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# Craven Local Plan Examination

## Matter 16

### Statement by Craven District Council

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

**Hearing Day 9**–Wednesday 24<sup>th</sup> October 2018 (Week 3)

September 2018

## 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?**

### **Council’s Response**

1. Paragraph 5.4 of the supporting text to Policy ENV1 on page 114 of the local plan states that *‘Currently, the Craven Landscape Appraisal (2002) and the Forest of Bowland Landscape Character Appraisal (2009) are the relevant Landscape Appraisals used in decision making. These appraisals may be updated during the plan period in which case successor documents will be used in decision making.’* The Craven Landscape Appraisal (2002) examination library reference number is La001 and the Forest of Bowland Landscape Character Appraisal (2009) reference number of La005.
2. In order to make policy ENV1 a) clear and so that it reflects paragraph 5.4 of the supporting text the following modification is proposed to criterion a):

<b>Proposed Modification</b>
Page 118 of the Submission Draft Local Plan: Policy ENV1, criterion a) is amended as follows:-  “Expect new development proposals, in those areas not subject to national landscape designations, to respect, safeguard, and wherever possible, restore or enhance the landscape character of the area. Proposals should have regard to the relevant Landscape Character Appraisal/ <u>Assessment</u> and specifically to the different landscape character types that are present in the plan area. Regard should also be had to the relevant <u>profiled</u> Natural England Character Areas <del>Profiles</del> (listed at para 5.5) and the North Yorkshire and York Landscape Characterisation Project (2011) (or successor documents). Proposals will show how they respond to the particular character <u>area and</u> type they are located within”.

3. The following modification to paragraph 5.4 of the supporting text to Policy ENV1 is proposed so that clarity is provided in terms of the relevant Landscape Character Appraisals.

<b>Proposed Modification</b>
Page 114 of the Submission Drat local Plan: supporting text to policy ENV1, amend first sentence of paragraph 5.4 as follows:-

“Currently, the Craven Landscape Appraisal (2002) and the Forest of Bowland Landscape Character Assessment (2009) are the relevant Landscape Character Appraisals used in decision making.”

**Q2. Is it clear to decision-makers, developers and local communities what the different landscape character areas are within the Borough?**

**Council’s response**

1. Yes. Paragraph 5.5 of the supporting text to policy ENV1 on page 115 sets out the character areas identified by Natural England that exist in Craven.

**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?**

**Council’s Response**

1. Yes. Policy ENV1 is a criteria-based policy that sets out how proposals affecting Craven’s landscape areas will be judged. Criterion d) sets out the Council’s approach to assessing proposals which affect the national landscape designations of the forest of Bowland Area of Outstanding Natural Beauty (AONB) and the setting of the Yorkshire Dales National Park. This criterion gives great weight to the conservation of their special qualities, including their landscape, scenic beauty and intrinsically dark landscapes. Criterion a) relates to development proposals in those areas not subject to national landscape designations and expects proposals to respect, safeguard and wherever possible restore or enhance the landscape character of the area. It is considered that Policy ENV1 is consistent with paragraph 113 of the Framework as it is a criteria based policy which would judge proposals for any development on or affecting both nationally designated landscapes and landscapes that are not subject to national landscape designations. The plan area does not contain any international or locally designated landscape areas.

**Q4. Is the 2002 Craven Landscape Appraisal (La001) the most up-to-date assessment of the local landscape?**

**Council’s Response**

1. Yes. The Craven Landscape Appraisal (2002) (La001) is the most up to date assessment of the local landscape, as set out in paragraph 5.4 of the supporting text to Policy ENV1 on page 114 of the local plan.
2. The Forest of Bowland Landscape Character Appraisal (2009) (La005) and the Forest of Bowland AONB Landscape Character Assessment 2009 (La007) also

provides an assessment of the national landscape designation of this specific AONB.

3. Paragraph 5.5 and 5.6 sets out other sources of information and guidance that exists on landscape management including Natural England's work on National Character Areas and the North Yorkshire and York Landscape Character Assessment 2011 (La009), which provides a sub-regional level landscape characterisation framework.

## **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?**

Yes – Whilst Policy ENV2 b) does not repeat paragraphs 132 – 134 of the Framework in their entirety it does provide a concise, consistent and effective summary of the requirements set out therein. The full text of the Framework will continue to be available as a material planning consideration and may be referred to along with Policy ENV2 b), if necessary.

### **Q2. How does Policy ENV2 require proposals to consider development within the setting of a heritage asset?**

Policy ENV2 b) ensures that proposals affecting a designated heritage asset conserve those elements which contribute to its significance and Policy ENV2 e) supports proposals which conserve non-designated heritage assets. The setting of a heritage asset contributes to its significance and the supporting text for Policy ENV2, at paragraph 5.23 of the Local Plan, makes it clear that harm to a heritage asset can result from development within its setting. Therefore, proposals for development within the setting of a heritage asset will be considered against Policy ENV2 b) or Policy ENV2 e) and will be required to conserve the heritage asset.

### **Q3. Is Policy ENV2 e) consistent with paragraph 135 of the Framework and the approach to non-designated heritage assets?**

Yes – Both Policy ENV2 e) and paragraph 135 of the Framework require any effect on non-designated heritage assets to be taken into account, proposals affecting non-designated heritage assets to be weighed, and balanced judgements to be reached, having regard to the scale of any harm and the significance of the asset.

## **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?**

Sensitive Uses are defined in the supporting text to Policy ENV3, at paragraph 5.41 of the Local Plan. The requirement for impact assessments was recommended in representations submitted by United Utilities (an infrastructure provider in the plan area), which are summarised in document EL1.005c – ‘Policy Response Paper to representations on third draft Local Plan (June 2017)’. With the supplementary definitions of Residential Amenity, Sensitive Uses and Existing Sources of Pollution provided in the policy’s supporting text, at paragraphs 5.40 – 5.42 of the Local Plan, it should be clear to decision-makers, developers and local communities what is required and why.

**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?**

Yes – Policy ENV3 i), j), k), n) and p) make specific 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?**

Yes – Policy ENV3 provides “general design principles set out in broad terms”, which is consistent with paragraph 59 of the Framework.

**Q4. Is it clear to decision-makers, developers and local communities what is required of proposals for new development under Policy ENV3 i)?**

The Council proposes the following modification to Policy ENV3 i), in order to address Representation 028 from the Home Builders Federation. The proposed modification will also ensure that the requirements of the policy are clear to decision-makers, developers and local communities.

**Proposed Modification**

Page 127 – 128 of the Submission Draft Local Plan: Policy ENV3, existing criteria i) and m) are proposed to be deleted and replaced with an amalgamated and amended single criterion i), which states:

“i) Reasonable provision should be made to ensure that buildings are accessible and usable and that individuals, regardless of their age, gender or disability are able to gain access to buildings and to gain access within buildings and use their facilities, both as visitors and as people who live and work in them, in accordance with Building Regulations;”.

**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?**

The Council proposes a modification to Policy ENV3 m), which currently encourages developers to build to ‘Lifetime Homes’ standards. The modification is proposed in order to address Representation 028 from the Home Builders Federation and will also ensure that Policy ENV3 m) is consistent with national planning policy and guidance.

**Proposed Modification**

Page 127 – 128 of the Submission Draft Local Plan: Policy ENV3, existing criteria i) and m) are proposed to be deleted and replaced with an amalgamated and amended single criterion i), which states:

“i) Reasonable provision should be made to ensure that buildings are accessible and usable and that individuals, regardless of their age, gender or disability are able to gain access to buildings and to gain access within buildings and use their facilities, both as visitors and as people who live and work in them, in accordance with Building Regulations;”.

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If you would like to have this information in a way that's better for you, please telephone **01756 700600**.

