



3rd November 2016

The Planning Policy Team
North York Moors National Park Authority
via email to

Dear Sirs

Local Plan: First Steps Consultation, September 2016

The North Yorkshire branch of CPRE (CPRENY) welcomes the opportunity to comment upon this preliminary publication and look forward to working collaboratively with the NPA in the ensuing local plan process.

KVA Planning Consultancy was instructed by the North Yorkshire branch of the Campaign to Protect Rural England (CPRENY), to prepare a professional response to the public consultation on the emerging North York Moors National Park Authority (NPA) Local Plan: First Steps document

CPRENY has active volunteer groups within each planning authority across North Yorkshire. Four of the local groups respond directly to planning matters relating to proposals impacting upon the Park in their particular areas, these include the: Coastal, Hambleton, Ryedale and Redcar and Cleveland district groups. Our response encompasses relevant feedback from all the effected districts.

The North York Moors National Park is uniquely placed within England in terms of its geography, landscape and cultural offer. It was designated in 1952 under the 1949 National Parks and Access to the Countryside Act and covers 554m.. The National Park contains the largest continuous expanse of the UK's heather moorland, **(approximately 70% of the world's heather moorland is located in the UK.)**

Approximately one third of the National Park is recognised for its importance in terms of landscape and nature conservation through various designations of Sites of Special Scientific Interest (SSSI). A large proportion of this is internationally recognised through designations of Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). The rich coastline has also been recognised and designated as Heritage Coast and part of the coastline is also categorised as a Sensitive Marine Area. Alongside the designations, there are also 1,400 miles of Public Rights of Way (PRoW) used by residents and visitors alike for walking, horse-riding and cycling, as well as large areas of land that enable access to the more remote parts of the moors.

CPRENY have not responded individually to all the questions posed in the 2 questionnaires that form part of this consultation. However, we have responded to those most pertinent to us.

CPRE NORTH YORKSHIRE Registered charity number 500333

01729 850567 cprecraven@me.com

President The Lord Crathorne KCVO

Chair Mrs J Marley Vice Chairmen Mr S White & Mr R Bennett Hon Treasurer Mr. P Whitaker

www.cprenorthyorkshire.co.uk

% Bendgate House, Long Preston, Near Skipton, North Yorkshire BD23 4QR

Part 1 - Community Aspirations survey

In response to question C9, CPRENY feel most policies found within the current NPA Core Strategy and Development Policies Development Plan Document (CSDP) (2008) are relevant in principle to the delivery of central vision of the NPA as set out in the NPA Management Plan (2012).

It is considered, however, that Development Policy 9 (Conversion of traditional unlisted rural buildings) is too restrictive. Whilst CPRENY agrees with the provisions of the policy in principle, account must be taken of those residents currently residing in rural dwellings who are not currently covered by a local occupancy condition.

Our members are aware of some residents who wish to extend or adapt their home sympathetically to a suitably approved design to meet their needs and continue living within the National Park and in their current home and cannot do so without the NPA placing a new occupancy condition on them under the provisions of Core Policy J. Some of these residents live in settlements not covered by a Conservation Area and in unlisted buildings.

Whilst CPRENY acknowledge the need to control development and design, it is also important to consider the existing and future needs of residents living within the National Park to maintain a vibrant population or risk some of the communities moving away from the area. This would also help to secure a more balanced age demographic as it would allow young families to extend their homes and meet their current needs in a way which would then enable them to remain in the Park for perpetuity and allow them to pass on their houses to family members without occupancy restrictions limiting them financially.

CPRENY fully recognises the need for the NPA to be able to limit the number of extensions permitted, however, in certain circumstances where the dwelling is not located in a Conservation Area and is not a Listed Building it should be considered favourably

Part 2 - Main Issues

In response to question M1

CPRENY fully endorse the principles set out in the consultation document for the reasons set out below.

The 1995 Environment Act sets out two statutory purposes for National Park Authorities:

1. To conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks; and
2. To promote opportunities for the understanding and enjoyment of the special qualities of the Parks by the public.

It goes on to place a duty on NPAs in pursuing the two purposes: *“to seek to foster the economic and social well-being of local communities.”*

Section 62 of the Environment Act, 1995, requires all relevant authorities to: *“...have regard to the statutory purposes in exercising or performing any functions in the National Park and; if it appears that there is a conflict between those purposes, to attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area.”*

CPRENY fully endorse the fourteen special qualities which distinguish the North York Moors National Park from other National Parks as set out in the current NPA Management Plan (2012).

CPRENY is keen to ensure that the special character of this area is protected and enhanced **whilst** recognising the need for the National Park to foster the economic and social well-being of its existing local communities. It is essential, therefore, to create the appropriate balance between these often-conflicting policy areas of preservation and growth to retain the special qualities associated with this area of Yorkshire when creating the new Local Plan to cover the period until 2035.

In response to question M2

CPRENY believes that the NPA has accurately listed the key strategies and plans to take account of when preparing their new Local Plan. Specific attention needs to be paid to those parts of the policies which pay specific regard to the protection of National Parks and major development.

The UK Government Vision and Circular 2010: The English National Parks and the Broads, states at paragraph 28 that: *“The Authorities primary responsibility is to deliver their statutory purposes.”* It goes on to state at paragraph 31 that: *“Major development in or adjacent to the boundary of a Park can have a significant impact on the qualities for which they were designated. Government planning policy towards the Parks is that major development should not take place within a Park except in exceptional circumstances.”*

It goes on to explain the principle of the Major Development Test (MDT). The requirements of the MDT are not new and were included in previous national planning policy documents, namely Planning Policy Statement 7, Circular 12/96 and UK Government Vision and National Park Circular 2010. The first two documents are referred to in the NPAs Core Strategy and Development Policies Development Plan Document (CSDP) which was adopted in November 2008 and pre-dates the Government’s National Planning Policy Framework (NPPF). Paragraph 115 of the National Planning Policy Framework (NPPF) sets out that:

“Great weight should be given to conserving landscape and scenic beauty in National Parks, The Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National parks and the Broads.”

Paragraph 116 of the NPPF sets out the MDT and is set out in full below:

“Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- The need for the development, in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- The cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and*
- Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”*

Whilst it is acknowledged that there is a need not to duplicate policy for its own sake, CPRENY ardently believe, given the fact that National Parks have been afforded the highest possible protection in terms of planning policy, that this vital test needs to have recognition in the new Local Plan.

This is especially important in the light of major developments which have recently been permitted within the National Park and close to its boundaries, to prevent the cumulative detrimental impacts of a series of developments from harming the special qualities of the Park.

In response to question M3

Planning policies should be locally distinctive alongside respecting national policy requirements and targets. Therefore, it is crucial that the vision and objectives of the new Local Plan truly reflect the specific special elements of the National Park and its aspirations for the future rather than be overly generic.

In order to comply with its statutory duties, the objectives should recognise the natural environment of the National Park, but also reflect the social and economic wealth attributed to it. Whilst it is vitally important to stress the exceptional qualities of the park, such as tranquillity, landscapes and dark skies, it also important to balance this with the need to support the existing communities and businesses located within the designated area, including tourism and agriculture.

The three pillars of sustainable development as set out in the NPPF need recognising and acknowledging within the objectives.

In response to question M4 - CPRENY is in full accord with the set of topics to be included within protective policies in the new Local Plan.

The NPPF recognises the '*intrinsic character and beauty of the countryside*' within its Core Principles set out at paragraph 17. The European Landscape Convention also encourages the protection of the valued features of landscapes. The NPPF, as stated previously, places great weight on the preservation of landscape and scenic beauty found in National Parks, as at paragraph 115. It goes on to set out the importance of the conservation of wildlife and cultural heritage to these areas.

CPRE, nationally and across its 43 Branches throughout England, has been championing 'tranquillity' since the early 1990s and welcomes its inclusion in the list set out by the NPA.

The main tranquillity policy in the NPPF is set out in section 11 on a sub-section on noise. This limits its meaning to 'identifying and protecting areas' which are largely undisturbed by noise. However, paragraph 123 goes on to state a further policy test such that for areas to be identified and protected as 'areas of tranquillity' they should be 'prized for their recreational and amenity value for this reason'.

The National Park has recognised its 'tranquillity' as one of their special features set out in the Management Plan and the CSDP and it is encouraging to see this continue forward into the new Local Plan. However, CPRENY would point out that it is important to bear in mind that tranquillity can also refer to 'stillness' and is not just limited to sound. Therefore, for example, the movement attributed to a wind turbine at a distance from the receptor may be considered to impact upon the tranquillity of an area. This is an equally important aspect to consider protecting in policy terms.

In a similar vein, the NPA recognised the importance of 'Dark Skies' within its special features defined in the Management Plan and the CSDP and welcomes its proposed continued presence in the new Local Plan. Light pollution has a damaging effect on the character of the countryside. CPRE is the leading national charity campaigning against light pollution working closely with the British Astronomical Association's Campaign for Dark Skies. In June 2016, CPRE published a series of new maps which illustrate light pollution and dark skies within the UK, found at:

http://nightblight.cpre.org.uk/maps/?_ga=1.115389634.517434297.1477576534

Nationwide, the maps show that just 22% of England is untouched by light pollution, and that 53% of our darkest skies are over National Parks and Areas of Outstanding Natural Beauty.

This research comes at a time of increasing awareness of the harmful effects light pollution can have on the health of people and wildlife. The skies were monitored at 1.30am illustrating just how long into the night England's lights continue to shine. The maps show that on average Ryedale is the 4th darkest district in England. Three places are currently recognised as special sites by the NPA.

The two National Park Centres at Sutton Bank and Danby, plus Dalby Observatories in Dalby Forest have been named as Dark Sky Discovery Sites so named because the galaxy is often visible to the naked eye from these sites. However, it is possible to view the night sky at many places within the National Park

CPRE regularly campaign for local planning authorities to develop policies in local plans to control light pollution, which ensure that existing dark skies are protected and that new developments do not increase local light pollution. CPRE has been championing the Northumberland County Council case study set out below and highlighted here by way of example to the NPA as to what could be achieved through the Duty to Cooperate with neighbouring authorities, should the resources be found:

In early 2015, Northumberland County Council began an ambitious £25 million project to modernise all the street lights in the county over the next three years. Around 44,500 street lights are to be replaced with Light Emitting Diode (LED) technology, with nearly 17,000 existing lampposts being replaced. The council are hoping to cut energy consumption by street lighting by more than 60%, which will lead to savings in the region of £300,000 per year and reduce the carbon footprint of the street lighting stock by more than 5,000 tonnes of carbon dioxide. There is more detail available on page 10 of the CPRE Night Blight report.

[http://nightblight.cpre.org.uk/images/resources/Night_Blight_cpre.pdf?
_ga=1.172938215.517434297.1477576534](http://nightblight.cpre.org.uk/images/resources/Night_Blight_cpre.pdf?_ga=1.172938215.517434297.1477576534)

In response to question M5

CPRENY believes that the current approach to agricultural development contained in Development Policies 12 and 13 of the CSDP need updating to reflect the fact that traditional large agricultural practises are changing towards smaller farms and into more diversified livelihoods.

CPRENY believes that the landscape and special qualities of the National Park need to be protected at the same time as managing this change. Whilst CPRE would not wish the National Park to be a free for all in terms of new agricultural development, policies should be written in such a way as to enable farmers to remain within the industry. Rural diversification schemes should be supported providing they are suitable for its proposed location and will not detrimentally impact upon the existing farm enterprise, surrounding communities or natural environment

In permitting applications for new agricultural workers dwellings new buildings should be located either within the existing steading itself, or within existing redundant buildings owned by the farm which could be converted or alternatively within nearby settlements when the need for travel is acceptable within the confines of the enterprise (i.e. the need for a 24hr presence is not essential to the welfare of animals).

Agriculture and tourism are the two predominant economic activities in rural North Yorkshire and within the NPA and are intrinsically linked given the fact that many people visit the area for the rural vistas so ably managed by the farmers. This should be recognised and celebrated within the emerging Local Plan with the need to retain traditional industries (e.g. dry-stone walling) encouraged.

In response to questions M6-M16

CPRENY believes 'housing' has the potential to become a controversial theme for the NPA in the progression of the Local Plan. Whilst CPRENY does not offer any detailed recommendations at this stage due to the early phase in the plan-making process, we offer the following comments:

CPRENY believes that the Settlement Hierarchy as set out in the CSDP is correct with development opportunities being focussed on the most sustainable settlements via a sequential approach.

The English National Parks and the Broads UK Government Vision and Circular (2010; paragraph 78) states that "the Government recognises that the Parks are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them.

The expectation is that new housing will be focused on meeting affordable housing requirements, supporting local employment opportunities and key services." Therefore, CPRENY believes this is the correct starting point for the NPA.

It is recognised that some level of affordable housing may need to be planned for in order to meet the needs of the future population in respect of maintaining stability and support economic opportunities within the Park should households continue to reduce in size (as set out in the NPA's SHMA 2016). However, the 189 houses already allocated within the Helmsley Plan should be considered to ensure that this unique market town does not become over-developed and its important setting as a gateway to the National Park alongside the setting of the settlement itself is preserved. The use of infill sites within settlements should be encouraged as set out in the NPA's definition providing any potential schemes are undertaken sensitively in its surroundings.

In relation to potential forthcoming housing policies, members have specifically commented:

"If there is to be new housing developments within the boundaries of the Park, priority should be given to occupancy by local residents or persons who have a genuine need to live in the area. All new housing developments, should be conditioned to prevent houses becoming a 'second home' or 'holiday lets' (unless part of a specific farm building diversification scheme). Development should be small scale and architecturally in keeping with the area. Buildings should not be allowed to encroach on sky-lines. Buildings required for farms or small businesses should be looked upon favourably if there is a demonstrable need in terms of service to the community or the provision of local employment opportunities. Care should be taken, however, to ensure that such developments do not have an adverse impact in terms of noise, traffic and unsightly buildings."

In response to question M17

CPRENY believe that tourism and employment are intrinsically linked. CSDP DP16 should be widened to encompass new styles of camping e.g. yurts and glamping sites etc.

Whilst it is recognised that these can cause adverse effects on protected landscapes, they can also form additional income and be part of a farm diversification scheme. CPRE believe that some additions to DP16 could be made to include all types of 'camping' developments and strengthen the policy to ensure that development only occurs in the most sympathetic and suitable locations.

Certain materials and recommended colours could be specified within the policy or in an additional Supplementary Planning Document setting out acceptable design and typical locations. It should be recognised that the National Park is a living and working landscape and that agricultural enterprises need supporting as traditional practises are undergoing a time of change.

It has been brought to CPRENY attention by local people who have businesses such as B&Bs, public houses etc. that a *"lack of permitted signage is causing some difficulty."* While we do understand the position of the Park and would not favour large, colourful signs appearing everywhere, we do feel that discrete brown signs ought to be looked on more sympathetically, especially since businesses catering for tourism are wealth creating for the area.

In response to question M18

CPRENY fully endorses the NPA in setting out a policy regarding the retention of community facilities along the lines of CSDP Policy I. It is considered that occupiers should demonstrate that facilities are no longer viable in that usage having been marketed for a year or more without success and cannot demonstrate a viable profit.

In response to question M20 - It has been officially recognised that development outside the boundary of an 'area of importance' can impact adversely on the character and tranquillity of that site (NE243 - England's Statutory Landscape Designations, a practical guide to your duty of regard). This should clearly be applied to the boundary of a National Park as well as any sites designated under national and European law for environmental value, therefore, CPRENY would recommend a future planning policy that would seek to protect the setting of the National Park. Our members have specifically stated

"We do have some concerns about developments on the fringes and on the approaches to the Park that are unsightly and may have a detrimental effect on the Park itself. These may include unsightly, sprawling caravan parks or new and proposed housing developments, which ought to be screened and have a requirement placed on any grant of planning permission that individual caravans, lodges etc. are not in themselves unsightly (i.e. glaring white caravans)" - this is primarily to protect important views out of the Park and protect its setting.

Our members also have significant concerns regarding the impact of fracking on the National Park. Whilst the Government has stated that no fracking shall take place within a protected landscape, they have not ruled out the possibility of such activity on its boundaries and have agreed that fracking would be permitted underneath such landscapes. Therefore, members are concerned about the cumulative impacts of such developments and the subsequent impacts from the amount of large HGV movements associated with the industry on the National Park.

CPRENY hopes that this letter is sufficient to register our comments on the Local Plan: First Steps document. We would wish to be kept informed about the future stages of this Local Plan preparation and be notified when the Examination in Public is arranged.

Yours Sincerely

Jules Marley
Chair CPRENY
Regional Chair CPRE Yorkshire & The Humber



Report Compiled for CPRENY by
Katie Atkinson of KVA Planning
8 Acres Close, Helmsley, York YO62 5DS
www.kvaplanning.co.uk

CPRE NORTH YORKSHIRE Registered charity number 500333

01729 850567 cprecraven@me.com

President The Lord Crathorne KCVO

Chair Mrs J Marley Vice Chairmen Mr S White & Mr R Bennett Hon Treasurer Mr. P Whitaker

www.cprenorthyorkshire.co.uk

% Bendgate House, Long Preston, Near Skipton, North Yorkshire BD23 4QR