

Harrogate District Local Plan: Draft Development Management Policies Consultation Sustainability Appraisal



November – December 2015

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Introduction

Planning Policy background

- 1.1** There is a mandatory requirement under the Planning and Compulsory Purchase Act 2004 to undertake a Sustainability Appraisal (SA) of Local Plans. SA is a systematic and iterative process that identifies and reports on the likely significant effects of strategies and policies to ensure that decisions are made in accordance with the principles of sustainable development.
- 1.2** Alongside this is a requirement to comply with the requirements of European Directive 2001/42/EC. This requires that a Strategic Environmental Assessment (SEA) be undertaken for plans and programmes which are likely to have a significant effect on the environment. The requirements of the SEA Directive is being fully incorporated into the Sustainability Appraisal. SA is an essential part of the Plan making process which must be integrated into it at each stage of the process.
- 1.3** In 2014 the council started work on a new Local Plan for the district and consulted on a Scoping Report for the SA⁽¹⁾. Comments received at this stage then informed the Draft Sustainability Appraisal Interim Report prepared to accompany the Issues and Options Consultation for the Local Plan held in July and August 2015. This consultation focused on strategic issues and the scope of policies⁽²⁾. The council is now undertaking a further targeted consultation on the Draft Development Management Policies to be included in the plan. This report therefore provides an addendum to the Interim Report to accompany the consultation.
- 1.4** The appraisal of the Local Plan under the Habitat Regulations is an iterative process, like the SA/SEA, and also needs to be carried out at each stage in the preparation of the local plan. A further report in relation to Habitats Regulation also accompanies the consultation. Integration between the preparation of the Local Plan, the Sustainability Appraisal, SEA and Habitat Regulation Assessment is particularly important and a table in section three sets out the relationship between key stages in the preparation of the Draft Local Plan and the preparation of the Sustainability Appraisal, the Strategic Environmental Assessment and the Habitats Regulation Assessment.
- 1.5** The following section provides an initial assessment of each draft policy against the SA objectives.

1 For more information please visit <http://www.harrogate.gov.uk/sa>

2 For more information please visit <http://www.harrogate.gov.uk/sa>

Sustainability Appraisal Assessment

Sustainability Appraisal Assessment 2

Approach taken to sustainability appraisal of draft development management policies

2.1 This assessment of the draft Development Management policies has been undertaken using the SA objectives described and justified in the Sustainability Appraisal interim report July 2015. These are listed below:

1. quality housing available to everyone
2. conditions and services to engender good health
3. safety and security for people and property
4. vibrant communities which participate in decision making
5. culture, leisure and recreation facilities for all
6. local needs met locally
7. education and training opportunities
8. biodiverse and attractive natural environment
9. minimal pollution levels
10. transport network which maximises access
11. minimise greenhouse gas emissions
12. prudent and efficient use of energy and resources
13. protect and enhance the historic heritage assets
14. a quality built environment and efficient land use patterns
15. good quality employment opportunities available to all

2.2 For each draft policy a table has been created. The draft wording of the policy is included for reference and this is then followed by three sections addressing the following:

Policy background: A number of the policies have been rolled forward from the withdrawn Sites and Policies DPD and this section sets out whether the policy is being rolled forward with no amendment, or with minor or more significant amendments. Some policies also take forward elements of Core Strategy or Harrogate District Local Plan policies and there are some completely new policies.

Initial SA Assessment: An initial narrative assessment is made identifying whether the draft policy has any significant effects on the SA objectives.

Short/medium/long term effects: Consideration is then also given to whether these effects are short, medium or long term and if they might change over time as the policy has time to take effect.

Question 1

Sustainability Appraisal Assessment

Do you have any comments regarding the Sustainability Appraisal Assessment of the draft development management policies?

3 Draft Sustainable Development Policies

Draft Policy SD1: Presumption in Favour of Sustainable Development

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.

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).

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:

- *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*
- *Specific policies in that framework indicate that developments should be restricted.*

Policy background

This policy rolls forward Policy SD1 from the Sites and Policies DPD with no changes.

Initial SA Assessment

In accordance with the National Planning Policy Framework Local Plans are required to be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally (para 15). The Planning Inspectorate introduced model policy wording with the advise that if incorporated into a draft Local Plan submitted for Examination, would be an appropriate way of meeting this expectation. The policy wording set out above reflects per verbatim the model policy.

Short/medium/long term effects

Positive short, medium and long term effects

Draft Policy SD2: Criteria for Sustainable Development

All development proposals within the district should comply with the following criteria:

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;*

Draft Sustainable Development Policies 3

| Draft Policy SD2: Criteria for Sustainable Development |
|--|
| <ul style="list-style-type: none"> • <i>general amenity;</i> • <i>health, social and cultural well-being</i> <p>3. <i>There should be no loss of greenfield land unless justified by national planning policy or a policy within this development plan;</i></p> <p>4. <i>Where possible and viable, proposals for new development will be expected to contribute to:</i></p> <ul style="list-style-type: none"> • <i>creating safer communities;</i> • <i>promoting social equality and inclusion;</i> • <i>the protection and enhancement of the supply of community facilities and local services.</i> <p>5. <i>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:</i></p> <ul style="list-style-type: none"> • <i>Energy and water consumption;</i> • <i>The use of natural non-renewable resources;</i> • <i>Travel by car;</i> • <i>Flood risk;</i> • <i>Waste.</i> <p>6. <i>All new non-residential development requiring planing permission should attain 'very good' standards as set out in the Building Research Establishment Environmental Assessment Method (BREEAM).</i></p> |
| Policy background |
| <p>This is a new policy, however it incorporates elements of Core Strategy Policy EQ1: Reducing risks to the environment.</p> |
| Initial SA Assessment |
| <p>In accordance with the National Planning Policy Framework all proposed developments should contribute towards the achievement of sustainable development. This policy reflects the importance of design and the need to minimise the environmental impact of development within a district with an exceptionally high quality of environment and level of amenity. This policy will be used to assess all development across the district. The policy has a positive effect on a number of the SA objectives as it looks towards achieving a quality built environment, and reducing the environmental impact of new development.</p> |
| Short/medium/long term effects |
| <p>Positive effects become more significant through time as the policy is applied across the district.</p> |

| Draft Policy SD3: Flood Risk and Sustainable Drainage |
|---|
| <p><i>Development proposals will not be permitted where they would have an adverse effect on watercourses or increase the risk of flooding elsewhere.</i></p> |

3 Draft Sustainable Development Policies

Draft Policy SD3: Flood Risk and Sustainable Drainage

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.

Policy background

This policy has been rolled forward from Policy SG9 of the Sites and Policies DPD with minor amendments.

Initial SA Assessment

The NPPF and accompanying Technical Guidance on Flood Risk (March 2012) seeks to avoid the risk of flooding where possible. This Policy requires SuDS to be incorporated into new development where appropriate in order to reduce run-off and improve water quality, as well as creating high quality environments which encourage biodiversity and benefit water resources including enhancements for wildlife. The policy has a positive effect on a number of objectives as it looks to protect people and property from flooding, contribute to a managed approach to climate change and a quality built environment, efficient land use patterns that promote balanced development, and encourage biodiversity.

Short/medium/long term effects

Positive effects become more significant through time as the policy is applied across the district.

Question 2

Sustainable Development Policies

Do you have any comments regarding the Sustainability Appraisal Assessment of the draft sustainable development policies?

Draft Housing Policies 4

| <p>Draft Policy HS1: Type, Mix and Density of New Market Housing Units</p> |
|---|
| <p><i>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.</i></p> <p><i>On all other sites, the mix of housing should contribute to the creation of mixed communities having regard to the Strategic Housing Market Assessment (SHMA) and the existing mix of housing in the locality.</i></p> <p><i>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, Knaresborough 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.</i></p> <p><i>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.</i></p> |
| <p>Policy background</p> |
| <p>This policy is partly rolled forward from the Sites and Policies DPD (Policy SG7) and continues with the main emphasis of the policy being on applications having to have regard to the latest Strategic Housing Market Assessment (SHMA).</p> |
| <p>Initial SA Assessment</p> |
| <p>There are essentially two parts to the policy - one focusing on type and mix of dwellings and the other looking at densities. The Draft Policy looks to ensure that there is an appropriate mix of housing of different types and tenures to support a wide range of households of different sizes, ages and incomes and this has been informed by the Council's SHMA and seeks to provide quality housing available to everyone . This in turn can also help to support the local economy by ensuring that housing is provided to meet workers' needs. The draft policy seeks to ensure that land is used efficiently by setting minimum density requirements and this has a positive effect when assessed against the objective of a quality built environment. The wording of the policy allows for lower density development where development at a higher density would cause harm to local character or amenity or where specific constraints need to be addressed. In so doing this ensures respect and protection of the historic environment and landscape character.</p> |
| <p>Short/medium/long term effects</p> |
| <p>Positive short/medium and long term effects.</p> |

| <p>Draft Policy HS2: Affordable Housing</p> |
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| <p><i>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.</i></p> |

4 Draft Housing Policies

Draft Policy HS2: Affordable Housing

In Harrogate, Knaresborough 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.

In all 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.

Policy background

This policy reflects the previous Sites and Policies DPD Policy HLP 7 with minor amendments.

Initial SA Assessment

The policy looks to maximise the amount of affordable housing by requiring all development schemes to provide affordable housing either on-site or by virtue of a financial contribution if appropriate. This will help to meet the district's affordable housing need and in turn help to meet needs locally and to reduce social exclusion. The requirements are subject to viability in order that overall housing delivery is not compromised.

Short/medium/long term effects

Positive effects become more significant through time as the policy is applied across the district.

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;*

Draft Housing Policies 4

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| Draft Policy HS3: Gypsies and Travellers |
| <ul style="list-style-type: none"> • <i>be situated in locations with good access to existing local services, including health services, schools and public transport;</i> • <i>avoid locations where there is a risk of flooding;</i> • <i>not be located within the Green Belt.</i> <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> |
| Policy background |
| <p>This policy rolls forward Core Strategy Policy C2: Gypsies and Travellers and amends the list of criteria that have to be met by proposals for new sites or extensions to existing sites. The list of criteria has been expanded in the draft policy to include those related to the impact on rural/semi-rural areas, accessibility to services and facilities, flooding and green belt. The criterion relating to architectural/historic interest has been removed from the policy.</p> |
| Initial SA Assessment |
| <p>The NPPF in relation to traveller sites requires Councils to assess Gypsy, Traveller and Travelling Show people's housing needs, identify deliverable sites to meet requirements and set criteria for assessing future sites. This will help to meet needs locally and reduce social exclusion.</p> |
| Short/medium/long term effects |
| <p>Positive short/medium and long term effects</p> |

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| Draft Policy HS4: Replacement Dwellings in the Countryside |
| <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"> • <i>the new dwelling is located on the site of, or close to, the existing dwelling to be cleared;</i> • <i>the new dwelling is not materially larger than the existing dwelling;</i> • <i>the new dwelling has satisfactory access arrangements;</i> • <i>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;</i> • <i>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</i> |
| Policy background |
| <p>This policy rolls forward the element of the Sites and Policies DPD Policy SG8 Development Limits and Replacement Dwellings that relates to replacement dwellings. The only change is the removal of the criteria " the existing building is not of architectural or historic interest nor does it make a positive contribution to the landscape character of the area" as this cannot be enforced and permitted development allows the demolition of unlisted buildings.</p> |
| Initial SA Assessment |

4 Draft Housing Policies

Draft Policy HS4: Replacement Dwellings in the Countryside

The policy sets out strict criteria which proposals for replacement dwellings must meet. Effects are unlikely to be significant, but there are positive effects in respect of the natural and historic environment as the policy seeks to ensure that any replacement dwelling is sympathetic to landscape character and local vernacular.

Short/medium/long term effects

Positive short/medium and long term effects.

Draft Policy HS5: Extensions to Dwellings

Extensions to dwellings will be permitted provided that all the following requirements are met:

1. *There is no unacceptable impact on neighbouring residential amenity.*
2. *There is no unacceptable loss of parking or garden/amenity areas.*
3. *There is no unacceptable impact to the character or appearance of the dwelling or the surrounding area.*
4. *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.*

Policy background

Although there was no policy relating to dwelling extensions within the Core Strategy or Sites and Policies DPD, the draft policy reflects the wording of the Harrogate District Local Plan Policy H15: Extension to Dwellings.

Initial SA Assessment

The policy sets out the requirements that must be met to ensure that an extension is acceptable, where planning permission is required. Effects are unlikely to be significant, with positive effects in respect of the natural and historic environment as the policy seeks to ensure that extensions to dwellings are sympathetic to local character and amenity.

Short/medium/long term effects

Positive short/medium and long term effects.

Draft Policy HS6: Rural Worker's Dwellings

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:

1. *There is a clearly established existing functional need;*
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;*

Draft Housing Policies 4

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| Draft Policy HS6: Rural Worker's Dwellings |
| <ol style="list-style-type: none"> 3. <i>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;</i> 4. <i>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</i> 5. <i>Other planning requirements, e.g. In relation to access, or the impact on the countryside are satisfied.</i> |
| Policy background |
| This is a new policy. |
| Initial SA Assessment |
| Where it can be shown that accommodation is required to enable agricultural or forestry workers to live at or within the vicinity of their place of work, NPPF states that new dwellings may be justifiable. This policy sets out the criteria which need to be met. In particular, new permanent rural workers accommodation is only permitted where it can be demonstrated that the enterprise is economically viable. Potentially this could also have a wider positive effect on the vitality of rural communities. Such development does however have the potential to impact negatively on the built and natural environment, however the policy addresses this by requiring impact on the countryside to be addressed. |
| Short/medium/long term effects |
| Positive short/medium and long term effects |

Question 3

Housing Policies

Do you have any comments regarding the Sustainability Appraisal Assessment of the draft housing policies?

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:

- *Impact on highway safety*
- *Impact on local amenity*
- *Impact on landscape character and appearance*
- *Impact on form and character of the settlement*

** this would relate to the area of the site in employment use*

Policy background

Draft Economy Policies 5

| Draft Policy EC1: Protection and Enhancement of Existing Employment Areas |
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| <p>This policy is rolled forward from Sites and Policies DPD Policy JB6 with some minor amendments.</p> |
| <p>Initial SA Assessment</p> |
| <p>The draft policy has two parts: strict protection for those sites which are identified as being key to the local economy, but also providing some limited flexibility on smaller, poorer quality sites for alternative uses, albeit with preference being for uses that provide alternative employment opportunities. Overall therefore it is considered that the approach will have a positive effect on the local economy. The policy also covers the expansion of existing firms and whilst this element of the policy has the potential to impact negatively on the built and natural environment this is recognised in the policy which identifies the considerations which will be taken into account.</p> |
| <p>Short/medium/long term effects</p> |
| <p>Very positive effects on the creation of conditions for business success, economic growth and investment providing good quality employment opportunities available for all over the short/medium and long term.</p> |

| Town and Local Centre Management - emerging Policy EC2 |
|---|
| <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"> • <i>recognise town centres as the heart of their communities and pursue policies to support their viability and vitality;</i> • <i>define a network and hierarchy of centres;</i> • <i>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;</i> • <i>promote competitive town centres that provide customer choice and a diverse retail offer.</i> <p><i>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:</i></p> <ul style="list-style-type: none"> • <i>shopping centre boundary of Harrogate, Knaresborough, Ripon, Boroughbridge, Masham and Pateley Bridge;</i> • <i>primary and secondary shopping frontages of Harrogate, Knaresborough and Ripon;</i> • <i>Harrogate's Local Centre Boundaries - Cold Bath Road, High Harrogate, Jennyfield, Kings Road, Starbeck, and Knaresborough Road</i> |

5 Draft Economy Policies

Town and Local Centre Management - emerging Policy EC2

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 below.

Elements of Sites and Policies Policy JB7 that will still apply

Sequential Test

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.

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

Harrogate's Local Centres

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.

Efficient use of buildings in centres

Draft Economy Policies 5

| Town and Local Centre Management - emerging Policy EC2 |
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| <p><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></p> |
| <p>Policy background</p> <p>The element of Sites and Policies DPD Policy JB7 that relates to the sequential test, local centres and efficient use of buildings in centres continues to be included in this emerging policy. Issues to consider further are the appropriateness and boundaries of the present shopping centres of Harrogate, Knaresborough, Ripon, Boroughbridge, Pateley Bridge and Masham; primary and secondary shopping frontages for Harrogate, Knaresborough and Ripon, and Harrogate's Local Centres. Consideration will also be given to whether the Council should use its Article 4 Direction powers to remove permitted development rights for change of use of A1 retail units and whether these powers should be used on primary shopping frontages.</p> |
| <p>Initial SA Assessment</p> <p>The focus of the emerging policy is on retaining retail uses which will help promote and enhance the vitality and viability of local and town centres and serve local communities well by enabling local needs to be met locally. There may be some impacts on the historic environment and the overall quality of the built environment, however at this stage this is uncertain. The effects are very much site specific and are difficult to quantify until a draft policy is produced.</p> |
| <p>Short/medium/long term effects</p> <p>Uncertain</p> |

| Draft Policy EC3: Impact Assessment Thresholds |
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| <p><i>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:</i></p> <ul style="list-style-type: none"> • <i>Harrogate: convenience retail of 1000 sq m or more and comparison retail of 2500 sq m or more</i> • <i>Ripon: convenience and comparison retail of 1000 sq m or more</i> • <i>Knaresborough: convenience retail of 250 sq m or more and comparison retail of 500 sq m or more</i> • <i>Boroughbridge, Pateley Bridge and Masham: convenience and comparison retail of 250 sq m or more</i> <p><i>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.</i></p> <p><i>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:</i></p> |

5 Draft Economy Policies

Draft Policy EC3: Impact Assessment Thresholds

- *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.

Policy background

This is a new policy.

Initial SA Assessment

The focus of the draft policy is to set out the circumstances where retail developments (convenience and comparison) will need to be supported by an Impact assessment to ensure that the vitality and viability of existing centres is maintained. The policy makes it clear that a proposal is unlikely to be granted planning permission if it is likely to have a significant adverse effect. There may be some impacts on the historic environment and the overall quality of the built environment, however at this stage this is uncertain. The effects are very much site specific and are difficult to quantify until the policy is implemented.

Short/medium/long term effects

Uncertain

Draft Policy EC4: Protection of Tourist Facilities

Hotel Protection

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*

Draft Economy Policies 5

| Draft Policy EC4: Protection of Tourist Facilities |
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| <ul style="list-style-type: none"> • <i>visitor numbers for the last three years; and</i> • <i>capital expenditure in the last five years of operation.</i> <p><i>or</i></p> <p><i>b. The attraction is viable but has been actively marketed at existing use value for two years.</i></p> |
| <p>Policy background</p> |
| <p>This policy is rolled forward from Policy JB8: Protection of Tourist Facilities. The policy has been changed from hotels with 25 lettable bedrooms to 20 lettable bedrooms. This change has been made as a result of work undertaken for the Visitor Accommodation Study.</p> |
| <p>Initial SA Assessment</p> |
| <p>The draft policy looks to protect hotel bed space together with tourist attractions and in so doing provides support for an important part of the local economy, and gives confidence for further investment. It provides support for the conference and exhibition business in Harrogate, and culture and leisure industries generally, by ensuring there is sufficient accommodation for visitors.</p> <p>There are therefore very positive effects in relation to the local economy.</p> |
| <p>Short/medium/long term effects</p> |
| <p>Positive short/medium and long term effects</p> |

| Draft Policy EC5: Sustainable Rural Tourism |
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| <p><i>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:</i></p> <ol style="list-style-type: none"> <i>1. 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;</i> <i>2. 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;</i> <i>3. they would not cause unacceptable planning problems for other adjacent land uses;</i> <i>4. appropriately located existing buildings are re-used where possible;</i> <i>5. they result in an improvement to the range and quality of attractions and/or visitor accommodation in the area;</i> <i>6. they will benefit the local economy and help to protect local services; and</i> <i>7. they would not generate levels of traffic that would have an adverse impact upon the operation of the highway network or on highway safety.</i> |

5 Draft Economy Policies

Draft Policy EC5: Sustainable Rural Tourism

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.

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.

Policy background

This policy rolls forward Sites and Policies DPD Policy JB9 but will require amendment to reflect strategic policies once these are developed.

Initial SA Assessment

The draft policy looks to steer rural tourism towards the most sustainable locations, thereby minimising greenhouse gas emissions. Supporting rural tourism also has positive effects on the local economy and in particular the leisure and recreational industries, creating employment opportunities and assisting in attracting investment. The draft policy also looks to ensure that these enterprises are respectful of the natural and historic environment, encouraging the expansion and improvement of the range and type of tourist facilities in a sustainable manner that safeguards the District's environment.

Short/medium/long term effects

Positive short/medium and long term effects.

Telecommunications - Scope of emerging Policy EC6

- *Criteria for determining telecommunications applications covering:*
 - *sharing of existing telecommunications facilities;*
 - *using existing structures;*
 - *impact on visual amenity and nature conservation;*
 - *need for sympathetic design and camouflage*
 - *potential interference with other electrical equipment;*
 - *possibility of other planned development in the area interfering with broadcast and telecommunications;*
- *Requirement that all new properties (residential and non-residential) provide a connection to an existing super fast broadband network or;*
- *Seek a developer contribution toward off site works that would enable those properties to access superfast broadband in the future*

Policy background

The Harrogate District Local Plan Policy CF10 relates to proposals for telecommunications development and provides criteria that have to be met with regard to mast sharing, erecting equipment on existing structures and the assessment of potential visual and nature

Draft Economy Policies 5

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| Telecommunications - Scope of emerging Policy EC6 |
| conservation impact. Initial analysis of responses to the Issues and Options Consultation have highlighted the need for a telecommunications policy in the emerging Local Plan. |
| Initial SA Assessment |
| NPPF emphasises support for the expansion of electronic communication networks and high speed broadband and suggested criteria for determining telecommunications applications are listed above. Requiring development of all new properties to provide a connection to an existing superfast broadband network or seeking developer contributions towards future access will have positive impacts on the local economy and employment opportunities and access to information generally. |
| Short/medium/long term effects |
| Whilst this is an emerging policy the scope identified suggests it would be likely to have very positive effects, becoming more significant through time, if such a policy is applied across the district. |

Question 4

Economy Policies

Do you have any comments regarding the Sustainability Appraisal Assessment of the draft economy policies?

6 Draft Heritage and Placemaking Policies

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*
 - *Within the World Heritage Site buffer zone, applicants will be required to demonstrate that their scheme will not harm those elements that contribute to the significance of the world heritage site*
 - 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*

Draft Heritage and Placemaking Policies 6

Draft Policy HP1: Heritage Assets

d. Registered Parks and Gardens:

- *The significance of Registered Parks and Gardens and their settings 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*

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 are 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. *Where the public benefits of development are demonstrated to outweigh the harm to heritage assets, mitigation must be maximised in order to reduce the harmful effects as far as is practicably possible*

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.

6 Draft Heritage and Placemaking Policies

Draft Policy HP1: 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.

Policy background

This policy rolls forward Sites and Policies DPD Policy EQ4: Designated Heritage Assets, but following comments from Historic England has been expanded to include protection for non-designated heritage assets, more detail about what would be supported/acceptable in relation to each type of asset and the policy makes clearer that mitigation to reduce any harmful effects must be maximised.

Initial SA Assessment

The draft policy is likely to offer significant benefits in relation to protection of the historic built environment which in turn will enhance the cultural offer in the district. The approach looks to protect the integrity, character and appearance of The World Heritage Site at Studley Royal Park , including the Ruins of Fountains Abbey and its setting, Listed Buildings, conservation areas, Registered Parks and Gardens, Scheduled Monuments and other archaeological remains, Registered Battlefields, and Non-designated Heritage Assets.

Short/medium/long term effects

Positive short/medium and long term effects.

Draft Policy HP2: Local Distinctiveness

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:

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*
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.*
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*
4. *Incorporate design that is inspired by its local context or the best of contemporary practice that fits comfortably in its surroundings.*

Policy background

This policy rolls forward Sites and Policies DPD Policy EQ5: Local Distinctiveness. It has been amended slightly to remove protection for non-designated heritage assets which has been added to Draft Policy 14 Heritage Assets above. NPPF identifies good design as a component of sustainable development , and states that proposals for development that are

Draft Heritage and Placemaking Policies 6

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| Draft Policy HP2: Local Distinctiveness |
| poorly designed and fail to take the opportunities available for improving the character and quality of an area and the way it functions should be refused. |
| Initial SA Assessment |
| This policy aims to promote high quality building, landscape and urban design inspired by the best of the local surroundings and establishes criteria against which all development proposals will be assessed. Some of these places, their buildings, archaeology and landscapes are protected through international, national or local designations, however the bulk of what makes the district distinctive is undesignated. Significant positive effects can therefore be noted against SA objectives that look towards protection of the historic environment and ensure a quality built environment. |
| Short/medium/long term effects |
| Positive short/medium and long term effects. |

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| Draft Policy HP3: Public Rights of Way |
| <i>Proposals for development that would affect existing public rights of way will be permitted only where it can be demonstrated that:</i> |
| <ol style="list-style-type: none"> 1. <i>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</i> 2. <i>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</i> |
| Policy background |
| In the Sites and Policies DPD protection for public rights of way was included as part of policy C5: Protection of existing sport, open space and recreation facilities. This new draft policy protects, and where appropriate, enhances these rights of way in a separate policy. The policy aims to protect public rights of way so that the routes and their existing recreational and amenity value is not undermined by new development. It also aims, where appropriate, to use development to deliver enhancements to the public right of way network and provide additional links. |
| Initial SA Assessment |
| The district's network of public rights of way and other paths provide an important recreational resource that enables the public to experience and enjoy the environment through activities such as walking, cycling and horse riding. This plays an important role in ensuring physical and mental health and wellbeing and an important sustainable transport resource. Protecting and enhancing existing provision will maintain access to these routes. Significant positive effects can therefore be noted in relation to health and provision of recreational activities objectives. |
| Short/medium/long term effects |

6 Draft Heritage and Placemaking Policies

Draft Policy HP3: Public Rights of Way

Significant positive short/medium/ long term effects.

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:

1. *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*
2. *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*
3. *Policies set out in the North Yorkshire County Council Parking Strategy (and successive strategies)*
4. *Where relevant, the parking management areas of Harrogate, Knaresborough and Ripon*
5. *Where relevant, the location of the site within an area covered by an Area Travel Plan*
6. *Where appropriate, the need to make provision for car club and car share parking spaces*
7. *Means to encourage the use of low emission vehicles as part of the proposal, including the ability to provide electric vehicle charging points*
8. *The need to provide oil interceptors in drainage schemes for parking in order to protect water quality*
9. *The use of sustainable drainage systems (SUDS) and permeable surfacing materials*

Policy background

This policy rolls forward Sites and Policies DPD Policy TRA5 with some minor amendments. The aim of this policy is to consider how parking provision could encourage fewer car journeys and reduce congestion.

Initial SA Assessment

No significant effects noted.

Short/medium/long term effects

None

Draft Policy HP5: Protection of existing sport, open space and recreation facilities

1. *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:*
 - a. *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*

Draft Heritage and Placemaking Policies 6

| Draft Policy HP5: Protection of existing sport, open space and recreation facilities | |
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| <ul style="list-style-type: none"> b. <i>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</i> c. <i>The land is incapable of appropriate recreational use due to its size, location and physical conditions; or</i> d. <i>In the case of playing fields:</i> <ul style="list-style-type: none"> i. <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</i> ii. <i>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</i> <p>2. <i>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</i></p> <p>3. <i>Development proposals that would involve the loss of existing indoor public and private sport and recreation facilities will be permitted only where:</i></p> <ul style="list-style-type: none"> a. <i>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</i> b. <i>A satisfactory replacement facility is provided on the same grounds as criterion 1b above; or</i> c. <i>They are incapable of continued sport and recreational use</i> | |
| Policy background | |
| <p>This policy rolls forward Sites and Policies DPD Policy C5: Protection of existing sport, open space and recreation facilities, and is amended to remove protection for public rights of way (see new draft policy 16 above). The policy aims to protect a wide range of indoor and outdoor sport, open space and recreational facilities.</p> | |
| Initial SA Assessment | |
| <p>The purpose of this policy is to protect existing provision. Significant positive effects in relation to health objectives and provision of recreational activities. Protecting existing provision will maintain access to this important community facility.</p> | |
| Short/medium/long term effects | |
| <p>Positive short/medium/ long term effects.</p> | |

6 Draft Heritage and Placemaking Policies

Draft Policy HP6: New Sports, Open Space and Recreation Development

1. *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)*
2. *Proposals for the development of new sports, open space and recreation facilities will be permitted where:*
 - a. *The facility is located:*
 - i. *in or adjacent to built up areas, wherever possible; or*
 - ii. *in remoter rural areas, is located to best serve the intended catchment population; and*
 - b. *The proposal would not give rise to significant traffic congestion or road safety problems; and*
 - c. *New buildings or structures are well designed and appropriately integrated into the landscape; and*
 - d. *Proposals on the edge of settlements should seek to improve the setting of the settlement*
3. *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*
4. *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:*
 - a. *Cannot be located adjacent to a built up area; and*
 - b. *Are of a scale and nature appropriate to their landscape setting; and*
 - c. *Do not involve a significant number or size of buildings or structures; and*
 - d. *Would not cause excessive noise disturbance or light pollution to other users of the countryside, land uses or residents in the area; and*
 - e. *Would not give rise to significant traffic congestion or road safety problems*

**The choice of wording will depend on whether development limits are used to define the extent of settlements*

Policy background

This policy rolls forward Sites and Policies DPD Policy C4: New Sports, open space and recreation development. It requires new housing to provide for the sports, open space and recreational needs arising from the development. The policy also sets criteria to assess proposals for new sports, open space and recreational development. The Council will seek opportunities to allocate sites in the Local Plan to accommodate new sports facilities.

Initial SA Assessment

Draft Heritage and Placemaking Policies 6

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| Draft Policy HP6: New Sports, Open Space and Recreation Development |
| Significant positive effects on health objectives and provision of recreational activities, making an important contribution to the physical and mental health and wellbeing of the district's residents, as well as contributing to what the district has to offer to visitors. |
| Short/medium/long term effects |
| Positive short/medium and long term effects. |

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| Draft Policy HP7: Protection and Enhancement of Community Facilities |
| <ol style="list-style-type: none"> 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> 2. <i>continued community uses would cause unacceptable planning problems; or</i> <ol style="list-style-type: none"> 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> 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> 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"> a. <i>result in a significant adverse impact on residential amenity; or</i> b. <i>cause unacceptable planning problems for other adjacent land uses; or</i> c. <i>increase traffic to levels that would harm the safety and free flow of traffic on the highway network</i> |
| Policy background |
| This policy rolls forward Sites and Policies DPD Policy C6: Protection and enhancement of community facilities. |
| Initial SA Assessment |
| The purpose of this draft policy is to protect and enhance a wide range of existing community facilities across the district, including cultural and leisure facilities as well as health and education provision, villages shops and post offices, in order to help ensure that people have good access to a range of services. Positive effects can therefore be noted against social objectives. This is an important factor in relation to improving the sustainability of the district's villages. |

6 Draft Heritage and Placemaking Policies

Draft Policy HP7: Protection and Enhancement of Community Facilities

Short/medium/long term effects

Positive short/medium/ long term effects.

Draft Policy HP8: Provision of New Community Facilities

New community facilities will be permitted only where it can be demonstrated that there is a local need for the facility, and:

1. *The facility is of a scale and nature appropriate to its location and intended purpose; and*
2. *The facility is accessible to the community it is intended to serve; and*
3. *There are no significant adverse impacts on residential amenity; and*
4. *There will be no significant loss of industrial, business or housing land or buildings, recreational land or important amenity open space; and*
5. *All options to reuse existing appropriately located buildings are exhausted before proposals for the development of new buildings are considered*

Policy background

This policy rolls forward Sites and Policies DPD Policy C7: Provision of new community facilities.

Initial SA Assessment

The draft policy sets out the parameters for development of new community facilities. A wide range of facilities are included in the policy.

Short/medium/long term effects

Positive short/medium/long term effects against social objectives.

Question 5

Heritage and Placemaking Policies

Do you have any comments regarding the Sustainability Appraisal Assessment of the draft heritage and placemaking policies?

Draft Natural Environment Policies 7

| Draft Policy NE1: Air Quality |
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| <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> |
| Policy background |
| This draft policy rolls forward elements of Sites and Policies DPD Policy TRA4. |
| Initial SA Assessment |
| The policy aims to ensure that development likely to affect the Knaresborough and Ripon Air Quality Management Areas is consistent with the actions identified in the Air Quality Action Plan and Local Transport Plan in force at the time. Air quality is an issue in certain parts of the district and taking measures to improve this will help to reduce pollution and have a secondary effect of improving health. |
| Short/medium/long term effects |
| Positive effects are likely to increase over time as the policy takes effect. |

| Draft Policy NE2: Water Quality |
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| <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> |
| <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> |
| <i>Development which would prejudice the use and quality of the District's spa waters will not be permitted.</i> |
| Policy background |
| This is a new policy in line with the European Water Framework Directive. |
| Initial SA Assessment |
| The draft policy seeks to ensure that development does not have an adverse impact on the quality or quantity of surface or ground water, is served by an adequate supply of water, sewerage infrastructure and treatment capacity, and does not prejudice the use and quality of spa waters. This is vitally important for a wide range of uses including domestic, industrial and agricultural. It is also of importance to general amenity, water based recreation, fisheries and nature conservation. Ground water resources are susceptible to a wide range of threats |

7 Draft Natural Environment Policies

Draft Policy NE2: Water Quality

from land use policies and this draft policy, in conjunction with the Environment Agency, seeks to avoid contamination. The policy also has a positive effect on the protection of the Spa waters, an important asset to the district.

Short/medium/long term effects

Very positive short, medium and long term effects.

Draft Policy NE3: Protecting the Natural Environment

he council will safeguard sites of importance for natural heritage and biodiversity from development as follows:

1. *International Sites - Special Areas of Conservation (SACs) and Special Protection Areas (SPAs)*

Development likely to have a 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.

2. *National Sites - Sites of Special Scientific Interest (SSSIs)*

Development that affects a Site of Special Scientific Interest will only be permitted where an appraisal has demonstrated that:

- *The objectives of the designated area and the overall integrity of the area would not be compromised; or*
- *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.*

3. *Local Sites - Sites of Importance for nature Conservation (SINCs), Local Nature Reserves (LNRs) and Local Geological Sites (LGSs)*

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 an alternative site with less harmful impacts, adequately mitigated, or as a last resort, compensated for.

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 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.

Draft Natural Environment Policies 7

| Draft Policy NE3: Protecting the Natural Environment |
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| <i>Planning permission will not be granted for development resulting in the loss of irreplaceable habitats, including historic wetlands and species-rich grasslands, ancient woodlands and the loss of aged or veteran trees unless the need for, and the benefits of, the development in that location clearly outweigh the loss.</i> |
| Policy background |
| Sites and Policies DPD Policy EQ6 is amended to better reflect NPPF. |
| Initial SA Assessment |
| The policy aims to safeguard sites of importance for natural heritage, biodiversity and geodiversity, and promote their preservation and restoration, the recreation of priority habitats and ecological networks and the safeguarding of irreplaceable habitats. This will have significant positive effects on maintaining a bio-diverse natural environment. |
| Short/medium/long term effects |
| Positive effects are likely to increase over time as the policy takes effect. |

| Draft Policy NE4: Landscape Character |
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| <p><i>This policy would cover:</i></p> <ul style="list-style-type: none"> • <i>Criteria for determining development proposals;</i> <ul style="list-style-type: none"> • <i>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)</i> • <i>avoiding/minimising the loss of landscape pattern and in particular historic pattern</i> • <i>ensuring visual amenity is maintained and the loss of key visual features and views is avoided</i> • <i>ensuring there is no reduction in landscape quality and value</i> • <i>retention and enhancement of local distinctiveness</i> • <i>setting of towns and villages</i> • <i>Maximising opportunities for the enhancement of landscape character and visual amenity</i> • <i>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.</i> |
| Policy background |

7 Draft Natural Environment Policies

Draft Policy NE4: Landscape Character

Much of Sites and Policies DPD Policy EQ7 is no longer necessary. The emerging policy proposes this is replaced with a criteria based policy which ensures that high quality landscapes are conserved and landscape change is managed positively. This includes criteria for determining development proposals and a requirement for submission of a landscape assessment.

Initial SA Assessment

The scope of this draft policy suggests that landscape character would be protected. This will have a significant positive effect on the objective of maintaining an attractive natural environment, one of the district's key attractions. Secondary effects to this protection can also have a positive effect on the historic environment and provide an attractive backdrop for recreational activities.

Short/medium/long term effects

Very positive short, medium and long term effects.

Draft Policy NE5: Trees and Woodland

Development will only be permitted where:

- *it does not have an adverse impact on trees or woodland of wildlife, landscape, historic, amenity, productive or cultural value; and*
- *it includes the appropriate retention and new planting of trees and woodland; and*
- *it does not have an adverse impact on a Veteran tree or ancient woodland; and*
- *it does not involve the loss of trees or woodland which contribute to the character or setting of a settlement.*

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.

Policy background

This is a new policy including elements of Sites and Policies DPD Policies EQ6 Area Based Natural Assets and EQ7 Landscape Protection. The policy aims to prevent the loss of trees that have wildlife, landscape, historic, amenity, productive or cultural value; ensure new development includes new planting; protect veteran trees and ancient woodland and ensure compensatory provision where loss can not be avoided.

Initial SA Assessment

Trees and woodlands provide a significant contribution to the landscape character, local distinctiveness and biodiversity of the district and therefore it is important to prevent their loss. This will have a significant positive effect on the objective of maintaining a bio-diverse and attractive natural environment, one of the district's key attractions. There are also positive

Draft Natural Environment Policies 7

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|---|
| Draft Policy NE5: Trees and Woodland |
| effects in that it provides an attractive environment for leisure and recreation activities and the protection and enhancement of the historic environment. |
| Short/medium/long term effects |
| Very positive short, medium and long term effects. |

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|--|
| Draft Policy NE6: Renewable Energy |
| <p><i>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.</i></p> <ul style="list-style-type: none"> • <i>the impact of the proposed development on the landscape and natural environment;</i> • <i>the impact of the proposed development on the cultural, historic and archaeological environment;</i> • <i>the mitigation measures which would be taken to minimise the impact on adjoining land uses and residential amenity;</i> <p><i>Renewable and low energy development in the Green Belt will only be allowed in very special circumstances.</i></p> |
| Policy background |
| <p>This is a new policy including elements of Sites and Policies DPD Policy EQ1. It encourages renewable energy projects, providing harm is minimal; provides a list of issues to be taken into account when determining planning applications and restricts location in Green Belt to exceptional circumstances. NPPF requires recognition that that there is a responsibility for all communities to contribute to energy generation from renewable or low carbon sources and to maximise renewable and low energy development whilst ensuring that adverse impacts are addressed satisfactorily.</p> |
| Initial SA Assessment |
| <p>Renewable energy technologies produce energy from natural resources that will not run out and they have had an increasingly high profile as appreciation of issues such as climate change grows and the technologies involved improve. There are positive effects in relation to minimal pollution levels and minimising greenhouse gas emissions and a managed response to climate change. However, negative effects to note are the impact on the exceptionally high quality of the natural and built environment of the district, and also on internationally protected sites for wildlife. In addition to the factors listed in the policy The Renewable and Low Carbon Energy SPD provides guidance and advice on how to balance the needs of protecting the qualities of the district with the need to increase the uptake of renewable energy technologies. However, this balance in the longer term is uncertain.</p> |
| Short/medium/long term effects |
| Positive short and medium term effects but long term effects are uncertain. |

7 Draft Natural Environment Policies

Draft Policy NE7: Unstable and Contaminated Land

Unstable Land

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.

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.

Contaminated Land

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:

- *the findings of a preliminary land contamination risk assessment;*
- *the compatibility of the intended use with the condition of the land; and*
- *the environmental sensitivity of the site*

Proposals that fail to demonstrate that intended use would be compatible with the condition of the land or which fail to exploit appropriate opportunities for decontamination will be resisted.

Policy background

The Unstable Land part of this draft policy has been rolled forward from Sites and Policies DPD Policy SG10. The contaminated land part is new. The draft policy seeks to restrict development on unstable land and, in particular, provides special procedures for addressing the areas of gypsum in Ripon. In relation to contaminated land it provides a list of issues that proposals on contaminated land need to have regard to.

Initial SA Assessment

The policy has limited effects, although it does seek to ensure the safety of people and property by ensuring that development takes into consideration land stability, which is a particular issue in Ripon where Gypsum is present. Whilst the District does not have significant amounts of contaminated land the role of the planning process is to ensure that land is made suitable for its proposed future use.

Short/medium/long term effects

Positive short, medium and long term effects.

Draft Natural Environment Policies 7

Question 6

Natural Environment Policies

Do you have any comments regarding the Sustainability Appraisal Assessment of the draft natural environment policies?

8 Draft Monitoring and Delivery Policies

Draft Policy MD1: Monitoring and Delivery

Through annual monitoring the council will assess the effectiveness of the policies in the Local Plan to ensure that they are:

- *achieving the Local Plan Objectives and delivering sustainable development*
- *delivering new homes and jobs*
- *not having any unintended consequences*

Any critical shortfalls or damaging unintended impacts will be addressed through management and review as set out in the Annual Monitoring Report. If the housing trajectory in the Annual Monitoring Report forecasts a 10% or greater under or over-provision of housing completions by 2035, consideration will be given to the need to alter the release of housing land through the preparation of a Supplementary Planning Document.

Policy background

This is a new draft policy outlining the mechanisms to be triggered if the policies in the Local Plan are not delivered. The Localism Act 2011 requires local planning authorities to monitor the extent to which policies contained in local plans are being achieved and publish this information in an Annual Monitoring Report. It will include information in connection with the Sustainability Appraisal.

Initial SA Assessment

Monitoring will help to determine whether the policies are achieving their objectives and are delivering sustainable development; whether the policies have had any unintended consequences; if the assumptions and objectives which lie behind the policies are still relevant; and whether any targets set are achieved. Specific indicators and targets will be provided as part of the Draft Plan. Both positive and negative effects need to be considered and the focus should be on significant sustainability effects that might give rise to irreversible damage and significant effects where there is uncertainty in the sustainability appraisal and where monitoring would enable preventative or mitigation measures to be taken. An initial indication of the type of indicators in relation to sustainability appraisal is included in the Draft Sustainability Appraisal Interim Report July 2015.

Short/medium/long term effects

Positive short, medium and long term effects.

Question 7

Monitoring and Delivery Policies

Do you have any comments regarding the Sustainability Appraisal Assessment of the draft monitoring and delivery policies?

Next Steps

9 Next Steps

Next steps

- 9.1** 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 9.1 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 objectives 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 a 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 | Prepare the final Sustainability Appraisal/SEA | Prepare the final Sustainability Appraisal/SEA | Prepare the Habitat Regulations Assessment. |

Next Steps 9

| Date | Local Plan Process | Sustainability Appraisal | SEA Process | HRA Process |
|--------------|---|--|---|---|
| | of the Local Plan. | | | |
| January 2017 | Formal 6 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 to Local Plan affect sustainability objectives. | Consider representations and whether modifications to Local Plan affect environmental objectives. | Consider representations and whether modifications 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 | | | |

