

## Harrogate District Local Plan: Draft Development Management Policies Consultation Habitat Regulation Assessment

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November – December 2015



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## 1 Introduction

- 1.1** This report assesses whether the development management policies being developed for the Harrogate District Local Plan 2035 are likely to have a significant effect on the achievement of the conservation objectives of the European conservation sites which are within and around the area covered by the Local Plan. This report is an addendum to the Habitats Regulations Assessment carried out as part of the Issues and Options Consultation undertaken in the summer of 2015 and therefore the Harrogate District Local Plan Issues and Options Consultation: Habitat Regulations Assessment Screening Report needs to be read alongside this report<sup>(1)</sup>.
- 1.2** The Habitats Regulations Assessment (HRA) has been undertaken in accordance with Article 6(3) and Article 6(4) of the Habitats Directive 92/43/EEC on the Conservation of Natural Habitats of Wild Flora and Fauna and the Conservation of Habitats and Species Regulations 2010. This requires the sites and policies in the Local Plan to be assessed against the conservation objectives of the European sites identified.
- 1.3** These sites are the most important sites for biodiversity in England and are part of a larger European network. The conservation of these sites is seen as an important step in maintaining Europe's biodiversity. In this report, the term European sites refers to:
- Special Protection Areas (SPAs) for birds classified by the 1979 Wild Birds Directive
  - Special Areas of Conservation (SACs) for other habitats and species designated through the 1992 Habitats Directive
  - Ramsar sites, which are internationally important wetland areas designated under the Ramsar Convention
- 1.4** Full details about the European Sites in our district including features of interest, conservation objectives, conservation status and vulnerabilities and potential impacts can be found in the [Issues and Options Consultation Habitat Regulations Assessment Screening Report](#)<sup>(2)</sup>.

### Requirement to carry out the assessment under the Habitats Directive

- 1.5** The requirement to carry out an assessment under the Habitats Directive is in order to determine whether as a consequence of the Local Plan, and in this specific case the development management policies, there is likely to be a significant effect on the achievement of the conservation objectives of the relevant international sites. This relates to any effect that may reasonably be predicted as a consequence of the policy. If it is considered that a significant effect is likely to occur as a result of implementing the Local Plan, an Appropriate Assessment (AA) will be necessary.
- 1.6** An AA identifies any adverse effect on the integrity of a SPA or SAC and, if they are necessary, identifies mitigation measures that will reduce (ideally eliminate) those effects. If effects cannot be reduced sufficiently then the AA will conclude that an adverse effect on the integrity of the site will occur. If the proposer of a plan or project wishes to go ahead, then a case for the imperative reasons for overriding public interest has to be made to the Secretary of State, and compensatory measures determined.
- 1.7** The assessment needs to be undertaken in accordance with the relevant extracts from the Habitats Directive which are set out below for information:

#### Habitat Directive

##### Article 6(3)

1 For more information please visit <http://consult.harrogate.gov.uk/portal/pp/hra/hra2015/habs>

2 For more information please visit <http://consult.harrogate.gov.uk/portal/pp/hra/hra2015/habs>

## Introduction 1

'Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the Waste Plan or Project only after ascertaining that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.

**Article 6(4)**

'If in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the member states shall take all compensatory measures necessary to ensure that overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted. Where the site concerned hosts a priority natural habitat type and/or priority species, the only considerations which may be raised are those relating to human health or public safety, of beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.

- 1.8** In relation to UK legislation The Conservation and Species Regulations 2010 (as amended 2012) and in particular regulation 102, relates to land use plans and outlines the requirements to be met by the local planning authority when undertaking an assessment:

**The Conservation of Habitats and Species Regulations 2010 (as amended 2012)**

102. (1) Where a land use plan -

(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of the site, the plan making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site's conservation objectives.

(2) The plan making authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority specify.

(3) They must also, if they consider it appropriate, take the opinion of the general public, and if they do so, they must take such steps for that purpose as they consider appropriate.

(4) In the light of the conclusions of the assessment, and subject to regulation 103 (considerations of overriding public interest), the plan making authority or, in the case of a regional strategy, the Secretary of State must give effect to the land use plan only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).

(5) A plan making authority must provide such information as the appropriate authority may reasonably require for the purposes of the discharge of the obligations of the appropriate authority under this Chapter.

(6) This regulation does not apply in relation to a site which is -

## 1 Introduction

(a) a European site by reason of Regulation 8(1) (c), or

(b) a European offshore marine site by reason of regulation 15(c) of the 2007 Regulations (Site protected in accordance with Article 5(4) of the Habitats Directive).

- 1.9** In addition, the National Planning Policy Framework (NPPF, in para 110), states that in preparing plans to meet development needs the aim should be to minimise pollution and other adverse effects on the local and natural environment. Plans should allocate land with the least environmental or amenity value, where consistent with other policies in the framework. Paragraph 120 states that planning policies and decisions should ensure that development is appropriate for its location and that the effects (including cumulative effects) of pollution on the natural environment should be taken into account. Para 122 emphasises the need to focus on the development itself and the impact of the use rather than the control of processes and emissions which are subject to approval under pollution control regimes. The advice given is that it should be assumed that these will operate effectively.

### Methodology

- 1.10** The development of the new Local Plan will undergo continual assessment from the Habitat Regulations Assessment (HRA) process and the Sustainability Appraisal (combined with the Strategic Environmental Assessment). The Sustainability Appraisal can be viewed at <http://consult.harrogate.gov.uk/portal/pp/sa/> The methodology adopted for the HRA follows the guidance as set out by David Tyldesley and Associates in 'Draft Guidance For Plan Making Authorities in Wales: The Appraisal of Plans Under The Habitats Directive' (revised September 2012). This is the most up to date guidance available and it's use, adapted to apply to processes in England, is recommended by Natural England. More detailed information on the methodology can be found in the Issues and Options Consultation Habitat Regulations Assessment Screening Report.
- 1.11** A likely significant effect is defined as:
- 'significant' if it could undermine the site's conservation objectives. The assessment of that risk must be made in the light of factors such as the characteristics and specific environmental conditions of the European site in question (These tests are derived from the ruling of the European Court of Justice in Case C-127/02, paragraph 49, known as the Waddensee ruling).
  - The plan should be considered 'likely' to have such an effect if the plan making authority is unable (on the basis of objective information) to exclude the possibility that the plan could have significant effects on any European site, either alone or in combination with other plans or projects.



## Screening of Draft Policies 2

### Summary of screening

- 2.1** The characteristics and vulnerabilities of the European sites as described in the Issues and Options Consultation: Habitat Regulations Assessment Screening Report have been used to create criteria against which the draft development management policies have been assessed. These criteria are:

#### Land taken by development inside and outside site/habitat nibbling

- 2.2** The Local Plan could have this type of impact on two sites; the North Pennine Moors SAC/SPA and the Kirk Deighton SAC. Land in-take inside the sites could be due to development such as tracks or wind turbines. Negative impacts from land in-take outside the European sites could be caused by losing foraging or feeding sites. It is suspected that Great Crested Newts may utilise surrounding land up to 500m of the Kirk Deighton SAC including brown field land and gardens. Research at various European sites has suggested that Golden Plover, Merlin, Curlew and possibly Hen Harrier will travel up to 2km on average outside the European sites to in-bye land to feed. These species are designated features or are known to use the North Pennine Moors SPA.

#### Urban Edge Disturbance including noise, light and pets

- 2.3** Research has shown that cats can roam up to 400m from their home so this distance has been used as an indicator of potential impacts for this stage of the assessment.

#### Recreational pressure and disturbance

- 2.4** Four of the relevant European sites North Pennine Moors SAC/SPA, South Pennine Moors SAC/SPA, Skipwith Common SAC and Lower Derwent Valley SAC/SPA are all vulnerable to recreational pressures.

#### Water quantity and quality

- 2.5** The district's water is supplied by Yorkshire Water's grid system meaning that demand does not necessarily have to be met locally. The screening has considered whether any new development could be served by mains supply and if not whether they could lead to an increase in water abstraction locally and have an impact on water quantity. The impact caused by increased sewage will also need to be considered although at these stage, without specific sites and volume of growth, this assessment is not possible. Strategies which could increase flood risk have been identified as part of the Sustainability Appraisal process and this will feed into the HRA as potentially impacting on water quality.

#### Changes in pollution levels

- 2.6** Some of the European sites are vulnerable to changes in pollution levels and in particular to increases in nitrogen levels. The main impact on this would be through the increase of motor vehicles. Research suggests that levels of nitrogen significantly reduces beyond 200m from the source of pollution so this distance has been used to highlight policies which will have most impact.

#### Climate change

- 2.7** Four of the relevant European sites are vulnerable to changes in the climate. The impact the policies of the Local Plan would have on the causes of climate change is being assessed as part of the Sustainability Appraisal process and will feed into the HRA.

## 2 Screening of Draft Policies

### Screening schedule

**2.8** To ensure that all policies currently being developed are assessed for the likelihood of them leading to a significant effect on European sites a screening schedule has been produced. The results of the screening are shown in Table 2.1 of this report. Each policy has also been categorised based on its potential effects as follows:

- Category A: policy would have no negative effect on a European site at all;
- Category B: policy could have an effect, but the likelihood is there would be no significant negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects;
- Category C: policy could or would be likely to have a significant effect alone and will require the plan to be subject to an appropriate assessment before the plan may be adopted;
- Category D: policy would be likely to have a significant effect in combination with other elements of the same plan, or other plans or projects and will require the plan to be subject to an appropriate assessment before the plan may be adopted;
- Category U (unknown): the impact will depend upon details of the option which would be included in the full policy but at this stage are unknown.

Draft Sustainable Development Management Policies 3

<p><b>Draft Policy SD1: Presumption in Favour of Sustainable Development</b></p> <p><i>When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</i></p> <p><i>Planning applications that accord with the policies of this local plan ( and where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.</i></p> <p><i>Where there are no Local Plan Policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise - taking into account whether:</i></p> <ul style="list-style-type: none"> <li><i>Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or</i></li> <li><i>Specific policies in that framework indicate that developments should be restricted.</i></li> </ul>					
<p><b>Assessment Criteria</b></p>					
<p><b>Land taken by development inside and outside site/habitat nibbling</b></p>	<p><b>Urban disturbance (pets, noise, light)</b></p>	<p><b>Recreational pressure and disturbance</b></p>	<p><b>Water quantity and quality</b></p>	<p><b>Changes in pollution levels</b></p>	<p><b>Climate change</b></p>
<p>This policy sets out the council's approach to determining planning applications so that there is a presumption in favour of sustainable development in accordance with the NPPF. The policy intends to protect the natural environment, including biodiversity, by approving development that improves the economic, social and environmental conditions in the area. In order to work pro-actively towards a presumption in favour of sustainable development the Council encourages early discussion with applicants before a planning application is submitted. This will ensure that any key policy considerations can be discussed at the earliest stage, including those relating to Natura 2000 sites.</p>					
<p><b>Summary</b></p>	<p>The justification text to the policy has been amended to include reference to net gains and the text from NPPF para. 19 has been added.</p> <p><b>Category A:</b> policy provides protection for the natural environment and would have no negative effect on a European site.</p>				
<p><b>Draft Policy SD2: Criteria for Sustainable Development</b></p>					
<p><i>All development proposals within the district should comply with the following criteria:</i></p>					

### 3 Draft Sustainable Development Management Policies

#### Draft Policy SD2: Criteria for Sustainable Development

1. *The scale density and design should make the most efficient use of land; and*
  - a) *be well integrated with, and complementary to, neighbouring buildings and the spatial qualities of the local area*
  - b) *be appropriate to the form and character of the settlement and/or landscape character.*
2. *The following should be protected and where possible enhanced;*
  - *visual amenity;*
  - *residential amenity;*
  - *general amenity;*
  - *health, social and cultural well-being*
3. *There should be no loss of greenfield land unless justified by national planning policy or a policy within this development plan;*
4. *Where possible and viable, proposals for new development will be expected to contribute to:*
  - *creating safer communities;*
  - *promoting social equality and inclusion;*
  - *the protection and enhancement of the supply of community facilities and local services.*
5. *The environmental impact of development should be reduced by ensuring that the planning, design, construction and subsequent operation of all new development should seek to minimise:*
  - *Energy and water consumption;*
  - *The use of natural non-renewable resources;*
  - *Travel by car;*
  - *Flood risk;*
  - *Waste.*
6. *All new non-residential development requiring planning permission should attain 'very good' standards as set out in the Building Research Establishment Environmental Assessment Method (BREEAM).*

#### Assessment Criteria

Assessment Criteria					
Land taken by development inside and outside site/habitat nibbling	Urban disturbance (pets, noise, light)	Recreational pressure and disturbance	Water quantity and quality	Changes in pollution levels	Climate change

Draft Sustainable Development Management Policies 3

<b>Draft Policy SD2: Criteria for Sustainable Development</b>			
This policy sets out criteria for proposed development, many of which are intended to protect the natural environment so there would be no negative effect on European sites.			
<b>Summary</b>	<b>Category A:</b> policy provides protection for the natural environment and would have no negative effect on a European site.		
<b>Draft Policy SD3: Flood Risk and Sustainable Drainage</b>			
Development proposals will not be permitted where they would have an adverse effect on watercourses or increase the risk of flooding elsewhere. Development will only be permitted where it has an acceptably low risk of being affected by flooding when assessed through Sequential Testing against the most up-to-date Environment Agency flood risk maps and the North West Yorkshire Strategic Flood Risk Assessment maps. Where required by national guidance, proposals for development should be accompanied by a site-specific Flood Risk Assessment (FRA) that demonstrates that the development will be safe, including access, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. All development will be required to ensure that there is no increase in surface water flow rate run off. Priority should be given to incorporating Sustainable Drainage Systems (SuDS) to manage surface water drainage, unless it is proven that SuDS are not appropriate. Where SuDS are provided arrangements must be put in place for their whole life management and maintenance.			
<b>Assessment Criteria</b>			
<b>Land taken by development inside and outside site/habitat nibbling</b>	<b>Urban disturbance (pets, noise, light)</b>	<b>Recreational pressure and disturbance</b>	<b>Water quantity and quality</b>
			<b>Changes in pollution levels</b>
			<b>Climate change</b>
This policy has no spatial implications. This policy seeks to ensure that development proposals do not have an adverse effect on water courses or increase the risk of flooding elsewhere and sets out Flood Risk Assessment requirements for development proposals. The policy also requires all development to ensure that there will be no net increase in surface water run-off from the site, and prioritises the use of sustainable drainage systems (SUDS).			
<b>Summary</b>	<b>Category A:</b> policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.		

## 4 Draft Housing Policies

### Draft Policy HS1: Type, Mix and Density of New Market Housing Units

*"All proposals for residential development on sites of ten or more dwellings should take into account the Strategic Housing Market Assessment in determining the mix of unit size and type needed to meet housing requirements of the District on each site.*

*On all other sites, the mix of housing should contribute to the creation of mixed communities having regard to the Strategic Housing Market Assessment (SHIMA) and the existing mix of housing in the locality.*

*New housing will be expected to deliver housing at a density of not less than 30 dwellings per hectare (dph) . Higher densities of between 30 and 50 dph will be sought on appropriate sites within the main built up areas of Harrogate, Knarborough and Ripon. In locations in and adjoining town, city and any other urban centres with a good standard of accessibility to public transport, densities of up to 50 dph will be sought.*

*These requirements may be relaxed where it can be demonstrated that development at such densities would be detrimental to local character or amenity or there are other constraints upon the site itself, which would prevent these densities being achieved."*

### Assessment Criteria

	Urban disturbance (pets, noise, light)	Recreational pressure and disturbance	Water quantity and quality	Changes in pollution levels	Climate change
<b>Land taken by development inside and outside site/habitat nibbling</b>					
	The policy sets density standards for new housing developments across the district. Higher densities close to or upstream of European sites could create more harmful impacts than developments at lower densities in regards to urban disturbance, recreational pressure and water quality and quantity.				
<b>Summary</b>	<b>Category A</b> : as this policy has no spatial implications it would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.				

### Draft Policy HS2: Affordable Housing

*"All proposals for new residential development (including mixed use schemes and conversions) will be expected to contribute towards meeting the affordable housing need of the District.*

*In Harrogate, Knarborough and Ripon on proposals of five or more dwellings, 40% of the dwellings should be affordable and provided on-site. On proposals of one to four dwellings a commuted sum in lieu of on-site provision will be required.*

**Draft Policy HS2: Affordable Housing**

*In other areas on proposals of three or more dwellings, 40% of the dwellings should be affordable and provided on-site. On proposals of one to two dwellings a commuted sum in lieu on-site provision will be required.*

*All targets are subject to viability and the need for affordable housing. On schemes falling short of the target it will be for the applicant to clearly demonstrate the reasons for a lower affordable housing contribution.*

*Suitable arrangements will be made to ensure that the affordable homes provided under this policy are available initially and successively to eligible households unless these restrictions are lifted, in which case any subsidy will be recycled for alternative affordable housing provision in the District.*

*In very exceptional circumstances if robustly justified and it may be appropriate to take a commuted sum on sites above the on-site threshold"*

**Assessment Criteria**

Land taken by development inside and outside site/habitat nibbling	Urban disturbance (pets, noise, light)	Recreational pressure and disturbance	Water quantity and quality	Changes in pollution levels	Climate change
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This policy has no spatial implications as it only sets out the proportion of affordable housing that will be required for various development scenarios.

**Summary**

**Category A:** policy would have no negative effect on a European site at all either alone or in combination with other elements of the same plan, or other plans or projects.

**Draft Policy HS3: Gypsies and Travellers**

*"Proposals for new sites or extensions to existing sites, whether land allocations or planning applications responding to unexpected need, should:*

- *be located where there would not be a detrimental impact on highway safety or the flow of traffic;*
- *be of an appropriate size to be able to provide acceptable living conditions and provide for the number of pitches required, access roads, amenity blocks, children's play areas and space for commercial vehicles;*
- *not materially harm the natural and historic environment including landscape character;*
- *not materially harm residential amenity.*
- *not dominate the nearest settled community in rural and semi-rural areas;*
- *be situated in locations with good access to existing local services, including health services, schools and public transport;*

## 4 Draft Housing Policies

<p><b>Draft Policy HS3: Gypsies and Travellers</b></p> <ul style="list-style-type: none"> <li>• avoid locations where there is a risk of flooding;</li> <li>• not be located within the Green Belt.</li> </ul> <p><i>Planning applications for new sites (not involving the extension of existing sites) will need to include a statement to justify why an existing site cannot be extended and a new site is needed."</i></p>					
<b>Assessment Criteria</b>					
Land taken by development inside and outside site/habitat nibbling	Urban disturbance (pets, noise, light)	Recreational pressure and disturbance	Water quantity and quality	Changes in pollution levels	Climate change
<p>This policy sets out criteria that any new gypsy or traveller site or extension to a site must meet; it does not allocate land to be developed. One of the criteria states that 'any sites should be situated in locations with good access to existing local services' which could include Pateley Bridge or any of the larger villages close to the North Pennine Moors SPA and SAC which has the potential to increase urban disturbance on these areas. The most recent assessment of traveller housing need in Harrogate District, which was prepared in 2013, however reveals a very low level of identified need within Harrogate District and as such, it is unlikely that there will be a significant requirement for new pitches within the Harrogate District. The policy criteria also states that proposals for sites should 'not materially harm the natural environment' which provides protection for the SPAs and SACs. Owing to this it is unlikely that this policy will have a significant effect on European sites</p>					
<b>Summary</b>		<p><b>Category B:</b> policy could have an effect depending on the location of the site however the likelihood is there would be no significant negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.</p>			
<p><b>Draft Policy HS4: Replacement Dwellings in the Countryside</b></p> <p><i>Proposals for replacement dwellings will only be permitted where it meets all of the following criteria:</i></p> <ul style="list-style-type: none"> <li>• the new dwelling is located on the site of, or close to, the existing dwelling to be cleared;</li> <li>• the new dwelling is not materially larger than the existing dwelling;</li> <li>• the new dwelling has satisfactory access arrangements;</li> </ul>					



<p><b>Draft Policy HS4: Replacement Dwellings in the Countryside</b></p> <ul style="list-style-type: none"> <li>the new dwelling is of a design which in terms of scale, mass, materials and architectural detail is sympathetic to the landscape character and local vernacular;</li> <li>the new dwelling is sited to preclude retention of the existing dwelling or there is a condition to ensure its demolition on completion of the new dwelling</li> </ul>					
<p><b>Assessment Criteria</b></p>					
<p>Land taken by development inside and outside site/habitat nibbling</p>	<p>Urban disturbance (pets, noise, light)</p>	<p>Recreational pressure and disturbance</p>	<p>Water quantity and quality</p>	<p>Changes in pollution levels</p>	<p>Climate change</p>
<p>This policy sets out criteria for when a replacement dwelling within the countryside would be permitted; it does not allocate land to be developed. Replacement dwellings would have to be within close proximity to the original house, be of a similar size and preclude the retention of the existing dwelling so that there is no net increase in the number of houses on the site. Owing to these criteria this policy is unlikely to have a significant effect on European sites.</p>					
<p><b>Summary</b></p>	<p><b>Category B:</b> policy could have an effect depending on the location of the dwellings, however the likelihood is there would be no significant negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.</p>				
<p><b>Draft Policy HS5: Extensions to Dwellings</b></p>					
<p>"Extensions to dwellings will be permitted provided that all the following requirements are met:</p> <ol style="list-style-type: none"> <li>There is no unacceptable impact on neighbouring residential amenity.</li> <li>There is no unacceptable loss of parking or garden/amenity areas.</li> <li>There is no unacceptable impact to the character or appearance of the dwelling or the surrounding area.</li> <li>In the countryside the extension should not be designed to facilitate the subdivision of the dwelling into separate dwellings nor undermine the retention of any occupancy condition."</li> </ol>					
<p><b>Assessment Criteria</b></p>					

## 4 Draft Housing Policies

Draft Policy HS5: Extensions to Dwellings					
Land taken by development inside and outside site/habitat nibbling	Urban disturbance (pets, noise, light)	Recreational pressure and disturbance	Water quantity and quality	Changes in pollution levels	Climate change
<p>This policy sets out criteria for extensions to an existing dwelling; it does not allocate land to be developed and there will be no net increase in the number of houses on the site. Owing to this and the fact that extensions in the countryside will be strictly controlled and any proposal should have no unacceptable impact on the character or appearance of the surrounding area, this policy would not have a significant effect on European sites.</p>					
<b>Summary</b>		<p><b>Category A:</b> policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.</p>			
Draft Policy HS6: Rural Worker's Dwellings					
<p>"New permanent isolated dwellings in the country side will not be permitted unless it can be shown that there is an essential need for a rural worker to live permanently at or near their place of work within the countryside. In determining whether such need exists, the local authority will consider whether the following criteria are met:</p> <ol style="list-style-type: none"> <li>1. There is a clearly established existing functional need;</li> <li>2. The need relates to a full-time worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement;</li> <li>3. The unit and the agricultural activity concerned have been established for at least three years, have been financially sound for at least one of them and have a clear prospect of remaining so;</li> <li>4. The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and</li> <li>5. Other planning requirements, e.g. In relation to access, or the impact on the countryside are satisfied." </li></ol>					
Assessment Criteria					
Land taken by development inside and outside site/habitat nibbling	Urban disturbance (pets, noise, light)	Recreational pressure and disturbance	Water quantity and quality	Changes in pollution levels	Climate change
<p>This policy sets out criteria for new permanent dwellings for rural workers; it does not allocate land to be developed and only allows dwellings under exceptional circumstances. The policy also requires planning requirements such as impact on the countryside to be met. As such, there is unlikely to be a significant negative effect on European Sites.</p>					

<b>Draft Policy HS6: Rural Worker's Dwellings</b>	
<b>Summary</b>	<b>Category B:</b> policy could have an effect depending on the location but the likelihood is there would be no significant negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.

## 5 Draft Economy Policies

### Draft Policy EC1: Protection and Enhancement of Existing Employment Areas

*The following key employment sites as identified on the Policies Map should continue to be occupied by employment uses. The development or redevelopment of land and premises within these sites for purposes other than Business, General Industrial and Storage and Distribution (as defined by Use Class B1, B2 and B8 of the General Development Order) will not be permitted.*

- Cardale Park, Harrogate
- Hornbeam Park, Harrogate
- St James Park, Knaresborough
- Melmerby Business Park, Melmerby
- Claro Park, Harrogate
- Plumpton Park, Harrogate
- Manse Lane, Knaresborough
- Boroughbridge Road, Ripon
- Harrogate Road, Ripon
- Dallamires Lane, Ripon
- Bar Lane, Boroughbridge
- Fearby Road, Masham
- Marston Business Park, Tockwith
- Manse Farm, Knaresborough
- Dunlopillo, Pannal \*

*The use of other employment sites for non Business, General Industrial and Storage/Distribution (B1, B2, B8) uses will be resisted however in considering proposals for alternative uses the following will be considered:*

- *Impact on the quality and quantity of employment land supply*
- *Ability to accommodate smaller scale requirements*
- *Details of active marketing*
- *Viability of employment development*
- *Amenity considerations*
- *Planning problems of the continued use of the site for employment*

*Expansion of existing firms*

*Proposals for the expansion of existing firms/businesses in open countryside and established employment areas, as defined on the Proposals Map, will be permitted providing they are acceptable in relation to the following considerations:*

<p><b>Draft Policy EC1: Protection and Enhancement of Existing Employment Areas</b></p> <ul style="list-style-type: none"> <li>• <i>Impact on highway safety</i></li> <li>• <i>Impact on local amenity</i></li> <li>• <i>Impact on landscape character and appearance</i></li> <li>• <i>Impact on form and character of the settlement</i></li> </ul> <p><i>* this would relate to the area of the site in employment use</i></p>				
<p><b>Assessment Criteria</b></p>				
<p>Land taken by development inside and outside site/habitat nibbling</p>	<p>Urban disturbance (pets, noise, light)</p>	<p>Recreational pressure and disturbance</p>	<p>Water quantity and quality</p>	<p>Changes in pollution levels</p>
<p>This policy will protect employment sites from development of non B1, B2 and B8 uses. The key employment sites listed are not close to European sites or rivers which flow down to European sites outside the district. The policy protects other employment sites unless there are unacceptable planning problems. In the justification text examples of unacceptable planning problems only cover amenity issues and not negative impacts on the natural environment. The second part of the policy sets criteria for when the expansion of existing firms will be supported. Impact on landscape character and appearance is a consideration however the impact on the natural environment is not. Depending on the site and nature of the firm there could be potential impacts on pollution levels and habitat nibbling.</p>				
<p><b>Summary</b></p>	<p><b>Category B:</b> policy could have an effect with regard to the expansion of existing firms however due to the small number if any of existing firms within or adjacent to the European sites, the likelihood is there would be no significant effect on a European site either alone or in combination with other elements of the same plan or other plans or projects.</p>			
<p><b>Draft Policy EC2: Town and Local Centre Management</b></p>				
<p><i>The NPPF states that Local Plans should set out policies for the management and growth of centres over the plan period and should amongst other things:</i></p> <ul style="list-style-type: none"> <li>• <i>recognise town centres as the heart of their communities and pursue policies to support their viability and vitality;</i></li> <li>• <i>define a network and hierarchy of centres;</i></li> </ul>				

## 5 Draft Economy Policies

### Draft Policy EC2: Town and Local Centre Management

- define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary shopping frontages and set policies that make clear which uses will be permitted in such locations;

- promote competitive town centres that provide customer choice and a diverse retail offer.

Town and local centre management was previously included in Policy JB7 of the Sites and Policies DPD. This policy provided strict control on the loss of existing shops (Use Class A1) particularly in primary shopping frontages and also defined the extent of the following;

- shopping centre boundary of Harrogate, Knaresborough, Ripon, Boroughbridge, Masham and Pateley Bridge;
- primary and secondary shopping frontages of Harrogate, Knaresborough and Ripon;
- Harrogate's Local Centre Boundaries - Cold Bath Road, High Harrogate, Jennyfield, Kings Road, Starbeck and Knaresborough Road

Maps of these existing designations are found in Appendix 2.

Recent permitted development changes however now allow more opportunities to change the use of Class A1 units to non A1 uses which results in the Council having reduced control powers. In some circumstances (change from A1 to A3 (restaurants) the prior notification process must be undertaken to enable LPA's to protect valued and successful retail provision in key shopping areas such as town centres. Prior notification is required where it may be undesirable for the building to change to a use falling within Class A3 because;

- there could be an impact on the adequate provision of services of the sort that may be provided by a building falling within Class A1 but only where there is a reasonable prospect of the building being used to provide such services or;
- the building is located in a key shopping area, and there could be an impact on the sustainability of that shopping area.

Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 gives local planning authorities the power to remove permitted development rights in some circumstances where they have the evidence to justify that this is necessary to protect the wellbeing of an area. The Council may therefore look to use its Article 4 powers to remove the permitted development rights in areas where the need to protect valuable and successful retail provision is justified.

The element of Policy JB7 policy that relates to the sequential test, local centres and efficient use of buildings in centres will still apply to the emerging policy as this is not affected by the permitted development changes. This is detailed in the box below.

<b>Draft Policy EC2: Town and Local Centre Management</b>					
<i>Elements of Sites and Policies Policy JB7 that will still apply</i>					
<b>Sequential Test</b>					
<i>For the purposes of determining proposals for retail development, sites within the defined shopping centres of Harrogate, Ripon, Knaresborough, Boroughbridge, Masham and Pateley Bridge will be treated as "in centre" locations in accordance with the National Planning Policy Framework.</i>					
<i>For the purposes of determining proposals for B1 offices, leisure uses, or for other main town centre uses defined by the National Planning Policy Framework, the town centre boundaries of Harrogate, Ripon and Knaresborough and the shopping centres of Boroughbridge, Masham and Pateley Bridge, will be treated as "in centre" locations in accordance with the National Planning Policy Framework</i>					
<b>Harrogate's local centres</b>					
<i>New shopping development, appropriate in scale and type to the size and role of Harrogate's local centres to provide for people's day-to-day needs, will be permitted within, or as an extension to, these centres.</i>					
<b>Efficient use of buildings in centres</b>					
<i>Proposals involving residential or office development above ground floor premises within town or city centres will be permitted provided that they will not cause unacceptable planning problems for other adjacent land uses. In addition, development at ground floor should not compromise the current use, or future reuse, of upper floors.</i>					
<b>Assessment Criteria</b>					
<b>Land taken by development inside and outside site/habitat nibbling</b>	<b>Urban disturbance (pets, noise, light)</b>	<b>Recreational pressure and disturbance</b>	<b>Water quantity and quality</b>	<b>Changes in pollution levels</b>	<b>Climate change</b>
This policy will relate solely to development within the town centres of Harrogate, Knaresborough and Ripon, the smaller centres of Boroughbridge, Pateley Bridge and Masham and the local centres of Harrogate. It will detail which uses/development would be appropriate in these areas. This will not have any significant impact on an European site as any impacts of the policy will be confined to the town centres.					
<b>Summary</b>	<b>Category A:</b> policy would have no negative effect on a European site either alone or in combination with other elements of the same plan or other plans or projects.				

## 5 Draft Economy Policies

### Draft Policy EC3: Impact Assessment Threshold

*Proposals for retail developments outside the defined shopping centres but within the settlement's development limit must be supported by an Impact Assessment where they are of the following sizes:*

- *Harrogate: convenience retail of 1000 sq m or more and comparison retail of 2500 sq m or more*
- *Ripon: convenience and comparison retail of 1000 sq m or more*
- *Knaresborough: convenience retail of 250 sq m or more and comparison retail of 500 sq m or more*
- *Boroughbridge, Pateley Bridge and Masham: convenience and comparison retail of 250 sq m or more*

*All other areas not within a defined shopping centre, including the countryside, must be supported by an Impact Assessment for convenience and comparison retail development of 250 sqm or more.*

*Where it is considered that proposals would be likely to have a significant impact on a centre(s), the Council reserves the right to require an Impact Assessment for:*

- *retail proposals below the above thresholds, or within a centre,*
- *office and leisure proposals*

*A proposal is unlikely to be granted permission if it is likely to have a significant adverse impact.*

### Assessment Criteria

Land taken by development inside and outside site/habitat nibbling	Urban disturbance (pets, noise, light)	Recreational pressure and disturbance	Water quantity and quality	Changes in pollution levels	Climate change
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This policy sets out criteria for when impact tests will be required to assess retail developments outside of the defined shopping centres. The policy does not allocate or encourage development and is confined to the urban areas so therefore will not have a negative effect on European sites.

### Summary

**Category A:** policy would have no negative effect on a European site either alone or in combination with other elements of the same plan or other plans or projects.

### Draft Policy EC4: Protection of Tourist Facilities

#### **Hotel Protection**



**Draft Policy EC4: Protection of Tourist Facilities**

Proposals involving the change of use of hotels in the District with 20 or more lettable bedrooms will not be permitted unless clear evidence is provided to demonstrate that they are no longer viable, including:

1. evidence that the hotel has been actively marketed at existing use value for at least 12 consecutive months;
2. occupancy rates for the last three years of operation; and
3. capital expenditure in the last five years of operation.

Applicants will also be required to demonstrate that there will be no significant adverse impact on the supply or quality of visitor accommodation available in the area.

**Protection of Tourist Attractions**

Proposals that would result in the loss of a tourist attraction will not be permitted unless:

- a. clear evidence is provided to demonstrate that the continued use is no longer viable, including:
  - evidence that the attraction has been actively marketed at existing use value for at least 12 consecutive months
  - visitor numbers for the last three years; and
  - capital expenditure in the last five years of operation.

or

- b. The attraction is viable but has been actively marketed at existing use value for two years.

Assessment Criteria			
Land taken by development inside and outside site/habitat nibbling	Urban disturbance (pets, noise, light)	Recreational pressure and disturbance	Water quantity and quality
			Changes in pollution levels
			Climate change

This policy seeks to ensure that hotels and tourist attractions are retained and protected from being developed for other purposes. The policy does not allocate or encourage development and will therefore not have a negative effect on European sites.

## 5 Draft Economy Policies

Draft Policy EC4: Protection of Tourist Facilities					
<b>Summary</b>	<b>Category A:</b> policy would have no negative effect on a European site either alone or in combination with other elements of the same plan or other plans or projects.				
Draft Policy EC5: Sustainable Rural Tourism					
<p>Proposals involving the development of new, or extension of existing, tourist and leisure attractions or visitor accommodation in the countryside away from the main towns and villages (will need to make reference to the new classification of settlements) will be permitted provided that:</p> <ol style="list-style-type: none"> <li>it can be demonstrated that proposals for new attractions or accommodation are not capable of being located within or adjacent to the main towns and larger villages (new classification of settlements), and subsequently that locations within or adjacent to smaller villages (new classification) have been fully considered;</li> <li>the scale, layout and design of development is appropriate to its location and maintains or enhances the high quality of the District's built and natural environment;</li> <li>they would not cause unacceptable planning problems for other adjacent land uses;</li> <li>appropriately located existing buildings are re-used where possible;</li> <li>they result in an improvement to the range and quality of attractions and/or visitor accommodation in the area;</li> <li>they will benefit the local economy and help to protect local services; and</li> <li>they would not generate levels of traffic that would have an adverse impact upon the operation of the highway network or on highway safety.</li> </ol> <p>In particular, support will be given to proposals that meet the above criteria and form part of a comprehensive farm diversification scheme, or are directly linked to the long-term conservation and enjoyment of publicly accessible heritage assets.</p> <p>In addition to the above criteria, proposals for caravan, holiday chalets and camping development (either new or extensions to existing sites) should be accessible to existing local services and public utilities, but should not adversely affect them.</p>					
Assessment Criteria					
Land taken by development inside and outside site/habitat nibbling	Urban disturbance (pets, noise, light)	Recreational pressure and disturbance	Water quantity and quality	Changes in pollution levels	Climate change

Draft Policy EC5: Sustainable Rural Tourism				
<p>Owing to the nature of the proposals it is likely that development would be closer to European sites than most types of development and could therefore impact on a European site, particularly through loss of in-by-ye land from farm diversification.</p>	<p>If development is proposed closer to the European sites then there is potential for urban disturbance particularly from light and noise.</p>	<p>Tourist or leisure attractions may utilise land within the North Pennine SAC and visitor accommodation within the countryside to the west of the district may encourage a greater number of visitors to the European sites. Both these aspects could place greater recreational pressure on the sites.</p>	<p>Proposals which are located within the countryside away from main towns and villages could be more reliant on private water abstraction and drainage. This could affect water quantity and quality, particularly in areas which are already sensitive to further water abstraction.</p>	<p>New tourist or leisure attractions within or in the vicinity of the North Pennine Moors SAC in particular could increase pollution, including nitrogen levels, due to the increase in visitors by car.</p>
<p><b>Summary</b></p> <p>The policy states that new proposals will be permitted provided that the scale, layout and design of development is appropriate to its location and maintains or enhances the high quality of the District's natural environment. Whilst no specific areas have been allocated in the policy for tourism related development, there are potential effects of increased tourism and recreational activity on the designated sites over the lifetime of the plan.</p> <p><b>Category B:</b> the policy could have an effect but the likelihood is there would be no significant negative effect on a European site alone or in combination with other elements of the same plan, or other plans or projects.</p>				

Draft Policy EC6: Telecommunications
<p><b>Scope of Telecommunications Policy</b></p> <ul style="list-style-type: none"> <li>● <i>Criteria for determining telecommunications applications covering:</i> <ul style="list-style-type: none"> <li>● <i>sharing of existing telecommunications facilities,</i></li> <li>● <i>using existing structures,</i></li> <li>● <i>impact on visual amenity and nature conservation,</i></li> <li>● <i>need for sympathetic design and camouflage,</i></li> <li>● <i>potential interference with other electrical equipment,</i></li> <li>● <i>possibility of other planned development in the area interfering with broadcast and telecommunications</i></li> </ul> </li> </ul>

## 5 Draft Economy Policies

Draft Policy EC6: Telecommunications					
<ul style="list-style-type: none"> <li>Requirement that all new properties (residential and non-residential) provide a connection to an existing super fast broadband network or;</li> <li>Seek a developer contribution toward off site works that would enable those properties to access superfast broadband in the future.</li> </ul>					
Assessment Criteria					
Land taken by development inside and outside site/habitat nibbling	Urban disturbance (pets, noise, light)	Recreational pressure and disturbance	Water quantity and quality	Changes in pollution levels	Climate change
<p>There is potential for telecommunication schemes to negatively impact on habitats and species. Habitat loss could be caused by developments taking place within or close to the European sites within the district, affecting areas used for feeding and breeding. Associated development such as fences could also restrict the movement of some species</p>					
<p><b>Summary</b></p> <p>This policy has no spatial implications and the aim of the policy is to steer telecommunication development to existing structures and the sharing of telecommunication facilities. The policy will also set criteria which will avoid development that has an adverse impact on the natural environment. <b>Category B:</b> the policy could have an effect but the likelihood is there would be no significant negative effect on a European site alone or in combination with other elements of the same plan, or other plans or projects.</p>					

**Draft Policy HP1: Heritage Assets**

1. *Proposals for development that would ensure a sustainable future for the district's heritage assets, especially those identified as being at greatest risk of loss or decay, will be supported.*
2. *Proposals should protect and, where appropriate, enhance or better reveal those elements, including the setting, that contribute to the significance of the district's heritage assets:*
  - a. **The World Heritage Site at Studley Royal Park including the Ruins of Fountains Abbey:**
    - *Proposals that would impact upon the World Heritage Site at Studley Royal Park including the Ruins of Fountains Abbey will be permitted only where it can be demonstrated that the scheme will protect and, where appropriate, enhance or better reveal those elements that contribute towards its outstanding universal value*
    - *There is a strong presumption against tall or very large buildings or structures within the World Heritage Site or its visual setting; proposals that protect key views and vistas will be supported*
  - b. **Listed Buildings:**
    - *Proposals that preserve listed buildings and their features of special architectural interest will be supported*
    - *Loss of any significance will be resisted, and will be permitted only where the harm is clearly and convincingly justified and is outweighed by the public benefits of the proposal. Substantial harm to the significance of listed buildings, or total loss including through demolition, will be permitted only in exceptional circumstances*
  - c. **Conservation Areas:**
    - *Proposals that would affect Conservation Areas should protect and, where appropriate, enhance those elements that have been identified as making a positive contribution to their character, appearance and special architectural or historic interest*
    - *Demolition or other substantial loss to the significance of buildings or features, including public or private open spaces, that contribute positively to a Conservation Area will be permitted only where the harm is clearly and convincingly outweighed by the public benefits of the proposal*
  - d. **Registered Parks and Gardens:**
    - *The significance of Registered Parks and Gardens and their setting will be conserved and, where appropriate, enhanced*
    - *Loss of any significance will be resisted, and will be permitted only where the harm is clearly and convincingly justified and is outweighed by the public benefits of the proposal. Substantial harm to the significance of registered parks and gardens, or total loss including through demolition, will be permitted only in exceptional circumstances*

## 6 Draft Heritage and Placemaking Policies

### Draft Policy HP1: Heritage Assets

#### e. **Scheduled Monuments and other Archaeological Remains:**

- Loss of any significance of any archaeological sites will be resisted, and will be permitted only where the harm is clearly and convincingly justified and is outweighed by the public benefits of the proposal
- Proposals that would result in substantial harm to the significance of Scheduled Ancient Monuments or other nationally important archaeological sites will be permitted only in wholly exceptional circumstances
- When proposals affecting archaeological sites is acceptable in principle, the council will seek to ensure mitigation of damage through preservation of the remains in situ as a preferred solution. When in situ preservation is not justified, the developer will be required to make adequate provision for excavation and recording before or during development

#### f. **Registered Battlefields:**

- Proposals affecting a registered Historic Battlefield should ensure that development will not harm its historic, archaeological or landscape interest or prejudice any potential for interpretation

#### g. **Non-designated Heritage Assets:**

- Proposals that would remove, harm or undermine the significance of a non-designated heritage asset, or its contribution to the character of a place, will only be permitted where the public benefits of the proposal would outweigh the harm

3. The Heritage Management Guidance Supplementary Planning Document (SPD) (2014) provides additional detailed guidance on development that affects these assets, as well as selection criteria for the identification of non-designated heritage assets.

The World Heritage Site and the World Heritage Site buffer zone, Conservation Areas, Registered Parks and Gardens, Registered Historic Battlefields and Scheduled Ancient Monuments are shown on the policies map.

Assessment Criteria			
Land taken by development inside and outside site/habitat nibbling	Urban disturbance (pets, noise, light)	Recreational pressure and disturbance	Water quantity and quality
		Changes in pollution levels	Climate change

Draft Heritage and Placemaking Policies 6

<b>Draft Policy HP1: Heritage Assets</b>					
<p>The policy identifies various designated heritage assets in the Harrogate District, and sets out requirements for developments that may affect them. This policy relates to existing designations and features, for example Fountains Abbey and Studley Royal World Heritage Site and Historic Parks and Gardens. There are a number of scheduled monuments within the North Pennine Moors SAC/SPA and the policy seeks to protect these from substantial harm. This policy will not have any significant effect on any SPA or SAC.</p>					
<b>Summary</b>	<p><b>Category A:</b> policy would have no negative effect on a European site either alone or in combination with other elements of the same plan or other plans or projects.</p>				
<b>Draft Policy HP2: Local Distinctiveness</b>					
<p><i>New development should incorporate high quality building, landscape and urban design that protects, enhances or reinforces those characteristics, qualities and features that contribute to the local distinctiveness of the district's rural and urban environments. In particular, development should:</i></p> <ol style="list-style-type: none"> <li><i>1. Respect the spatial qualities of the local area, including the scale, appearance and use of spaces about and between buildings or structures, visual relationships, views and vistas</i></li> <li><i>2. Respond positively to the building density, building footprints, built form, building orientation, building height and grain of the context- including the manner in which this context has developed and changed over time.</i></li> <li><i>3. Recognise the contribution of fenestration, roofscape, detailing, trees and planting, the palette and application of materials, traditional building techniques, and evidence of past and present activity to local distinctiveness and ultimately to landscape character</i></li> <li><i>4. Incorporate design that is inspired by its local context or the best of contemporary practice that fits comfortably in its surroundings.</i></li> </ol>					
<b>Assessment Criteria</b>					
<b>Land taken by development inside and outside site/habitat nibbling</b>	<b>Urban disturbance (pets, noise, light)</b>	<b>Recreational pressure and disturbance</b>	<b>Water quantity and quality</b>	<b>Changes in pollution levels</b>	<b>Climate change</b>
<p>This policy seeks to ensure that new development respects the locally distinctive character of the district's rural and urban environments. This policy does not lead to development in itself and will not have any impact on an SPA or SAC.</p>					
<b>Summary</b>	<p><b>Category A:</b> policy would have no negative effect on a European site either alone or in combination with other elements of the same plan or other plans or projects.</p>				
<b>Draft Policy HP3: Public Rights of Way</b>					

## 6 Draft Heritage and Placemaking Policies

*Proposals for development that would affect existing public rights of way will be permitted only where it can be demonstrated that:*

- 1. The routes and the recreational and amenity value of rights of way will be protected, or satisfactory diverted routes that deliver a level of recreational and amenity value at least as good as the routes being replaced are provided; and*

- 2. In all cases, opportunities for enhancement through the addition of new links to the existing network and the provision of improved facilities have been fully explored and, where appropriate, all reasonable and viable opportunities have been taken up*

### Assessment Criteria

Land taken by development inside and outside site/habitat nibbling	Urban disturbance (pets, noise, light)	Recreational pressure and disturbance	Water quantity and quality	Changes in pollution levels	Climate change
The policy seeks to protect public rights of way by requiring satisfactory diversion of routes affected by development. There are PROWs within and close to the North Pennine Moors SAC/SPA which could be affected and lead to habitat nibbling through the creation of diverted footpaths or new footpath links.		This policy seeks to enhance the public right of way network through the addition of new links to the existing network and improved facilities. This could lead to some increase in recreational pressure on the North Pennine Moors SAC/SPA and South Pennine Moors SAC/SPA.			
<b>Summary</b>	The policy relates to public rights of way which are affected by proposed development and will therefore be limited to the locations of the proposals. The policy would be implemented as part of the consideration of the new development and therefore other policies within the Local Plan including the 'Protecting the Natural Environment Policy' will have to be considered.				

### Draft Policy HP4: Parking Provision

*When considering the provision of parking, proposals for development should recognise an overall need to reduce the use of private cars, and take suitable account of the following factors:*



Draft Heritage and Placemaking Policies 6

<p><b>Draft Policy HP4: Parking Provision</b></p> <ol style="list-style-type: none"> <li><i>The need to provide safe, secure and convenient parking at appropriate levels, including parking or storage for cycles, motor cycles and, where relevant, coaches and lorries</i></li> <li><i>Parking standards for cars, cycles, motorised two wheel vehicles, disabled parking and operational servicing requirements as prepared by the local highway authority, North Yorkshire County Council</i></li> <li><i>Policies set out in the North Yorkshire County Council Parking Strategy (and successive strategies)</i></li> <li><i>Where relevant, the parking management areas of Harrogate, Knaresborough and Ripon</i></li> <li><i>Where relevant, the location of the site within an area covered by an Area Travel Plan</i></li> <li><i>Where appropriate, the need to make provision for car club and car share parking spaces</i></li> <li><i>Means to encourage the use of low emission vehicles as part of the proposal, including the ability to provide electric vehicle charging points</i></li> <li><i>The need to provide oil interceptors in drainage schemes for parking in order to protect water quality</i></li> <li><i>The use of sustainable drainage systems (SUDS) and permeable surfacing materials</i></li> </ol>					
<p><b>Assessment Criteria</b></p>					
<p>Land taken by development inside and outside site/habitat nibbling</p>	<p>Urban disturbance (pets, noise, light)</p>	<p>Recreational pressure and disturbance</p>	<p>Water quantity and quality</p>	<p>Changes in pollution levels</p>	<p>Climate change</p>
<p>The policy provides a list of matters which need to be addressed when considering the parking provision of new development. The policy does not allocate or encourage development and will therefore not have a negative effect on European sites.</p>					
<p><b>Summary</b></p>		<p><b>Category A:</b> policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.</p>			
<p><b>Draft Policy HP5: Protection of Existing Sport, Open Space and Recreation Facilities</b></p>					
<ol style="list-style-type: none"> <li><i>Proposals for development that would involve the loss of existing outdoor public and private sport, open space and recreational facilities will be permitted only where:</i> <ol style="list-style-type: none"> <li><i>The applicant can demonstrate that there is a surplus of similar facilities in the area and that the loss would not adversely affect the existing and potential recreational needs of the local population, making allowance for the likely demand generated by allocations in this plan; or</i></li> </ol> </li> </ol>					

## 6 Draft Heritage and Placemaking Policies

### Draft Policy HP5: Protection of Existing Sport, Open Space and Recreation Facilities

- b. *A satisfactory replacement facility is provided in a suitable location, accessible to current users, and at least equivalent in terms of size, usefulness, attractiveness and quality; or*
  - c. *The land is incapable of appropriate recreational use due to its size, location and physical conditions; or*
  - d. *In the case of playing fields:*
    - i. *The sports and recreation facilities on a site would best be retained and enhanced through the development of a small part of the site, and the benefits of development to sport and recreation clearly outweigh the loss of the land; or*
    - ii. *The proposal involves the development of an alternative indoor or outdoor sports facility on the site, and the benefits of development to sport and recreation clearly outweigh the loss of the playing fields*
2. *Any loss of an open space or a sport or recreational facility, which is acceptable under the above criterion, will be permitted only where it can be demonstrated that the loss would not cause significant harm to the amenity and local distinctiveness of the area. Small scale developments that are related to the function of an amenity open space will be permitted where it can be demonstrated that the public benefits of development outweigh the harm*
3. *Development proposals that would involve the loss of existing indoor public and private sport and recreation facilities will be permitted only where:*
- a. *Their loss would not adversely affect the existing and potential sport and recreational needs of the local population, making allowance for the likely demand generated by allocations in this plan; or*
  - b. *A satisfactory replacement facility is provided on the same grounds as criterion 1b above; or*
  - c. *They are incapable of continued sport and recreational use*

#### Assessment Criteria

Land taken by development inside and outside site/habitat nibbling	Urban disturbance (pets, noise, light)	Recreational pressure and disturbance	Water quantity and quality	Changes in pollution levels	Climate change
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This policy relates to the protection of existing areas of sport, open space and recreation against their use for other purposes. Almost all of the sites are within or immediately adjacent to settlements and are not within either an SPA or SAC. This policy seeks to protect existing areas of sport, open space and recreation from development to other uses. The policy does not allocate or encourage development and will therefore not have a negative effect on European sites

Draft Heritage and Placemaking Policies 6

<b>Draft Policy HP5: Protection of Existing Sport, Open Space and Recreation Facilities</b>	
<b>Summary</b>	<p><b>Category A:</b> policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.</p>
<b>Draft Policy HP6: New Sports, Open Space and Recreation Development</b>	
<ol style="list-style-type: none"> <li>1. <i>New housing and mixed use developments will be required to provide new sports, open space and recreational facilities to cater for the needs arising from the development in line with the provision standards set out in the Provision for Open Space in Connection with New Housing Development Supplementary Planning Document (SPD)</i></li> <li>2. <i>Proposals for the development of new sports, open space and recreation facilities will be permitted where:</i> <ol style="list-style-type: none"> <li>a. <i>The facility is located:</i> <ol style="list-style-type: none"> <li>i. <i>in or adjacent to built up areas, wherever possible; or</i></li> <li>ii. <i>in remoter rural areas, is located to best serve the intended catchment population; and</i></li> </ol> </li> <li>b. <i>The proposal would not give rise to significant traffic congestion or road safety problems; and</i></li> <li>c. <i>New buildings or structures are well designed and appropriately integrated into the landscape; and</i></li> <li>d. <i>Proposals on the edge of settlements should seek to improve the setting of the settlement</i></li> </ol> </li> <li>3. <i>Proposals for sport and recreational facilities likely to attract a large number of people due to their nature or scale (including sports stadia, health and fitness centres, swimming pools and other indoor sports facilities) should be located within or adjacent to Harrogate, Knaresborough, Ripon, Pateley Bridge, Masham or Boroughbridge and be accessible by regular bus or rail services</i></li> <li>4. <i>Proposals for sport and recreational activities that require a countryside location will be permitted in the open countryside outside of development limits (or the built up area of settlements)* only where they:</i> <ol style="list-style-type: none"> <li>a. <i>Cannot be located adjacent to a built up area; and</i></li> <li>b. <i>Are of a scale and nature appropriate to their landscape setting; and</i></li> <li>c. <i>Do not involve a significant number or size of buildings or structures; and</i></li> <li>d. <i>Would not cause excessive noise disturbance or light pollution to other users of the countryside, land uses or residents in the area; and</i></li> <li>e. <i>Would not give rise to significant traffic congestion or road safety problems</i></li> </ol> </li> </ol>	<p><i>*The choice of wording will depend on whether development limits are used to define the extent of settlements</i></p>
<b>Assessment Criteria</b>	

## 6 Draft Heritage and Placemaking Policies

Draft Policy HP6: New Sports, Open Space and Recreation Development						
Land taken by development inside and outside site/habitat nibbling	Urban disturbance (pets, noise, light)	Recreational pressure and disturbance	Water quantity and quality	Changes in pollution levels	Climate change	
Part 4 of the policy sets criteria for sport and recreational development that requires a countryside location. This could lead to development that is close to European sites and therefore impact on European sites particularly through loss of in-bye land	If development is proposed closer to the European sites then there is potential for urban disturbance particularly from light and noise.	Sport or recreational facilities within the countryside to the west of the district may encourage a greater number of visitors to the European sites. Both these aspects could place greater recreational pressure on the sites.	Proposals which are located within the countryside away from main towns and villages could be more reliant on private water abstraction and drainage. This could affect water quantity and quality, particularly in areas which are already sensitive to further water abstraction.	Sport or recreational facilities within the countryside to the west of the district could increase pollution (including nitrogen levels) due to the increase in visitors by car.		
<b>Summary</b>	<p>The policy steers development towards the built up areas wherever possible but also provides a number of criteria that have to be met if the development requires a countryside location. The policy restricts new development in countryside locations where there would be an adverse impact on sensitive environments. Whilst no specific areas have been allocated in the policy for tourism related development, there are potential effects of increased sport and recreational activity on the designated sites over the lifetime of the plan.</p> <p><b>Category B:</b> the policy could have an effect depending on the location but the likelihood is there would be no significant negative effect on a European site alone or in combination with other elements of the same plan, or other plans or projects.</p>					

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<b>Draft Policy HP7: Protection and Enhancement of Community Facilities</b>					
<ol style="list-style-type: none"> <li>1. <i>Proposals for development that involve the loss of land or premises currently or last in community use (including community/village halls, schools, colleges, nurseries, places of worship, health services, care homes, libraries, public houses, and village shops or Post Offices that cater for day to day needs in rural communities) will be permitted only where it can be clearly demonstrated that:</i></li> <li>2. <i>continued community uses would cause unacceptable planning problems; or</i> <ol style="list-style-type: none"> <li>a. <i>a satisfactory replacement facility is provided in a suitably convenient location for the catchment served prior to the commencement of development; or</i></li> <li>b. <i>there is no reasonable prospect of the existing use continuing on a viable basis with all options for continuance having been fully explored, and thereafter there is no reasonable prospect of securing a viable satisfactory alternative community use</i></li> </ol> </li> <li>3. <i>Proposals involving the improvement of existing community facilities by way of redevelopment or extension will be supported unless it would:</i> <ol style="list-style-type: none"> <li>a. <i>result in a significant adverse impact on residential amenity; or</i></li> <li>b. <i>cause unacceptable planning problems for other adjacent land uses; or</i></li> <li>c. <i>increase traffic levels that would harm the safety and free flow of traffic on the highway network</i></li> </ol> </li> </ol>					
<b>Assessment Criteria</b>					
<b>Land taken by development inside and outside site/habitat nibbling</b>	<b>Urban disturbance (pets, noise, light)</b>	<b>Recreational pressure and disturbance</b>	<b>Water quantity and quality</b>	<b>Changes in pollution levels</b>	<b>Climate change</b>
<p>This policy seeks to protect community facilities from being lost to other uses. The policy is solely related to existing uses and will not have any significant impacts on an SAC or SPA as they are unlikely to be located within very close proximity to the European sites within the district. The policy is therefore unlikely to have any impact on a European site.</p>					
<b>Summary</b>				<b>Category A:</b> policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.	

## 6 Draft Heritage and Placemaking Policies

Draft Policy HP8: Provision of New Community Facilities				
<p><i>New community facilities will be permitted only where it can be demonstrated that there is a local need for the facility, and:</i></p> <ol style="list-style-type: none"> <li><i>1. The facility is of a scale and nature appropriate to its location and intended purpose; and</i></li> <li><i>2. The facility is accessible to the community it is intended to serve; and</i></li> <li><i>3. There are no significant adverse impacts on residential amenity; and</i></li> <li><i>4. There will be no significant loss of industrial, business or housing land or buildings, recreational land or important amenity open space; and</i></li> <li><i>5. All options to reuse existing appropriately located buildings are exhausted before proposals for the development of new buildings are considered</i></li> </ol>				
Assessment Criteria				
Land taken by development inside and outside site/habitat nibbling	Urban disturbance (pets, noise, light)	Recreational pressure and disturbance	Water quantity and quality	Changes in pollution levels
<p>This policy relates to proposals for new community facilities which should be located within the districts larger city, towns and villages. Community facilities outside these areas need to meet certain criteria including that there is a local need for the facility. Given the remote upland nature of the North Pennine Moors SPA and SAC and the small size of Kirk Deighton SAC this policy will not have significant impact on them.</p>				
Summary	<p><b>Category A:</b> policy would have no negative effect on an European site either alone or in combination with other elements of the same plan, or other plans or projects.</p>			

<p><b>Draft Policy NE1: Air Quality</b></p> <p><i>Development in or likely to affect the Knaresborough and Ripon Air Quality Management Areas (AQMAs) should ensure consistency with the Air Quality Action Plan and the current Local Transport Plan.</i></p>				
<p><b>Assessment Criteria</b></p>				
<p>Land taken by development inside and outside site/habitat nibbling</p>	<p>Urban disturbance (pets, noise, light)</p>	<p>Recreational pressure and disturbance</p>	<p>Water quantity and quality</p>	<p>Changes in pollution levels</p>
<p>This policy seeks to ensure that air quality within the Harrogate District is protected and improved. Two Air Quality Management Areas have been declared in Ripon and Knaresborough and an Air Quality Action Plan has been prepared. The pollution is predominantly created by road traffic. Monitoring is undertaken in areas where there is a risk that an air quality objective will be exceeded. This policy seeks to protect the natural environment by requiring that all planning applications that give rise to significant amounts of traffic or an increase in emissions must provide information on the increase in pollution and identify mitigation measures.</p>				
<p><b>Summary</b></p> <p><b>Category A:</b> policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.</p>				
<p><b>Draft Policy NE2: Water Quality</b></p> <p><i>All new development should have regard to the actions and objectives of appropriate River Basin Management Plans in striving to protect and improve the quality of water bodies in and adjacent to the District. Developers shall undertake thorough risk assessments of the impact of proposals on surface and groundwater systems and incorporate appropriate mitigation measures where necessary. The Council will expect developers to demonstrate that all proposed development will be served by an adequate supply of water, appropriate sewerage infrastructure and that there is sufficient sewage treatment capacity to ensure that there is no deterioration of water quality.</i></p> <p><i>Development will not be permitted which the Council, in consultation with the Environment Agency, considers likely to prejudice the quality or quantity of surface or ground water.</i></p> <p><i>Development which would prejudice the use and quality of the District's spa waters will not be permitted.</i></p>				
<p><b>Assessment Criteria</b></p>				

## 7 Draft Natural Environment Policies

Draft Policy NE2: Water Quality					
Land taken by development inside and outside site/habitat nibbling	Urban disturbance (pets, noise, light)	Recreational pressure and disturbance	Water quantity and quality	Changes in pollution levels	Climate change
<p>This policy seeks to protect the natural environment by requiring all new development to have regard to the actions and objectives of the appropriate River Basin Management Plans and to undertake thorough risk assessments.</p>					
<p><b>Summary</b></p> <p><b>Category A:</b> policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.</p>					
Draft Policy NE3: Protecting the Natural Environment					
<p>The council will safeguard sites of importance for natural heritage and biodiversity from development as follows</p>					
<p>1. <i>International Sites</i> Special Areas of Conservation (SAC'S) and Special Protection Areas (SPA's)</p> <p>Development likely to have significant effect on a Natura 2000 site will be subject to an appropriate assessment. Where an assessment is unable to conclude that a development will not adversely affect the integrity of the site, development will only be permitted where there are no alternative solutions; and there are imperative reasons of overriding public interest. These can be of a social or economic nature except where the site has been designated for a European priority habitat or species.</p>					
<p>2. <i>National Sites</i> Sites of Special Scientific Interest (SSSIs)</p> <p>Development that affects a Site of Special Scientific Interest will only be permitted where an appraisal has demonstrated;</p> <ul style="list-style-type: none"> <li>• the objectives of the designated area and the overall integrity of the area would not be compromised; or</li> <li>• any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance.</li> </ul>					
<p>3. <i>Local Sites</i> Sites of Importance for Nature Conservation (SINC's), Local Nature Reserves (LNRs) and Local Geological Sites (LGSS)</p> <p>Development that affects Local Sites will only be permitted where an appraisal has demonstrated that significant harm resulting from the development can be avoided through locating on an alternative site with less harmful impacts, adequately mitigated, or, as a last report, compensated for.</p>					



<p><b>Draft Policy NE3: Protecting the Natural Environment</b></p> <p><i>It is important to protect and enhance biodiversity in order to reverse its overall decline and to protect vital ecosystem services. The Council will work through appropriate local partnerships to assess existing and potential components of ecological networks, including Sites of Importance for Nature Conservation. Protected species and priority habitats and species are identified nationally, in the Harrogate District Biodiversity Action Plan and under the Wildlife and Countryside Act. The preservation, restoration and recreation of priority habitats and ecological networks and the protection and recovery of priority species populations will be promoted and their positive conservation will be sought through development management.</i></p> <p><i>Planning permission will not be granted for development resulting in the loss of irreplaceable habitats, including historic wetlands and species-rich grasslands, ancient woodland and the loss of aged or veteran trees, unless the need for and benefits of the development in that location clearly outweigh the loss.</i></p>					
<p><b>Assessment Criteria</b></p>					
<p><b>Land taken by development inside and outside site/habitat nibbling</b></p>	<p><b>Urban disturbance (pets, noise, light)</b></p>	<p><b>Recreational pressure and disturbance</b></p>	<p><b>Water quantity and quality</b></p>	<p><b>Changes in pollution levels</b></p>	<p><b>Climate change</b></p>
<p>This policy is concerned with protecting the special sites of biodiversity and geodiversity across the district. It clearly identifies the hierarchy of nature conservation sites and the level of protection they are afforded. The policy also includes the protection, creation and enhancement of priority habitats and species. The justification text explains the status of the SPAs and SACs and the requirement for Habitat Regulations Assessment and Appropriate Assessment. This policy is the main policy for protecting the European sites from any inappropriate development.</p>					
<p><b>Summary</b></p>		<p>The justification text states that proposals will need to meet the requirements of the Habitat Regulations and demonstrate that there will be no adverse impact on SACs and SPAs.</p> <p><b>Category A;</b> policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.</p>			
<p><b>Draft Policy NE4: Landscape Character</b></p>					
<p><i>This policy would cover:</i></p> <ul style="list-style-type: none"> <li><i>Criteria for determining development proposals;</i></li> </ul>					

## 7 Draft Natural Environment Policies

<b>Draft Policy NE4: Landscape Character</b>			
<ul style="list-style-type: none"> <li>avoiding/minimising the loss of key landscape characteristics and features (with examples listed in the justification e.g villages, trees, woodland, meadow, stonewalls, watercourses and Landscape Character Areas)</li> <li>avoiding/minimising the loss of landscape pattern and in particular historic pattern</li> <li>ensuring visual amenity is maintained and the loss of key visual features and views is avoided</li> <li>ensuring there is no reduction in landscape quality and value</li> <li>retention and enhancement of local distinctiveness</li> <li>setting of towns and villages</li> <li>Maximising opportunities for the enhancement of landscape character and visual amenity</li> </ul> <ul style="list-style-type: none"> <li>Requirement for submission of landscape assessments to determine the effects of proposals on landscape character and visual amenity and to ensure that the design and layout of development includes landscape proposals which adequately mitigate any potential harm and maximise opportunities for enhancement for Green Infrastructure.</li> </ul>			
<b>Assessment Criteria</b>			
Land taken by development inside and outside site/habitat nibbling	Urban disturbance (pets, noise, light)	Recreational pressure and disturbance	Water quantity and quality
		Changes in pollution levels	Climate change
The policy seeks to protect the character of the landscape and incorporate green infrastructure into landscape mitigation measures. It is considered that this policy will not have any significant impacts on an SPA or SAC.			
<b>Summary</b>	<b>Category A:</b> policy would have no negative effect on an European site either alone or in combination with other elements of the same plan, or other plans or projects.		
<b>Draft Policy NE5: Trees and Woodland</b>			
Development will only be permitted where: <ul style="list-style-type: none"> <li>it does not have an adverse impact on trees or woodland of wildlife, landscape, historic, amenity, productive or cultural value; and</li> <li>it includes the appropriate retention and new planting of trees and woodland; and</li> <li>it does not have an adverse impact on a Veteran tree or ancient woodland; and</li> <li>it does not involve the loss of trees or woodland which contribute to the character or setting of a settlement.</li> </ul>			

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<b>Draft Policy NE5: Trees and Woodland</b>				
<i>In the case of an unavoidably adverse impact on trees and woodlands of wildlife, landscape, amenity, productive or cultural value, compensatory provision must be made."</i>				
<b>Assessment Criteria</b>				
Land taken by development inside and outside site/habitat nibbling	Urban disturbance (pets, noise, light)	Recreational pressure and disturbance	Water quantity and quality	Changes in pollution levels
Climate change				
The policy seeks to protect the natural environment, including biodiversity, through the protection and new planting of trees or woodland and includes reference to the Habitat Regulations in the justification.				
<b>Summary</b>				
Category A: policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.				
<b>Draft Policy NE6: Renewable Energy</b>				
"Proposals for renewable energy projects will be encouraged, providing any harm caused to the local environment and amenity is minimised and clearly outweighed by the need for, and benefits of, the development. Permission will be granted for renewable energy projects provided that the following are taken into account and judged to be acceptable.				
<ul style="list-style-type: none"> <li>the impact of the proposed development on the landscape and natural environment;</li> <li>the impact of the proposed development on the cultural, historic and archaeological environment;</li> <li>the mitigation measures which would be taken to minimise the impact on adjoining land uses and residential amenity;</li> </ul>				
Renewable and low energy development in the Green Belt will only be allowed in very special circumstances"				
<b>Assessment Criteria</b>				
Land taken by development inside and outside site/habitat nibbling	Urban disturbance (pets, noise, light)	Recreational pressure and disturbance	Water quantity and quality	Changes in pollution levels
Climate change				

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<p>There is potential for renewable energy schemes to negatively impact on habitats and species. Habitat loss could be caused by developments taking place within or close to the European sites within the district, affecting areas used for feeding and breeding. Associated development such as fences could also restrict the movement of some species. Both solar panels and wind turbines have the potential to cause harm if inappropriately sited. Insects that lay eggs in water (e.g. mayflies, stoneflies) may mistake solar panels for water bodies due to reflection of polarised light<sup>(3)</sup>. Wind turbines can cause harm to birds by collision and disturbance<sup>(4)</sup>. Changes in agriculture to grow energy crops for anaerobic digestion plants could also impact on areas used for feeding.</p>	<p>Disturbance can cause indirect habitat loss if species avoid the area because of the operation of renewable energy or visitors to the site.</p>	<p>The policy encourages the development of renewable energy. Although hydroelectricity turbines do not consume water they can reduce the flow of rivers which may affect water quality and reduce or delay passage for fish.</p>	
<p><b>Summary</b></p>	<p>The policy states that there should be no impact on the landscape or natural environment and the justification text also requires that proposals will need to demonstrate that there will be no adverse impact on SACs and SPAs. The Renewable and Low Carbon Energy Supplementary Planning Document (SPD) supports this policy and identifies solar farms, medium and large scale wind turbines (over 25m high) and large anaerobic digestion plants as not being suitable within the AONB where the majority of the district's European sites are located. The SPD also provides information on the North Pennines Moor SAC/SPA and the species of interest. The Environmental</p>		

3 RSPB, [Solar Energy Policy Briefing](#) December 2014

4 RSPB, [Wind Farms RSPB website](#)

	<p>Impact Assessment (EIA) Regulations 2011 requires an EIA screening for hydroelectricity plants over 0.5 megawatts. This threshold is too high to capture most proposals within the district, however, the current Local Validation Criteria requires an ecological assessment for hydroelectricity plants and is key to identifying impacts on the water quantity and quality for assessment against this policy. An EIA is also required for proposals of 2 or more wind turbines or a turbine over 15m high which would identify most proposals which could impact on European sites. Although renewable energy projects could have an effect on an European site, the policy justification requires there to be no adverse impact on SPAs and SACs.</p> <p><b>Category B:</b> policy could have an effect, but the likelihood is there would be no significant negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.</p>
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<p><b>Draft Policy NE7: Unstable and Contaminated Land</b></p>	
	<p><b>Unstable Land</b></p> <p><i>Proposals for development on land suspected as being unstable will not be permitted unless it can be demonstrated either that there is no foreseeable instability, or that the effects of such instability can reasonably be overcome.</i></p> <p><i>With specific regard to subsidence due to gypsum dissolution in the Ripon area, significant building development in areas which are suspected as being potentially susceptible to the problem will be subject to development control procedures, based on the development guidance categories in the appendix and as shown on the Proposals Map. The accompanying advice in Appendix 2 should be taken into account in all applications for development.</i></p> <p><b>Contaminated Land</b></p> <p><i>Proposals for the redevelopment or re-use of land known or suspected to be contaminated and development or activities that pose a significant new risk of land contamination will be considered having regard to:</i></p> <ul style="list-style-type: none"> <li>● <i>the findings of a preliminary land contamination risk assessment;</i></li> <li>● <i>the compatibility of the intended use with the condition of the land; and</i></li> <li>● <i>the environmental sensitivity of the site</i></li> </ul> <p><i>Proposals that fail to demonstrate that the intended use would be compatible with the condition of the land or which fail to exploit appropriate opportunities for decontamination will be resisted.</i></p>

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Draft Policy NE7: Unstable and Contaminated Land				
Assessment Criteria				
Land taken by development inside and outside site/habitat nibbling	Urban disturbance (pets, noise, light)	Recreational pressure and disturbance	Water quantity and quality	Changes in pollution levels
<p>The policy has no spatial implications. The policy identifies the areas of land in and around Ripon where gypsum dissolution may be an issue, and sets out the requirements of developing in these areas. The policy does not lead to development itself, but instead sets criteria so that inappropriate development on unstable land will be avoided. It also seeks to protect the natural environment from potential contaminating uses and to decontaminate existing contaminated sites.</p>				
<b>Summary</b>	<p><b>Category A:</b> policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.</p>			

### Question 1

Do you have any comments on the screening of the draft development management policies?

## Next Steps 8

- 8.1** A Local Development Scheme has been prepared to timetable the key milestones for the development of the new Local Plan. The development of the new Local Plan will undergo continual assessment against the Sustainability Framework (incorporating the Strategic Environmental Assessment) and the Habitats Regulation Assessment. A provisional timetable showing the integration between these documents is as follows:

Table 8.1 Next steps

Date	Local Plan Process	Sustainability Appraisal	SEA Process	HRA Process
July 2015 - 2016	Select strategies and produce supporting draft policies and draft site allocations.	Assess selected strategies and policies against sustainability objective and criteria.	Assess selected strategies and policies against environmental objectives and criteria.	Assess whether the selected strategies in combination and with policies would be likely to have a significant effect on an European site.
	Adjust plan in light of SA /SEA /HRA.	Consider further and better alternatives and mitigation.	Consider further and better alternatives and mitigation.	Consider further and better alternatives and mitigation. Consult Natural England on scope of Appropriate Assessment if required.
	Prepare draft Plan.	Prepare draft Sustainability Appraisal/ SEA report.	Prepare draft Sustainability Appraisal/ SEA report.	Prepare draft Screening Report and Appropriate Assessment if required.
Summer 2016	Draft Local Plan consultation with supporting Sustainability Appraisal/ SEA report and Initial Habitat Regulations Assessment			
Autumn/ Winter 2016		Adjust Sustainability Appraisal/SEA in light of consultation responses.	Adjust Sustainability Appraisal/SEA in light of consultation responses.	
	Adjust Plan in light of consultation responses.	Assess proposed changes against sustainability objectives and criteria.	Assess proposed changes against environmental objectives and criteria.	Assess whether the proposed changes would be likely to have a significant effect on an European site.
	Prepare the deposit version of the Local Plan.	Prepare the final Sustainability Appraisal/SEA	Prepare the final Sustainability Appraisal/SEA	Prepare the Habitat Regulations Assessment.
January 2017	Formal six week Publication Consultation on the Local Plan with supporting Sustainability Appraisal/SEA report and Habitat Regulations Assessment			
Spring 2017	Consider representations and modify plan.	Consider representations and whether modifications	Consider representations and whether modifications	Consider representations and whether modifications

## 8 Next Steps

Date	Local Plan Process	Sustainability Appraisal	SEA Process	HRA Process
		to Local Plan affect sustainability objectives.	to Local Plan affect environmental objectives.	to Local Plan will lead to an impact on European a site.
Summer 2017	Submission of the Local Plan to the Secretary of State			
Winter 2017	Examination of the Local Plan by the Inspector			
Spring 2018	Adoption of the Local Plan			





