate that a site(s) should not have been allocated for development?
- Q5. Is there any risk that site conditions and constraints might prevent development or adversely affect viability and delivery? Are all sites viable and deliverable?
- Q6. How has the effect of allocations on the local and strategic road network been assessed? Where specific mitigation has been identified as necessary is this set out in the relevant policies?
- Q7. How has the effect of allocations on the natural and built environment been taken into account, including biodiversity, geodiversity and heritage assets?
- Q8. Are the allocations justified, effective and consistent with national policy?

SK139 – Land east and west of Cavendish Street, Skipton

- Q9. Is it clear to decision-makers, developers and local communities what uses will be permitted on the site, including the amount of potential Class A1 uses? What 'commercial' uses does the Local Plan support?
- Q10. In allocating the site for retail purposes, how has the Council considered the availability and suitability of sequentially preferable sites in the town centre, and the impact of development proposals on the vitality and viability of the centre?
- Q11. Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?
- Q12. What is the current use of the site? What effect will the proposed allocation have on the availability of car parking in the area?
- Q13. Taking into account that the site has multiple owners, and considering the identified development constraints, is it deliverable within the plan period?

SK140 – Land at Skipton Station Areas A and B

- Q14. Is it clear to decision-makers, developers and local communities what uses will be permitted on the site, including the amount of potential Class B1/B2/B8 uses?
- Q15. In identifying the site as suitable for main town centre uses under Policy EC5, how has the Council considered the availability and suitability of sequentially preferable sites in the town centre, and the impact of development proposals on the vitality and viability of the centre?
- Q16. What is the flood risk identified in Policy SP5? Is the site consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?
- Q17. What is the justification for requiring the production of a masterplan for the site? Is it clear who will be responsible for producing the masterplan and/or what it should contain?

SK049 – Land east of Skipton bypass

- Q18. Is it clear to decision-makers, developers and local communities what uses will be permitted on the site, including the amount of potential Class B1/B2/B8 uses?
- Q19. How has access to the site been considered and assessed? Where will development proposals be expected to access the site from?
- Q20. What is the justification for requiring an assessment of ground conditions? What has the site previously been used for and is it likely to be subject to contamination?
- Q21. Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?

SK113 – Land south of Skipton Auction Mart

- Q22. Is it clear to decision-makers, developers and local communities what uses will be permitted on the site, including the amount of potential Class B1/B2/B8 uses?
- Q23. What is the justification for restricting use of the site to proposals falling within Use Classes B1/B2/B8, and not for use by Craven College or Craven Cattle Marts?
- Q24. How has the effect of the proposal on the character and appearance of the area been considered, having particular regard to the type of uses permitted and proximity to the Skipton Conservation Area?
- Q25. What is the justification for requiring buildings to be set back at least 15m from the Leeds & Liverpool Canal?
- Q26. What are the fluvial and surface water hazards identified in the supporting text to Policy SP5? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should

apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?

SK135 – Skipton Rock Quarry

- Q27. What is the justification for allocating the site for only B2/B8 uses?
- Q28. Is the allocation of the site for employment purposes consistent with the spatial strategy which seeks to support sustainable economic activity?
- Q29. What is the surface water hazard identified in the supporting text to Policy SP5? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?

SG060 – Northern part of Sowarth Industrial Estate

- Q30. Is it clear to decision-makers, developers and local communities what uses are permitted? In particular, how much Class B1/B2/B8 floorspace is the site expected to provide?
- Q31. In identifying the site as suitable for main town centre uses under Policy SP6, how has the Council considered the availability and suitability of sequentially preferable sites in the town centre, and the impact of development proposals on the vitality and viability of the centre?

SG064 – Land South of Runley Bridge Farm

- Q32. What is the current status regarding planning application Ref 62/2017/18064?
- Q33. Policy SP6 allocates the site for "employment led mixed use development", including an "element of residential". Is it clear to decision-makers, developers and local communities how many dwellings are allocated on the site?
- Q34. How does the Local Plan ensure that development of the site will come forward in a planned and coordinated manner?
- Q35. What is the justification for the location of the allocation? How does it accord with the Vision of the Plan which describes Settle as a well-connected hub for the Yorkshire Dales which has a concentration of shops, services, cultural facilities, creative businesses and industry?
- Q36. How has the site allocation process considered the impact of development and the mix of uses on the highway network?
- Q37. How has the site allocation process considered the impact of development and mix of uses on the character and appearance of the area, having particular regard to the Yorkshire Dales National Park?
- Q38. How has the site allocation process considered the impact of development and mix of uses on the River Ribble (Long Preston Deeps) SSSI?

IN022 and IN035 – Land adjacent to Southern edge of Industrial Estate, New Road

- Q39. Is it clear to decision-makers, developers and local communities what uses will be permitted on the site, including the amount of potential Class B1/B2/B8 uses?
- Q40. Is the allocation of the site for employment purposes consistent with the strategy for economic growth in Policy SP2 which seeks to support sustainable economic activity?
- Q41. How has the effect of additional employment development on the landscape character of the area been assessed? Is it clear what is expected of proposals for new development in this regard?
- Q42. What is the fluvial and/or surface water hazard identified in the supporting text to Policy SP9? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?

Issue 4 – Safeguarding Existing Employment Areas – Policy EC2

- Q1. Does Policy EC2 apply to all sites falling within 'B' use classes, or just those sites identified on the Policies Map?
- Q2. Does Policy EC2 c) apply in all cases? As submitted is this clear to decision-makers, developers and local communities?
- Q3. Is it clear to decision-makers, developers and local communities how applicants for planning permission should demonstrate that there is no reasonable prospect of a site being retained, reused or redeveloped for 'B' use classes?

Matter 15 – Rural Economy and Tourism (Policies EC3, EC4 and EC4a)

Issue 1 – Rural Economy – Policy EC3

- Q1. What is the justification for supporting proposals for the conversions of barns and other local vernacular buildings for residential and/or employment uses "*within sustainable rural locations*"? Is this consistent with paragraph 55 of the Framework regarding the reuse of buildings?
- Q2. How would sustainable rural locations be defined for the purposes of Policy EC3 e)? Is the policy effective?
- Q3. What is the justification for specifically protecting live/work units? Is it clear to decision-makers, developers and local communities under what circumstances the re-use of live/work units would be permitted?

Issue 2 – Tourism – Policy EC4

- Q1. Are the key locations for tourism development under Policy EC4 identified on the Policies Map? Is it clear to decision-makers, developers and local communities which areas Policy EC4 relates to?
- Q2. Is it clear to decision-makers, developers and local communities what uses are permitted at the key locations for tourism development?
- Q3. How were key locations for tourism development identified? What process did the Council follow in in deciding which sites to include in the Local Plan?
- Q4. Are there any factors which indicate that a key location for tourism should not have been identified in the plan? Are all of the locations justified and sound?
- Q5. What is the difference between the key locations for tourism development and land designated as a Tourism Development Commitment?
- Q6. What is the justification for identifying land to the west of Hellifield under Policy EC4, but not other commitments, including for alternative uses?
- Q7. What uses does the Local Plan permit on land at Hellifield? Is it clear to decision-makers, developers and local communities?
- Q8. How has the extent of the site area been defined? What is it based on and is it justified?
- Q9. What is the justification for including an area of Local Green Space wrapping round the existing commitment? What effect will this have on the deliverability of the site for tourism related uses?
- Q10. Representations submitted by Natural England refer to the need for further information to be submitted in respect of the Pan Beck Fen SSSI and River Ribble (Long Preston Deeps) SSSI. Is this still the case?
- Q11. How have the effects of tourism development on the Pan Beck Fen SSSI and the River Ribble (Long Preston Deeps) SSSI been assessed?

- Q12. How have the effects of tourism development on setting of the Yorkshire Dales National Park been considered?
- Q13. Is it clear to decision-makers, developers and local communities what proposals will be permitted on un-designated land surrounding the tourism commitment? How would a decision-maker determine whether or not a proposal for new development was "*sensible in scale*"?

Issue 3 – Tourism-led Development at Bolton Abbey – Policy EC4A

- Q1. What is the justification for identifying a Core Visitor Area at Bolton Abbey? What is it based on and how has it been defined?
- Q2. Is the mix of uses permitted under Policy EC4A restricted to the Core Visitor Area?
- Q3. What is the justification for permitting residential and commercial uses under Policy EC4A, which specifically relates to tourism-led development? How does this correspond with paragraph 4.45 of the Plan which states that "*Bolton Abbey is not to be allocated housing growth in the spatial strategy in view of the significance and sensitivity of heritage assets*"?
- Q4. Is it clear to decision-makers, developers and local communities what uses are permitted at the general locations illustrated on the Policies Map?
- Q5. What is the justification for identifying general locations for larger scale development?
- Q6. How were the locations for larger scale development considered? What factors were taken into account? Are they justified, effective and consistent with national planning policy?

Matter 16 – Landscape, Heritage and Design (Policies ENV1, ENV2 and ENV3)

Issue 1 – Landscape – Policy ENV1

- Q1. What is the "relevant Landscape Character Appraisal" for the purposes of Policy ENV1 a)? As submitted is this clear to decision-makers, developers and local communities?
- Q2. Is it clear to decision-makers, developers and local communities what the different landscape character areas are within the Borough?
- Q3. Is Policy ENV1 consistent with paragraph 113 of the Framework which states that local planning authorities should set criteria based policies against which proposals for any development on or affecting landscape areas will be judged, with protection commensurate to their status?
- Q4. Is the 2002 *Craven Landscape Appraisal*²⁵ the most up-to-date assessment of the local landscape?

Issue 2 – Heritage – Policy ENV2

- Q1. Is Policy ENV2 b) consistent with paragraphs 132-134 of the Framework having regard to the substantial harm to, or total loss of significance of a designated heritage asset?
- Q2. How does Policy ENV2 require proposals to consider development within the setting of a heritage asset?
- Q3. Is Policy ENV2 e) consistent with paragraph 135 of the Framework and the approach to non-designated heritage assets?

Issue 3 – Design – Policy ENV3

- Q1. What are sensitive uses for the purposes of Policy ENV3 f)? What is the justification for requiring impact assessments to demonstrate that there would be no detrimental impact on future residential amenity? Is it clear to decision-makers, developers and local communities what is required?
- Q2. Does the Local Plan make sufficient provision for inclusive design and accessible environments in accordance with paragraphs 57, 58, 61 and 69 of the Framework?
- Q3. Is Policy ENV3 consistent with paragraph 59 of the Framework which states that design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area?
- Q4. Is it clear to decision-makers, developers and local communities what is required of proposals for new development under Policy ENV3 i)?
- Q5. What is the justification for encouraging developers to build new homes to 'Lifetime Homes' standards? Is this consistent with national planning policy and guidance?

²⁵ Document La001

Matter 17 – Flood Risk, Water Quality and the Leeds & Liverpool Canal (Policies SD2, ENV6, ENV8 and ENV11)

Issue 1 – Flood Risk – Policies SD2 and ENV6

- Q1. Are policies SD2 and ENV6 consistent with paragraph 94 of the Framework which states that local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk?
- Q2. Does Policy ENV6 set out clear and effective criteria for proposals for new development to adhere to?
- Q3. Is it clear to decision-makers, developers and local communities what is required of proposals when managing surface water drainage? Is it necessary in the interests of soundness to refer to the NYCC SuDs Design Guidance?
- Q4. What is the justification for referring to specific standards within Appendix D to the Local Plan, rather than Policy ENV6?

Issue 2 – Water Quality - Policy ENV8

- Q1. Is it clear to decision-makers, developers and local communities what is required of proposals for new development under Policy ENV8 b)?
- Q2. How does the Local Plan allow for potential operational development that may be required to United Utilities assets located in the countryside?
- Q3. What are Source Protection Zones ('SPZ's') and are they shown on the Policies Map?

Issue 3 – The Leeds & Liverpool Canal - Policy ENV11

- Q1. Is it clear to decision-makers, developers and local communities how development will be expected to improve the "amenity" of the canal? Is this precise enough, and is the policy effective?

Matter 18 – Renewable and Low Carbon Energy (Policy ENV9)

Issue 1 – Meeting the Challenge of Climate Change – Policy SD2

- Q1. Does the Local Plan seek to identify potentially suitable areas for wind energy development? How have the effects of wind energy been considered in the preparation of the Plan?
- Q2. Is it clear to decision-makers, developers and local communities what constitutes a small scale wind turbine? In order to be effective should this be more clearly set out in Policy ENV9?

Issue 2 – Renewable and Low Carbon Energy – Policy ENV9

- Q1. What is a “well-conceived” project for the purposes of Policy ENV9(a)? Is this clear to decision-makers, developers and local communities? Is the policy effective in this regard?
- Q2. How has the threshold for small-scale wind turbines been defined? What is this based on and is it appropriate for Craven District?

Matter 19 – Biodiversity (Policy ENV4)

Issue 1 – Biodiversity – Policy ENV4

- Q1. Is Policy ENV4 consistent with paragraph 113 of the Framework which states that local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged?
- Q2. Does Policy ENV4 make distinctions between the hierarchy of international, national and locally designated so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks?
- Q3. Does the Local Plan include policies which plan for biodiversity at a landscape-scale, including across local authority boundaries as required by paragraph 117 of the Framework? Does the Plan identify and map components of ecological networks, including wildlife corridors and stepping stones that connect them?
- Q4. What is the justification for specifically identifying sites under Policy ENV4 to make net gains in biodiversity through the introduction of green infrastructure routes?
- Q5. Is it clear to decision-makers, developers and local communities how any habitat loss and/or mitigation will be determined to ensure that proposals for new development secure net gains in biodiversity?

Matter 20 – Land and Air Quality (Policy ENV7)

Issue 1 – Land and Air Quality – Policy ENV7

- Q1. Is Policy ENV7 consistent with paragraph 112 of the Framework which states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land, and, where significant development of agricultural land is demonstrated to be necessary, seek to use areas of poorer quality land in preference to that of a higher quality?
- Q2. Is Policy ENV7 consistent with paragraph 120 of the Framework which states that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location?
- Q3. Is it clear to decision-makers, developers and local communities what is expected of proposals for new development under Policy ENV7 a) – c)?
- Q4. How has the preparation of the Plan, including the identification of sites for new development, taken into account cumulative air quality effects?

Matter 21 – Green Infrastructure, Local Green Space and Green Wedges (Policies ENV5, ENV10 and ENV13)

Issue 1 – Green Infrastructure – Policy ENV5

- Q1. What is the justification for listing sites under Policy ENV5 and specifying on the Policies Map the extent of green infrastructure required?
- Q2. Does this provide sufficient flexibility to allow allocated sites to come forward at the detailed design stage?
- Q3. How were sites considered for inclusion in Policy ENV5? What process did the Council follow?
- Q4. How were areas of green infrastructure decided? What factors were taken into account in establishing the areas illustrated on the Policies Map?
- Q5. In determining which sites to include in Policy ENV5 how was deliverability and viability considered, especially for sites where large areas of green infrastructure is required?
- Q6. Are the sites included in Policy ENV5 justified, effective and consistent with national planning policy?
- Q7. Policy SP6 (Site Ref SG064, Runley Bridge Farm) requires a comprehensive landscaping scheme to filter views of the development from the east and west. Taking this into account, why has no green infrastructure been identified for the site under Policy ENV5?
- Q8. What is the justification for the extent of green infrastructure proposed at Site Ref SG079 (land north of Town Head Way) under Policy SP6?

Issue 2 – Local Green Space - Policy ENV10

- Q1. How were areas of Local Green Space identified on the Policies Map and what process was followed? What evidence-based documents were used to inform this process?
- Q2. Are the Local Green Spaces consistent with paragraphs 76-77 of the Framework which state that such designations should only be used:
 - Where the green space is in reasonably close proximity to the community it serves;
 - Where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
 - Where the green area concerned is local in character and is not an extensive tract of land.

- Q3. What is the justification for designation EM-LGS11? How has the site area been defined and assessed in the *Local Green Space Assessment*²⁶?
- Q4. What is the justification for designation HE-LGS5? What evidence is there to indicate that the site is rich in wildlife?
- Q5. What is the justification for designation HE-LGS1? Does the site relate to an extensive tract of land for the purposes of the Framework?
- Q6. What is the justification for designation SG-LGS22? How has the site area been defined and assessed in the *Local Green Space Assessment*?
- Q7. What is the justification for designation CA-LGS6? How has the site area been defined and assessed in the *Local Green Space Assessment*?
- Q8. What is the justification for designation SK-LGS64? Does the site relate to an extensive tract of land for the purposes of the Framework?
- Q9. What is the justification for designation SK-LGS51 enclosing allocation Ref SK087 – land north of A6131 and south of A65?
- Q10. Is Policy ENV10 consistent with paragraph 78 of the Framework which states that local policy for managing development within a Local Green Space should be consistent with policy for Green Belts?

Issue 3 – Green Wedges – Policy ENV13

- Q1. What is the justification for Green Wedges between High and Low Bentham, between Glusburn, Crosshills, Sutton-in-Craven, Farnhill and Kildwick and up to the plan boundary near Eastburn?
- Q2. How were the Green Wedges identified on the Policies Map and what process was followed? What evidence-based documents were used to inform this process?
- Q3. Are the Green Wedges justified, effective and consistent with national policy? Are there any significant factors that indicate that areas of land should not have been designated?
- Q4. Policy ENV13 states that development will be resisted where it would compromise the gap between settlements. Is this clear to decision-makers, developers and local communities? Is it consistent with the aims and objectives of the policy which states that Green Wedges will help settlements grow in ways that maintain and reinforce individual character?

²⁶ Document Lo002

Matter 22 – Town, District and Local Centres (Policies EC5 and EC5A)

Issue 1 – Retail Hierarchy – Policy EC5

- Q1. What criteria have been used to determine the hierarchy of centres? Does this relate to their size and existing provision, or have other factors been taken into account?
- Q2. Does the Plan provide a clear definition of Primary and Secondary frontages in defined centres and set policies that make clear which uses will be permitted as required by paragraph 23 of the Framework?
- Q3. How has the Primary Shopping Area ('PSA') for Skipton been defined?
- Q4. Are the District Centres of Bentham and Crosshills, and the Local Centre of Ingleton defined on the Policies Map? If not, are Policies EC5 and EC5A effective?

Issue 2 – Identifying and Meeting Town Centre Needs – Policy EC5

- Q1. What are the capacity figures for convenience and comparison retailing in Policy EC5 based on? Are they net or gross figures? Are they justified and robust?
- Q2. Paragraph 23 of the Framework states that in drawing up Local Plans local planning authorities should "*allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres. It is important that needs for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability. Local planning authorities should therefore undertake an assessment of the need to expand town centres to ensure a sufficient supply of suitable sites.*" How does the Local Plan seek to ensure that the right amount of land is available in the right places to meet the needs for retail, leisure, office and other main town centre uses?
- Q3. Is it clear to decision-makers, developers and local communities what amount of retail (and other town centre uses) is permitted on allocated sites SK139, SK140 and SG060?
- Q4. What is the justification for requiring sequential and impact tests for new retail development on allocated sites SK139 and SK140? Is the Local Plan consistent with paragraph 24 of the Framework which states that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in accordance with an up-to-date Local Plan? Does the Local Plan require sequential and impact assessments on all sites allocated for uses including retail?

Issue 3 – Managing Centres – Policy EC5

- Q1. How does the Local Plan safeguard the retail function of the Skipton PSA, as set out in Policy EC5?
- Q2. Is it clear to decision-makers, developers and local communities what uses are permitted in the Skipton PSA, the Skipton Town Centre and other centres in the hierarchy? For example, what criteria would be used to assess proposed changes of use from Class A1 retail?

- Q3. Does the Local Plan require applications for main town centre uses that are not in an existing centre to apply a sequential test consistent with paragraph 24 of the Framework?
- Q4. What are the thresholds for impact assessment under Policy EC5 based on? Are they justified and will they be effective?
- Q5. Is it clear to decision-makers, developers and local communities what uses will be required to carry out impact assessments under Policy EC5? Is the policy consistent with paragraph 26 of the Framework which refers to applications for retail, leisure and office developments, and the evidence contained in the *Retail and Leisure Study with Health Checks*²⁷?
- Q6. Is it clear to decision-makers, developers and local communities what uses are permitted in the town and village centres of Bentham, Crosshills and Ingleton? Is Policy EC5 effective in this regard?
- Q7. How would a proposal for a main town centre use be considered in other settlements not falling within Level 1-4 under Policy EC5?

Issue 4 – Residential Uses in Town and Village Centres – Policy EC5A

- Q1. Are residential uses permitted at ground floor level within the Skipton PSA provided that development proposals do not result in the loss of retail units? How does Policy EC5A support the vitality and viability of the Skipton PSA?
- Q2. What is the justification for restricting residential development elsewhere within the Town Centres of Skipton and Settle where it would result in the loss of retail, commercial, leisure or community buildings?
- Q3. It is clear to decision-makers, developers and local communities what location(s) policy EC5A applies to in respect of Bentham, Crosshills and Bentham?

²⁷ Document Ec006

Independent Examination of the Craven Local Plan

Examination Hearing Programme

Matthew Birkinshaw BA(Hons) Msc MRTPI

Inspector appointed by the Secretary of State

Date: 14 August 2018

Hearing Day 1: Tuesday 9 October (Week 1)

Belle Vue Suite, Belle Vue Square Offices, Skipton

Matter 1 - Compliance with the Act and Regulations, the Habitats Regulations and Strategic Flood Risk Assessment

Morning – 10:00

- 1) Introduction and Inspector's Opening Announcements
- 2) Opening statement on behalf of Craven District Council
- 3) Content of the Plan and scope of the hearing sessions
- 4) Suggested Main Modifications
- 5) Vision for Craven and Plan Objectives
- 6) Matter 1 Issues 1-4 – Duty to Cooperate, Public Consultation, Local Development Scheme and Sustainability Appraisal

Participants

- Craven District Council
- Gladman Developments Ltd
- Home Builders Federation
- KVA Planning Consultancy on behalf of CPRE North Yorkshire

Afternoon – 14:00

- 7) Matter 1 -Issues 5-8 – Habitats Regulations, Strategic Flood Risk Assessment, Presumption in Favour of Sustainable Development and Public Sector Equality Duty

Participants

- Craven District Council
- Natural England

Hearing Day 2: Wednesday 10 October (Week 1)

Belle Vue Suite, Belle Vue Square Offices, Skipton

Matters 2 and 3 – Objectively Assessed Need ('OAN') and the Housing Requirement (Policy SP1) and Affordable Housing Need (Policy H2)

Morning – 10:00

- 1) Matter 2 Issues 1-7 – Housing Market Area, Population and Household Projections, Market Signals, Affordability, Future Economic Activity, Yorkshire Dales National Park Authority and the Housing Requirement

Afternoon – 14:00

- 2) Matter 2 Issues 1-7 – Housing Market Area, Population and Household Projections, Market Signals, Affordability, Future Economic Activity, Yorkshire Dales National Park Authority and the Housing Requirement continued...
- 3) Matter 3 Issues 1-3 – Definition of Affordable Housing, Affordable Housing Need and Viability

Participants

- Craven District Council
- Carter Jonas on behalf of The Wilman Family
- Gladman Developments Ltd
- Home Builders Federation
- ID Planning on behalf of Keyhaven Homes
- Johnson Mowat on behalf of KCS Development Ltd
- KVA Planning Consultancy on behalf of CPRE North Yorkshire
- Steven Abbott Associates on behalf of Richard Turner & Sons
- Turley on behalf of Giggleswick School
- Walton & Co Ltd on behalf of Skipton Properties Ltd

Note to Participants – Hearing Day 2 will consider the need for affordable housing in the District. Participants who wish to make representations about the application of Policy H2 and the requirements for development proposals should also attend Hearing Day 6

Hearing Day 3: Thursday 11 October (Week 1)

Belle Vue Suite, Belle Vue Square Offices, Skipton

Matter 4 – Spatial Strategy and Housing Growth (Policy SP4)

Morning – 10.00

- 1) Matter 4 Issues 1-3 – Settlement Hierarchy, Housing Growth and Housing Growth on Non-allocated Sites

Afternoon – 14.00

- 2) Matter 4 Issues 1-3 – Settlement Hierarchy, Housing Growth and Housing Growth on Non-allocated Sites continued...

Participants

- Craven District Council
- Edwardson Associates Ltd on behalf of Mr Adrian Dickinson
- Edwardson Associates Ltd on behalf of Mr & Mrs T Marshall
- Gladman Developments Ltd
- Home Builders Federation
- ID Planning on behalf of Keyhaven Homes
- B Moore
- Johnson Mowat on behalf of KCS Development Ltd
- D Jordan
- Knights 1759 on behalf of Glusburn Holdings
- R Pringle
- Rural Solutions on behalf of Chatsworth Settlement Trustees Bolton Abbey
- Rural Solutions on behalf of RN Wooler & Co Ltd
- Steven Abbott Associates on behalf of Richard Turner & Sons
- Turley on behalf of Giggleswick School

Hearing Day 4: Tuesday 16 October (Week 2)

Belle Vue Suite, Belle Vue Square Offices, Skipton

Matter 5– Residential Allocations (Policies SP5, SP6, SP7, SP8, SP9, SP10 and SP11)

Morning – 09:30

- 1) Matter 5 Issue 1 – Methodology
- 2) Matter 5 Issues 2-4 – Strategy for Skipton, Strategy for Settle and Strategy for Bentham

Afternoon – 14:00

- 3) Matter 5 Issues 2-4 – Strategy for Skipton, Strategy for Settle and Strategy for Bentham continued...

Participants

- Craven District Council
- Carter Jonas on behalf of The Wilman Family
- Edwardson Associates Ltd on behalf of Mr Adrian Dickinson
- Edwardson Associates Ltd on behalf of Mr & Mrs T Marshall
- ID Planning on behalf of Keyhaven Homes
- Johnson Mowat on behalf of KCS Development Ltd
- Knights 1759 on behalf of Glusburn Holdings
- KVA Planning Consultancy on behalf of CPRE North Yorkshire
- Pegasus Group on behalf of G Baldwin
- P Wilson & Company LLP on behalf of Langcliffe Hall Estate
- Rural Solutions on behalf of Chatsworth Settlement Trustees Bolton Abbey
- Steven Abbott Associates on behalf of Richard Turner & Sons
- Turley on behalf of Giggleswick School
- Youngs RPS on behalf of TRCPR

Note to Participants – Hearing Days 4 and 5 will consider housing allocations under Policies SP5-SP11. However, participants should be aware that it is not part of the Inspector’s role to examine the soundness of ‘omission’ sites, and, subject to the legal right to be heard (please refer to the Examination Guidance Note), such sites will not normally be discussed in detail at the hearing sessions.

Hearing Day 5: Wednesday 17 October (Week 2)

Belle Vue Suite, Belle Vue Square Offices, Skipton

Matters 5 and 6 - Residential Allocations continued... (Policies SP5, SP6, SP7, SP8, SP9, SP10 and SP11) and Housing Land Supply

Morning – 09:30

- 1) Matter 5 continued... - Issues 5-8 – Strategy for Glusburn/Crosshills, Strategy for Ingleton, Strategy for Gargrave and Strategy for Tier 4A and 4B Villages

Participants

- Craven District Council
- Johnson Mowat on behalf of KCS Development Ltd
- Knights 1759 on behalf of Glusburn Holdings
- KVA Planning Consultancy on behalf of CPRE North Yorkshire
- Rural Solutions on behalf of Chatsworth Settlement Trustees Bolton Abbey
- Turley on behalf of Giggleswick School

Afternoon – 14:00

- 2) Matter 6 Issues 1-6 – The Five Year Housing Land Requirement, Supply Methodology, Components of Supply, Windfall Allowance, Future Supply and Flexibility

Participants

- Craven District Council
- Carter Jonas on behalf of The Wilman Family
- Gladman Developments Ltd
- Home Builders Federation
- ID Planning on behalf of Keyhaven Homes
- Johnson Mowat on behalf of KCS Development Ltd
- KVA Planning Consultancy on behalf of CPRE North Yorkshire
- Steven Abbott Associates on behalf of Richard Turner & Sons
- Turley on behalf of Giggleswick School
- Walton & Co Ltd on behalf of Skipton Properties Ltd

Hearing Day 6: Thursday 18 October (Week 2)

Belle Vue Suite, Belle Vue Square Offices, Skipton

Matters 7, 8, 9 and 10 - Affordable Housing Provision (Policy H2), Housing Mix and Density (Policy SP3), Specialist Housing for Older People (Policy H1) and Gypsies, Travellers, Showmen and Roma (Policy H3)

Morning – 09:30

- 1) Matter 7 Issues 1-2 – Addressing Affordable Housing Need and Rural Exception Sites
- 2) Matter 8 Issues 1-2 – Housing Mix and Housing Density

Participants

- Craven District Council
- Carter Jonas on behalf of The Wilman Family
- Edwardson Associates Ltd on behalf of Mr Adrian Dickinson
- Edwardson Associates Ltd on behalf of Mr & Mrs T Marshall
- Gladman Developments Ltd
- Home Builders Federation
- ID Planning on behalf of Keyhaven Homes
- R Pringle
- Turley on behalf of Giggleswick School
- Walton & Co Ltd on behalf of Skipton Properties Ltd

Afternoon Session 1 – 14:00

- 3) Matter 9 Issue 1 – Housing for Older People

Participants

- Craven District Council
- Home Builders Federation

Afternoon Session 2 – 15:15

- 4) Matter 10 Issues 1-2 – Need for Accommodation and Proposals for Gypsies, Travellers, Showmen and Roma Accommodation

Participants

- Craven District Council

Hearing Day 7: Friday 19 October (Week 2)

Belle Vue Suite, Belle Vue Square Offices, Skipton

Matters 11, 12 and 13 – Transport, Infrastructure and Education Provision and Community Facilities (Policies SP12, INF1, INF2, INF3, INF4, INF5, INF6 and ENV12)

Morning – 10:00

- 1) Matter 11 Issues 1-3 – Transport (including suggested Draft Policy INF7), Parking Standards and Footpaths, Bridleways, Byways and Cycle Routes
- 2) Matter 12 Issues 1-2 – Infrastructure and Education Provision

Participants

- Craven District Council
- S Arnott
- Carter Jonas on behalf of The Wilman Family
- Gladman Developments Ltd
- Home Builders Federation
- KVA Planning Consultancy on behalf of CPRE North Yorkshire
- Walton & Co Ltd on behalf of Skipton Properties Ltd

Afternoon – 14:00

- 3) Matter 13 Issues 1-2 – Community Facilities and Social Spaces and Sport, Open Space and Recreation

Participants

- Craven District Council
- Turley on behalf of Giggleswick School

Hearing Day 8: Tuesday 23 October (Week 3)

Belle Vue Suite, Belle Vue Square Offices, Skipton

Matters 14 and 15 – Economic Development and the Rural Economy and Tourism (Policies SP2, EC1, EC2, EC3, EC4 and EC4A)

Morning – 09:30

- 1) Matter 14 Issues 1-4 – Need for Employment Land, Provision of Employment Land, Employment Land Allocations and Safeguarding Existing Employment Areas

Participants

- Craven District Council
- Knights 1759 on behalf of Glusburn Holdings
- KVA Planning Consultancy on behalf of CPRE North Yorkshire
- Natural England
- WBW Surveyors Ltd on behalf of Craven Cattle Marts Ltd

Afternoon – 14:00

- 2) Matter 15 Issues 1-3 – Rural Economy, Tourism and Tourism-Led Development at Bolton Abbey

Participants

- Craven District Council
- KVA Planning Consultancy on behalf of CPRE North Yorkshire
- Natural England
- Rural Solutions on behalf of Chatsworth Settlement Trustees Bolton Abbey
- Walton & Co Ltd on behalf of Ballan Ltd and Halton Homes Ltd

Hearing Day 9: Wednesday 24 October (Week 3)

Belle Vue Suite, Belle Vue Square Offices, Skipton

Matters 16, 17, 18, 19 and 20 – Landscape, Heritage and Design, Flood Risk, Water Quality and the Leeds & Liverpool Canal, Renewable and Low Carbon Energy, Biodiversity and Land and Air Quality (Policies SD2, ENV1, ENV2, ENV3, ENV4, ENV6, ENV7, ENV8, ENV9 and ENV11)

Morning – 09:30

- 1) Matter 16 Issues 1-3 – Landscape, Heritage and Design
- 2) Matter 17 Issues 1-3 - Flood Risk, Water Quality and the Leeds & Liverpool Canal

Participants

- Craven District Council
- Carter Jonas on behalf of The Wilman Family
- Gladman Developments Ltd
- Home Builders Federation
- KVA Planning Consultancy on behalf of CPRE North Yorkshire
- Skipton Civic Society

Afternoon – 14:00

- 3) Matter 18 Issues 1-2 – Meeting the Challenge of Climate Change and Renewable and Low Carbon Energy
- 4) Matter 19 Issue 1 – Biodiversity
- 5) Matter 20 Issue 1 – Land and Air Quality

Participants

- Craven District Council
- Carter Jonas on behalf of The Wilman Family
- Gladman Developments
- Skipton Civic Society

Hearing Day 10: Thursday 25 October (Week 3)

Belle Vue Suite, Belle Vue Square Offices, Skipton

Matter 21 – Green Infrastructure, Local Green Space and Green Wedges (Policies ENV5, ENV10 and ENV13)

Morning – 10:00

- 1) Matter 21 Issues 1-3 – Green Infrastructure, Local Green Space and Green Wedges

Afternoon – 14:00

- 2) Matter 21 Issues 1-3 – Green Infrastructure, Local Green Space and Green Wedges continued...

Participants

- Craven District Council
- Carter Jonas on behalf of The Wilman Family
- Gladman Developments Ltd
- KVA Planning Consultancy on behalf of CPRE North Yorkshire
- P Wilson & Company LLP on behalf of Langcliffe Hall Estate
- Skipton Civic Society
- Turley on behalf of Giggleswick School
- Walton & Co Ltd on behalf of Ballan Ltd and Halton Homes Ltd

Hearing Day 11: Friday 26 October (Week 3)

Belle Vue Suite, Belle Vue Square Offices, Skipton

Matter 22 - Town, District and Local Centres (Policies EC5 and EC5A)

Morning – 10:00

- 1) Matter 22 Issues 1-4 – Retail Hierarchy, Identifying and Meeting Town Centre Needs, Managing Centres and Residential Uses in Town and Village Centres

Afternoon – 14:00

- 2) Closing submissions on behalf of Craven District Council

Participants

- Craven District Council
- Skipton Civic Society

Hearing Day 12: Wednesday 31 October (Week 4)

Belle Vue Suite, Belle Vue Square Offices, Skipton

Morning – 10:00

3) RESERVE DAY – IF REQUIRED

Afternoon – 14:00

4) RESERVE DAY – IF REQUIRED



The Planning Inspectorate

Independent Examination of the Craven Local Plan

Examination Guidance Note

Matthew Birkinshaw BA(Hons) Msc MRTPI

Inspector appointed by the Secretary of State

Date: 14 August 2018

Introduction

- 1) The *Craven Local Plan* was submitted to the Secretary of State for Examination on 27 March 2018.
- 2) This Guidance Note provides further information on the procedural and administrative arrangements for the Examination.

The Role of the Planning Inspector

- 3) The Local Plan is being examined by **Matthew Birkinshaw** BA(Hons) Msc MRTPI.
- 4) The Inspector has been appointed by the Secretary of State. The role of the Inspector is to examine whether or not the Local Plan has been prepared in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 (as amended) and associated Regulations, and, whether or not it meets the tests of 'soundness' set out in the National Planning Policy Framework (the 'Framework').
- 5) In July 2018 the revised Framework was published. Paragraph 214 confirms that policies in the previous Framework will apply for the purpose of examining plans submitted on or before 24 January 2019. Where reference is made to national planning policy it therefore refers to the Framework as published in 2012.
- 6) At all times the Inspector will aim to work with the Council and everyone else involved in the Examination in a positive and pragmatic manner.

The Role of the Programme Officer

- 7) The appointed Programme Officer is Tony Blackburn. The Programme Officer is an independent Officer who is responsible for receiving, recording and distributing the Examination materials, maintaining the Examination library and organising the Hearing sessions. Communication between the Inspector and the participants is also handled by the Programme Officer, who can be contacted at:

Tony Blackburn
15 Ottawa Close
Blackburn
BB2 7EB

Telephone: 01254 260286
Email: ablackburn@cravenc.gov.uk

- 8) The Programme Officer is also responsible for making sure that the information regarding the Examination and all relevant documents are made available on the Examination website;

www.cravenc.gov.uk/planning/planning-policy/new-local-plan

- 9) Should any participants not have access to the internet, please contact the Programme Officer so that alternative arrangements can be made.

The Examination

- 10) The Framework requires that Local Plans are prepared in accordance with the Duty to Cooperate, meet legal and procedural requirements and are 'sound'. To meet the test of soundness plans should be positively prepared, justified, effective, and consistent with national policy.
- 11) As part of this process the Inspector will need to determine whether or not:
- The Council has complied with the Duty to Cooperate under Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended);
 - The Local Plan has been prepared in accordance with the Local Development Scheme and Statement of Community Involvement;
 - The Local Plan has been subject to an adequate Sustainability Appraisal;
 - The requirements of the Habitats and Species Regulations 2010 have been complied with, having regard to relevant national policy and guidance, and if the Plan would have a significant effect on a European site, that an appropriate assessment been carried out; and
 - Relevant publicity and procedural requirements have been met.
- 12) In terms of 'soundness' the Framework advocates that the Plan should be:
- **Positively prepared:** based on a strategy which seeks to meet objectively assessed development and infrastructure requirements;
 - **Justified:** the most appropriate strategy when considered against the reasonable alternatives, and based on proportionate evidence;
 - **Effective:** deliverable over the plan period based on effective joint working on cross-boundary strategic policies; and
 - **Consistent with national policy:** enables the delivery of sustainable development in accordance with the Framework.

Changes to the Plan

- 13) The starting point is that the Council should have submitted a Local Plan which they consider is ready for examination.¹ At this stage there are only two means by which changes can be made to the submitted Plan:
- 'Main Modifications' recommended by the Inspector; and
 - 'Additional Modifications' made by the Council upon adoption of the Plan.
- 14) Only the Inspector can recommend 'Main Modifications' if they are necessary to resolve problems that would otherwise make the submitted Local Plan unsound, or not legally compliant². Main Modifications are changes which, either alone or in combination with others, would materially alter the plan or its policies. Any potential Main Modifications must be subject to consultation and, in some cases, further sustainability appraisal may be required.

¹ Section 20(2) of the Planning and Compulsory Purchase Act 2004

² Under section 20(7B) & (7C) of the Planning and Compulsory Purchase Act 2004

15) 'Additional Modifications' are changes that do not materially affect the plan (such as typographical errors, factual changes etc.) They are made by the Council on adoption and are sometimes referred to as 'Minor Modifications'. The Inspector is not accountable for any such changes and they do not fall within the scope of the Examination³.

Modifications suggested by Craven District Council

16) A post-submission change to the Local Plan has already been suggested by the Council (draft Policy INF7). This change will be discussed, where appropriate, at the relevant Hearing sessions. It is possible that Main Modifications may also be proposed and discussed during the Hearings.

Progressing your Representations on the Plan

17) Only those seeking to change the plan have a right to participate in the Hearing sessions⁴. However, the sessions are open for anyone to observe.

18) It is important to stress that written representations carry the same weight as those made orally at a Hearing session. Consequently, participation at the Hearings is only necessary if, in the light of the matters, issues and questions, you have specific points you wish to contribute at the Hearing, including to any discussion.

19) The Inspector's *Matters, Issues and Questions for Examination* ('MIQs') will form the basis of the discussion at the Hearing sessions. If you have any comments on this document (for example, because you feel there may be a significant omission) it is important that you contact the Programme Officer no later than **Tuesday 28 August 2018**.

20) Published alongside the MIQs is the *Hearing Sessions Programme*. This sets out which Matters will be discussed on each day and includes a list of participants for the relevant sessions. If you no longer wish to participate, or if you think that you should attend a different session to the one listed, please also contact the Programme Officer by **Tuesday 28 August 2018**. You should only attend a session if you have made a relevant representation seeking a change to the Plan.

21) A final version of the MIQs and Hearing Sessions Programme will be published on the examination web site around two weeks before the start of the hearings, if any changes have been made. It will be for participants to check the progress of the hearings, either on the web site or with the Programme Officer, and to ensure that they are present at the right time.

Hearing Sessions

22) The sessions will be informal, but structured. They will take place in the form of a roundtable discussion led by the Inspector. Hearings are designed to allow the Inspector to explore the matters raised in the MIQs. People may choose to be professionally represented on the day, but there will be no formal cross-examination of witnesses or any detailed presentation of evidence.

³ See paragraphs 3.4, 5.27 & 6.2 of the *Examining Local Plans Procedural Practice*

⁴ S20(6) of the PCPA 2004

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- 23) The Hearings will commence on **Tuesday 9 October 2018** and will be held in the Belle Vue Suite, Belle Vue Square Offices, Skipton. Further information regarding the venue is provided below.
 - 24) The Hearing sessions will start at 10:00 unless otherwise advertised, with some sessions starting at the earlier time of 09:30 (please refer to the Examination Hearing Programme). Breaks will be taken mid-morning, over lunch and mid-afternoon.
 - 25) Each session will be arranged by topic, not necessarily by policy number. It is therefore important that representors check that they have been allocated to the correct session, contacting the Programme Officer if unsure. As identified above, you should only attend a session if you have made a representation seeking a change to the Plan.
 - 26) If anybody has any specific needs in relation to attending a particular session it is important that you let the Programme Officer know in advance.

Hearing Statements

- 27) The Council should produce a Hearing Statement which responds directly to all the points raised in the Inspector's MIQs. However, there is no need to repeat any answers provided in response to the Inspector's Initial Questions.
- 28) Any representors who have made comments seeking a change to the Plan and who are invited to the Hearing sessions may also submit Statements in response to the Inspector's MIQs. This however, is optional, and is not a requirement of the Hearings.
- 29) Statements should be concise and focused. They should not exceed a maximum of 3,000 words per Matter and appendices should only be included where directly relevant and necessary. Statements should only answer the specific Matters, Issue and Questions which are directly relevant to the original representation, and should clearly identify the relevant topic to which they relate.
- 30) Statements should be provided for each Matter separately, and not bound as a single document.
- 31) If there is a single Matter that has been raised by the Inspector, and one where several individuals (such as a group of local residents) wish to speak and make the same point, representors should consider producing a joint Hearing Statement. Please contact the Programme Officer to discuss if this is relevant.
- 32) All Hearing Statements must be submitted on time and received in paper form or electronically no later than **5pm on Tuesday 25 September 2018**. If submitted in paper form 3 copies should be provided. Any Statements received after this deadline may be returned by the Programme Officer. Statements will be published on the Examination website so that the other participants and interested parties may have access to them.
- 33) In responding to the MIQs participants should be aware of the Council's response to the Inspector's Initial Questions⁵. All of these documents are available to view and download on the Examination website.
- 34) If anyone does not have access to the internet, please contact the Programme Officer.

⁵ Documents EL1.001b, EL1.001c, EL1.001d, EL1.001e and EL1.001f
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- 35) Representors that are not participating at the Hearing Sessions may also submit an additional Written Statement where necessary in direct response to the Inspector's MIQs. However, this is not an opportunity to introduce further arguments, and the format and length of Written Statements is the same as for Hearing Statements.
- 36) No other written evidence can be submitted unless it is specifically requested by the Inspector.

Statements of Common Ground

- 37) The Inspector invites Statements of Common Ground between participants where they would assist in identifying matters in agreement, and therefore allowing the Hearing sessions to concentrate on the issues in dispute.
- 38) Where possible, Statements of Common Ground should be submitted alongside Hearing Statements. If representors are intending on submitting Statements of Common Ground please make the Programme Officer aware.

Site visits

- 39) Prior to, and during the course of the Examination the Inspector will make site visits to the Plan area where necessary. Site visits will be carried out on an unaccompanied basis unless it is necessary to enter private land. In such circumstances the Programme Officer will make the necessary arrangements with the relevant parties.

Consideration of Alternative Sites not in the Submission Local Plan

- 40) Part of the task of the Inspector is to examine the soundness of the sites that are allocated for development in the submitted Local Plan. Those who have submitted representations to the effect that a site allocation or designation policy is unsound will be able to put their views forward at a relevant Hearing session, if they have made a request to do so. The Council will have the opportunity to respond.
- 41) Sites that have been put forward for inclusion in the Local Plan by objectors, but which have not been selected for allocation are referred to informally as 'omission sites'. A list of these sites has been published on the Examination website⁶. Please contact the Programme Officer if any sites have been omitted.
- 42) Representors should be aware that it is not part of the Inspector's role to examine the soundness of the omission sites, and, subject to the legal right to be heard (see paragraphs 16-20 above), such sites will not normally be discussed in detail at the Hearing sessions.
- 43) Instead, should the situation arise that additional site(s) are needed (for example, because one or more of the allocated sites is found to be unsound), the Inspector will look to the Council in the first instance to decide which alternative or additional site(s) should be brought forward for examination. This process would be subject to consultation, and sustainability appraisal if required. Further Hearing sessions might then be required to test the soundness of any additional site(s) proposed for inclusion in the Local Plan.

⁶ Document EL1.001d

Examination Programme

44) Based on the above the Examination process and relevant dates are as follows:

- **14 August 2018** – publication of the Hearing Programme and the Inspector’s Matters, Issues and Questions for Examination
- **28 August 2018** – deadline for any comments on the Inspector’s Matters, Issues and Questions for Examination, and the deadline for confirming with the Programme Officer whether you wish to attend the Hearing sessions, no longer wish to be heard or wish to attend an alternative session
- **25 September 2018** – deadline for submission of Hearing Statements and Statements of Common Ground
- **9-11 October 2018** – Hearing sessions Week 1
- **16-19 October 2018** – Hearing sessions Week 2
- **23-26 October 2018** – Hearing sessions Week 3

Closing the Examination and the Inspector’s Report

- 45) The relevant findings will be set out in the Inspector’s Report, or in some cases, through Interim Findings. The Report will be sent to the Council at the end of the Examination and will set out the conclusions, and where necessary, any Main Modifications to make the Plan sound and/or legally compliant.
- 46) The Examination will remain open until the Report has been submitted to the Council. During this time no further written submissions or evidence will be taken into account until specifically requested.

Further information

- 47) Further information about the preparation and examination of Local Plans can be found in the national Planning Practice Guidance and the Planning Inspectorate’s [Examining Local Plans Documents: Procedural Practice – June 2016 \(4th Edition v.1\)](http://www.planningportal.gov.uk/uploads/pins/dpd_procedure_guide.pdf) http://www.planningportal.gov.uk/uploads/pins/dpd_procedure_guide.pdf

Venue

- 48) The hearings will take place in the Belle Vue Suite, Belle Vue Square Offices, Broughton Road, Skipton, North Yorkshire, BD23 1FJ. The Belle Vue suite is located on the ground floor of the Council Offices and is accessible for disabled visitors. Two disabled parking spaces are available to the rear of the building. Participants should contact the Programme Officer for further information.
- 49) With the exception of two disabled spaces there is no public car parking at the Belle Vue Square Offices. The nearest public pay and display car park is located at Cavendish Street (BD23 1RP). Alternative car parking locations are shown on the plan which accompanies this guidance note.
- 50) For participants travelling by public transport the nearest station is Skipton Train Station, located on Broughton Road. The nearest bus services can be accessed from Skipton Bus Station which is around 5 minutes away from the venue.

Matthew Birkinshaw

Inspector