

Harrogate District Draft Local Plan 2016

Habitat Regulations Assessment

October 2016



Harrogate
BOROUGH COUNCIL

I Information

Tell us what you think about the Habitat Regulations Assessment

- I.1** Harrogate Borough Council is holding a six week consultation between 11 November and 23 December 2016 on its Draft Local Plan. The Habitat Regulation Assessment is a supporting document to the Draft Local Plan.
- I.2** The Habitat Regulation Assessment provides:
- an outline of the requirement to carry out the assessment, the process involved and methodology adopted;
 - identification of European sites within and outside the plan area that could potentially be affected by the draft Local Plan;
 - the specific features of the European sites which led to their designation as a SPA, SAC or Ramsar site, the conservation objectives for the site and any particular problems or sensitivities of the site's features that could be affected by the draft Local Plan;
 - an overview of the content of the draft Local Plan (section 3); and
 - assessment of the growth strategy, draft development management policies and draft allocations (sections 5-7).
- I.3** The Draft Local Plan and documents setting out the sustainability appraisal and equalities analysis of the draft policies and site allocations are also available for consultation. You can read and comment on these documents via the council's portal consult.harrogate.gov.uk
- I.4** All sites submitted to the council for consideration as part of the draft Local Plan can be viewed in the Strategic Housing and Economic Land Availability Assessment. Please visit www.harrogate.gov.uk/shelaa for further information.

Where to find the information

- I.5** All consultation documents are available to view online via the council's consultation portal at consult.harrogate.gov.uk. Printed version of the main consultation documents are available to view at the following locations during normal office hours:
- Council Offices, Crescent Gardens, Harrogate, HG1 9SW
 - Knaresborough House, High Street, Knaresborough, HG5 0HW
 - Ripon Town Hall, Market Place South, Ripon, HG4 1DD
 - Libraries across the district
- I.6** Evidence base documents, which provide information to support the policies and allocations within the Draft Local Plan, are also available via the portal and the council's Local Plan evidence base web page.

Exhibitions

- I.7** The Planning Policy team will be hosting a number of exhibitions throughout the consultation period so you can come along and talk to Planning Policy officers about the Draft Local Plan. Exhibitions are being held as:
- **Saturday 12 November 2016:** Ripon Community House, 10am-3pm
 - **Tuesday 15 November 2016:** Masham Town Hall, 2-7pm
 - **Thursday 17 November 2016:** Pateley Bridge Methodist Chapel, 2-7pm
 - **Saturday 19 November 2016:** Knaresborough Methodist Chapel, Gracious Street, 10am-3pm
 - **Tuesday 22 November 2016:** Boroughbridge Jubilee Room, 2-7pm

- **Wednesday 23 November 2016:** Ripon Town Hall, 2-7pm
- **Thursday 24 November 2016:** Knaresborough House, 2-7pm
- **Saturday 26 November 2016:** Harrogate Wesley Centre, 10am-3pm
- **Tuesday 29 November 2016:** Green Hammerton Village Hall, 2-7pm
- **Wednesday 30 November 2016:** Harrogate Baptist Church, 2-7pm

Submitting your comments

- I.8** The consultation is taking place between 11 November and 23 December 2016. You can submit your comments at any point during this period, but we would recommend that you don't leave it until the last day. You can send us your comments in a number of ways but we would encourage you to register and submit them online via the consultation portal at:

consult.harrogate.gov.uk/portal

Registering with the consultation portal

- I.9** To submit your views using the consultation portal you must first login into the system; you will not be able to view the questions or enter your comments until you have logged in. If you are not currently on our Local Plan database you will need to register with our consultation system first. You can register at: consult.harrogate.gov.uk
- I.10** Registering with the system is a two step process; please make sure that you have completed both parts or you may find that you cannot login.
- I.11** If you have already set up an account please **DO NOT** register again, (if you are already registered with our consultation database you will probably have received an email notifying you about the Draft Local Plan consultation). If you are already registered and have forgotten your username and/or password click on the 'Login/Register' button and follow the instructions.
- I.12** You only need to register as an 'Agent' if you are a planning agent i.e. a professional submitting comments on behalf of landowners and/or stakeholders.
- I.13** You can comment on any part of the Habitat Regulations Assessment. To submit your comments online click on the an 'Add Comments' tab, (see Figure I.1), to open up the comment box; enter your comments and submit. You can also save your comments in draft and submit them later.



Figure I.1 comment box

- I.14** You can also send your comments by post. Please make sure you include your full name and address with any comments you submit, we cannot accept comments submitted anonymously, or with only a name and email address:

Planning Policy
Planning and Development

P.O. Box 787
Harrogate
HG1 9RW

- I.15** Please only use one method of reply to avoid duplication of representations. All comments must be received by 4.30pm on Friday 23 December 2016. Comments received after this date will not be considered to be duly made and may not be taken into account finalising the Local Plan.

How will we use the information you give us?

- I.16** We will take the views and suggestions received through consultations into account when finalising our plans. Once your comments have been submitted they will be checked and added to the on-line consultation system where you will be able to see your comments and those that have been made by others, (please be aware that comments not submitted via the portal may take longer to appear on the system). Your name, organisation if applicable, and comments will be displayed publicly, but no other personal information will be published.

Data Protection Statement

- I.17** The consultation process requires you to supply personal information about yourself. The purpose of collecting these details is to help us understand who is contributing to our consultation process and so the council can keep you informed of the next steps in the process. Information will be stored on the Local Plan consultation portal and used solely in connection with the Local Plan and in accordance with the Data Protection Act 1988. Representations will be available to view on the council's website, although address and contact details will not be included. However, as copies of representations must be made available for public inspection, they cannot be treated as confidential and will be available for inspection in full.

Next steps

- I.18** Following the close of the consultation period we will consider your comments, gather further evidence where required and redraft the Local Plan. We will then ask for your views on a publication version and ask whether the revised Local Plan meets the government's tests of soundness. Once the council is satisfied the plan is sound we will formally submit the Local Plan to the government for inspection. At this point an examination in public will take place, it is anticipated that the plan will be adopted late in 2018.

1 Introduction	5
2 European Sites	9
Kirk Deighton SAC	13
North Pennine Moors SAC and SPA	14
Humber Estuary SAC, SPA and Ramsar Site	16
South Pennines Moors SAC and SPA	19
Craven Limestone Complex SAC and Malham Tarn Ramsar Site	21
North York Moors SAC and SPA	22
Skipworth Common SAC	24
Lower Derwent Valley SAC, SPA and Ramsar Site	25
3 Overview of Draft Local Plan	28
4 Screening Process	29
5 Screening of Growth Strategy	34
6 Screening of Draft Development Policies	40
7 Screening of Draft Allocations	43
8 Consultation	47
9 Next Steps	48
Appendices	
Appendix 1 Development Management Policies	50
Screening of Economy Policies	50
Screening of Housing Policies	56
Screening of Transport and Infrastructure Policies	62
Screening of Climate Change Policies	66
Screening of Heritage and Placemaking Policies	68
Screening of Natural Environment Policies	75
Appendix 2 Draft Allocations	83
Appendix 3 Maps	88
Map: Growth Strategy	88
Map: Public Rights of Way	90
Map: Kirk Deighton	92
Appendix 4 Link between November 2015 consultation and Draft Local Plan policies 2016	94

1 Introduction

- 1.1** This report assesses whether the draft Harrogate District Local Plan is likely to have a significant effect on the achievement of the conservation objectives of the European conservation sites within and around the Harrogate district. The Habitat Regulations Assessment is a process which has fed into the development of the draft Local Plan and this report builds upon previous assessments for the Draft Development Management Policies Consultation (November 2015) and the Issues and Options Consultation (July 2015). This report is complete and can stand alone, however, previous Habitat Regulations Assessments are available to view at consult.harrogate.gov.uk
- 1.2** The Habitat Regulations Assessment (HRA) has been undertaken in accordance with Article 6(3) and Article 6(4) of the Habitats Directive 92/43/EEC on the Conservation of Natural Habitats of Wild Flora and Fauna and the Conservation of Habitats and Species Regulations 2010. This requires the sites and policies in the Local Plan to be assessed against the conservation objectives of the European sites identified.
- 1.3** These sites are the most important sites for biodiversity in England and are part of a larger European network. The conservation of these sites is seen as an important step in maintaining Europe's biodiversity. In this report, the term European sites refers to:
- Special Protection Areas (SPAs) for birds classified by the 1979 Wild Birds Directive
 - Special Areas of Conservation (SACs) for other habitats and species designated through the 1992 Habitats Directive
 - Ramsar sites, which are internationally important wetland areas designated under the Ramsar Convention
- 1.4** The report includes the following:
- an outline of the requirement to carry out the assessment, the process involved and methodology adopted,
 - identification of European sites within and outside the plan area that could potentially be affected by the draft Local Plan,
 - the specific features of the European sites which led to their designation as a SPA, SAC or Ramsar site, the conservation objectives for the site and any particular problems or sensitivities of the site's features that could be affected by the draft Local Plan,
 - an overview of the content of the draft Local Plan,
 - assessment of the growth strategy, draft development management policies and draft allocations.

Requirement to carry out the assessment under the Habitats Directive

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

- 1.7 The assessment needs to be undertaken in accordance with the relevant extracts from the Habitats Directive which are set out below for information:

Habitat Directive

Article 6(3)

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

Article 6(4)

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

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

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

102. (1) Where a land use plan—

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

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

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

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

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

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

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

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

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

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

Methodology

- 1.10** Throughout the development of the draft Local Plan there has been continual assessment from the Habitat Regulations Assessment (HRA) process and the Sustainability Appraisal (combined with the Strategic Environmental Assessment). Further details on how these processes feed into each other are shown within chapter 5 Next Steps.
- 1.11** The methodology adopted for the HRA follows the guidance as set out by David Tyldesley and Associates in *Draft Guidance For Plan Making Authorities In Wales: The Appraisal Of Plans Under The Habitats Directive* (revised September 2012). This is the most up to date guidance available and its use, adapted to apply to processes in England, is recommended by Natural England. Figure 1.1 below illustrates the recommended methodology.
- 1.12** The draft Local Plan has been assessed and no significant effects are likely to occur as a result of implementing options. Consequently, Only the first four stages of the process have been completed and at this stage it is not considered necessary to produce an Appropriate Assessment.
- 1.13** A likely significant effect is defined as:
- ‘significant’ if it could undermine the site’s conservation objectives. The assessment of that risk must be made in the light of factors such as the characteristics and specific environmental conditions of the European site in question (These tests are derived from the ruling of the European Court of Justice in Case C-127/02, paragraph 49, known as the Waddensee ruling).
 - The plan should be considered ‘likely’ to have such an effect if the plan making authority is unable (on the basis of objective information) to exclude the possibility that the plan

could have significant effects on any European site, either alone or in combination with other plans or projects.

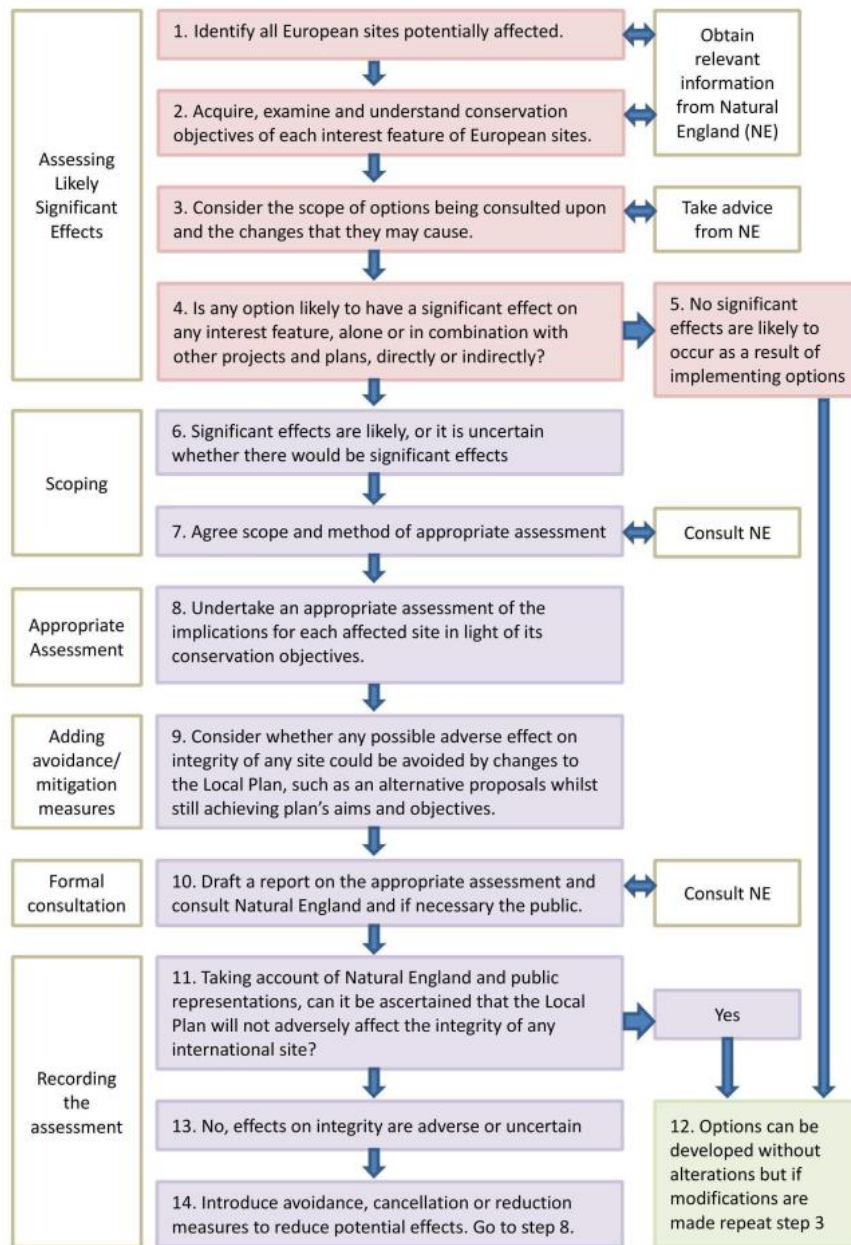


Figure 1.1 Process of applying the Habitats Directive to the development of the Local Plan

2 European Sites

Identification of European Sites

- 2.1** The first stage in the process is to identify all international sites in and around the district which the Local Plan should be assessed against. In this respect the Council has followed the guidance produced for The Countryside Council for Wales as recommended by Natural England.⁽¹⁾ This guidance provides a number of factors which should be considered and these have been listed below with the European sites that have been identified for each factor. This list constitutes the European sites which may be impacted upon by the Local Plan.
- 2.2** All sites within the Local Plan area
- Kirk Deighton SAC
 - North Pennine Moors SAC
 - North Pennine Moors SPA
- 2.3** All sites down stream of the plan area in the case of river or estuary sites
- Humber Estuary SPA
 - Humber Estuary SAC
 - Humber Ramsar Designation
- 2.4** All peatland or other wetland sites with significant hydrological links to land within the plan area irrespective of distance from the plan area
- No additional sites to those listed above.
- 2.5** All sites which have significant ecological links with land within the plan area, for example, land in the plan area may be used by bats or migratory birds, which also use a SAC or SPA respectively, outside the plan area, at different times of the year
- South Pennine Moors SAC
 - South Pennine Moors SPA
- 2.6** All sites within 5km of the plan area boundary that may be affected by local recreation or other visitor pressure from within the plan area
- Craven Limestone Complex SAC
- 2.7** All sites within 20km of the plan area that comprise major (regional or national) visitor attractions such as promoted National Nature Reserves, sites in Regional Parks, coastal sites and sites in other major tourist or visitor destinations
- North York Moors SAC
 - North York Moors SPA
 - Malham Tarn Ramsar Designation
 - Skipwith Common SAC
 - Lower Derwent Valley SAC
 - Lower Derwent Valley SPA
 - Lower Derwent Valley Ramsar Designation
- 2.8** Sites that are used for or could be affected by water abstraction or discharge of effluent from waste water treatment works serving the plan area

1 Tyldesley and Associates (revised 2012) Draft Guidance for Plan Making Authorities in Wales: The Appraisal of Plans under the Habitats Directive

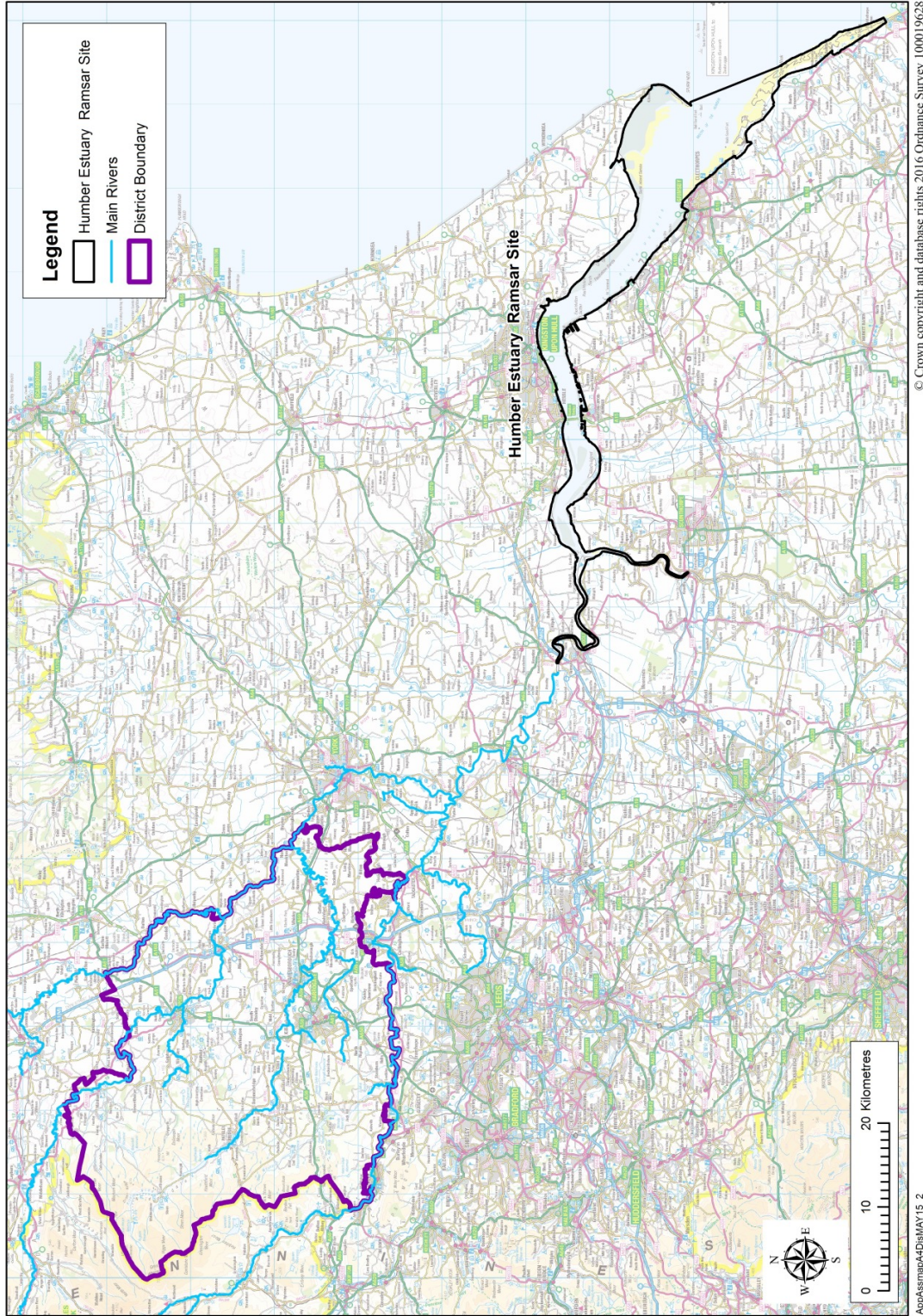
- No additional sites to those listed above

2.9 Sites which could be affected by proposed transport or other infrastructure projects

- No additional sites to those listed above

2.10 Sites that could be affected by increased deposition of air pollutants arising from proposals, including emissions from significant increases in traffic.

- No additional sites to those listed above.



Map 1.2 Map of European sites downstream of Local Plan area

Kirk Deighton SAC

Reason for being identified

2.11 Site is within Local Plan area.

Features of interest

2.12 Great crested newts *Triturus cristatus*.

2.13 For a further description of the features of European importance please refer to the Kirk Deighton SAC Citation on the Joint Nature Conservation Committee website.⁽²⁾

Conservation Objectives

2.14 Ensure the integrity of the site is maintained or restored as appropriate and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:

- the extent and distribution of the habitats of qualifying species
- the structure and function of the habitats of qualifying species
- the supporting processes on which the habitats of qualifying species rely
- the populations of qualifying species, and
- the distribution of qualifying species within the site

Conservation Status

2.15 There is one SSSI unit within the SAC and this is described as Unfavourable - recovering.

2.16 The Humber River Basin Management Plan defines the water quality of the area as meeting Favourable Conservation Status (to protect and, where necessary, improve the water or water-dependent environment to the extent necessary to maintain at or improve to Favourable Conservation Status the water-dependent habitats and species for which the Protected Area is designated).

Vulnerabilities and Potential Impacts

Vulnerabilities	Potential Impact of Local Plan	Potential In-Combination Plans
The breeding pond is close to the boundary of the SAC so it is considered that Great Crested Newts utilise the terrestrial habitat outside the SAC. ⁽¹⁾	There is considerable suitable terrestrial habitat outside the boundary of the SAC to the north, including a large area of rough grassland which has, historically, been un-managed. Great crested newts are also known to utilise gardens within the surrounding area including along Lime Kiln Lane. There is potential for Great crested newts to use all ponds within 500m of the SAC boundary. Any policy which requires land in-take within these areas, including re-use of brownfield land, could have an impact. ⁽²⁾	Any other plan within the district which could require land intake within this area.
There are only two ponds within the SAC and only one which is known to be utilised by Great Crested Newts for breeding. The lack of ponds leaves the	Any policy which would increase the concentrations and deposition of air pollutants to above the critical load values for the site.	Any other plan which could impact the air quality of the area.

² Please visit jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUCode=UK0030178

Vulnerabilities	Potential Impact of Local Plan	Potential In-Combination Plans
site vulnerable to change ie pollution events, pond drying. ⁽³⁾	Any policy which would impact on the water quality or quantity within the area.	Any other plan which would impact on water quality of area.

Table 2.1 Kirk Deighton SAC vulnerabilities

1. Site Improvement Plan: Kirk Deighton (Natural England accessed publications.naturalengland.org.uk/publication/5267982863302656 December 2014)
2. Supplementary advice on conserving and restoring site features: Kirk Deighton Natural England accessed publications.naturalengland.org.uk/publication/4695122595807232 May 2015
3. Site Improvement Plan: Kirk Deighton (Natural England accessed publications.naturalengland.org.uk/publication/5267982863302656 December 2014).

North Pennine Moors SAC and SPA

Reason for being identified

2.17 Site is within the Local Plan area.

Features of interest of the SAC

2.18 The primary reasons for selection of the site as a SAC are:

- European dry heaths,
- Juniper,
- blanket bog,
- petrifying springs with tufa formation,
- siliceous rocky slopes with chasmophytic vegetation,
- old sessile oak woods with Ilex and Blechnum.

2.19 Although not a primary reason for selection as a SAC, the North Pennine Moors also supports a range of other Annex I habitats. These include Northern Atlantic wet heaths with *Erica tetralix*, calaminarian grasslands of the *Violetalia calaminariae*, siliceous alpine and boreal grasslands, semi-natural dry grasslands and scrubland facies on calcareous substrates, alkaline fens, siliceous scree of the montane to snow levels (*Androsacetalia alpinae* and *Galeopsietalia ladani*) and calcareous rocky slopes with chasmophytic vegetation. The Annex II species Marsh saxifrage *saxifrage hirculus* is also found here.

2.20 For a further description of the features of European importance please refer to the North Pennine Moors SAC Citation on the Joint Nature Conservation Committee website.⁽³⁾

SAC Conservation Objectives

2.21 Ensure the integrity of the site is maintained or restored as appropriate and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:

- the extent and distribution of qualifying natural habitats and habitats of qualifying species,
- the structure and function (including typical species) of qualifying natural habitats,
- the structure and function of the habitats of qualifying species,
- the supporting processes on which qualifying natural habitats and the habitats of qualifying species rely,
- the populations of qualifying species, and
- the distribution of qualifying species within the site.

Features of Interest for the SPA

2.22 During the breeding season:

- Golden Plover *Pluvialis apricaria*,
- Hen Harrier *Circus cyaneus*,
- Merlin *Falco columbarius*,
- Peregrine *Falco peregrinus*,

2.23 Within the North Pennine Moors SPA, two pairs of Montagu's Harriers *Circus pygargus* are known to have bred, while numbers of breeding Short-eared Owls *Asio flammeus* have still to be ascertained. Both are listed in Annex I but are non-qualifying species of interest.

2.24 In 2001 the Joint Nature Conservation Committee reviewed the citation and recommended that Curlew *Numenius arquata* and Dunlin *Calidris alpina schinzii* should be included as qualifying migratory species. However, a consultation on these changes did not take place so the recommendation could not be progressed. Although these species are not included on the list of notified species this report will still bear in mind that these species are present at the site in significant numbers.

2.25 For a further description of the features of European importance please refer to the North Pennine Moors SPA Citation on the Joint Nature Conservation Committee website.⁽⁴⁾

SPA Conservation Objectives

2.26 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:

- the extent and distribution of the habitats of the qualifying features,
- the structure and function of the habitats of the qualifying features,
- the supporting processes on which the habitats of the qualifying features rely,
- the population of each of the qualifying features, and,
- the distribution of the qualifying features within the site.

4 Please visit jncc.defra.gov.uk/page-2000-theme=default

Vulnerabilities and Potential Impacts:

Vulnerabilities ⁽¹⁾	Potential Impact of Local Plan	Potential In-combination Plans
Inappropriate grazing	None	
Intensification of activities associated with grouse moor management	None.	
Direct land in-take for development including tracks, quarrying and wind farms	Policies regarding countryside development may have an impact on this. The cumulative impact of development in the area should be a consideration for criteria based policies.	Any other plan encouraging growth in the area.
The critical loads for nitrogen are exceeded within these sites.	Any policy or strategy which would increase the concentrations and deposition of air pollutants for the site. This would include strategies that increased use of motor vehicles and heating sources close to the sites, in particular along the section of A59 to the west of the district.	Any other plan within or outside the district which would encourage an increase in motor vehicles and heating sources near the sites. The plans for the Yorkshire Dales National Park should be considered.
General agricultural intensification of the moorland fringes outside the site boundary	None.	
Vehicle use for moorland or agricultural management or for recreational activity.	Policies regarding countryside development may have an impact on this. Policies should take into account the 'operations likely to damage' list produced by Natural England for these areas.	Any other plan which manages activities within the site.
Disturbance and direct physical damage as a result of high or inappropriate recreational usage.	Any strategy which could increase the number of visitors to the site, including dog walkers, for example by increasing housing near the site.	Any plans which encourage or manage visitors to the sites. Any plan outside the district which would increase the number of visitors, for example the plans for Yorkshire Dales National Park should be considered.
Some species and habitats are at the edge of their climatic range as a result of climate and environmental change.	The plan would not have an influence over climate change mitigation in the remote sites. Any strategy or policy which may impact on the water quantity or quality.	

Table 2.2 North Pennine Moors SAC and SPA vulnerabilities

1. Natural England *Site Improvement Plan: North Pennines Group* (accessed website publications.naturalengland.org.uk/publication/6534899699810304 December 2014).

Humber Estuary SAC, SPA and Ramsar Site**Reason for being identified**

2.27 Estuary site downstream of the Local Plan area.

Features of interest for the SAC

2.28 These are the primary reasons for designation:

- estuaries
- mudflats and sandflats not covered by seawater at low tide

- 2.29** There are a number of Annex I habitats present that were not a primary reason for designation. These include sandbanks which are slightly covered by sea water all the time, coastal lagoons, *salicornia* and other annuals colonizing mud and sand, atlantic salt meadows (*Glauco-Puccinellietalia maritima*), embryonic shifting dunes, shifting dunes along the shoreline with *Ammophila arenaria* (white dunes), fixed coastal dunes with herbaceous vegetation (grey dunes) and dunes with *Hippopha rhamnoides*. Annex II species are sea lamprey *Petromyzon marinus*, river lamprey *Lampetra fluviatilis* and grey seal *Halichoerus grypus*.
- 2.30** For a further description of the features of European importance please refer to the Humber Estuary SAC Citation on the Joint Nature Conservation Committee website.⁽⁵⁾

Conservation Objectives for the SAC

- 2.31** Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:
- the extent and distribution of qualifying natural habitats and habitats of qualifying species,
 - the structure and function (including typical species) of qualifying natural habitats,
 - the structure and function of the habitats of qualifying species,
 - the supporting processes on which qualifying natural habitats and habitats of qualifying species rely,
 - the populations of qualifying species, and,
 - the distribution of qualifying species within the site.

Features of interest for the SPA

- 2.32** 1% or more of the Great Britain populations of the following species use the site:
- Avocet *Recurvirostra avosetta*
 - Bittern *Botaurus stellaris*
 - Hen harrier *Circus cyaneus*
 - Golden plover *Pluvialis apricaria*
 - Bar-tailed godwit *Limosa lapponica*
 - Ruff *Philomachus pugnax*
 - Marsh harrier *Circus aeruginosus*
 - Little tern *Sterna albifrons*
- 2.33** 1% or more of the biogeographical populations of the following migratory species regularly use the site:
- Shelduck *Tadorna tadorna*
 - Knot *Calidris canutus*
 - Dunlin *Calidris alpina*
 - Black-tailed godwit *Limosa limosa*
 - Redshank *Tringa totanus*
- 2.34** The site also qualifies for designation as it is used regularly by over 20,000 water birds. In the non-breeding season the area regularly supports 153,934 individual water birds.
- 2.35** The SPA is used by non-breeding Merlin *Falco columbarius*, Peregrine *F. peregrinus* and Short-eared Owl *Asio flammeus*, and breeding Common Tern *Sterna hirundo* and kingfisher *Alcedo atthis* in numbers of less than European importance (less than 1% of the GB population).

5 Please visit jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUCode=UK0030170

- 2.36** For a further description of the features of European importance please refer to the Humber Estuary SPA Citation on the Joint Nature Conservation Committee website.⁽⁶⁾

Conservation Objectives for the SPA

- 2.37** Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:
- the extent and distribution of the habitats of the qualifying features,
 - the structure and function of the habitats of the qualifying features,
 - the supporting processes on which the habitats of the qualifying features rely,
 - the population of each of the qualifying features, and,
 - the distribution of the qualifying features within the site.

Features of interest for the Humber Estuary Ramsar site

- 2.38** The site is a representative example of a near-natural estuary with dune systems and humid dune slacks, estuarine waters, intertidal mud and sand flats, saltmarshes, and coastal brackish/saline lagoons.
- 2.39** It supports a breeding colony of Grey Seals *Halichoerus grypus* at Donna Nook. It is the second largest Grey Seal colony in England and the furthest south regular breeding site on the east coast. The dune slacks at Saltfleetby-Theddlethorpe on the southern extremity of the Ramsar site are the most north-easterly breeding site in Great Britain of the natterjack toad *Bufo calamita*.
- 2.40** As described above, the Humber Estuary supports populations of birds at levels of international importance. It acts as an important migration route for both River Lamprey *Lampetra fluviatilis* and Sea Lamprey *Petromyzon marinus* between coastal waters and their spawning areas.

Conservation Status

- 2.41** The Humber River Basin Management Plan defines the water quality for both the SAC and the SPA as not meeting Favourable Conservation Status (to protect and, where necessary, improve the water or water-dependent environment to the extent necessary to maintain at or improve to Favourable Conservation Status the water-dependent habitats and species for which the Protected Area is designated). This is due to impacts on River Lamprey, morphology (coastal squeeze) and water pollution.

6 Please visit jncc.defra.gov.uk/default.aspx?page=1996

Vulnerabilities and potential impacts

Vulnerabilities ⁽¹⁾⁽²⁾⁽³⁾	Potential Impacts of Local Plan	Potential In-combination plans
Water diversion for irrigation, domestic and industrial uses which reduces freshwater input.	Any strategy that could not be accommodated by the current Yorkshire Water management plan. Any policy that would encourage growth in areas that are not served by mains water.	Any other plan encouraging growth within these areas.
Substantial lamprey by-catch in eel nets in River Ouse has caused overfishing.	None.	
Domestic sewage and agricultural fertiliser reduces the levels of dissolved oxygen in the River Ouse and is a barrier to fish migration.	Any strategy or policy that would increase the risk of untreated sewage entering watercourses such as development within areas of flood risk.	Any other plan encouraging development in flood areas.
Air pollution. The full impact of atmospheric nitrogen deposition on habitat is as yet unknown.	There would not be any direct impacts of the plan on the Humber Estuary site.	

Table 2.3 Vulnerabilities of Humber Estuary SAC, SPA and Ramsar Site

1. JNCC *Information sheet on Ramsar Wetlands version 3.0 13/06/2008* on JNCC website jncc.defra.gov.uk/pdf/RIS/UK11031.pdf December 2014
2. Natural England *Site Improvement Plan Humber Estuary* on Natural England website publications.naturalengland.org.uk/publication/5427891407945728 December 2014
3. Environment Agency *River Basin Management Plan: Humber River Basin District Annex D: Protected area objectives* on EA website gov.uk/government/uploads/system/uploads/attachment_data/file/297492/gene0910bsqv-e-e.pdf March 2015

South Pennines Moors SAC and SPA

Reason for site being identified

- 2.42** Site has significant ecological links with land (North Pennine Moors SAC and SPA) within the Local Plan area and is within 5km of the plan area boundary and may be affected by recreational pressure

Features of interest for the SAC

- 2.43** These are the primary features for designation:

- European dry heaths,
- blanket bogs,
- old sessile oak woods with Ilex and Blechnum in the British Isles.

- 2.44** In addition to the features listed northern atlantic wet heaths with *Erica tetralix* and transition mires and quaking bogs are also present. These are annex I features but are not the primary reason for designation.

- 2.45** For a further description of the features of European importance please refer to the South Pennines Moors SAC Citation on the Joint Nature Conservation Committee website.⁽⁷⁾

Conservation Objectives for the SAC

- 2.46** Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:

- the extent and distribution of the qualifying natural habitats,
- the structure and function (including typical species) of the qualifying natural habitats, and,
- the supporting processes on which the qualifying natural habitats rely.

7 Please visit jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUCode=UK0030280

Features of interest for the SPA

- Short-eared owl (*Asio flammeus*)
- Eurasian curlew (*Numenius arquata*)
- Common redshank (*Tringa totanus*)
- Whinchat (*Saxicola rubetra*)
- Northern wheatear (*Oenanthe oenanthe*)
- Ring ouzel (*Turdus torquatus*)
- Twite (*Carduelis flavirostris*)
- Dunlin (*Calidris alpina schinzii*)
- Common sandpiper (*Actitis hypoleucos*)
- Common snipe (*Gallinago gallinago*)

2.47 Breeding bird assemblage:

- Merlin (*Falco columbarius*)
- European golden plover (*Pluvialis apricaria*)
- Northern lapwing (*Vanellus vanellus*)

2.48 For a further description of the features of European importance please refer to the South Pennines Moors SPA Citation on the Joint Nature Conservation Committee website.⁽⁸⁾

Conservation Objectives for the SPA

2.49 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:

- the extent and distribution of the habitats of the qualifying features,
- the structure and function of the habitats of the qualifying features,
- the supporting processes on which the habitats of the qualifying features rely,
- the population of each of the qualifying features, and,
- the distribution of the qualifying features within the site.

Vulnerabilities and Potential Impacts:

Vulnerabilities ⁽⁹⁾ ⁽¹⁰⁾	Potential Impacts of Local Plan	Potential In-combination Plans
Large numbers of people use the area for recreational activities and in sensitive sites or at certain times of the year this can have a negative impact on notified features.	Any strategy which could increase the number of visitors to the site, for example by increasing housing near the site or to the south of the district near the A658.	Any plans which encourage or manage visitors to the sites. Any plan outside the district which would increase the number of visitors, in particular the plans for Bradford district should be considered and monitored as this issue has been raised within the Appropriate Assessment of the Bradford Core Strategy.
Atmospheric pollution has impacted on blanket bog, wet heath and transition mire as well as lichen, bryophyte flora and possible dwarf-shrubs.	Any policy or strategy which would increase the concentrations and deposition of air pollutants for the sites, in particular the most northerly site. This would include strategies that increased use of motor vehicles and heating sources in the south west of the district.	Any other plan within or outside the district which would encourage an increase in motor vehicles and heating sources near the sites. The plans for Bradford district should be considered.
Damaging vehicle use is an issue across the site, including pedal bikes and motor bikes.	Any strategy which could increase the number of visitors to the site, for example by increasing housing near the site or to the south of the district near the A658.	Any plans which encourage or manage visitors to the sites. Any plan outside the district which would increase the number of visitors, for example the plans for Bradford district should be considered.
The 'in combination' and cumulative effects of numerous applications are, potentially, fragmenting the site.	None, the Local Plan cannot allocate land in-take from any of the sites.	

Table 2.4 Vulnerabilities of South Pennines Moors SAC and SPA

Craven Limestone Complex SAC and Malham Tarn Ramsar Site**Reason for site being identified**

2.50 Part of the site is within 5m of the Local Plan area boundary and may be affected by local recreation or other visitor pressure from within the plan area. The whole site is within 20km of the Local Plan area boundary and is a major visitor attraction.

Features of Interest for the SAC

2.51 These are the primary reasons for designation:

- hard oligo-mesotrophic waters with benthic vegetation of *Chara spp*,
- semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia),
- molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae),
- active raised bogs,
- petrifying springs with tufa formation (Cratoneurion),
- alkaline fens,
- limestone pavements,
- White-clawed (or Atlantic stream) Crayfish *Austropotamobius pallipes*,
- Bullhead *Cottus gobio*,
- Lady`s-slipper Orchid *Cypripedium calceolus*.

9 Natura 2000 Standard Form (2011) for SAC accessed JNCC website jncc.defra.gov.uk/protectedsites/sacselection/n2kforms/UK0030280.pdf December 2014
 10 Natural England Site Improvement Plan accessed Natural England website publications.naturalengland.org.uk/publication/5412834661892096 January 2015

- 2.52** Although not a primary reason for selection this site also features calaminarian grasslands of the *Violetalia calaminariae* and Tilio-Acerion forests of slopes, screes and ravines which are both Annex I habitats.
- 2.53** For a further description of the features of European importance please refer to the Craven Limestone Complex SAC Citation on the Joint Nature Conservation Committee website.⁽¹¹⁾

Features of interest for Malham Tarn Ramsar site

- 2.54** The site contains the highest marl lake in Britain, along with acidophilous bog, calcareous fen and soligenous mire.
- 2.55** The habitat supports the nationally rare alpine bartisia *Bartsia alpina* and narrow small reed *Calamagrostis stricta* and seven nationally scarce species. Malham Tarn supports five listed British Red Data Book invertebrates including the caddis fly *Agrypnia crassicornis*.

Vulnerabilities and Potential Impacts

Vulnerabilities ⁽¹⁾	Potential Impact of Local Plan	Potential In-combination Plans
There are diffuse water pollution issues at Malham Tarn and concern about total phosphate levels in particular.	None - the area is approximately 15km outside the district boundary and not down stream of any water course closer to the district.	
Climate change may be leading to the loss of key species associated with the more upland and montane elements of calcareous rocky slopes and limestone pavement.	The plan would not have an influence over climate change mitigation in these sites. The overall impact of all the policies within the plan may contribute to climate change.	Climate change is an international issue so there is no limit to plans which may produce cumulative impacts.
Nitrogen deposition exceeds site relevant critical loads.	Any policy or strategy which would increase the concentrations and deposition of air pollutants for the site.	Any other plan within or outside the district which would encourage an increase in motor vehicles and heating sources near the sites. The plans for Yorkshire Dales National Park should be considered.

Table 2.5 Craven Limestone Complex and Malham Tarn Vulnerabilities

1. Natural England *Site Improvement Plan* accessed Natural England website publications.naturalengland.org.uk/publication/6116411072053248?category=5171232873906176 January 2015

North York Moors SAC and SPA

Reason for site being identified

- 2.56** The site is within 20km of Local Plan area boundary and comprises a major visitor attraction.

Features of Interest for the North York Moors SAC

- 2.57** These are the primary reasons for designation:
- northern Atlantic wet heaths with *Erica tetralix*,
 - European dry heaths
- 2.58** Blanket bog is also a qualifying feature occurring to a lesser extent along the watersheds of some of the high moors on relatively deep peat.
- 2.59** For a further description of the features of European importance please refer to the North York Moors SAC Citation on the Joint Nature Conservation Committee website.⁽¹²⁾

11 Please visit jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUCode=UK0014776
 12 Please visit jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUCode=UK0030228

Conservation Objectives for SAC

- 2.60** Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:
- the extent and distribution of the qualifying natural habitats,
 - the structure and function (including typical species) of the qualifying natural habitats, and,
 - the supporting processes on which the qualifying natural habitats rely

Features of Interest for the SPA

- 2.61** During the breeding season:
- Golden Plover *Pluvialis apricaria*,
 - Merlin *Falco columbarius*.
- 2.62** For a further description of the features of European importance please refer to the North York Moors SPA Citation on the Joint Nature Conservation Committee website.⁽¹³⁾

Conservation Objectives for the SPA

- 2.63** Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:
- the extent and distribution of the habitats of the qualifying features,
 - the structure and function of the habitats of the qualifying features,
 - the supporting processes on which the habitats of the qualifying features rely,
 - the population of each of the qualifying features, and,
 - the distribution of the qualifying features within the site.

Vulnerabilities and Potential Impacts

Vulnerabilities ⁽¹⁾	Potential Impacts of the Local Plan	Potential In-combination Plans
Regional climate change predictions of increased temperatures, wetter winters and drier summers are likely to impact the condition of interest features	The plan would not have an influence over climate change mitigation in these sites. The overall impact of all the policies within the plan may contribute to climate change.	Climate change is an international issue so there is no limit to plans which may produce cumulative impacts.
Nitrogen deposition exceeds site relevant critical loads.	Any policy or strategy which would increase the concentrations and deposition of air pollutants for the sites.	Any other plan within or outside the district which would encourage an increase in motor vehicles and heating sources near the sites. The plans for Yorkshire Dales National Park should be considered.
Applications for new or extended quarrying / borrow pits are increasing, with the potential to affect SAC features.	None.	

13 Please visit jncc.defra.gov.uk/default.aspx?page=1998

Vulnerabilities ⁽¹⁾	Potential Impacts of the Local Plan	Potential In-combination Plans
Wind turbines encroaching towards edge of the SPA could pose a threat, particularly to golden plover feeding off site, both in terms of collision threat and the footprint of new developments.	None.	

Table 2.6 Vulnerabilities of North York Moors

1. Natural England Site Improvement Plan: North York Moors accessed Natural England website publications.naturalengland.org.uk/publication/6110322049941504 January 2015

Skipworth Common SAC

Reason for site being identified

2.64 The site is within 20km of Local Plan area boundary and comprises a major visitor attraction.

Features of interest for the SAC

2.65 Primary reasons for designation are:

- Northern Atlantic wet heath,
- European dry heaths.

2.66 For a further description of the features of European importance please refer to the Skipwith Common SAC Citation on the Joint Nature Conservation Committee website.⁽¹⁴⁾

Conservation objectives for the SAC

2.67 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:

- the extent and distribution of the qualifying natural habitats,
- the structure and function (including typical species) of the qualifying natural habitats and,
- the supporting processes on which the qualifying natural habitats rely.

14 Please visit publications.naturalengland.org.uk/publication/6301721630343168

Vulnerabilities and Potential Impacts

Vulnerabilities ⁽¹⁾	Potential Impact of Local Plan	Potential In-combination Plans
Most of Skipwith Common is Countryside and Rights of Way Act 2000 (CRoW) access land, with large numbers of visitors, many with dogs.	Any strategy which could increase the number of visitors to the site	Any plans which encourage or manage visitors to the sites.
Changes in hydrology and drainage have capacity to affect distribution of SAC heathland communities. Changes in hydrology have occurred as a result of mining subsidence in the past.	None.	
Nitrogen deposition exceeds site relevant critical loads for all SAC features.	Any policy or strategy which would increase the concentrations and deposition of air pollutants for the sites.	Any other plan within or outside the district which would encourage an increase in motor vehicles and heating sources near the sites.

Table 2.7 Vulnerabilities of Skipwith Common SAC

1. Natural England *Site Improvement Plan* accessed Natural England website publications.naturalengland.org.uk/publication/6301721630343168 January 2015

Lower Derwent Valley SAC, SPA and Ramsar Site

Reason for site being identified

2.68 The site is within 20km of Local Plan area boundary and comprises a major visitor attraction.

Features of interest for the SAC

2.69 Lowland hay meadows.

2.70 Additionally there is an area of damp alder woodland (Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* Annex I habitat). Otters are also present at this site (Annex II species). These are qualifying features but are not the primary reason for designation.

2.71 For a further description of the features of European importance please refer to the Lower Derwent Valley SAC Citation on the Joint Nature Conservation Committee website.⁽¹⁵⁾

Conservation Objectives for the SAC

2.72 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:

- the extent and distribution of qualifying natural habitats and habitats of qualifying species,
- the structure and function (including typical species) of qualifying natural habitats,
- the structure and function of the habitats of qualifying species,
- the supporting processes on which qualifying natural habitats and the habitats of qualifying species rely,
- the populations of qualifying species, and,
- the distribution of qualifying species within the site.

15 Please visit jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUCODE=UK0012844

Features of interest for the SPA

- Eurasian teal (*Anas crecca*)

2.73 Waterbird assemblage

- Eurasian wigeon (*Anas penelope*)
- Northern shoveler (*Anas clypeata*)
- Ruff (*Philomachus pugnax*)
- European golden plover (*Pluvialis apricaria*)

2.74 For a further description of the features of European importance please refer to the Lower Derwent Valley SAC Citation on the Joint Nature Conservation Committee website.⁽¹⁶⁾

The Conservation Objectives for the SPA

2.75 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:

- the extent and distribution of the habitats of the qualifying features,
- the structure and function of the habitats of the qualifying features,
- the supporting processes on which the habitats of the qualifying features rely,
- the population of each of the qualifying features, and,
- the distribution of the qualifying features within the site.

Features of interest for the Ramsar Designation

2.76 The site represents one of the most important examples of traditionally managed species-rich alluvial flood meadow habitat remaining in the UK. The river and flood meadows play a substantial role in the hydrological and ecological functioning of the Humber Basin.

2.77 The site has a rich assemblage of wetland invertebrates including 16 species of dragonfly and damselfly, 15 British Red Data Book wetland invertebrates as well as a leafhopper, *Cicadula ornata* for which Lower Derwent Valley is the only known site in Great Britain.

2.78 The site qualifies as a staging post for passage birds in spring. Of particular note are the nationally important numbers of Ruff, *Philomachus pugnax* and Whimbrel, *Numenius phaeopus*.

2.79 The site supports assemblages of waterfowl at levels of international importance and species/populations (as listed above) occurring at levels of international importance.

16 Please visit jncc.defra.gov.uk/default.aspx?page=1994

Vulnerabilities and Potential Impacts

Vulnerabilities ⁽¹⁾	Potential Impacts of Local Plan	Potential In-combination Plans
Prolonged spring and summer flooding. The effects of climatic change may be exacerbated by river levels related to the operation of the Barmby Barrage.	The plan would not have an influence over climate change mitigation in this site. The overall impact of all the policies within the plan may contribute to climate change.	Climate change is an international issue so there is no limit to plans which may produce cumulative impacts.
Public access along Public and non-Public Rights of Way (particularly floodbanks) is causing increasing disturbance to birds.	Any strategy which could increase the number of visitors to the site.	Any plans which encourage or manage visitors to the site.
Nitrogen deposition exceeds site-relevant critical loads.	Any policy or strategy which would increase the concentrations and deposition of air pollutants for the site.	Any other plan which would encourage increase in motor vehicles and heating sources near the site.

Table 2.8 Vulnerabilities and Potential Impacts on Lower Derwent Valley SAC, SPA and Ramsar Site

1. Natural England Site Improvement Plan accessed Natural England website publications.naturalengland.org.uk/publication/5916047525806080 January 2015

3 Overview of Draft Local Plan

3.1 The Harrogate District Draft Local Plan sets out how much and where land should be provided to accommodate the new homes and jobs that are needed in the district. It also looks to facilitate new infrastructure provision to ensure that development is sustainable, including new transport measures, new sport, open space and recreation facilities as well as schools, shops and community facilities. The draft Local Plan also seeks to protect and enhance our high quality natural and built environment.

3.2 The draft Local Plan consists of the following:

- Vision and objectives and key diagram - this is a vision of how the district should be in 2035;
- Draft growth strategy - these are the overarching policies which direct how the development policies should be implemented and guide where allocations for employment and housing should be made;
- Draft development policies - these cover the full range of planning issues and set out criteria for when development will be supported;
- Delivery and monitoring - this includes the allocations that will deliver the growth strategy. Allocations have been made for housing, employment, mixed uses, local green spaces and gypsies and traveller sites. It also provides indicators that will be monitored to assess the effectiveness of the draft Local Plan.

3.3 The HRA assesses the draft growth strategy, the draft development policies and the allocations for housing, employment and mixed uses. The vision and objectives are not included in the assessment as these are aspirational statements which are implemented through the policies of the draft Local Plan. Similarly, the HRA does not assess the monitoring and phasing sections as these do not lead to development.

3.4 The draft development policies have undergone assessment by the HRA throughout their conception and refinement. Since the publication of the Draft Development Management Policies Consultation: Habitat Regulations Assessment (November 2015) the policies have been further developed and in some cases have been given new references. Appendix 5 provides a concise description of how the previous iteration of the policies has fed into the draft development policies.

4 Screening Process

Potential Impact Pathways

- 4.1** The characteristics and vulnerabilities of the European sites have been used to create criteria against which the draft Local Plan is assessed. These criteria are:

Land taken by development inside and outside site/habitat nibbling

- 4.2** The Local Plan could have this type of impact on two sites; the North Pennine Moors SAC/SPA and the Kirk Deighton SAC. Land in-take inside the sites could be due to development such as tracks or wind turbines. Negative impacts from land in-take outside the European sites could be caused by loosing or disturbing foraging or feeding sites. It is suspected that Great Crested Newts may utilise surrounding land up to 500m of the Kirk Deighton SAC including brown field land and gardens.
- 4.3** Research at various European sites has suggested that Golden Plover, Merlin, Curlew and possibly Hen Harrier will travel on average up to 2km outside of the SPA to in-bye land to feed. These species are qualifying species in the North Pennine Moors SPA and South Pennine Moors SPA and the potential for land disturbance within 2km of the SPAs was considered in previous iterations of this assessment. During the development of the Bradford District Core Strategy a distance of 2.5km from the boundary of the South Pennine Moors SPA was used within the Habitat Regulations Assessment to identify sensitive areas which were at risk.⁽¹⁷⁾ To be consistent with this precautionary approach the HRA uses the greater distance of 2.5km to assess potential impact on foraging birds. The types of habitats which foraging birds will use is diverse with the Golden Plover utilising short (less than 5cm) patches of vegetation for feeding, Hen Harrier utilising grasslands, bracken and low trees and Merlin preferring ground vegetation (30cm - 70cm) throughout.⁽¹⁸⁾
- 4.4** Research undertaken on behalf of Bradford City Council focused on identifying foraging sites within the Bradford district. This research mostly identified foraging sites for Curlew and Lapwing which are qualifying species for the South Pennine Moors SPA. Curlew are also present in significant numbers within the North Pennine Moors SPA but are not qualifying species. A survey of sites within 2.5km of the boundary of the South Pennine Moors SPA identified habitat preferences of foraging Curlew for sheep grazed fields, improved grass fields and species rich semi-improved grass fields. However, this preference did not eliminate the use of species poor semi-improved grassland which are more widely available and therefore widely used. A preference for larger field sizes with greater sight lines was also recorded.

Urban Edge Disturbance including noise, light and pets

- 4.5** Research has shown that cats can roam up to 400m from their home so this distance has been used to identify potential impacts.

Recreational pressure and disturbance

- 4.6** Four of the relevant European sites North Pennine Moors SAC/SPA, South Pennine Moors SAC/SPA, Skipwith Common SAC and Lower Derwent Valley SAC/SPA are all vulnerable to recreational pressures. Disturbance can take various forms. It may be physical, such as trampling and erosion of habitat along heavily used footpaths, or displacement of species avoiding areas frequented by people. It can also be indirect, for example changes to the management of grazing animals to avoid areas frequented by dog walkers can lead to negative changes of habitat.

17 November 2015 accessed bradford.gov.uk/NR/rdonlyres/5B161A14-EA96-44EC-A25F-E525096AA3E8/0/HabitatsRegulationsAssessmentNovember2015.Pdf
 18 Key habitat attributes for birds and bird assemblages in England Natural England, 2000 accessed publications.naturalengland.org.uk/publication/275076 August 2016

Water quantity and quality

- 4.7** Kirk Deighton SAC, North Pennine Moors SPA/ SAC and the Humber Estuary SAC/SPA are all sensitive to diminishing water quality. Surface water run off can affect water levels at protected sites as well as carry pollutants from agriculture and urban environments. Pollutants which reduce the levels of dissolved oxygen within the river Ouse can be a barrier for fish migration from the Humber Estuary. Water abstraction or diversion can also impact on water levels, in particular reducing the input of freshwater along the river Ouse. The district's water is supplied by Yorkshire Water's grid system meaning that demand does not necessarily have to be met locally. Yorkshire Water has been consulted during the preparation of the draft Local Plan to identify potential problems for capacity, including capacity at waste water treatment works. Feedback from Yorkshire Water has suggested that potential problems cannot be identified at this stage. Strategies which could increase flood risk have been identified as part of the Sustainability Appraisal process and this will feed into the HRA as potentially impacting on water quality.

Changes in pollution levels

- 4.8** Nitrogen deposition has exceeded the site relevant critical loads for all of the European sites considered within this assessment. The draft Local Plan does not allocate land for uses which could be considered hazardous or especially prone to causing pollution however the general growth of the population within the district will lead to an increase in motor vehicles. Research suggests that levels of nitrogen significantly reduce beyond 200m from the source of pollution so this distance has been used to highlight areas within close proximity to the road network which are most at risk.

Climate change

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

Screening schedule

- 4.10** Each section of the draft Local Plan is assessed and categorised according to its anticipated impacted. The schedule below outlines these categories:
- 4.11** Category A: elements of the plan / options that would have no negative effect on a European site at all;
- 4.12** Category B: elements of the plan / options that could have an effect, but the likelihood is there would be no significant negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects;
- 4.13** Category C: elements of the plan / options that could or would be likely to have a significant effect alone and will require the plan to be subject to an appropriate assessment before the plan may be adopted;
- 4.14** Category D: elements of the plan / options that would be likely to have a significant effect in combination with other elements of the same plan, or other plans or projects and will require the plan to be subject to an appropriate assessment before the plan may be adopted.

In-combination effects with other plans

- 4.15** As part of the HRA process it is important to consider the in-combination effects of other plans and policies that may have a cumulative impact on an European site. Following the identification of the designated sites and the vulnerabilities of their features the following

plans have been identified as potentially having similar impacts to some of the Local Plan policies and may therefore increase the likelihood or the magnitude of any impact the draft Local Plan could have.

City of York emerging Local Plan

- 4.16** There is currently a consultation on the City of York Local Plan Preferred Sites document (2016) and supporting evidence. This document draws upon previous work undertaken for the City of York Draft Local Plan (2014) and sets out the revised housing and employment demand as well as the supply of sites identified to meet this need. The latest HRA was undertaken for the aborted draft Local Plan. The Humber Estuary SAC/ SPA /Ramsar sites are downstream of both the York district and Harrogate district. Habitat Regulations Assessment for the York plan concluded that the anticipated growth of York can be accommodated without significant effects on the Humber Estuary sites due to water resource permissions; based on the modelling work undertaken for Yorkshire Water's Water Resource Management Plan, and the associated HRA. Lower Derwent Valley SAC/ SPA / Ramsar and Skipwith Common SAC lie within 20km of the Harrogate boundary and were identified as being potentially vulnerable to recreational pressures. Although the HRA for the York plan acknowledged that recreational pressure on the Lower Derwent Valley would increase with a rise in population it considered that the policy safeguards within the plan (most notably to provide new open and recreational space) would mitigate any adverse impact. The HRA did not consider an adverse recreational impact on Skipwith Common SAC would occur from the York plan alone but that there may be some impact when in combination with other plans. Skipwith Common SAC is 6.5km from the York district boundary and approximately 35km from the Harrogate district. Given the distance of the SAC from Harrogate and the number of visitor attractions which are closer it is unlikely that the draft Harrogate District Local Plan would create further recreational pressure in combination with the York plan.

City of Bradford Metropolitan District Council's Core Strategy

- 4.17** City of Bradford Metropolitan District Council's Core Strategy is currently at the proposed modifications stage addressing issues raised at the Examination In Public. The document provides the growth strategy for the plan period including the amount of housing and employment land required, the distribution of development and the required infrastructure. The HRA identified the North Pennine Moors SAC and SPA and the South Pennine Moors SAC and SPA as areas vulnerable to impacts by the Core Strategy alone and in-combination with other plans including the draft Harrogate District Local Plan. Through the Habitat Regulations screening and Appropriate Assessment a range of likely effects on the North and South Pennine Moor SACs and SPAs has been considered;

- Loss of supporting habitats (directly or indirectly)
- Increased water demand
- Impacts on water quality
- Increased emissions to air
- Collision mortality risk and displacement due to wind turbine developments
- Recreational impacts, including walkers, dogs, trampling and erosion and
- A range of urbanisation impacts, including fly-tipping, invasive species, wildfire and increased predation.

- 4.18** The HRA concluded that the Core Strategy would not result in adverse effects from wind turbine development, increased water demand or impacts on water quality. Loss of supporting habitats, urbanisation and recreational impacts likely to affect the South Pennine Moors SAC and SPA are considered to be adequately avoided and mitigated by Core Strategy Policy SC8. This policy sets out criteria for when development will be permitted within three buffer zones surrounding the South Pennine Moors SAC and SPA. These zones are set at 400m, 2.5km and 7km from the boundary of the SAC and SPA reflecting the areas where

urbanisation, loss of foraging habitat for species and recreational pressure could impact on the European sites. The Core Strategy does not allocate sites and therefore the likelihood of traffic-related atmospheric pollution affecting either the North or South Pennine Moors SACs and SPAs will be determined through more detailed traffic modelling during the pre-allocations testing stage.

Joint Minerals and Waste Plan

4.19 North Yorkshire County Council, City of York Council and the North York Moors National Park Authority are working together to prepare a Joint Minerals and Waste Plan to provide for minerals and waste developments up to 2030. This plan covers the whole of the Harrogate district and many of the European sites identified by the HRA for the draft Harrogate District Local Plan. The joint councils have recently consulted on preferred options and produced a HRA to assess both policies and the preferred sites. The HRA has identified a proposed new extraction site for sand and gravel at Kirk Deighton and recommends an Appropriate Assessment is undertaken to assess the site's impact on the nearby Kirk Deighton SAC. The Appropriate Assessment will focus on the possible hydrological impact of the new extraction site and given the restricted groundwater availability of the area (Nidd Magnesian Limestone Groundwater Resource Area) it will also consider in-combination impacts with the draft Harrogate Local Plan. The Joint Waste and Minerals plan also proposes the continuation of supply of silica sand from the Blubberhouses Quarry (site reference MJP15). This site is currently undergoing an Appropriate Assessment to establish whether an impact on the North Pennine Moors SAC and SPA and South Pennine Moors SAC and SPA will be significant.

Nidderdale Area of Outstanding Natural Beauty (AONB): Management Plan 2014-2019 (Nidderdale AONB Joint Advisory Committee, 2014)

4.20 The plan seeks to maintain and improve the AONB area which encompasses the North Pennine Moors SAC/SPA, focusing on landscape, natural environment, historic environment and understanding and enjoyment. The Nidderdale AONB Joint Advisory Committee is able to work in partnership with landowners and other conservation organisations to initiate positive management of the area. The following policies are particularly relevant:

- Policy L3: Take action to ensure characteristic features of the AONBs landscape are resilient to climate change by working independently and in partnership with other protected areas across the northern upland where possible
- Policy NE1: Work in partnership with land managers and conservation organisations to ensure designated sites, including those designated for their geological interest, are managed to the highest standards in accordance with international, national and local guidelines
- Policy NE3: Work with landowners and partners to secure compliance with Water Framework Directive criteria for 'Good Ecological Status' for all rivers and still waters by 2019
- Policy UE1: Support North Yorkshire County Council's efforts to improve the quality and accessibility of the rights of way network
- Policy UE2: Reduce the impact of vehicular use of Unsurfaced Unclassified Roads where this is having an adverse impact on conservation of the natural and cultural heritage of the AONB and its enjoyment by the public

Harrogate District Climate Change Strategy (Harrogate Borough Council, 2009)

4.21 The climate change strategy aims to cut the district's carbon dioxide emissions by 40% by 2020 and a 40% cut in carbon dioxide emissions from the council's own operations by 2020 and an 80% reduction by 2050. In addition to the areas of focus which can be implemented by the draft local plan (energy efficiency and transport) the strategy will also work with schools and community groups on the community carbon reduction project, provide information to

householders, and provide help for local businesses to cut carbon and raise awareness in the workplace. These strategies will help to reduce carbon emissions within existing buildings and uses which are beyond the influence of the draft Local Plan.

Harrogate District Biodiversity Action Plan (BAP) (Harrogate Borough Council, 2012)

- 4.22** The Natural Environment and Rural Communities Act 2006 placed a legal duty on public bodies to maintain biodiversity. The Harrogate District BAP has been produced to identify, protect and enhance locally important habitats and species (both within SINC's and the countryside more widely). To aid delivery, individual action plans are included for habitats and species, including some of the qualifying features for the North Pennine Moors SAC and SPA and Kirk Deighton SAC such as blanket bog, upland heathland, fen, Hen Harrier and Great Crested Newt. The action plans include working with landowners/ occupiers to raise awareness and encourage good management to improve current ecological conditions.

The Rights of Way Improvement Plan for North Yorkshire (2007 - 2011)

- 4.23** The Countryside & Rights of Way Act (2000) introduced a statutory duty to produce a Rights of Way Improvement Plan and review its content at least every 10 years. The 2007-2011 plan is currently being refreshed but the strategic approach is likely to be unchanged.

Water for life and livelihoods. Part 1: Humber River Basin District- River Basin Management Plan (RBMP) (Environment Agency, 2015)

- 4.24** The objectives of the management plan reflect those of the Water Framework Directive and focus on the protection, improvement, sustainable management and use of the water environment in terms of quantity and quality. Local measures for the Swale, Ure, Nidd and Upper Ouse catchment area include tackling diffuse rural pollution, promote natural flood risk management and mitigate the impact of morphological changes.

Water Resources Management Plan Yorkshire Water Services Ltd (2014)

- 4.25** The purpose of the management plan is to maintain a balance between supply and demand of water resources for the 25 year period from 2015/16 to 2039/40. The plan proposes actions to overcome the supply demand deficit for 2018.

5 Screening of Growth Strategy

Draft Policy GS1: Providing New Homes and Jobs	
<p>Provision will be made in the district over the period 2014-2035 for:</p> <p>A. 11,697 new homes as a minimum, including affordable housing and 20 Gypsy and Traveller pitches.</p> <p>B. 20 - 25ha of new employment land.</p>	
Assessment	
<p>This is a high level over-arching policy which outlines one of the core purposes of draft Local Plan. The impacts of this policy are assessed via other policies within the draft Local Plan.</p>	
Summary	<p>Category A: the policy is a general statement of aspiration and will be implemented by policies subject to this assessment.</p>

Draft Policy GS2: Growth Strategy to 2035	
<p>The need for new homes and jobs will be met as far as possible in those settlements that are well related to the key public transport corridor. The scale of development will reflect:</p> <p>A. The settlement's role and character.</p> <p>B. Its relationship to the public transport corridor.</p> <p>C. The need to deliver new homes and jobs.</p> <p>D. The need to maintain or enhance services and facilities in rural villages.</p> <p>E. The capacity of infrastructure and services within the settlement.</p> <p>New development will be located as follows:</p> <p>F. Main Settlements: Major allocations of land will be provided to deliver new homes, employment land and other uses where necessary in Harrogate, Knaresborough and Ripon or on land specifically identified for employment purposes outside of the main settlement.</p> <p>G. New Settlement: A major new strategic allocation for housing with associated employment and supporting services and facilities. This will take the form of a new settlement.</p> <p>H. Local Service Centres: Allocations of land will be provided for new homes and local job opportunities in Boroughbridge, Masham and Pateley Bridge.</p> <p>I. Primary and Secondary Service Villages: Allocations of land for new homes; with new village shops and businesses encouraged to support their continued sustainability.</p> <p>J. Smaller Villages: Small scale windfall and rounding off in accordance with Policy GS3</p> <p>Main Settlements are: Harrogate, Knaresborough and Ripon</p> <p>Local Service Centres are: Boroughbridge, Masham and Pateley Bridge</p> <p>Primary Service Villages are: Green Hammerton, Hampsthwaite, Killinghall, Kirkby Malzeard, Pannal, Ripley, Spofforth, Summerbridge, Tockwith</p> <p>Secondary Service Villages are: Askwith, Beckwithshaw, Birstwith, Bishop Monkton, Bishop Thornton, Burnt Yates, Burton Leonard, Dacre/Dacre Banks, Darley, Dishforth, Follifoot, Glasshouses, Goldsborough, Grantley, Great Ouseburn, Grewelthorpe, Huby, Kettlesing Bottom, Kirby Hill, Kirk Hammerton, Kirby Overblow, Lofthouse, Long Marston, Markington, Marton cum Grafton, North Rigton, North Stainley, Nun Monkton, Rainton, Roecliffe, Sharow, Sicklinghall, Skelton on Ure, Staveley</p>	

Draft Policy GS2: Growth Strategy to 2035

Smaller Villages are: Arkendale, Baldersby, Bewerley, Brearton, Copgrove, Copt Hewick, Cowthorpe, Farnham, Galphay, Hunsingore, Kirk Deighton, Little Ouseburn, Little Ribston, Littlethorpe, Marton le Moor, Melmerby, Middlesmoor, Minskip, Ramsgill, Sawley, Scotton, South Stainley, Studley Roger, Weeton, Whixley, Winksley

Assessment**Land taken by development inside and outside site/ habitat nibbling**

Map 3.1 (appendix 3) shows how the growth strategy steers development away from the European sites both within and outside the district boundary. Birds from within the SPAs could be using land up to 2.5km outside of the SPA for foraging and feeding and the following settlements fall within this area:

Local Service Centre: Pateley Bridge

Primary Service Villages: Summerbridge

Secondary Service Villages: Askwith, Dacre/ Dacre Banks, Glasshouses, Lofthouse

Smaller Villages: Bewerley, Middlesmoor, Ramsgill, Greenhow

The growth strategy includes a new settlement at one of two potential sites; near Flaxby or Green Hammerton. Large development at either of these sites would not cause a loss of habitat for a SAC or SPA.

The draft Local Plan encourages growth within and surrounding these settlements and given the rural nature of these settlements it is likely that there will be an impact on land which has the potential to be used by protected species. In the smaller villages this impact will be reduced as the policy only allows small scale proposals and rounding off of the built up area.

In addition Great Crested Newts from the Kirk Deighton SAC are likely to be utilising the surrounding land and ponds and in particular the area of rough grassland to the north of the site. Kirk Deighton is classed as a smaller village within the hierarchy and only rounding off of the built up area will be permitted.

In-combination: Draft Local Plan policies HS6: Conversion of Rural Buildings for Housing, HS9 Rural Worker's Dwelling and EC3: Employment Development in the Countryside all provide an opportunity for buildings within a close distance to the North Pennine Moors SPA/ SAC to be developed. However, previously the number of applications for these types of development have been low and even in combination there would be a very small number of proposals put forward within the areas at risk (please see the assessments for these policies within appendix 1).

Mitigation: Draft Local Plan Policy GS3 Development Limits identifies a boundary to the settlements within which most development should be located. Small scale development outside of these limits is permitted but only where it is immediately adjacent to the existing built form of the settlement and not therefore within undisturbed areas of open countryside or covers large areas of land. The development limit for Kirk Deighton (map 3.3 appendix 3) will prevent development encroaching further towards the SAC as there are no opportunities for rounding off to the south west of the settlement.

Draft Local Plan Policy NE3: Protecting the Natural Environment requires an appropriate assessment for development likely to have a significant effect on a European site or its features of interest. The justification text explains how this policy will be implemented through the Local Validation Criteria and that applications will not be validated where the extent of the impact of the proposal on the natural assets cannot be properly evaluated. The current Local Validation Criteria already protects sites which may be used by Great Crested Newts through the requirement for applicants to complete a Biodiversity Proforma and if appropriate ecological survey⁽¹⁹⁾. This proforma will be updated to identify potential sites used by foraging birds outside of the SPAs to flag up proposals which could impact on sites used for feeding and foraging.

Draft Policy GS2: Growth Strategy to 2035

Draft Local Plan Policy NE3 will ensure the loss of significant foraging sites is prevented and protect great Crested Newts at the Kirk Deighton SAC. Draft Local Plan Policy GS3 prevents incremental development and the incremental loss of foraging sites.

Urban Disturbance

The only settlement within the growth strategy which is within 400m of a SAC or SPA boundary is Kirk Deighton. Here new development will be restricted to small scale windfalls and rounding off of the built up area and therefore will not significantly increase the current levels of disturbance.

Recreational Pressure and Disturbance:

Although there has not been any research conducted on recreational visitors to the North Pennine Moors the area falls within the Nidderdale Area of Outstanding Beauty which is prominent destination for visitors to the area. The Nidderdale AONB STEAM Report (2012) predicted that 1,193,000 people visited the area throughout 2010. The majority of these are day visitors (1,108,000) and more visits are made during the summer months. The draft Local Plan will provide 11,697 homes throughout the plan period which, when compared with the current level of day visitors to the area, will contribute a small increase. The STEAM method utilises information on accommodation occupancy rates, attendance at local attractions and Tourist Information Centre visitor figures and does not provide information on the volume of people making informal recreational use of footpaths or open access areas such as those within the North Pennine Moors SAC/SPA. A main attraction within the AONB is Fountains Abbey and Studley Royal which attracted roughly a third of all visitors (342,499) in 2010⁽²⁰⁾. Natural attractions outside of the North Pennine Moors SAC/ SPA include Brimham Rocks, Hackfall Woods, How Stean Gorge, Stump Cross Caverns, Angram, Scar House and Gouthwaite reservoirs and the Washburn reservoirs. Given the methodology for the STEAM report and the number of other attractions within the Nidderdale area it is likely that the majority of these visitors do not visit the footpaths and open access areas within the North Pennine Moors SAC/SPA. Anecdotal evidence from rangers who worked with the Nidderdale team suggest that the open access areas in particular receive very few visitors, with rangers not seeing any visitors at all on some days.

To establish the potential impact of the draft Local Plan the growth strategy can be considered in its proximity to the North Pennine Moors SAC/SPA. Guidance⁽²¹⁾ suggests that a distance of 5km should be used to identify recreational impact however, research undertaken on behalf of City of Bradford Metropolitan District Council found that on average visitors travelled 7km to the South Pennine Moors SAC/ SPA. To provide continuity for all the effected SPAs and SACs a buffer zone of 7km has been considered as part of this assessment and is shown on map 3.1 (appendix 3). The map includes a 7km buffer zone around the Kirk Deighton site however given the size and character of this site it will not attract visitors. The growth strategy steers development away from the European sites meaning that most areas will have easy access to an area of open countryside which is not protected and could accommodate informal recreation such as walking and dog walking. Neither of the proposed sites for the new settlement would cause an additional impact in regards to recreational impact.

Mitigation: Draft local Plan Policy HP7: New Sports, Open Space and Recreation Development requires proposals to provide new sports, open space and recreational facilities to cater for the needs arising from the development. This will mitigate additional recreational pressures of new development and help alleviate existing shortages.

The growth strategy is implemented through Chapter 11 of the draft Local Plan which allocates sites for housing. The impact on recreational pressure and disturbance of sites in this chapter has been assessed within section 6 of the Habitat Regulations report.

Water quantity and quality:

The district's water is supplied by Yorkshire Water's grid system meaning that demand does not necessarily have to be met locally. Yorkshire Water has been consulted during the preparation of the draft Local Plan to identify potential problems for capacity, including capacity at waste water treatment works. Feedback from Yorkshire Water has suggested that potential problems cannot be identified at this stage.

Draft Policy GS2: Growth Strategy to 2035**Changes in pollution levels**

By focusing on the key public transport routes and the areas already with a range of services the growth strategy seeks to minimise car usage and the impact on pollution levels. Research suggests that levels of nitrogen significantly reduce beyond 200m from the source of pollution and the growth strategy successfully steers development away from routes which travel across or within this distance of a SAC or SPA. The growth strategy will of course create an impact on traffic levels across the district as the population grows. Traffic modelling undertaken to assess the likely highway implications of the draft Local Plan shows an extremely small increase in vehicle movements along routes which cross through or travel very near to a SAC or SPA. Therefore the impact on air quality near the North Pennine Moors SAC and SPA is anticipated to be negligible.

Summary

Category B: the policy could have an effect but the likelihood is there would be no significant negative effect on a European site alone or in combination with other elements of the same plan, or other plans or projects.

Draft Policy GS3: Development Limits

Development limits have been drawn around those settlements listed in policy GS2: Growth Strategy to 2035, and as shown on the Policies Map. Within development limits, proposals for new development will be supported provided it accords with other policies in the Local Plan.

Proposals for new development on sites outside the development limit of a settlement will be supported where it is consistent with the role of the settlement in the growth hierarchy set out in policy GS2: Growth Strategy to 2035, does not result in a disproportionate level of development compared to the existing settlement and meets the following criteria:

- A. The site is immediately adjacent to the existing built form of the settlement and would represent a logical extension to the built up area;*
- B. There is either no suitable and available site for the proposed use within the settlement development limit or site allocated under policies DM1: Housing Allocations, DM2: Employment Allocations and DM3: Mixed Use Allocations;*
- C. It would not result in coalescence with an adjoining settlement;*
- D. It would not have an adverse impact on the character and appearance of the surrounding countryside;*
- E. The proposal is of a scale and nature that is in keeping with the core shape and form of the the settlement and will not adversely harm its character and appearance; and*
- F. It would not extend existing linear features of the settlement or result in ribbon development.*

In settlements where there is an allocation(s), development proposals on sites outside the development limit and for the same proposed use, will not be supported in advance of the development of that allocation(s) unless it can be demonstrated that the allocation will not come forward within the plan period or, in the case of housing, there is no five year supply of housing land.

In settlements within the Green Belt, proposals for new development will be limited to infill sites within the development limit and the redevelopment of brownfield sites where the openness of the Green Belt or the purposes of including land in the Green Belt is not harmed.

Assessment

This policy seeks to restrict development to within or immediately adjacent to the existing built form of those settlements with development limits.

Summary

Category A: the policy would have no negative effect on a European site.

Draft Policy GS4: Green Belt	
<p><i>The extent of the Green Belt within Harrogate district is shown on the Policies Map. Inappropriate development in the Green Belt will not be approved except in very special circumstances in accordance with national policy.</i></p> <p><i>The council encourages proposals for the beneficial use of Green Belt to achieve the following opportunities provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it:</i></p> <p>A. <i>To retain and enhance the character of the district's landscape, visual amenity and biodiversity.</i> B. <i>To provide outdoor sport and recreation.</i> C. <i>To improve public access.</i></p>	
Assessment	
<p>This policy seeks to restrict development within the Green Belt.</p>	
Summary	<p>Category A: the policy would have no negative effect on a European site.</p>

Draft Policy GS5: Supporting the District's Economy	
<p><i>The council will encourage sustainable economic growth in the district by supporting the development aspirations of indigenous businesses and promoting inward investment opportunities; specifically by:</i></p> <p>A. <i>Supporting the growth of key sectors including:</i></p> <ul style="list-style-type: none"> <i>i. creative, media and digital activities</i> <i>ii. low carbon</i> <i>iii. life sciences</i> <i>iv. financial and professional services</i> <i>v. wholesale and distribution</i> <p>B. <i>Providing a range of business sites and premises.</i> C. <i>Making a strategic employment land allocation at Flaxby, adjacent to the A1(M).</i> D. <i>Identifying Station Parade, Harrogate as a significant mixed-use, employment and commercial development location strengthening the town centre's role as an attractive location for business and contributing to the vitality of the town centre.</i> E. <i>Maintaining and enhancing the district's visitor economy.</i> F. <i>Supporting the rural and agricultural economy and its diversification.</i></p>	
Assessment	
<p>This is a high level over-arching policy which outlines one of the core purposes of draft Local Plan. The impacts of this policy are assessed via other policies within the draft Local Plan.</p>	
Summary	<p>Category A: the policy is a general statement of aspiration and will be implemented by policies subject to this assessment.</p>

Draft Policy GS6: Sustainable Development	
<p><i>When considering development proposals the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</i></p> <p><i>Planning applications that accord with the policies in the Local Plan (and, where relevant, with policies in the neighbourhood plans), will be approved without delay, unless material considerations indicate otherwise.</i></p>	

Draft Policy GS6: Sustainable Development	
<p><i>Where there are no Local Plan policies relevant to the application or, relevant policies are out of date at the time of making the decision, the council will grant planning permission unless material considerations indicate otherwise taking into account whether:</i></p> <p>A. <i>Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or</i></p> <p>B. <i>Specific policies in that framework indicate that development should be restricted.</i></p>	
Assessment	
<p>The policy intends to protect the natural environment, including biodiversity, by approving development that improves the economic, social and environmental conditions in the area. In order to work pro-actively towards a presumption in favour of sustainable development the council encourages early discussion with applicants before a planning application is submitted. This will ensure that any key policy considerations can be discussed at the earliest stage, including those relating to the European sites.</p>	
Summary	Category A: the policy would have no negative effect on a European site.

Draft Policy GS7: Health and Wellbeing	
<p><i>The potential for achieving positive health and wellbeing outcomes will be taken into account when considering development proposals. Where any potential adverse impacts are identified, the applicant will be expected to demonstrate how these will be addressed and mitigated.</i></p> <p><i>Development proposals should promote, support and enhance health and wellbeing by:</i></p> <p>A. <i>Contributing to a high quality, attractive and safe public realm to encourage social interaction and facilitate movement on foot and cycle.</i></p> <p>B. <i>Providing sufficient and the right mix of homes to meet people's needs and in the right location.</i></p> <p>C. <i>Creating opportunities for employment in accessible locations.</i></p> <p>D. <i>Designing homes that reflects the changes that occur over a lifetime so people are not excluded by design as their circumstances change.</i></p> <p>E. <i>Building homes which are easy to warm and ventilate.</i></p> <p>F. <i>Ensuring high levels of residential amenity.</i></p> <p>G. <i>Providing opportunities for formal and informal physical activity, recreation and play.</i></p> <p>H. <i>Supporting and enhancing community and social infrastructure.</i></p> <p>I. <i>Improving the quality and quantity of green infrastructure and by protecting and enhancing public rights of way.</i></p>	
Assessment	
<p>This is a high level over-arching policy. The impacts of this policy are assessed via other policies within the draft Local Plan.</p>	
Summary	Category A: the policy would have no negative effect on a European site.

6 Screening of Draft Development Policies

Assessment of Draft Development Policies

6.1 The draft Local Plan provides policies for when development will be supported. These are often criteria based meaning that they could be implemented at any site across the district and could be applied to more than one type of development. The draft development policies have been considered in relation to a number of potential impact pathways:

- Land taken by development inside and outside the SAC or SPA
- Urban disturbance
- Recreational Pressure
- Water quantity and quality
- Changes in pollution

6.2 Appendix 1 provides an overview of these assessments and shows that the majority of draft development policies will not impact on an European site.

Land taken by development inside and outside the SAC or SPA

6.3 There are ten policies in total which potentially could lead to the loss of land. As the growth strategy in the main steers development away from the open countryside and towards the public transport corridor half of these policies specifically target rural locations where development would not otherwise be supported:

- EC3: Employment development in countryside
- EC4: Farm diversification
- EC7: Sustainable rural tourism
- HS6: Conversion of rural buildings for housing
- HS9: Rural workers' dwellings

6.4 These types of proposals are less common, for example there were only 7 proposals for rural workers' dwellings last year across the whole district. In addition, to ensure that the countryside is protected they have very specific criteria to ensure that only suitable proposals are supported.

6.5 The remaining policies can be applied in urban and rural areas:

- EC2: Expansion of existing businesses
- TI5: Telecommunications
- CC3: Renewable energy
- HP7: New sports, open space and recreation development
- HP9: Provision of new community facilities

6.6 To ensure the countryside is protected the criteria within these policies restrict development to specific circumstances, for example HS9 requires evidence to support the need for a worker on site, EC7 will only support accommodation if there is access to local services and EC4 requires thorough evidence of the farm business to justify diversification and ensure that any proposal does not jeopardise the farming activity. Owing to this fewer proposals for these types of developments are made.

6.7 Most of the policies include criteria to protect or avoid harm to the natural environment or biodiversity. In addition all planning applications will have to meet draft policy NE3: Protecting the natural environment which seeks to protect and enhance biodiversity across the district. This will be achieved by requiring planning applications to include a completed biodiversity proforma which screens the proposal for potential risks to biodiversity and if necessary

requires an ecological survey to be submitted. The biodiversity proforma in its current form is included within appendix 4 and will be updated to include sites which could potentially be used for foraging and feeding birds from the North and South Pennine Moors SPA.

- 6.8** Owing to the level of development anticipated and the implementation of NE3 to mitigate potential impacts it is not considered that these policies in-combination will have a significant impact on the European sites.

Urban Disturbance

- 6.9** As a development has to be close to a European site to cause disturbance there are fewer policies which would allow development in such a location:

- EC3: Employment development in the countryside
- EC7: Sustainable rural tourism
- HS6: Conversion of rural buildings for housing
- HS9: Rural workers' dwellings
- CC3: Renewable energy
- HP7: New sports, open space and recreation development

- 6.10** Although it is a possibility that an appropriate site for some of the above could be found very close to the boundary of a SAC or SPA it is envisaged that these would be few. In the case of EC7, HS9 and HP7 a proposal will only be supported where it is demonstrated that it cannot be accommodated within a settlement or (specifically for HS9) within an existing residential unit, further restricting the potential number of proposals.

- 6.11** As above, most of the policies include criteria to protect or avoid harm to the natural environment or biodiversity and in addition all planning applications will have to meet draft policy NE3: Protecting the natural environment.

- 6.12** Owing to the level of development anticipated and the implementation of NE3 to mitigate potential impacts it is not considered that these policies in-combination will have a significant impact on the European sites.

Recreational Pressure

- 6.13** Some policies within the draft Local Plan will provide an opportunity for people to live closer to a European site and therefore be more likely to visit the site for walking, dog walking or other recreational activity:

- HS6: Conversion of rural buildings for housing
- HS9: Rural workers' dwellings

- 6.14** Proposals for these types of development will be small scale, often only single dwellings. Given the criteria which has to be met the number of proposals will also be small and any impact on the North or South Pennine Moors SACs or SPAs will be minimal.

- 6.15** Other policies allow for recreational activities to take place within or very close to a European site:

- HP7: New sports, open space and recreation development
- EC7: Sustainable rural tourism

- 6.16** In the main these policies will draw recreational pressure away from the European sites as it will provide recreational facilities in more appropriate areas. Draft Policy HP7: New sports, open space and recreation development will require new housing and mixed use developments to provide new sports, open space and recreational facilities to cater for the

needs arising from the development, providing alternative open space to SACs and SPAs. Proposals could be made within a SAC or SPA if it can be justified that such a location is necessary but again, it is not anticipated that there would be many proposals put forward.

- 6.17** Finally, some policies improve accessibility to the countryside and could therefore improve access onto a SAC or SPA.
- HP5: Public rights of way
 - NE5: Green infrastructure
- 6.18** The growth strategy as a whole steers development away from the European sites within the district so there will be fewer proposals within a distance that could impact on a SAC or SPA. Draft Policy HP7: New sports, open space and recreation development will require new housing and mixed use developments to provide new sports, open space and recreational facilities to cater for the needs arising from the development, providing alternative open space to SACs and SPAs. Draft Policy NE5: Green infrastructure will seek to enhance green infrastructure across the district so will help to improve access to other areas outside of the European sites and make open areas within close proximity to development sites more accessible and more appealing.

Water quality and quantity and changes in pollution levels

- 6.19** Draft policy EC7: Sustainable rural tourism is the only policy identified as potentially having an impact on water quality or pollution levels. As the policy allows development to take place in rural areas there is an increased likelihood of the development requiring private water supply and drainage. Unlike mains water taken off the grid this could have local impacts on water levels and flows. Draft policy NE2: Water quality requires developers to demonstrate that all proposed development will be served by an adequate wholesome supply of water, appropriate sewerage infrastructure and that there is sufficient sewage treatment capacity to ensure that there is no deterioration of water quality. In addition to the planning process, water abstraction licences will be required before any water can be taken from a stream or other water body.
- 6.20** Pollution levels could be impacted by an increase in vehicles visiting the destination. Draft policy EC7 requires that the proposal does not generate levels of traffic that would have an adverse impact on air quality. In addition, draft policy NE1: Air quality requires all planning applications that give rise to significant amounts of traffic to provide information on the increase in pollution arising as a result of the development proposals and identify mitigation measures to address these increases.
- 6.21** Given the small number of proposals anticipated and the mitigating policies which would seek to avoid harm to the natural environment in general it is not considered that this policy would cause significant harm.

7 Screening of Draft Allocations

Assessment of Draft Allocation Sites

- 7.1** The draft Local Plan provides allocations for housing, employment and associated uses. The allocations have been considered in relation to a number of potential impact pathways:
- The sites proximity to any European site has been considered to establish whether development would lead to urban disturbance, impact on feeding and foraging sites or lead to increased recreational pressure;
 - Potential impacts on water quality and quantity are not available at this stage, however impacts on surface water run off and the potential for developers to provide suitable mitigation has been considered;
 - The location of the sites in relation to the public transport corridor has been considered to assess the likely impact of pollution on a European site.
- 7.2** Appendix 2 provides an overview of these assessment and shows that the majority of the allocations will not impact on an European site.

Land taken by development

- 7.3** The majority of sites lie within the urban areas of the district at some distance from any European site however, the allocations within Pateley Bridge and Dacre Banks are within 2.5km from the boundary of the North Pennine Moor SPA and could potentially impact on foraging and feeding sites. These sites are:
- P1 - Land south of Ashfield Court. This site consists of two fields which are species poor semi-improved grassland with boundary hedges and pond.
 - P5 - Grassfield Court. A small site consisting of amenity grassland associated with an existing residential property. There are a large number of ornamental shrubs and trees.
 - P7 - Former Highways Depot. The site consists predominantly of hard surfacing.
 - P10 - Grassfield House. A small garden area with ornamental hedges and trees.
 - DB5 - Land to the west of Dacre Banks. This site consists of two fields both of which are improved pastures with mature trees along the boundaries.
- 7.4** The sites within Pateley Bridge do not appear to be good examples of sites which could be used for foraging and feeding, although that does not necessarily discount their use. The number of allocated sites is very small particularly in comparison to the large amount of surrounding fields which offer similar, or more preferable, habitats including an area of open grazing land immediately to the north. It is unlikely therefore that the loss of these sites would have a significant impact.
- 7.5** As with the Pateley Bridge sites DB5 at Dacre Banks is small in comparison to the area of surrounding farmland. It is also immediately adjacent to the built up area of the village. It is unlikely that the loss of this site would have a significant impact.

Recreational Pressure

- 7.6** A distance of 7km from the North Pennine Moors SAC/SPA and the South Pennine Moors SAC/SPA has been used to identify allocations for housing and mixed uses which could lead to an increase in visitors to the European sites. There are 14 sites in total in the following areas:
- **Masham**
 - M8 - North of Swinton Road. The site has an indicative yield of 49 houses.

- M13 - Land at Thrope Raod. An indicative yield has not yet been given for this site but at 30 dwellings per hectare, if the site was developed in full it could accommodate up to 107 houses.
- Both of the sites are large enough to accommodate the recreational needs of the area, in addition to their own open space requirements. Both sites are also within 1km of a play area or amenity open space or 3km of an outdoor sport facility. Masham lies approximately 5km to the west of the North Pennine Moors and given that there is adequate space to supply open space within each of the allocated sites it is not considered that these sites should have a significant impact on the SAC/SPA.
- **Pateley Bridge:**
 - P1 - Land south of Ashfield Court. The site has an indicative yield of 64 houses.
 - P5 - Grassfield Court. Indicative yield of 9.
 - P7 - former Highways Depot. Indicative yield of 13.
 - P10 - Grassfield house. Indicative yield of 7.
 - All the sites are within 1km of a play area or amenity open space or 3km of an outdoor sport facility. As the sites are smaller, only P1 and P7 are large enough to accommodate extra open space in addition to their own open space requirements.
 - The public rights of way which would be used by inhabitants of the new dwellings to access the SPA/SAC are very steep, leading first through disused quarries. The Nidderdale AONB and North Yorkshire County Council have undertaken open access land patrols in the past in this area, where volunteers reported on the numbers of visitors using the area. Due to low usage of these areas these patrols have now been discontinued. Generally, it was noted that visitors generally kept to designated footpaths, suggesting access to this area is unlikely to be attractive to a large proportion of the population.
 - Wath Lane, which forms the southern boundary of the SAC/SPA area in this location, is a narrow road. There is no formal provision for parking in this location so residents of the new housing developments would not be encouraged to take their cars to this location in order to access the designated area.
 - Within Pateley Bridge there are a number of areas of open space throughout the settlement providing space for informal activities which are accessible to all the housing sites and provide opportunities for walking, exercising dogs and other recreational activities. In addition Pateley Bridge is in a location with a wide choice of destinations and formal footpaths, including the Nidderdale Way which provides alternative areas to visit.
 - The draft allocations for Pateley Bridge were previously proposed within the Sites and Policies DPD and the Habitat Regulations Assessment for this document (May 2013) concluded that the sites were unlikely to have a significant impact. There has been no change in circumstances (the indicative yield is less than previously proposed) which would suggest that the same conclusion should not be made for the draft Local Plan.
- **Dacre Banks**
 - DB3 - Abbots Garage and adjacent land. The site has an indicative yield of 22.
 - DB5 - Land to the west of Dacre Banks. An indicative yield has not been given for this site but at 30 dwellings per hectare, if the site was developed in full it could accommodate up to 67 dwellings.
 - Both of the sites are large enough to accommodate the recreational needs of the area, in addition to their own open space requirements. Both sites are also within 1km of a play area or amenity open space or 3km of an outdoor sport facility. Dacre

Banks lies approximately 5km to the west of the North Pennine Moors and given that there is adequate space to supply open space within each of the allocated sites it is not considered that these sites should have an significant impact on the SAC/SPA.

- **Darley**
 - DR1 - Land at Stumps Lane. The site has an indicative yield of 9.
 - DR14 - Sheepecote Lane. An indicative yield has not been given for this site but at 30 dwellings per hectare, if the site was developed in full it could accommodate up to 141 dwellings.
 - Both sites are within 1km of a play area or amenity open space or 3km of an outdoor sport facility and site DR14 is large enough to accommodate the recreational needs of the area, in addition to their own open space requirements.
 - Darley is 5km from the boundary of the North Pennine Moors and is surrounded by a good number of footpaths which lead along the river Nidd towards Summerbridge and Pateley Bridge or east towards Thornwaite, Thruscross and Thruscross reservoir. Darley is also on the Nidderdale Way and this much longer route does pass through a small section of the North Pennine Moors SAC/SPA. Given the amount of alternative footpaths and areas to visit it is not anticipated that these sites will cause a significant impact.

- **Kirkby Malzeard**
 - KM4 - south of Richmond Garth. The site has an indicative yield of 23.
 - KM5 - east of Richmond Garth. The site has an indicative yield of 8.
 - Both sites are also within 1km of a play area or amenity open space or 3km of an outdoor sport facility and KM4 is large enough to be able to accommodate the recreational needs of the area, in addition to its own open space requirements. Given that there is adequate space to supply open space within the larger allocated site it is not considered that these sites should have an significant impact on the SAC/SPA.

- **Summerbridge**
 - SB1 - Clough House Farm. This site has an indicative yield of 64.
 - SB5 - Land at Braisty Woods. This site has an indicative yield of 24.
 - Both of the sites are large enough to accommodate the recreational needs of the area, in addition to their own open space requirements. Both sites are also within 1km of a play area or amenity open space or 3km of an outdoor sport facility. Summerbridge is approximately 3km from the North Pennine Moors and is very close to the Nidderdale Way footpath which passes through the European site. However, there are a good number of alternative footpaths including routes which follow the river towards Pateley Bridge and those which lead towards Brimham Rocks. Given that there is adequate space to supply open space within each of the allocated sites and that there are a number of footpaths which avoid entering the European site it is not considered that these sites should have an significant impact on the SAC/SPA.

Water Quantity and Quality

- 7.7** Assessments undertaken as part of the Sustainability Appraisal show that with all the sites the effects of additional surface water discharge on nearby watercourses will be slight or if further impacts are anticipated it is considered that these could be appropriately mitigated. The impact on water quantity and quality will not lead to likely significant impacts on European sites.

Changes in Pollution Levels

7.8 The majority of the allocated sites lie within the public transport corridor which does not intrude onto or close to any European site. At its closest proximity to an European site the public transport corridor is 800m from the North Pennine Moors SAC/SPA meaning that the impact from increased levels of nitrogen caused by pollution will drop to background levels. There are 12 settlements with sites allocated for housing, employment or mixed uses which are not on the public transport corridor:

- Masham. Within the settlement hierarchy Masham is classed as a local service centre and has two sites allocated within it. The most direct route to Ripon, the closest main settlement, is along the A6108, travelling along this route in the other direction leads out of the district towards Leyburn. The A6108 does not at any point encroach within 200m of an European site.
- Bishop Monkton is a secondary service village. The definition of the public transport corridor includes all areas within 800m of the route and Bishop Monkton sits just beyond this distance. It does not meet the criteria for being close to a good quality bus service however, in regards to vehicle journeys it is likely that most journeys would follow the public transport corridor travelling towards either Harrogate and Ripon on the A61. Therefore journeys from here are unlikely to impact on an European site.
- Goldsborough is a secondary service village. The village sits to the east of Knaresborough, just to the south of the public transport corridor along the A59. From here, routes to the main settlements of Knaresborough and Harrogate as well as out of the district towards York or north or south along the A1(M) do not lead near any European site.
- Kirkby Malzeard is a primary service village. The village is within the Nidderdale AONB approximately 3km from the boundary for the North Pennine Moors SAC/SPA. However, direct journeys to the main settlement of Ripon or to Masham would not encroach closer towards the SAC/SPA.
- Melmerby and Sharow both sit on the outskirts of Ripon. Ripon is a main settlement and journeys to Ripon will not impact on any European site.
- North Stainley is a secondary service village which is located on the A6108 inbetween Masham and Ripon. The A6108 is the most direct route to the main settlements, nearest local service centre and routes out of the district. The A6108 does not at any point encroach within 200m of an European site.
- Stavely is a secondary service village a short drive from Boroughbridge, a local service centre. The village is also within easy access to Ripon and Harrogate. From this location routes to Ripon, Harrogate and Boroughbridge do not encroach near any European site.
- Dishforth, Marton cum Grafton, Rainton and Tockwith all sit to the east of the A1(M). Routes to main settlements or local service centres within or beyond the district boundary from these locations do not encroach near an European site.

7.9 It is not likely that any of the allocated sites will have a significant impact on increased pollution levels at the European sites.

8 Consultation

8.1 Consultation throughout the HRA process is key to ensuring that all stages of the assessment are robust, providing comprehensive support for the developing draft Local Plan. Consultation with Natural England, as the appropriate nature conservation body, took place during the preparation of the HRA to:

- broadly agreed the structure and methodology of the report;
- confirm the status of notified features for the North Pennine Moors; and
- advise on sources of information for impact pathways.

8.2 In response to Natural England comments during the Development management policies in November 2016:

- the potential for air pollution caused by EC7: Sustainable rural tourism has been considered and mitigation put forward
- HP7: New sports, open space and recreation development has been strengthened to include criteria on the impacts for wildlife

8.3 In addition, future talks with City of Bradford have been arranged to discuss methods for identifying foraging and feeding sites for birds within the SPAs.

8.4 The HRA, along with the Sustainability Appraisal, has been published for public consultation at each Local Plan consultation:

- Harrogate District Local Plan Issues and options consultation July 2015;
- Harrogate District Local Plan draft development management policies consultation November 2015; and
- this current consultation, Harrogate District Draft Local Plan consultation October 2016

8.5 Of specific note for the HRA are the following consultees:

- Natural England,
- Environment Agency,
- Yorkshire Water,
- Adjacent local authorities, and,
- Nidderdale AONB Advisory Board.

9 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 (combined with the Strategic Environmental Assessment) and the HRA. A provisional timetable for all documents is as follows:

Date	Local Plan Process	Sustainability Appraisal	SEA Process	HRA Process
October 2016	Draft Harrogate District Local Plan consultation with supporting Sustainability Appraisal/ SEA report and Initial Habitat Regulations Assessment			
Winter/Spring 2017		Adjust Sustainability Appraisal/SEA in light of consultation responses.	Adjust Sustainability Appraisal/SEA in light of consultation responses.	
	Adjust Plan in light of consultation responses.	Assess proposed changes against sustainability objectives and criteria.	Assess proposed changes against environmental objectives and criteria.	Assess whether the proposed changes would be likely to have a significant effect on an European site.
	Prepare the deposit version of the Local Plan.	Prepare the final Sustainability Appraisal/SEA	Prepare the final Sustainability Appraisal/SEA	Prepare the Habitat Regulations Assessment.
July 2017	Formal six week Publication Consultation on the Local Plan with supporting Sustainability Appraisal/SEA report and Habitat Regulations Assessment			
Summer/Autumn 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.
Winter 2017	Submission of the Local Plan to the Secretary of State			
Summer 2018	Examination of the Local Plan by the Inspector			
Autumn 2018	Adoption of the Local Plan			

Table 9.1 Next steps

Development Management Policies

Appendix 1 Development Management Policies

Screening of 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:

- 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*
- New York Mills, Summerbridge
- Draft Employment Allocations, once developed
 - H16: Playing fields, Harrogate College
 - H28: Land at Wetherby Road, Harrogate
 - FX4: Employment site to the south of the A59, Flaxby Green Park
 - MB3: Land south of Barker Business Park, Melmerby
 - TW2: Land to the north of Marston Business Park, Tockwith

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 unless it can be clearly demonstrated that the proposed use is ancillary to the functioning of the employment site and the following criteria are met:

- A. There is no unacceptable impact on the quality and quantity of employment land supply;
- B. There is no unacceptable impact on the operation of the site as a key employment area;
- C. There is no unacceptable amenity impact;
- D. The proposal provides a complimentary benefit to the employment area.

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:

- E. Impact on the quality and quantity of employment land supply;
- F. Ability to accommodate smaller scale requirements;
- G. Details of active marketing;
- H. Viability of employment development;
- I. Amenity considerations;
- J. Planning problems of the continued use of the site for employment.

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

Assessment

Draft Policy EC1: Protection and Enhancement of Existing Employment Areas

The policy does not propose new development but seeks to protect existing employment use on existing employment sites.

Summary	Category A: the policy would have no negative effect on an European site
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Draft Policy EC2: Expansion of Existing Businesses

Proposals for the expansion of existing businesses in open countryside and outside established employment areas will be permitted where:

- A. *There is a proven need for such development in terms of operational requirements of the business;*
- B. *The proposed development cannot physically and reasonably be accommodated within the curtilage of the existing site;*
- C. *The scale of development is appropriate in the proposed location;*
- D. *There is no unacceptable impact on the character of the countryside, the surrounding landscape, the form and character of the settlement or biodiversity;*
- E. *There is no unacceptable impact on the operation of the highway network;*
- F. *There are no significant adverse impacts on residential amenity.*

Assessment

Land taken by development: There is the possibility that a business within a distance of 2.5km of the North Pennine Moors SPA, South Pennine Moors SPA or within 500m of the Kirk Deighton SAC could expand onto land which is used by the protected species from one of the European sites. However, this policy relates to business, general industrial and storage and distribution uses and due to the small number of existing firms it is not likely that an impact would be significant.

In-combination: no plans identified.

Mitigation: Any proposal would have to be in accord with the Local Plan as a whole, including draft Local Plan policy EN3: Protecting the Environment.

Summary	Category B: the policy could have an effect but the likelihood is there would be no significant negative effect on a European site alone or in combination with other elements of the same plan, or other plans or projects.
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Draft Policy EC3: Employment Development in the Countryside

New employment development will be permitted in open countryside where all the following criteria are met:

- A. *It involves either:*
 - i. *the re-use or adaptation of an existing building, a proposal for farm diversification or other small-scale proposal requiring a countryside location for operational reasons; or*
 - ii. *small scale new building adjacent to a rural settlement, which is well related to the settlement, benefits the local economy, and reduces the need for increased car commuting to urban centres.*
- B. *The local road network can accommodate proposed traffic movements;*
- C. *It would not have a significant adverse effect on the character, appearance or general amenity of the area.*

Outside defined settlement development limits, the re-use of existing buildings to employment use from other uses will be supported where:

- D. *The building is of permanent and substantial construction, structurally sound and capable of conversion without the need for substantial extension, alteration or reconstruction.*
- E. *The scale, form and general design of the building and its proposed conversion are in keeping with its surroundings, local building styles and materials.*

Draft Policy EC3: Employment Development in the Countryside

- F. *The proposed alterations are of a high quality design, retaining the features that contribute positively to the character of the building and its surroundings.*
- G. *The building and its curtilage can be developed without an adverse effect on the historic environment, the character of the local landscape or its setting.*
- H. *It can be demonstrated that there is no significant impact on local biodiversity, including protected habitats and species.*
- I. *The proposed use would not harm the countryside by way of traffic, parking, storage, light and noise pollution or the erection of associated structures.*

Where a future alteration or extension could have a detrimental effect on the character of the converted building or the area, permitted development rights will be withdrawn for such development.

Assessment

The second part of the policy is intended to apply to schemes within the Nidderdale AONB as these currently fall outside of the exemptions covered by permitted development for conversion of agricultural buildings. In regards to the European sites the areas most at risk will be the areas surrounding the North Pennine Moors SPA.

Land taken by development: The policy focuses on small scale development and for the second part on the re-use of existing buildings. However, there is a possibility that land used for foraging by species from within the SPA and SAC could be lost due to development taking place directly on the land or by the change of use of the land, for example, agricultural land being managed in a different manner.

Urban disturbance: Development of new buildings and conversion of existing buildings could cause disturbance to areas within and outside the SPA and SAC and there is a risk that once disturbed protected species will not return to the area even if conditions are returned to a suitable state. Small-scale proposals which require a countryside location are not required to be adjacent to a rural settlement or farm and pose the most risk to currently undisturbed areas.

In-combination: Draft Local Plan policy HS9 Rural worker's dwelling also provides an opportunity for isolated dwellings to be developed outside of the main built up areas, potentially within a distance to the North Pennine Moors to cause some impact. Draft Local Plan policy HS6: Conversion of rural buildings for housing also provides the opportunity for the re-use of rural buildings.

Mitigation: The second part of the policy only supports development where it can be demonstrated that there is no significant impact on local biodiversity including protected species. Proposals applicable to both parts of the policy would have to be in accordance with draft Local Plan policy NE3: Protecting the natural environment. Given the small number of proposals that are anticipated to come forward and the requirement of policy NE3 to identify and address impacts on biodiversity it is considered unlikely that impacts will be significant.

Summary

Category B: the policy could have an effect but the likelihood is there would be no significant negative effect on a European site alone or in combination with other elements of the same plan, or other plans or projects.

Draft Policy EC4: Farm Diversification

Proposals relating to farm diversification and other land-based enterprises will be permitted where all of the following criteria are met:

- A. *The new enterprise will not dominate the agricultural activity on the holding;*
- B. *The development will not detract from the character and appearance of the landscape or the farm holding;*
- C. *There is no significant effect on amenity, biodiversity or heritage assets;*
- D. *The proposal should make use of existing buildings wherever possible and where new or replacement buildings are required they should be closely related to the existing farm group, and their siting, form, scale, design and external materials are in harmony with existing traditional buildings;*

Draft Policy EC4: Farm Diversification

- E. *The proposal forms part of a comprehensive diversification scheme and is operated as part of a sustainable farm or appropriate land-based enterprise and will contribute to making the existing business viable;*
- F. *The approach roads and access to the site have the capacity to cater for the type and levels of traffic likely to be generated by the development; and*
- G. *The proposal will benefit the local rural economy and not generate significant number of unnecessary journeys by private car.*

Assessment

Land taken by development: The policy will not lead to any loss of land within the boundary of the SACs or SPA, however, there are many farms in the surrounding areas around the North Pennine Moors SAC/SPA which could be subject to farm diversification and changes to how the land is managed could lead to a loss of foraging sites. This impact will be restricted by the policy criteria which requires that the new enterprise does not dominate the agricultural activity and where new buildings are required they are closely related to the existing farm group. This would leave as much farmland unaltered as possible.

In-combination: no other plans have been identified.

Mitigation: The policy only permits diversification where there is no significant effect on biodiversity. In addition, draft Local Plan Policy NE3: Protecting the Natural Environment will ensure that possible risks to biodiversity are identified.

Summary

Category B: the policy could have an effect but the likelihood is there would be no significant negative effect on a European site alone or in combination with other elements of the same plan, or other plans or projects.

Draft Policy EC5: Town and Local Centre Management

- A. *Proposals involving either the loss of existing A1 shop(s) in ground level frontages, or the creation of additional floorspace at ground floor level not intended for an Class A1⁽²²⁾ retail use within the Primary Shopping Frontages of Harrogate, Knaresborough and Ripon will only be permitted where there is no harmful impact on the vitality and viability of the centre.⁽²³⁾*
- B. *Proposals for non Class A1 uses considered appropriate to a shopping area will be permitted at ground floor level within the Secondary Shopping Frontages of Harrogate, Knaresborough and Ripon; the Primary Shopping Areas of Boroughbridge, Masham and Pateley Bridge; and Harrogate's Local Centres (Cold Bath Road, High Harrogate, Jennyfield, Kings Road, Leeds Road, Starbeck and Knaresborough Road) provided this would not result in, or add to, a concentration of similar uses, the cumulative effect of which would:*
- i. *Adversely impact on the vitality or viability of the centre;*
 - ii. *Adversely impact on the retail character and amenity of the frontage;*
 - iii. *Generate levels of traffic that would cause significant congestion and/or road safety problems;*
 - iv. *Result in three or more consecutive shop units in non-A1 use; or*
 - v. *Result in conflict with other policies of the plan.*

In all cases applicants will be required to demonstrate that they have considered all alternative vacant premises last in non Class A1 Use within the Primary Shopping Area based on availability and suitability.

- C. *The following proposals will be required to demonstrate compliance with the Sequential Approach;*

22
23

or any definition that replaces this use class
Development consisting of a change of use of a building from Class A1 (shops) to Class A2 (financial and professional services) is classed as Permitted Development.

Draft Policy EC5: Town and Local Centre Management

- i. *Retail development that does not serve a purely localised need outside of the primary shopping areas of Harrogate, Knaresborough, Ripon, Boroughbridge, Masham and Pateley Bridge.*
- ii. *Non-retail main town centre uses outside the:*
 - *Town centre boundaries of Harrogate, Knaresborough and Ripon*
 - *Primary shopping areas of Boroughbridge, Masham and Pateley Bridge*

D. Proposals for retail developments outside the Primary Shopping Area but within the settlement's development limit must be supported by an Impact Assessment where they are of the following sizes:

- i. *Harrogate: convenience retail of 1000 sq m or more and comparison retail of 2500 sq m or more.*
- ii. *Ripon: convenience and comparison retail of 1000 sq m or more. EC5*
- iii. *Knaresborough: convenience retail of 250 sq m or more and comparison retail of 500 sq m or more.*
- iv. *Boroughbridge, Pateley Bridge and Masham: convenience and comparison retail of 250 sq m or more.*

In all other areas, including the open countryside, an Impact Assessment will be required for convenience and comparison retail proposals of 250 sq m or more.

Where it is considered that proposals would be likely to have a significant impact on a centre(s), the council reserves the right to require an Impact Assessment for retail proposals below the thresholds, or within a centre as well as office and leisure proposals.

E. Proposals for retail 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.

F. Proposals that help develop the evening and night-time economy will be supported as valuable additions to the vitality and viability of town and city centres, where the operation of such activities can be controlled to address amenity implications.

G. 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.

Assessment

The policy does not allocate or encourage development and is confined to the urban areas.

Summary

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

Draft Policy EC6: 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:

- A. Evidence that the hotel has been actively marketed at existing use value for at least 12 consecutive months;*
- B. Occupancy rates for the last three years of operation; and*
- C. 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:

- D. Clear evidence is provided to demonstrate that the continued use is no longer viable, including:

 - i. evidence that the attraction has been actively marketed at existing use value for at least 12 consecutive months;*
 - ii. visitor numbers for the last three years; and*
 - iii. capital expenditure in the last five years of operation; or**
- E. The attraction is viable but has been actively marketed at existing use value for two years.*

Proposals for non-tourist related development, which would be likely to result in harm to the continued attractiveness and operation of an existing tourist attraction, will not be permitted unless that development would deliver clear public benefits that are incapable of being provided in a less harmful manner.

Criteria

This policy seeks to ensure that hotels and tourist attractions are retained and protected from being developed for other purposes.

Summary

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

Draft Policy EC7: Sustainable Rural Tourism

Proposals involving the development of new, or extension of existing, tourist and leisure attractions or visitor accommodation in the countryside will be permitted provided that:

- A. It can be demonstrated that proposals for new attractions or accommodation cannot be located within or adjacent to the main towns, local service centres and primary service villages and subsequently that locations within or adjacent to secondary service villages have been fully considered;*
- B. 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;*
- C. They would not cause unacceptable planning problems for other adjacent land uses;*
- D. Appropriately located existing buildings are re-used where possible;*
- E. They result in an improvement to the range and quality of attractions and/or visitor accommodation in the area;*
- F. They will benefit the local economy and help to protect local services; and*
- G. They would not generate levels of traffic that would have an adverse impact upon the operation of the highway network or on highway safety or on air quality.*

Draft Policy EC7: 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 natural and cultural 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.

Assessment

Land taken by development: Owing to the nature of the proposals it is likely that development would be closer to European sites than most types of development and could therefore impact on a European site, particularly through loss of in-by land from farm diversification.

Urban disturbance: If development is proposed closer to the European sites then there is potential for urban disturbance particularly from light and noise.

Recreational pressure and disturbance: Tourist or leisure attractions may utilise land within the North Pennine SAC and visitor accommodation within the countryside to the west of the district may encourage a greater number of visitors to the European sites. Both these aspects could place greater recreational pressure on the sites.

Water quantity and quality: Proposals which are located within the countryside away from main towns and villages could be more reliant on private water abstraction and private drainage. This could affect water quantity and quality, particularly in areas which are already sensitive to further water abstraction.

Changes in pollution levels: New tourist or leisure attractions within or in the vicinity of the North Pennine Moors SAC in particular could increase pollution, including nitrogen levels, due to the increase in visitors by car.

Mitigation: The criteria for Draft Policy EC7: Sustainable Rural Tourism requires that proposals for new accommodation should be accessible to existing local services and public utilities and that it should be shown for all proposals that it is not possible to locate the development within or adjacent to a settlement. This means there will be few developments proposed in the open countryside away from settlements.

Draft policy NE1 Air Quality requires all planning applications that give rise to significant amounts of traffic to provide information on the increase in pollution arising as a result of the development proposals and identify mitigation measures to address these increases.

Draft policy NE3 Protection of the Natural Environment seeks to protect the natural environment and development within areas at risk, including foraging and feedings sites and other areas close to the boundary of a SAC or SPA, will be required to submit an ecological survey to assess the potential impact of the proposal.

Summary	Category B: the policy could have an effect but the likelihood is there would be no significant negative effect on a European site alone or in combination with other elements of the same plan, or other plans or projects.
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Screening of Housing Policies

Draft Policy HS1: Housing Mix and Density

The council will seek to balance the housing market across the plan period and work towards a mix of housing identified in the Strategic Housing Market Assessment (SHMA). Housing developments should therefore seek to deliver a range of house types and sizes that reflect and respond to the identified housing needs and demands of the district's households. The mix proposed should have reference to the SHMA and be informed by:

Draft Policy HS1: Housing Mix and Density

- A. Local assessments of housing need;
- B. Detailed local market assessments; and
- C. Locality and ability of the site to accommodate a mix of housing.

The final mix of dwelling types and sizes will be subject to negotiation with the applicant. Applicants will be required to provide sufficient evidence to support their proposals.

Developments of 10 or more dwellings should provide 10% accessible and adaptable homes.⁽²⁴⁾

New housing development will be expected to achieve a minimum net density of 30 dwellings per hectare. Development within the defined town and city centres of Harrogate, Knaresborough and Ripon and in urban locations with a good standard of accessibility to public transport will be expected to achieve higher densities.

Where it can be demonstrated that development at such densities would be detrimental to local character or amenity, or site constraints would prevent these densities from being achieved, then development may be permitted at a lower density.

Assessment

The policy provides design and marketing criteria for housing and has no spatial implications.

Summary	Category A: the policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.
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Draft Policy HS2: Affordable Housing and Starter Homes

The council will require 40% affordable housing on all developments including mixed use schemes and conversions, subject to viability and the demonstration of the need for affordable housing.

On all developments comprising 11 or more dwellings, or where the combined residential gross floorspace exceeds 1000sq m, on site provision will be expected. In exceptional circumstances, off-site provision or a commuted sum in lieu of on-site provision may be acceptable.

On developments comprising six to 10 dwellings, or where the residential gross floorspace exceeds 1000sq m, in areas designated as rural areas under Section 157(1) of the Housing Act 1985 (as shown on the Policies Map), a financial contribution for the provision of affordable dwellings as a commuted sum will be sought unless the developer makes on site provision.

Starter homes will be required in line with national policy.

The final tenure mix of the affordable housing on individual sites will be determined through negotiation, taking account of up-to-date assessments and the characteristics of the area.

The affordable homes should be distributed across the development and integrated with the scheme design and layout such that they are indistinguishable from the market housing on the same site.

Planning permission will be refused for development proposals where it appears that a larger site has been deliberately sub-divided into smaller development parcels in order to avoid the requirements of this policy.

Where a development proposal does not meet the above requirements, the applicant will be required to provide evidence to support this including, where appropriate, the submission of a development appraisal.

Assessment

The policy has no spatial implications.

24 Accessible and adaptable homes are those that meet requirements of M4(2) Category 2: Accessible and adaptable buildings of The Building Regulations (2010), Approved Document M: access to and use of buildings (2015 edition incorporating 2016 amendments for use in England), or any subsequent comparable standard set nationally.

Draft Policy HS2: Affordable Housing and Starter Homes	
Summary	Category A: the policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.

Draft Policy HS3: Self and Custom Build Housing	
<p><i>Proposals for self and custom build housing, to be occupied as homes by those individuals, will be supported by the council where they are in conformity with all other relevant local and national policies.</i></p> <p><i>On sites of 20 dwellings or more, developers will be required to supply at least 5% of dwelling plots for sale to self-builders, subject to appropriate demand being identified. In determining the nature and scale of any provision, the council will have regard to viability considerations and site specific circumstances.</i></p> <p><i>Where a developer is required to provide self build plots, the plots should be made available and marketed appropriately for at least 12 months. Where plots which have been appropriately marketed have not sold within this time period, these plots may be built out as conventional market housing by the developer.</i></p> <p><i>Communities preparing Neighbourhood Plans will be encouraged to consider the identification of sites specifically for self and custom-build projects within their neighbourhood plan area.</i></p>	
Assessment	
The policy has no spatial implications.	
Summary	Category A: the policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.

Draft Policy HS4: Older People's Specialist Housing	
<p><i>Developments specifically designed to meet the accommodation needs of older people will be supported where it:</i></p> <p><i>A. Contributes to meeting an identified need.</i></p> <p><i>B. Is in a location accessible by public transport or within walking distance of community facilities such as shops, medical services and public open space or, where this is not the case, such facilities are provided on site.</i></p> <p><i>Where developments fall within Use Class C3 affordable housing will be required in accordance with policy HS2: Affordable Housing and Starter Homes.</i></p>	
Assessment	
The policy has no spatial implications.	
Summary	Category A: the policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.

Draft Policy HS5: Space Standards	
<p><i>All new market and affordable homes should, as a minimum, meet the relevant Nationally Described Space Standard (NDSS).</i></p> <p><i>This policy does not apply to an extension to a dwelling or a material change of use.</i></p>	
Assessment	
The policy has no spatial implications.	

Draft Policy HS5: Space Standards	
Summary	Category A: the policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.

Draft Policy HS6: Conversion of Rural Buildings for Housing	
<p><i>Outside defined settlement development limits, the conversion and/or re-use of existing buildings to residential use from other uses will be supported where:</i></p> <p>A. <i>The building is of permanent and substantial construction, structurally sound and capable of conversion without the need for substantial extension, alteration or reconstruction;</i></p> <p>B. <i>The scale, form and general design of the building and its proposed conversion are in keeping with its surroundings, local building styles and materials.</i></p> <p>C. <i>The proposed alterations are of a high quality design, retaining the features that contribute positively to the character of the building and its surroundings.</i></p> <p>D. <i>The building and its curtilage can be developed without an adverse effect on the historic environment, the character of the local landscape or its setting.</i></p> <p>E. <i>It can be demonstrated that there is no significant impact on local biodiversity, including protected habitats and species.</i></p> <p>F. <i>The proposed use would not harm the countryside by way of traffic, parking, storage, pollution or the erection of associated structures.</i></p> <p><i>Developments under this policy will be expected to comply with the affordable housing and open space provision policies of the Plan.</i></p> <p><i>Where a future alteration or extension could have a detrimental effect on the character of the converted building or the area, permitted development rights will be withdrawn for such development.</i></p>	

Assessment	
<p>This policy is intended to apply to schemes within the Nidderdale AONB as these currently fall outside of the exemptions covered by permitted development for conversion of agricultural buildings. In regards to the European sites the areas most at risk will be the agricultural areas surrounding the North Pennine Moors SPA.</p> <p>Land taken by development: Agricultural land currently grazed could be changed to become domestic gardens and therefore lead to the loss of foraging sites for birds within the North Pennine Moors SPA. However, domestic curtilages will be limited in size as the policy will seek to avoid significant impacts on protected species and the character of the local landscape.</p> <p>Urban disturbance: Changing the use of buildings within close proximity to the boundary of the North Pennine Moors SPA/SAC could bring additional disturbances through the increased use of cars, artificial lighting, general noise and pets. The building work to complete the conversion could cause a greater amount of disturbance than the occupation of the property and once disturbed there is a risk that foraging birds would not return to the site even if became suitable again. Given the restrictions of the policy, particularly the requirement for the building to be structurally sound and capable of conversion, it is unlikely for there to be many suitable buildings which situated in an open area with the majority being close to existing farmsteads.</p> <p>Recreational disturbance: The occupants of a new dwelling close to the SPA/SAC may be more likely than most to use the North Pennine Moors for recreation as the area will be accessible and perhaps be part of the appeal for homeowners. Given the restrictions of the policy the development in the main will be single houses and the increase in visitors to the site that this could cause would be minimal.</p>	

Draft Policy HS6: Conversion of Rural Buildings for Housing	
<p>In-combination: Permitted development rights do not extend to buildings within the AONB. Draft Local Plan policy HS9 Rural worker's dwelling also provides an opportunity for isolated dwellings to be developed outside of the main built up areas, potentially within a distance to the North Pennine Moors to cause some impact. Draft Local Plan policy EC3: Employment development in the countryside also provides the opportunity for the conversion of buildings for business use. Even combined with these policies there would be a very small number of proposals put forward.</p> <p>Mitigation: The policy only supports development where it can be demonstrated that there is no significant impact on local biodiversity including protected species. This would be achieved through the implementation of draft Local Plan Policy NE3: Protecting the natural environment.</p>	
Summary	Category B: the policy could have an effect but the likelihood is there would be no significant negative effects on a European site either alone or in combination with other elements of the same plan.

Draft Policy HS7: Replacement Dwellings in the Countryside	
<p><i>Proposals for replacement dwellings will be permitted where it meets all of the following criteria:</i></p> <ul style="list-style-type: none"> A. <i>The new dwelling is located on the site of, or close to, the existing dwelling to be cleared.</i> B. <i>The new dwelling is not materially larger than the existing dwelling.</i> C. <i>The new dwelling has satisfactory access arrangements.</i> D. <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> E. <i>The new dwelling is sited to preclude retention of the existing dwelling or the applicant is willing to accept a condition to ensure its demolition on completion of the new dwelling.</i> 	
Assessment	
<p>Land taken by development: There would be no loss of land as the policy requires that the existing house is cleared and that the new house is not materially larger than the existing.</p> <p>Urban disturbance: The new house must be on the site of or close to the existing house and not be materially larger so urban disturbance would not be increased or created in previously tranquil areas.</p>	
Summary	Category A: the policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.

Draft Policy HS8: Extensions to Dwellings	
<p><i>Extensions to dwellings will be permitted provided that all the following requirements are met:</i></p> <ul style="list-style-type: none"> A. <i>There is no adverse impact on neighbouring residential amenity.</i> B. <i>There is no adverse loss of parking or garden/amenity areas.</i> C. <i>There is no adverse impact to the character or appearance of the dwelling or the surrounding area.</i> D. <i>The extension should not be designed to facilitate the subdivision of the dwelling into separate dwellings nor undermine the retention of any occupancy condition.</i> 	
Assessment	
<p>The policy does not allow for development beyond the existing domestic curtilage of a property, nor does it allow for the intensification of sites through subdivision.</p>	
Summary	Category A: the policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.

Draft Policy HS9: Rural Worker's Dwelling

New permanent isolated dwellings in the countryside 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:

- A. *There is a clearly established existing functional need;*
- B. *The need relates to a full-time worker, or one who is primarily employed in rural employment and does not relate to a part-time requirement;*
- C. *The unit and the rural employment activity concerned have been established for at least three years, have been financially sound for at least one of them, are currently financially sound, and have a clear prospect of remaining so;*
- D. *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*
- E. *Other planning requirements, e.g. in relation to access, or the impact on the countryside are satisfied.*

If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should for the first three years, be provided by a temporary dwelling unless exceptional circumstances can be demonstrated.

Assessment

Land taken by development: Agricultural land currently grazed could be changed to become domestic gardens and therefore lead to the loss of foraging sites for birds within the North Pennine Moors SPA. However, other policies within the draft Local Plan (such as HP3: Local Distinctiveness and NE4: Landscape Character) would seek to restrict the over domestication of sites and therefore limit the size of domestic curtilages.

Urban disturbance: New dwellings within close proximity to the boundary of the North Pennine Moors SPA/SAC could bring additional disturbances through the increased use of cars, artificial lighting, general noise and pets. The building work could cause a greater amount of disturbance than the occupation of the property and once disturbed there is a risk that foraging birds would not return to the site even if became suitable again. Given the restrictions of the policy it is unlikely that there would be many proposals made within a distance close enough to the North Pennine Moors boundary to make a significant impact. A search made on previous applications for similar schemes (23/08/2015 to 23/08/2016) showed that only 7 applications were made across the entire district; 5 were approved and of these 2 were revised schemes from previous years.

Recreational disturbance: The occupants of a new dwelling close to the SPA/SAC may be more likely than most to use the North Pennine Moors for recreation as the area will be accessible. Given the restrictions of the policy the development in the main will be single houses and the increase in visitors to the site that this could cause would be minimal.

In-combination: Draft Local Plan policy HS6 Conversion of rural buildings for housing also provides an opportunity for isolated dwellings to be developed outside of the main built up areas, potentially within a distance to the North Pennine Moors to cause some impact. Even combined with this policy there would be a very small number of proposals put forward.

Mitigation: Draft Local Plan Policy NE3: Protecting the natural environment would require that it is demonstrated that development would not have a significant impact on internationally important sites and protected species.

Summary

Category B: the policy could have an effect but the likelihood is there would be no significant negative effects on a European site either alone or in combination with other elements of the same plan.

Draft Policy HS10: Providing for the Needs of Gypsies and Travellers

The following site as shown on the Policies Map is allocated for a Gypsy and Traveller site to ensure a deliverable supply of pitches in the first five years of the plan period. It will be developed in accordance with relevant Local Plan policy requirements, and the development requirements identified.

Site Ref	Settlement	Site Name
PN16	Pannal	Land to the West of A61

Table 1.1 Gypsy and Traveller Draft Allocation

Proposals for new sites within years 6 -15 of the plan will be within the following broad locations as shown on the Policies Map;

- a. Harrogate Area
- b. Knaresborough Area
- c. Kirk Deighton
- d. Area south of Wighill

Proposals on non-allocated sites should be considered against the most up-to-date needs assessment.

Proposals for new Gypsy and Traveller sites or extensions to existing sites should:

- A. Be located where there would not be a detrimental impact on highway safety or the flow of traffic.
- B. 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.
- C. Not materially harm the natural and historic environment including landscape character.
- D. Not result in a significant adverse impact on residential amenity.
- E. Be of a size commensurate to the nearest settled community in rural and semi-rural areas.
- F. Be situated in locations with good access to existing local services, including health services, schools and public transport.
- G. Not be located in areas at risk of flooding.
- H. Not be located within the Green Belt except in very special circumstances.

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.

Proposals that would involve the loss of authorised Traveller pitches will not be permitted unless new replacement pitches are provided in a suitable location that meet the criteria above.

Assessment

The policy will not impact on the European sites identified for this assessment as the allocated site and the broad locations identified for future sites are at a distance to the European sites and the overall number of proposed new pitches is very small.

Summary	Category A: the policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.
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Screening of Transport and Infrastructure Policies

Draft Policy TI1: Sustainable Transport

The council will work in partnership with other authorities, transport providers and local groups to promote a sustainable and improved transport system which is safe, reliable, and convenient and will:

Draft Policy TI1: Sustainable Transport	
<p>A. <i>Improve road and rail connections both within the district and to the wider area, in particular the improvement of the Leeds-Harrogate-York Railway;</i></p> <p>B. <i>Seek reductions in traffic congestion in Harrogate, Knaresborough and Ripon;</i></p> <p>C. <i>Promote improvements to public transport, including the provision of better parking at rail stations and park and ride facilities, the creation of walking and cycling routes, provision of electric vehicle charging points for both cars and bikes, the Harrogate car-share scheme and measures to reduce air pollution;</i></p> <p>D. <i>Ensure development proposals seek to minimise the need to travel and achieve more sustainable travel behaviour by requiring all developments which will generate significant amounts of traffic to be supported by a Transport Statement or Transport Assessment and a Travel Plan;</i></p> <p>E. <i>Locate, as far as possible, the majority of future development so that it is accessible to a station on the Leeds-Harrogate-York Railway or within the Key Bus Service Corridor;</i></p> <p>F. <i>Improve accessibility in rural areas;</i></p> <p>G. <i>Undertake a Strategic Transport Priorities Study for the district in order to set out the council's priorities for sustainable transport.</i></p>	
Assessment	
<p>This policy seeks to support the growth strategy by improving the quality of the transport infrastructure along the main transport routes. Point 1 reflects a commitment by the council to work in partnership with other bodies to improve road and rail connections. These improvements are not identified within the draft Local Plan and would be subject to a separate Habitat Regulations Assessment at the appropriate stage as they come forward. Point 2 and 6 are general statements and will be implemented via other policies in the draft Local Plan and the plans and programmes of other authorities and transport providers. Points 3, 4 and 7 provide criteria for development proposals in order to help mitigate air pollution caused by traffic. Point 5 reflects the growth strategy of the draft Local Plan outlined in policy GS2 - Growth Strategy.</p>	
Summary	Category A: the policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.

Draft Policy TI2: Protection of Transport Sites and Routes	
<p><i>New sites and routes which have the potential to contribute towards the provision of a sustainable and improved transport system will be safeguarded where there is a reasonable prospect of them accommodating new transport infrastructure before 2035. This will apply when a scheme is:</i></p> <p>A. <i>Included within the investment strategies or plans produced by Highways England, as the strategic highway authority, North Yorkshire County Council, as the local highway authority, or by another body or organisation contributing towards the creation of a sustainable and improved transport system for the district, and for which there is an agreed preferred route or site;</i></p> <p>B. <i>Along the route of a former railway line; in particular the sections of the Harrogate-Ripon-Northallerton line and the Harrogate to Wetherby line that lie within Harrogate district;</i></p> <p>C. <i>A cycle or pedestrian route identified by the local highway authority or the district council and included within an approved plan or strategy.</i></p>	
Assessment	
<p>The policy will not lead to development but will safeguard land required by other plans.</p>	
Summary	Category A: the policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.

Draft Policy TI3: Parking Provision	
<p><i>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:</i></p> <ul style="list-style-type: none"> <i>A. The need to provide safe, secure and convenient parking at appropriate levels, including parking or storage for cycles, motor cycles and, where relevant, coaches and lorries;</i> <i>B. Parking standards for cars, cycles, motorised two wheel vehicles, disabled parking and operational servicing requirements as prepared by the local highway authority, North Yorkshire County Council;</i> <i>C. Policies set out in the North Yorkshire County Council Parking Strategy (and successive strategies);</i> <i>D. Where relevant, the location of the site within an area covered by an Area Travel Plan;</i> <i>E. Where appropriate, the need to make provision for car club and car share parking spaces;</i> <i>F. Means to encourage the use of low emission vehicles as part of the proposal, including the ability to provide electric vehicle charging points.</i> 	
Assessment	
<p>The policy does not lead to development but provides criteria for appropriate parking provision for proposals.</p>	
Summary	<p>Category A: the policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.</p>

Draft Policy TI4: Delivery of New Infrastructure	
<p><i>In order to deliver sustainable development, the council will work with infrastructure and service providers and developers to deliver infrastructure and services to support existing and future development across the district.</i></p> <p><i>Depending on the nature and scale of development proposed, and subject to viability, developers will be expected to make reasonable on-site provision, off-site provision and/or contributions towards infrastructure and services in order to cater for the needs generated by development.</i></p> <p><i>Proposals involving the delivery of new or improved infrastructure or services, either on its own or in combination with other development, will be supported provided that:</i></p> <ul style="list-style-type: none"> <i>A. It can be demonstrated that they are necessary to support new development and/or to rectify existing evidenced deficiencies in infrastructure or service provision;</i> <i>B. Development is phased so as to cause minimal disruption to existing infrastructure and service provision for residents and businesses;</i> <i>C. Where associated with other development, the infrastructure and services required to support the development are provided in advance of the development's completion and occupation;</i> <i>D. The development complies with the provisions of Policies GS6: Sustainable Development and HP3: Local Distinctiveness.</i> 	
Assessment	
<p>Loss of habitat: The policy aids the implementation of the growth strategy by providing infrastructure and services to support development. The growth strategy in the main steers development away from the European sites and their surrounding areas which could be used for foraging; the exception to this is the area along the key bus route from Pateley Bridge to Summerbridge which lies within 2.5km of the North Pennine Moors SPA. There are 4 allocations proposed within this area and they are all within Pateley Bridge. The infrastructure requirement identified at this stage is a possible extension to the local primary school which is within the built up area of Pateley Bridge and would not extend onto potential foraging sites.</p> <p>Water quantity and quality: The policy has the potential to improve water quality and quantity as infrastructure improvements could benefit flood protection measures, drainage, water supply and sewerage.</p>	
Summary	<p>Category A: the policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.</p>

Draft Policy TI5: Telecommunications

The expansion of communications infrastructure including Next Generation broadband and mobile connectivity will be supported. This will be achieved by:

- A. Supporting the expansion of communications networks which use existing infrastructure, including masts and structures;
- B. Supporting the provision of new communications infrastructure where it can be demonstrated that using existing infrastructure or equipment would not be feasible and provided the proposal does not have a significant adverse impact on the character or appearance of the surrounding area. Where apparatus or associated infrastructure is proposed to be located on a building, the proposal will be supported provided the siting scale and design of the apparatus or associated infrastructure does not have a significant adverse impact on the external appearance of the building;
- C. Ensuring the location and design of proposals avoid harm to sensitive areas or buildings/structures and accord with local plan policies HP2: Heritage Assets, NE3: Protecting the Natural Environment and NE4: Landscape Character.

Broadband access in new developments:

- D. New employment and housing development proposals will be required to demonstrate the anticipated connectivity requirements of the proposed use and how the development will contribute to, and be compatible with, Next Generation Access broadband;
- E. All new development will be required to enable a Next Generation Access broadband connection where viable. Where it can be demonstrated that the provision of a Next Generation Access broadband connection is not viable, proposals should provide a minimum download connection of 10Mbps and incorporate suitable infrastructure to support delivery of Next Generation Access broadband at a future date;
- F. Applicants proposing major development schemes should engage with communication providers and local broadband groups to explore how Next Generation Access broadband can be provided and how the development may contribute to and integrate with active broadband projects within the local area.

Assessment

Habitat Loss: New infrastructure within or in close proximity to a SAC or SPA could negatively impact on areas used for breeding or feeding. Associated development such as fences could also restrict the movement of some species. The demand for improved infrastructure will focus on the existing settlements and villages which are mostly beyond 2.5km (the distance foraging birds will travel from the SPA) from the North Pennine Moors SPA.

In-combination: The Digital Communications Infrastructure Strategy, Department of Culture, Media and Sport. This strategy aims to provide superfast broadband coverage to 90% of UK homes and businesses by early 2016 and provide superfast broadband coverage to 95% of the UK by 2017. Phase one of this strategy has been completed and phase two is also very near completion.

The Town and Country Planning (General Permitted Development) (England) Order 2015 allows some development of masts and structures, within restrictions, to be constructed without planning permission.

Mitigation: The Digital Communications Infrastructure Strategy was a large scale project which sort to roll out superfast broad to as many residents as possible. Superfast broadband is Next Generation broadband and the successful completion of the project will reduce the demand for further improvements in the short term.

The policy includes specific reference to draft policy NE3 Protection of the natural environment. This policy seeks to protect the natural environment and areas at risk, including potential sites for foraging and feeding, will be required to submit an ecological survey to assess the potential impact of the proposal.

There is potential for new masts to be required near a European site however there is not a great number anticipated and the mitigation of draft policy NE3 will ensure any impact is minimal.

Summary

Category B: the policy could have an effect, but the likelihood is there would be no significant negative effect on a European site either alone or in combination with other plans .

Screening of Climate Change Policies

Draft Policy CC1: 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> <p><i>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 Harrogate District Level 1 Strategic Flood Risk Assessment (SFRA) maps. Development layout within the site should be subject to the sequential approach, with the highest vulnerability development located in areas at lowest flood risk within the site.</i></p> <p><i>Proposals within Flood Zone 3a(i) will be assessed in accordance with national policies relating to Flood Zone 3a but with all of the following additional restrictions:</i></p> <ul style="list-style-type: none"> <i>A. no new highly vulnerable or more vulnerable uses will be permitted;</i> <i>B. less vulnerable uses may only be permitted provided that the sequential test has been passed; and</i> <i>C. where extensions are linked operationally to an existing business or, where redevelopment of a site provides buildings with the same or a smaller footprint;</i> <i>D. all proposals will be expected to include flood mitigation measures to be identified through a site specific Flood Risk Assessment including consideration of the creation of additional sustainable flood storage areas;</i> <i>E. development will not be permitted on any part of the site identified through a site specific Flood Risk Assessment as performing a functional floodplain role.</i> <p><i>Where required by national guidance, proposals for development should be accompanied by a site-specific Flood Risk Assessment (FRA). The FRA should demonstrate that the development will be safe, including access, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.</i></p> <p><i>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.</i></p> <p><i>Proposals involving building over existing culverts or the culverting or canalisation of water courses will not be permitted unless it can be demonstrated to be in the interests of public safety or to provide essential infrastructure and that there will be no detrimental effect on flood risk and biodiversity. Where feasible, development proposals should incorporate re-opening of culverts, modification of canalised water courses and consideration of mitigation measures to achieve a more natural and maintainable state.</i></p> <p><i>In partnership with the Environment Agency and the lead local flood authority, the council will seek opportunities from new development to reduce the causes and impacts of flooding. Development should ensure that land which is needed for flood risk management purposes (as identified in Defra's Programme of flood and coastal risk management schemes and other Environment Agency or lead flood authority documents) is safeguarded.</i></p>	
Assessment	
<p>This policy has no spatial implications and seeks to safeguard water courses and the wider environment from adverse effects of development including water run-off and flooding.</p>	
Summary	Category A: the policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.

Draft Policy CC2: Rivers

All new development should have regard to the actions and objectives of appropriate River Basin Management Plans and the Water Directive Framework in striving to protect and improve the quality of water bodies and ecological systems in and adjacent to the district. Proposals which fail to take opportunities to restore and improve rivers will be refused unless the absence of such works can be justified. If works can't be done on site then arrangements should be entered into to secure improvements off site, subject to viability.

Development proposals adjacent to watercourses should address the following;

- A. Provide a minimum of 8m buffer zones measured from bank top to provide an effective and valuable river corridor and improve habitat connectivity. This should remain/be designed to be intrinsically dark with lux levels of 0-2 and should not contain any structures;
- B. Provide a 5m buffer zone for ponds would also help to protect their wildlife value and ensure that the value of the adjacent terrestrial habitat is protected.

Assessment

The policy seeks to protect the environment by safeguarding watercourses from development and encouraging opportunities to restore and improve water quality.

Summary

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

Draft Policy CC3: Renewable Energy

Permission will be granted for renewable energy projects provided the proposal does not have an unacceptable adverse impact on the landscape, natural environments, cultural, historic and archaeological environment and that appropriate mitigation measures would be taken to minimise the impact on adjoining land uses and residential amenity.⁽²⁵⁾

Renewable and low energy development in the Green Belt will only be allowed in very special circumstances.

Assessment

Loss of Habitat: Habitat loss could be caused by developments taking place within or close to the European sites within the district, affecting areas used for feeding and breeding. Associated development such as fences could also restrict the movement of some species. Both solar panels and wind turbines have the potential to cause harm if inappropriately sited. Insects that lay eggs in water (e.g. mayflies, stoneflies) may mistake solar panels for water bodies due to reflection of polarised light⁽²⁶⁾. Changes in agriculture to grow energy crops for anaerobic digestion plants could also impact on areas used for feeding.

Urban disturbance: Disturbance can cause indirect habitat loss if species avoid the area because of the construction and/or operation of renewable energy or visitors to the site. Wind turbines can cause harm to birds by collision and disturbance⁽²⁷⁾.

Water quality and quantity: Although hydroelectricity turbines do not consume water they can reduce the flow of rivers which may affect water quality and reduce or delay passage for fish.

In-combination plans: No other plans have been identified.

Mitigation: Draft Policy CC3: Renewable Energy does not allow projects which have an unacceptable adverse impact on the natural environment. The justification text for the policy promotes the use of Natural England's Impact Risk Zones to flag up proposals which could potentially have adverse impacts.

25 'Historic includes Listed Buildings
 26 RSPB, Solar Energy Policy Briefing December 2014
 27 RSPB Wind Farms RSPB website

Draft Policy CC3: Renewable Energy

Harrogate council has produced the The Renewable and Low Carbon Energy SPD (2015) to provide guidance and advice on each technology individually including how to minimise any potential harmful effects. The SPD identifies solar farms, medium and large scale wind turbines (over 25m high) and large anaerobic digestion plants as not being suitable within the AONB where the majority of the district's European sites are located. The SPD also provides information on the North Pennines Moor SAC/SPA and the species of interest.

Draft policy NE3 Protecting the Natural Environment seeks to protect the natural environment and areas at risk, including potential sites for foraging and feeding and all development proposals for hydroelectricity plants, will be required to submit an ecological survey to assess the potential impact of the proposal.

Abstraction licences are required for all proposals which divert water from a river or watercourse which will prevent water being taken from watercourses not able to accommodate changes in water levels.

There is potential for the policy to impact on European sites, however the protection of the natural environment is built into the policy and other mitigating factors been that the impact will not be significant.

Summary

Category B: the policy could have an effect but the likelihood is there would be no significant negative effect on a European site alone or in combination with other elements of the same plan, or other plans or projects.

Draft Policy CC4: Sustainable Design

All development proposals should be designed to be resilient to and adapt to the future impacts of climate change through the inclusion of sustainable design features where this is technically feasible and viable.

New non-domestic developments, excluding conversions and extensions of less than 500 sq m, will be required to achieve a minimum standard of BREEAM 'Very Good' (or any future national equivalent). Developers will be expected to provide certification evidence of the BREEAM level achieved at the design stage and post construction stage on completion of development.

Assessment

The policy seeks to safeguard properties from the impacts of climate change and to reduce the impact of development on the environment by reducing energy consumption.

Summary

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

Screening of Heritage and Placemaking Policies**Draft Policy HP1: Harrogate Town Centre Improvements**

The vitality and viability of Harrogate town centre as the district's largest retail, leisure and tourist destination, and a major conference and exhibition venue, will be enhanced through the:

A. *Realisation of development opportunities in the town centre, including the:*

- i. *construction of a modern transport hub on Station Parade, as part of a wider mixed use development incorporating high quality office space, retail and residential uses; and*
- ii. *mixed use development of land off Dragon Road*

B. *Continual improvement and development of facilities at the Harrogate International Centre, Royal Hall and other key visitor attractions.*

C. *Improvement of the town centre's public realm and environment.*

D. *Creation of flexible spaces for recreation and events.*

E. *Management of the evening and night-time economy.*

F. *Management of on and off street parking.*

Draft Policy HP1: Harrogate Town Centre Improvements	
G. <i>Improvement of routes and facilities for pedestrians and cyclists.</i>	
Assessment	
Summary	Category A: policy would have no negative effect on a European site either alone or in combination with other elements of the same plan or other plans or projects.

Draft Policy HP2: Heritage Assets	
<i>Proposals for development should protect and, where appropriate, enhance those elements that contribute to the significance of the district's heritage assets. ^{(28) (29) (30)}</i>	
<i>Development proposals which would affect designated or non-designated heritage assets and their settings will be permitted where they:</i>	
<p>A. <i>demonstrate a thorough understanding of the significance of the heritage asset and its setting, how this has informed the proposed development, and how the proposal would impact on the asset's significance. This will be proportionate to the importance of the heritage asset and the potential impact of the proposal;</i></p> <p>B. <i>ensure that any development respects the historic form, setting, fabric and any other aspects that contribute to the significance of a heritage asset;</i></p> <p>C. <i>ensure that any development that would have an impact on the World Heritage Site, or its setting will conserve, and where appropriate enhance those elements that contribute towards its outstanding universal value;</i></p> <p>D. <i>ensure proposals affecting a conservation area would protect and, where appropriate, enhance those elements that have been identified as making a positive contribution to the character and special architectural or historic interest of the area;</i></p> <p>E. <i>ensure proposals affecting a registered historic battlefield would not harm its historic, archaeological or landscape interest or prejudice any potential for interpretation;</i></p> <p>F. <i>demonstrate a thorough understanding of the significance, character and setting of conservation areas and how this has informed proposals, to achieve high quality new design which is respectful of historic interest and local character;</i></p> <p>G. <i>conserve or enhance the quality, distinctiveness and character of heritage assets by ensuring development is of high quality design which is respectful of historic interest and all features of local character, and;</i></p> <p>H. <i>ensure development incorporates the use of appropriate materials and detailing.</i></p>	
<i>Schemes that help to 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.</i>	
Assessment	
The policy sets out requirements to protect heritage assets. There are a number of scheduled monuments within the North Pennine Moors SAC/SPA and the policy seeks to protect these from substantial harm. This policy will not have any significant effect on any SPA or SAC.	
Summary	Category A: policy would have no negative effect on a European site either alone or in combination with other elements of the same plan or other plans or projects.

28 *Development includes new buildings, landscape or engineering works, also extensions and alteration to, and demolition of heritage assets*

29 *Definitions of the term heritage asset, archaeological interest, conservation, significance and setting are taken from the glossary of the NPPF and are set out in the Appendices to the council's Heritage Management Guidance Supplementary Planning Document (SPD)*

30 *Heritage assets include designated and non-designated heritage assets. Designated heritage assets include Scheduled Monuments, Registered Battlefields, Listed Buildings, Registered Parks and Gardens, Conservation Areas and World Heritage Sites designated under the relevant legislation. Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets, although they may be identified as having local importance. In some instances non-designated, particularly archaeological remains, may be of equivalent significance to designated assets, despite not yet having been formally designated.*

Draft Policy HP3: Local Distinctiveness

New development should incorporate high quality building, urban and landscape 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:

- A. 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;*
- B. 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;*
- C. Recognise the contribution of the natural environment including biodiversity, landscape and green infrastructure;*
- D. 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;*
- E. Incorporate design that is inspired by its local context or the best of contemporary practice that fits comfortably in its surroundings.*

Assessment

This policy seeks to ensure that new development respects the locally distinctive character of the district's rural and urban environments. This policy does not lead to development in itself and will not have any impact on an SPA or SAC.

Summary	Category A: policy would have no negative effect on a European site either alone or in combination with other elements of the same plan or other plans or projects.
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Draft Policy HP4: Protecting Amenity

Development proposals should be designed to ensure that they will not result in significant adverse impacts on the amenity of occupiers and neighbours.

Amenity considerations will include the impacts of development on:

- A. Overlooking and loss of privacy;*
- B. Overbearing and loss of light; and*
- C. Vibration, fumes, odour noise and other disturbance.*

The individual and cumulative impacts of development proposals on amenity will be considered.

New residential development should incorporate well designed and located private outdoor amenity space which is of an adequate size for the likely occupancy of the proposed dwellings.

Assessment

The policy does not lead to development but sets criteria to protect amenity.

Summary	Category A: policy would have no negative effect on a European site either alone or in combination with other elements of the same plan or other plans or projects.
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Draft Policy HP5: Public Rights of Way

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

- A. 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*

Draft Policy HP5: Public Rights of Way

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

Assessment

Recreational pressure: This policy seeks to provide additional links to the existing public rights of way network, potentially increasing recreational pressure on the North Pennine Moors and South Pennine Moors SAC and SPAs from new development close by.

In-combination plans: The AONB Management Plan and the NYCC rights of Way Improvement Plan, seek to improve the quality and accessibility of the rights of way network.

City of Bradford Metropolitan District Council's Core Strategy potentially increase recreational pressure on areas of the South Pennine Moors SAC and SPA. The HRA (Nov. 2015) for this document concluded that the pressures were adequately mitigated through policy wording.

Mitigation: The growth strategy as a whole steers development away from the European sites within the district so there will be fewer potential proposals that could impact on a SAC or SPA.

Draft Policy HP7: New sports, open space and recreation development will require new housing and mixed use developments to provide new sports, open space and recreational facilities to cater for the needs arising from the development. This will help provide alternative open space to SACs and SPAs.

Draft Policy NE5: Green infrastructure will seek to enhance green infrastructure across the district so will help to improve access to other areas outside of the European sites and make open areas within close proximity to development sites more accessible and more appealing.

Summary	Category B: the policy could have an effect but the likelihood is there would be no significant negative effect on a European site alone or in combination with other elements of the same plan, or other plans or projects.
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Draft Policy HP6: Protection of Existing Sport, Open Space and Recreation Facilities

- A. Proposals for development that would involve the loss of existing outdoor public and private sport, open space and recreational facilities will be permitted only where:*
- i. 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*
 - ii. 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*
 - iii. The land is incapable of appropriate recreational use due to its size, location and physical conditions; or*
 - iv. In the case of playing fields:*
 - *The sport 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*
 - *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.*
- B. 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*

Draft Policy HP6: Protection of Existing Sport, Open Space and Recreation Facilities

function of an amenity open space will be permitted where it can be demonstrated that the public benefits of development outweigh the harm

- C. *Development proposals that would involve the loss of existing indoor public and private sport and recreation facilities will be permitted only where:*
- 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*
 - ii. *A satisfactory replacement facility is provided on the same grounds as criterion A. ii. above; or*
 - iii. *They are incapable of continued sport and recreational use.*

Assessment

This policy relates to the protection of existing areas of sport, open space and recreation against their use for other purposes. Almost all of the sites are within or immediately adjacent to settlements and are not within either a SPA or SAC. This policy seeks to protect existing areas of sport, open space and recreation from development to other uses. The policy does not allocate or encourage development and will therefore not have a negative effect on European sites

Summary

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

Draft Policy HP7: New Sports, Open Space and Recreation Development

- A. *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 as follows:*
- i. *Parks and gardens: 0.15 ha per 1000 people.*
 - ii. *Natural and semi-natural greenspace: 4.07 ha per 1000 people.*
 - iii. *Amenity greenspace: 1.63 ha per 1000 people.*
 - iv. *Provision for children and young people: 0.13 ha per 1000 people.*
 - v. *Allotments and community gardens: 0.35 ha per 1000 people.*
 - vi. *Outdoor sports facilities: 1.16 ha per 1000 people.*
 - vii. *Cemeteries, disused churchyards and other burial grounds: 0.5ha per 1000 people.*
- B. *Proposals for the development of new sports, open space and recreation facilities will be permitted where:*
- i. *The facility is located:*
 - *In or adjacent to built up areas, wherever possible; or*
 - *In remoter rural areas; is located to best serve the intended catchment population; and*
 - ii. *the proposal would not give rise to significant traffic congestion or road safety problems; and*
 - iii. *new buildings or structures are well designed and appropriately integrated into the landscape; and*
 - iv. *proposals on the edge of settlements should seek to improve the setting of the settlement.*
- C. *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, Boroughbridge, Masham or Pateley Bridge, and be accessible by regular bus or rail services.*
- D. *Proposals for sport and recreational activities that require a countryside location will be permitted in the open countryside outside of development limits (or the built up area of settlements) only where they:*
- i. *cannot be located adjacent to a built up area; and*
 - ii. *are of a scale and nature appropriate to their landscape setting; and*
 - iii. *do not involve a significant number or size of buildings or structures; and*

Draft Policy HP7: New Sports, Open Space and Recreation Development

- iv. *would not cause excessive noise disturbance or light pollution to other users of the countryside, land uses or residents in the area or adversely impact on wildlife; and*
- v. *would not give rise to significant traffic congestion or road safety problems.*

Assessment

Loss of habitat: Parts 2, 3 and 4 of the policy permit the provision of new facilities. Part 3 of the policy for larger recreational facilities cites Pateley Bridge as an area appropriate for development. Although this policy does not allocate sites it does allow for development to take place on the edge of Pateley Bridge. Land surrounding Pateley Bridge is mostly agricultural fields and development here could impact on land used by foraging birds travelling from the SPA. Part 4 allows for recreational activities in the open countryside and these could include development within the SAC/SPA as well as outside the SAC/SPA.

Urban Disturbance: development under parts 2 and 3 of the policy would not be required so close to the SAC/SPA to cause urban disturbance. The policy specifies that development under part 4 will only be permitted where it does not adversely impact on wildlife so development that would be within 400m of the SAC/SPA (where urban disturbance could occur) would have to meet draft policy NE3 Protecting the Natural Environment.

Recreational Pressure and Disturbance: In the main this policy will draw recreational pressure away from the European sites as it will provide recreational facilities in more appropriate areas. Development under part 4 of the policy may allow new facilities close or within the SAC/SPA if they will not adversely impact on wildlife.

In-combination plans: No other plans that promote recreational development have been identified.

Mitigation: Draft policy HP7 will only permit development where it will not adversely impact on wildlife.

Draft policy NE3 Protecting the Natural Environment seeks to protect the natural environment and areas at risk, including potential sites for foraging and feeding, will be identified through the use of the biodiversity proforma which developers have to complete with their planning application.

Summary	Category B: the policy could bring forward a small number of proposals which could have an impact but the likelihood is there would be no significant negative effect on a European site alone or in combination with other elements of the same plan, or other plans or projects.
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Draft Policy HP8: Protection and Enhancement of Community Facilities

Proposals for development that involves 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:

- A. *Continued community uses would cause unacceptable planning problems; or*
- B. *A satisfactory replacement facility is provided in a suitably convenient location for the catchment served prior to the commencement of development; or*
- C. *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.*

Proposals involving the improvement of existing community facilities by way of redevelopment or extension will be supported unless it would:

- D. *Result in a significant adverse impact on residential amenity; or*

Draft Policy HP8: Protection and Enhancement of Community Facilities	
<p>E. Cause unacceptable planning problems for other adjacent land uses; or</p> <p>F. Increase traffic to levels that would harm the safety and free flow of traffic on the highway network.</p>	
Assessment	
<p>This policy seeks to protect community facilities from being lost to other uses. The policy is solely related to existing uses and will not have any significant impacts on an SAC or SPA as they are unlikely to be located within very close proximity to the European sites. The policy is therefore unlikely to have any impact on a European site.</p>	
Summary	<p>Category A: policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.</p>

Draft Policy HP9: Provision of New Community Facilities	
<p><i>New community facilities will be permitted where it can be demonstrated that there is a local need for the facility, and the following criteria are met:</i></p> <p>A. The facility is of a scale and nature appropriate to its location and intended purpose;</p> <p>B. The facility is accessible to the community it is intended to serve;</p> <p>C. There are no significant adverse impacts on residential amenity;</p> <p>D. There will be no significant loss of industrial, business or housing land or buildings, recreational land or important amenity open space;</p> <p>E. All options to reuse existing appropriately located buildings are exhausted before proposals for the development of new buildings are considered;</p> <p>F. The facility would not give rise to significant traffic congestion or road safety problems.</p>	
Assessment	
<p>Loss of habitat: As with draft policy HP7 the area most likely to impact on the North Pennine Moors SAC/SPA is Pateley Bridge. This town is already well served by facilities however the Sport, Recreation, Open Space and Village Halls Study indicated that the Pateley Bridge / Glasshouses area has a shortfall in village/ community hall provision so some development may be brought forward during the life of the plan.⁽³¹⁾ New development on the edge of the town could potentially lead to the loss of feeding and foraging sites however as this policy focuses solely on new community facilities it is not anticipated that there would be a great number of proposals.</p> <p>In-combination plans: Draft policy HP7 New Sports, Open Space and Recreation Development also promotes development near the Pateley Bridge area which may lead to the loss of feeding and foraging sites.</p> <p>Mitigation: Draft policy NE3 Protecting the Natural Environment seeks to protect the natural environment and areas at risk, including potential sites for foraging and feeding, will be identified through the use of the biodiversity proforma which developers have to complete with their planning application.</p>	
Summary	<p>Category B: the policy could bring forward a small number of proposals which could have an impact but the likelihood is there would be no significant negative effect on a European site alone or in combination with other elements of the same plan, or other plans or projects.</p>

31 Sport, Recreation, open Space and Village Halls Study Sept. 2011 accessed at harrogate.gov.uk/downloads/file/290/sport_recreation_open_space_and_village_halls_study_part_1_outdoor_sports_facilities_standards_assessment_2011

Screening of Natural Environment Policies

Draft Policy NE1: Air Quality	
<p><i>Development in, or likely to affect, the Knaresborough and Ripon Air Quality Management Areas (AQMAs), or any other AQMA designated over the course of the plan period, should ensure consistency with the Air Quality Action Plan and the current North Yorkshire Local Transport Plan.</i></p>	
Assessment	
<p>This policy will ensure that the air quality of development proposals across the Harrogate District (which may impact on the Air Quality Management Areas) is considered. Air quality issues within the district are primarily transport related and therefore integration between land use policies, the Local Transport Plan and the Air Quality Action Plan is important. The policy will require all planning applications creating traffic to provide mitigation in the form of Electric Vehicle Charging points. In addition planning applications that give rise to significant amounts of traffic or an increase in emissions must provide information on the increase in pollution and identify mitigation measures.</p>	
<p>Summary</p>	<p>Category A: the policy does not encourage development in itself and would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.</p>

Draft Policy NE2: Water Quality	
<p><i>Developers shall undertake thorough risk assessments of the impact of proposals on surface and groundwater systems considering appropriate avoidance measures before incorporating appropriate mitigation measures where necessary. The council will expect developers to demonstrate that all proposed development will be served by an adequate wholesome supply of water, appropriate sewerage infrastructure and that there is sufficient sewage treatment capacity to ensure that there is no deterioration of water quality.</i></p> <p><i>Development will not be permitted where it would:</i></p> <ul style="list-style-type: none"> A. <i>Prejudice the quality or quantity of surface or ground water;</i> B. <i>Have an adverse impact on water dependent Sites of Special Scientific Interest (SSSIs) and Natura 2000 sites;</i> C. <i>Prejudice the use and quality of the district's spa waters.</i> 	
Assessment	
<p>This policy seeks to protect the natural environment by requiring developers to undertake thorough risk assessments and not permitting development which would have an adverse impact on European sites.</p>	
<p>Summary</p>	<p>Category A: policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.</p>

Draft Policy NE3: Protecting the Natural Environment	
<p><i>Development should not result in any net loss of biodiversity, and should seek to provide net gains. The council will work through appropriate Local Nature Partnerships and others to assess existing and potential components of ecological networks, including Sites of Importance for Nature Conservation. Protected species and priority habitats and species are identified nationally in Biodiversity 2020 and under the Wildlife and Countryside Act. The preservation, restoration and recreation of priority habitats and ecological networks and the protection and recovery of priority species populations will be promoted and their positive conservation will be sought through development management.</i></p> <p><i>The restoration and re-creation of priority habitats, networks and priority species populations identified in the Harrogate District Biodiversity Action Plan will be encouraged as part of any development.</i></p>	

Draft Policy NE3: Protecting the Natural Environment

Development will only be permitted where an appraisal has demonstrated that significant harm resulting from the development can be avoided through locating on an alternative site with less harmful impacts, adequately mitigated, or, as a last resort, compensated for.

The council will protect and enhance sites of importance for natural heritage, biodiversity and geodiversity from development as follows:

International sites

International sites: Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Ramsar sites

A. *Development likely to have significant effect on a Natura 2000 site or its features of interest 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.*

National sites

National sites: Sites of Special Scientific Interest (SSSIs)

B. *Development likely to have an adverse effect on a Site of Special Scientific Interest will only be permitted where an appraisal has demonstrated:*

- i. the objectives of the designated area and the overall integrity of the area would not be compromised; or*
- ii. any adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance.*

Local sites

Local sites: Sites of Importance for Nature Conservation (SINCs), Local Nature Reserves (LNRs) and Local Geological Sites (LGSs)

C. *Development that affects the interest features of Local Sites will only be permitted where an appraisal has demonstrated that significant harm resulting from the development can be avoided through locating on an alternative site with less harmful impacts, adequately mitigated, or, as a last resort, compensated for.*

Planning permission will not be granted for development resulting in the loss or deterioration of irreplaceable habitats, including historic wetlands and species-rich grasslands, ancient woodland and the loss of aged or veteran trees, unless the need for and benefits of the development in that location clearly outweigh the loss.

Assessment

This policy is concerned with protecting the special sites of biodiversity and geodiversity across the district. It clearly identifies the hierarchy of nature conservation sites and the level of protection they are afforded. The policy also includes the protection, creation and enhancement of priority habitats and species. The policy wording along with the justification text explains the status of the SPAs and SACs and the requirement for Habitat Regulations Assessment and Appropriate Assessment. This policy is the main policy for protecting the European sites from any inappropriate development.

Summary	Category A: policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.
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Draft Policy NE4: Landscape Character**Landscape Character**

Proposals that will protect, enhance or restore the landscape character of Harrogate district for its own intrinsic beauty and for its benefit to the economic, environmental and social well-being of the district will be supported.

This will be achieved by:

- A. Requiring that development has particular regard to maintaining the aesthetic and biodiversity qualities of the natural and man-made heritage within the landscape such as trees and woodland, hedgerows, walls, buildings, watercourses, ponds, reservoirs, lakes, ecological networks or other topographical features;*
- B. Requiring that development proposals are informed by and are sympathetic to the distinctive landscape character areas as identified in the Harrogate District Landscape Character Assessment and that proposals respect the distribution and form of settlements and buildings in their landscape setting;*
- C. Requiring that development proposals protect and/or enhance the character, appearance and local distinctiveness of the landscape and consider the ambiance of the area, including nocturnal character, level and type of activity and tranquillity, sense of enclosure/exposure;*
- D. Requiring that visually sensitive skylines, hills and valley sides and visual amenity are protected and/or enhanced;*
- E. Resisting development which would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement.*

The council will work with landowners and statutory agencies to encourage land management practises that will protect and reinforce landscape character across the district and proposals which seek to restore areas of degraded landscape or individual landscape elements will be supported.

National Landscape Designations and Locally Valued Landscapes

The natural beauty and special qualities of the Nidderdale Area of Outstanding Natural Beauty (AONB) will be conserved and enhanced and the impact of proposals on the AONB and its setting will be carefully considered.

Proposals will be supported where they:

- F. Do not detract from the natural beauty and special qualities of the AONB and its setting;*
- G. Seek to facilitate the delivery of the Nidderdale AONB Management Plan objectives;*
- H. Are considered appropriate for the economic, social and environmental well-being of the area or are desirable to support the understanding and enjoyment of the area.*

Development proposals or land management practises that would have an adverse impact on the natural beauty and special qualities of the AONB will be resisted unless it can be demonstrated that the benefits of the proposal clearly outweighs any adverse impact and the proposal cannot be located elsewhere in a less damaging location.

Major development proposals within the AONB that would result in a significant adverse impact on the natural beauty and special qualities of the AONB will only be allowed in exceptional circumstances.

Outside of those landscapes protected by national landscape designations, the impact of development proposals on the following Special Landscape Areas, and shown on the Policies Map, will be carefully considered:

- a. Warren Top - Knox Hill, Oak Beck Valley to the north west of Harrogate*
- b. Nidd Gorge*
- c. Scriven Park and Coney Garth*
- d. Crimple Valley*
- e. Rudding Park*
- f. Pine Woods and Valley Gardens*
- g. Oak Beck Valley to the west of Harrogate including Brik Crag and Cardale Wood*
- h. Ure Valley, Ripon*
- i. Skell and Laver Valleys, Ripon*

Draft Policy NE4: Landscape Character

The Special Landscape Areas are valued locally for their high quality landscape and their importance to the settings of Harrogate, Knaresborough and Ripon. The designation reinforces the importance of these landscapes and their high sensitivity to inappropriate development which would adversely impact on the quality of the area designated. Development proposals within these areas are required to meet the following criteria:

- I. Avoid significant loss of key characteristics that contribute to the quality of the Special Landscape Area and the setting of Harrogate, Knaresborough and Ripon;*
- J. Ensure that development proposals are linked to existing settlements and are designed to enhance the appearance of the urban edge and its integration with the countryside.*

Assessment

The policy seeks to protect the character of the landscape. It is considered that this policy will not have any significant impacts on an SPA or SAC.

Summary

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

Draft Policy NE5: Green Infrastructure

Development proposals should:

- A. Incorporate existing and/or new green infrastructure features within their design and to improve accessibility to the surrounding area;*
- B. Capitalise on opportunities to enhance and/or create green links between green infrastructure features such as those listed in the green infrastructure checklist contained in Section 10, Green Infrastructure Supplementary Planning Document (November 2014);*
- C. Avoid creating undifferentiated built-up areas within its overall boundaries and to prevent built-form coalescence;*
- D. Where they are within or in close proximity to a green infrastructure corridor, enhance the functionality and connectivity of the corridor;*
- E. Conserve and enhance the high quality and character of the district's towns, villages and rural environment by ensuring that all forms of new development are designed to a high standard and maintain and enhance the local vernacular and 'sense of place' of individual settlements;*
- F. Safeguard the character of urban areas as manifest in the system of open spaces which link town and countryside; and*
- G. Identify opportunities to work with partners at the local, district and sub-regional levels to deliver multiple key green infrastructure benefits.*

Assessment

Recreational pressure: This policy seeks to protect, enhance and appropriately manage existing green infrastructure to maximise the community and environmental benefits. In addition to enhancing existing features on site the policy will also seek for links to existing footpaths and bridleways to be created, potentially increasing recreational pressure in the North Pennine Moors and South Pennine Moors SAC and SPAs.

In-combination plans: The AONB Management Plan and the NYCC rights of Way Improvement Plan, seek to improve the quality and accessibility of the rights of way network.

City of Bradford Metropolitan District Council's Core Strategy potentially increase recreational pressure on areas of the South Pennine Moors SAC and SPA. The HRA (Nov. 2015) for this document concluded that the pressures were adequately mitigated through policy wording.

Mitigation: The growth strategy as a whole steers development away from the European sites within the district so there are only 2 local service centres and 12 primary and secondary service centres within 7km of the North Pennine Moors SAC/SPA. There is only one settlement identified within the growth strategy within 7km of the South Pennine Moors SAC/SPA and this is Askwith, a secondary service centre which has not had a site for housing or mixed development allocated.

Draft Policy NE5: Green Infrastructure

Draft Policy HP7: New Sports, Open Space and Recreation Development will require new housing and mixed use developments to provide new sports, open space and recreational facilities to cater for the needs arising from the development.

The policy will seek to enhance green infrastructure across the district so will help to improve access to other areas outside of the European sites and make open areas within close proximity to development sites more accessible and more appealing.

Summary

Category B: the policy could have an effect but the likelihood is there would be no significant negative effect on a European site either alone or in combination with other plans.

Draft Policy NE6: Local Green Space

The sites in Table 9.1, and as identified on the Policies Map, are proposed for designation as Local Green Space:

Site Ref	Settlement	Name
LGS25	Harrogate	Bachelor Fields
LGS110	Harrogate	Panhandle Park and railway embankment
LGS111	Harrogate	Stonefall Park
LGS75	Knaresborough	Knaresborough House
LGS58	Scriven	Jacob Smith Park
LGS47	Masham	Masham Allotments
LGS9	Burnt Yates	Community Amenity Area
LGS14	Grantley	Playing Field
LGS35	Killinghall	Land at Cautley Drive
LGS48	North Deighton	The Green
LGS50	North Stainley	Community Garden
LGS51	North Stainley	Recreation Ground
LGS71	Spofforth	East Park Playground and Recreation Park
LGS73	Spofforth	Millennium Garden

Table 9.1 Local Green Spaces

Development will not be permitted within a Local Green Space designated either within the Harrogate District Local Plan or an approved Neighbourhood Plan, unless there are very special circumstances where the public benefits of the development proposed would outweigh the harm that would be caused by development within the Local Green Space.

Assessment

The policy does not propose development.

Summary

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

Draft Policy NE7: Trees and Woodland	
<p><i>Development will only be permitted where:</i></p> <ul style="list-style-type: none"> A. <i>It does not have an adverse impact on trees or woodland that have wildlife, landscape, historic, amenity, productive or cultural value; and</i> B. <i>It does not have an adverse impact on a veteran tree or ancient woodland; and</i> C. <i>It does not involve the loss of trees or woodland which contribute to the character or setting of a settlement; and</i> D. <i>It includes the appropriate retention and new planting of trees and woodland.</i> <p><i>In the case of an unavoidably adverse impact on trees and woodlands of wildlife, landscape, amenity, productive or cultural value, compensatory provision must be made.</i></p> <p><i>Wherever appropriate, the planting of additional trees should be included in new developments.</i></p>	
Assessment	
<p>The policy will help protect the natural environment, including biodiversity and will raise awareness of protected species which may live in trees and woodlands.</p>	
Summary	<p>Category A: policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.</p>

Draft Policy NE8: Protection of Agricultural Land	
<p><i>The best and most versatile agricultural land (grades 1, 2 and 3a) will be protected from development not associated with agriculture or forestry. Planning permission for development affecting such land will only be granted exceptionally if there is an overriding need for the development and either:</i></p> <ul style="list-style-type: none"> A. <i>Sufficient land of a lower grade (grades 3b, 4 and 5) is unavailable or available lower grade land has an environmental value recognised by a statutory wildlife, historic, landscape or archaeological designation and outweighs the agricultural considerations; or</i> B. <i>The benefits of the development justify the loss of high quality agricultural land.</i> <p><i>If best and most versatile land needs to be developed and there is a choice between sites in different grades, land of the lowest grade available must be used except where other sustainability considerations outweigh land quality issues.</i></p>	
Assessment	
<p>Loss of habitat: This policy seeks to protect land which is graded as 1, 2 or 3a agricultural land and will affect land of lower agricultural quality adjacent to these areas as they should be considered as alternative sites. In general Grade 3 agricultural land lies at some distance from the North Pennine Moors SAC/SPA however there are 3 areas (near Askwith, Kirkby Malzeard and Ellingstring) where grade 3 agricultural land encroaches within 2.5km of the boundary of the SAC/SPA. The Kirk Deighton SAC is within an area of high quality agricultural land and this policy will not place any additional pressure for development on the SAC or land adjacent to the SAC. In addition, the policy safeguards land of environmental value.</p> <p>Mitigation: The growth strategy steers development towards the public transport corridor and settlements. The areas where grade 3 agricultural land encroach within 2.5km of the SAC/SPA are not adjacent to settlements but in open countryside so it is unlikely that there will be a great number of achievable proposals put forward in these areas.</p>	
Summary	<p>Category A: policy would have no negative effect on a European site either alone or in combination with other elements of the same plan, or other plans or projects.</p>

Draft Policy NE9: 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 Appendix 2 and as shown on the Policies 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:

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

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

Assessment Criteria

The policy has no spatial implications. The policy identifies the areas of land in and around Ripon where gypsum dissolution may be an issue, and sets out the requirements of developing in these areas. The policy does not lead to development itself, but instead sets criteria so that inappropriate development on unstable land will be avoided. It also seeks to protect the natural environment from potential contaminating uses and to decontaminate existing contaminated sites.

Summary

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

Draft Allocations

Appendix 2 Draft Allocations

Harrogate Draft Allocation Sites

Screening Criteria	Site Ref.																
	H3	H6	H16	H17	H18	H21	H23	H36	H37	H46	H48	H49	H51	H56	H63	H65	H70
The site is at least 500m from Kirk Deighton SAC or 2.5km of any other SAC or SPA	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
The site is at least 400m from a SAC or SPA	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
The site is at least 7km from the North Pennine Moors SAC/ SPA (housing only)	Y	Y	N/A	Y	Y	Y	N/A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Development will not have an adverse impact on the region's rivers, estuary and coastal waters	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?
Development will not lead to major capacity issues at the Waste Water Treatment Works.	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?	?
Effects of additional surface water discharge on nearby watercourses should be slight or could be appropriately mitigated.	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
The site is within the public transport corridor.	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

Table 2.1 Harrogate Draft Allocation Sites

Knaresborough Draft Allocation Sites

Screening Criteria	Site Ref.			
	K17	K21	K22	K25
The site is at least 500m from Kirk Deighton SAC or 2.5km of any other SAC or SPA	Y	Y	Y	Y
The site is at least 400m from a SAC or SPA	Y	Y	Y	Y
The site is at least 7km from the North Pennine Moors SAC/ SPA (housing only)	Y	Y	Y	Y
Development will not have an adverse impact on the region's rivers, estuary and coastal waters	?	?	?	?
Development will not lead to major capacity issues at the Waste Water Treatment Works.	?	?	?	?
Effects of additional surface water discharge on nearby watercourses should be slight or could be appropriately mitigated.	Y	Y	Y	Y
The site is within the public transport corridor.	Y	Y	Y	Y

Table 2.2 Knaresborough Draft Allocation Sites

Ripon Draft Allocation Sites

Screening Criteria	Site Ref.					
	R1	R6	R8	R23	R24	R25
The site is at least 500m from Kirk Deighton SAC or 2.5km of any other SAC or SPA	Y	Y	Y	Y	Y	Y
The site is at least 400m from a SAC or SPA	Y	Y	Y	Y	Y	Y

Screening Criteria	Site Ref.					
	R1	R6	R8	R23	R24	R25
The site is at least 7km from the North Pennine Moors SAC/ SPA (housing only)	Y	Y	Y	Y	Y	Y
Development will not have an adverse impact on the region's rivers, estuary and coastal waters	?	?	?	?	?	?
Development will not lead to major capacity issues at the Waste Water Treatment Works.	?	?	?	?	?	?
Effects of additional surface water discharge on nearby watercourses should be slight or could be appropriately mitigated.	Y	Y	Y	Y	Y	Y
The site is within the public transport corridor.	Y	Y	Y	Y	Y	Y

Table 2.3 Ripon Draft Allocation Sites

Boroughbridge Draft Allocation Sites

Screening Criteria	Site Ref.		
	B2	B4	B11
The site is at least 500m from Kirk Deighton SAC or 2.5km of any other SAC or SPA	Y	Y	Y
The site is at least 400m from a SAC or SPA	Y	Y	Y
The site is at least 7km from the North Pennine Moors SAC/ SPA (housing only)	Y	Y	Y
Development will not have an adverse impact on the region's rivers, estuary and coastal waters	?	?	?
Development will not lead to major capacity issues at the Waste Water Treatment Works.	?	?	?
Effects of additional surface water discharge on nearby watercourses should be slight or could be appropriately mitigated.	Y	Y	Y
The site is within the public transport corridor.	Y	Y	Y

Table 2.4 Boroughbridge Draft Allocation Sites

Masham Draft Allocations

Screening Criteria	Site Ref.	
	M8	M13
The site is at least 500m from Kirk Deighton SAC or 2.5km of any other SAC or SPA	Y	Y
The site is at least 400m from a SAC or SPA	Y	Y
The site is at least 7km from the North Pennine Moors SAC/ SPA (housing only)	N	N
Development will not have an adverse impact on the region's rivers, estuary and coastal waters	?	?
Development will not lead to major capacity issues at the Waste Water Treatment Works.	?	?
Effects of additional surface water discharge on nearby watercourses should be slight or could be appropriately mitigated.	Y	Y
The site is within the public transport corridor.	N	N

Table 2.5 Masham Draft Allocations

Pateley Bridge Draft Allocations

Screening Criteria	Site Ref.			
	P1	P5	P7	P10
The site is at least 500m from Kirk Deighton SAC or 2.5km of any other SAC or SPA	N	N	N	N
The site is at least 400m from a SAC or SPA	Y	Y	Y	Y
The site is at least 7km from the North Pennine Moors SAC/ SPA (housing only)	N	N	N	N

Screening Criteria	Site Ref.			
	P1	P5	P7	P10
Development will not have an adverse impact on the region's rivers, estuary and coastal waters	?	?	?	?
Development will not lead to major capacity issues at the Waste Water Treatment Works.	?	?	?	?
Effects of additional surface water discharge on nearby watercourses should be slight or could be appropriately mitigated.	Y	Y	Y	Y
The site is within the public transport corridor.	Y	Y	Y	Y

Table 2.6 Pateley Bridge Draft Allocations

Draft Allocations For Birstwith, Bishop Monkton, Dacre, Dacre Banks, Darley and Dishforth

Screening Criteria	Site Ref.										
	B/V9	B/V10	EM2	EM3	EM4	DE3	DE5	DR1	DR4	DF2	DF4
The site is at least 500m from Kirk Deighton SAC or 2.5km of any other SAC or SPA	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y
The site is at least 400m from a SAC or SPA	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
The site is at least 7km from the North Pennine Moors SAC/ SPA (housing only)	Y	Y	Y	Y	Y	N	N	N	N	Y	Y
Development will not have an adverse impact on the region's rivers, estuary and coastal waters	?	?	?	?	?	?	?	?	?	?	?
Development will not lead to major capacity issues at the Waste Water Treatment Works.	?	?	?	?	?	?	?	?	?	?	?
Effects of additional surface water discharge on nearby watercourses should be slight or could be appropriately mitigated.	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
The site is within the public transport corridor.	Y	Y	N	N	N	Y	Y	Y	Y	N	N

Table 2.7 Draft Allocations For Birstwith, Bishop Monkton, Dacre, Dacre Banks, Darley and Dishforth

Draft Allocations for Flaxby, Goldsborough, Green Hammerton, Hampsthwaite

Screening Criteria	Site Ref.							
	FX3	FX4	GE2	G-2	G-4	G-9	G-11	HW7
The site is at least 500m from Kirk Deighton SAC or 2.5km of any other SAC or SPA	Y	Y	Y	Y	Y	Y	Y	Y
The site is at least 400m from a SAC or SPA	Y	Y	Y	Y	Y	Y	Y	Y
The site is at least 7km from the North Pennine Moors SAC/ SPA (housing only)	Y	N/A	Y	Y	Y	Y	Y	Y
Development will not have an adverse impact on the region's rivers, estuary and coastal waters	?	?	?	?	?	?	?	?
Development will not lead to major capacity issues at the Waste Water Treatment Works.	?	?	?	?	?	?	?	?
Effects of additional surface water discharge on nearby watercourses should be slight or could be appropriately mitigated.	Y	Y	Y	Y	Y	Y	Y	Y
The site is within the public transport corridor.	Y	Y	N	Y	Y	Y	Y	Y

Table 2.8 Draft Allocations for Flaxby, Goldsborough, Green Hammerton, Hampsthwaite

Draft Allocations for Killinghall, Kirby Hill, Kirk Hammerton and Kirkby Malzeard

Screening Criteria	Site Ref.							
	KL2	KL6	KL3	KB1	KH4	KH11	KM4	KM5
The site is at least 500m from Kirk Deighton SAC or 2.5km of any other SAC or SPA	Y	Y	Y	Y	Y	Y	Y	Y
The site is at least 400m from a SAC or SPA	Y	Y	Y	Y	Y	Y	Y	Y
The site is at least 7km from the North Pennine Moors SAC/ SPA (housing only)	Y	Y	Y	Y	Y	Y	N	N
Development will not have an adverse impact on the region's rivers, estuary and coastal waters	?	?	?	?	?	?	?	?
Development will not lead to major capacity issues at the Waste Water Treatment Works.	?	?	?	?	?	?	?	?
Effects of additional surface water discharge on nearby watercourses should be slight or could be appropriately mitigated.	Y	Y	Y	Y	Y	Y	Y	Y
The site is within the public transport corridor.	Y	Y	Y	Y	Y	Y	N	N

Table 2.9 Draft Allocations for Killinghall, Kirby Hill, Kirk Hammerton and Kirkby Malzeard

Draft Allocations for Marton cum Grafton, Melmerby, North Stainley, Pannal and Rainton

Screening Criteria	Site Ref.						
	MG7	MB3	NS3	NS6	FN4	FN2	FN3
The site is at least 500m from Kirk Deighton SAC or 2.5km of any other SAC or SPA	Y	Y	Y	Y	Y	Y	Y
The site is at least 400m from a SAC or SPA	Y	Y	Y	Y	Y	Y	Y
The site is at least 7km from the North Pennine Moors SAC/ SPA (housing only)	Y	N/A	Y	Y	Y	Y	Y
Development will not have an adverse impact on the region's rivers, estuary and coastal waters	?	?	?	?	?	?	?
Development will not lead to major capacity issues at the Waste Water Treatment Works.	?	?	?	?	?	?	?
Effects of additional surface water discharge on nearby watercourses should be slight or could be appropriately mitigated.	Y	Y	Y	Y	Y	Y	Y
The site is within the public transport corridor.	N	N	N	N	Y	N	N

Table 2.10 Draft Allocations for Marton cum Grafton, Melmerby, North Stainley, Pannal and Rainton

Draft Allocations for Sharow, Spofforth, Staveley, Summerbridge and Tockwith

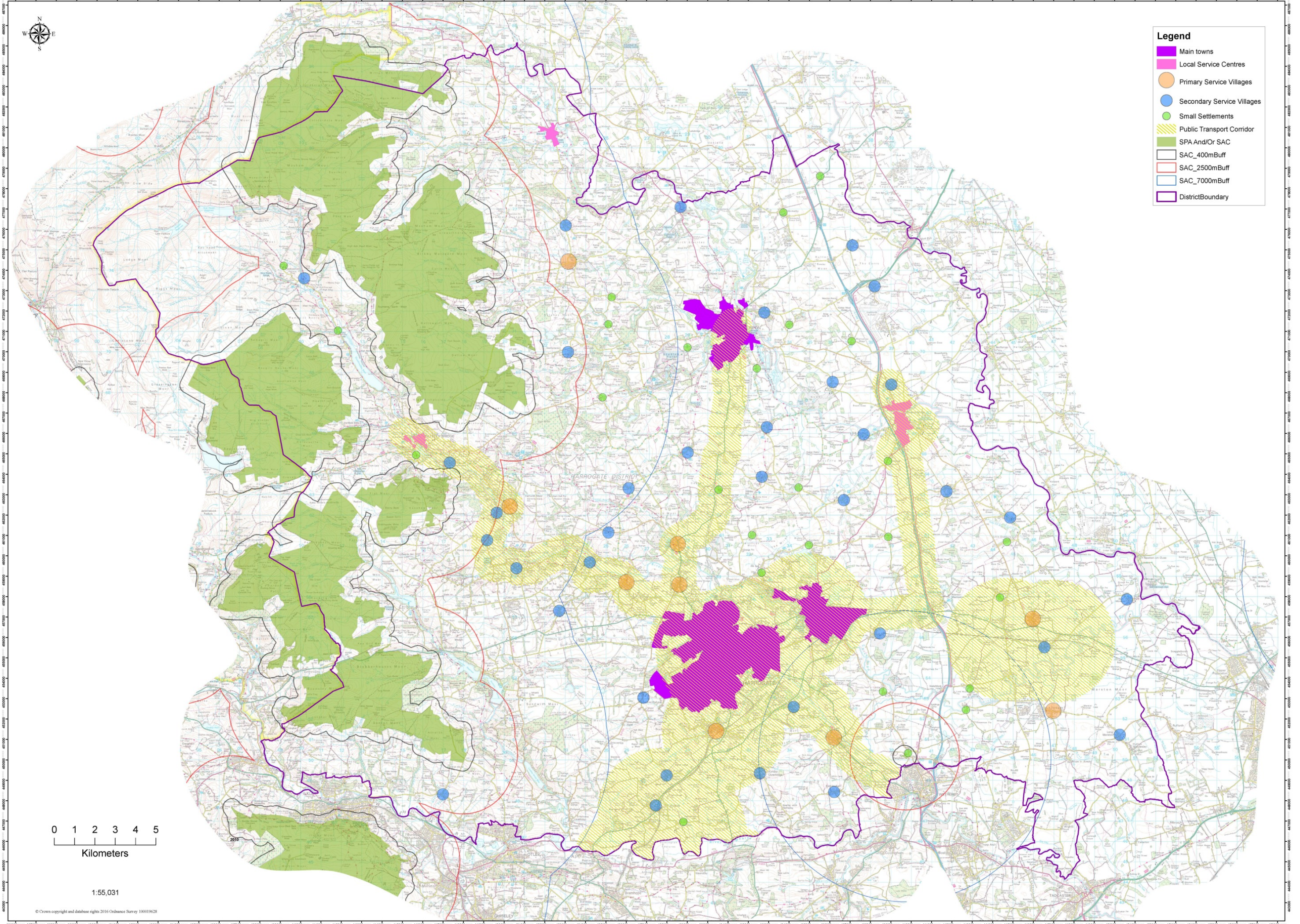
Screening Criteria	Site Ref.						
	SH1	SP4	SP6	SV1	SB1	SB5	TW2
The site is at least 500m from Kirk Deighton SAC or 2.5km of any other SAC or SPA	Y	Y	Y	Y	Y	Y	Y
The site is at least 400m from a SAC or SPA	Y	Y	Y	Y	Y	Y	Y
The site is at least 7km from the North Pennine Moors SAC/ SPA (housing only)	Y	Y	Y	Y	N	N	N/A
Development will not have an adverse impact on the region's rivers, estuary and coastal waters	?	?	?	?	?	?	?
Development will not lead to major capacity issues at the Waste Water Treatment Works.	?	?	?	?	?	?	?
Effects of additional surface water discharge on nearby watercourses should be slight or could be appropriately mitigated.	Y	Y	Y	Y	Y	Y	Y
The site is within the public transport corridor.	N	Y	Y	N	Y	Y	N

Table 2.11 Draft Allocations for Sharow, Spofforth, Staveley, Summerbridge and Tockwith

Maps

Appendix 3 Maps

Map: Growth Strategy



- Legend**
- Main towns
 - Local Service Centres
 - Primary Service Villages
 - Secondary Service Villages
 - Small Settlements
 - Public Transport Corridor
 - SPA And/Or SAC
 - SAC_400mBuff
 - SAC_250mBuff
 - SAC_700mBuff
 - DistrictBoundary

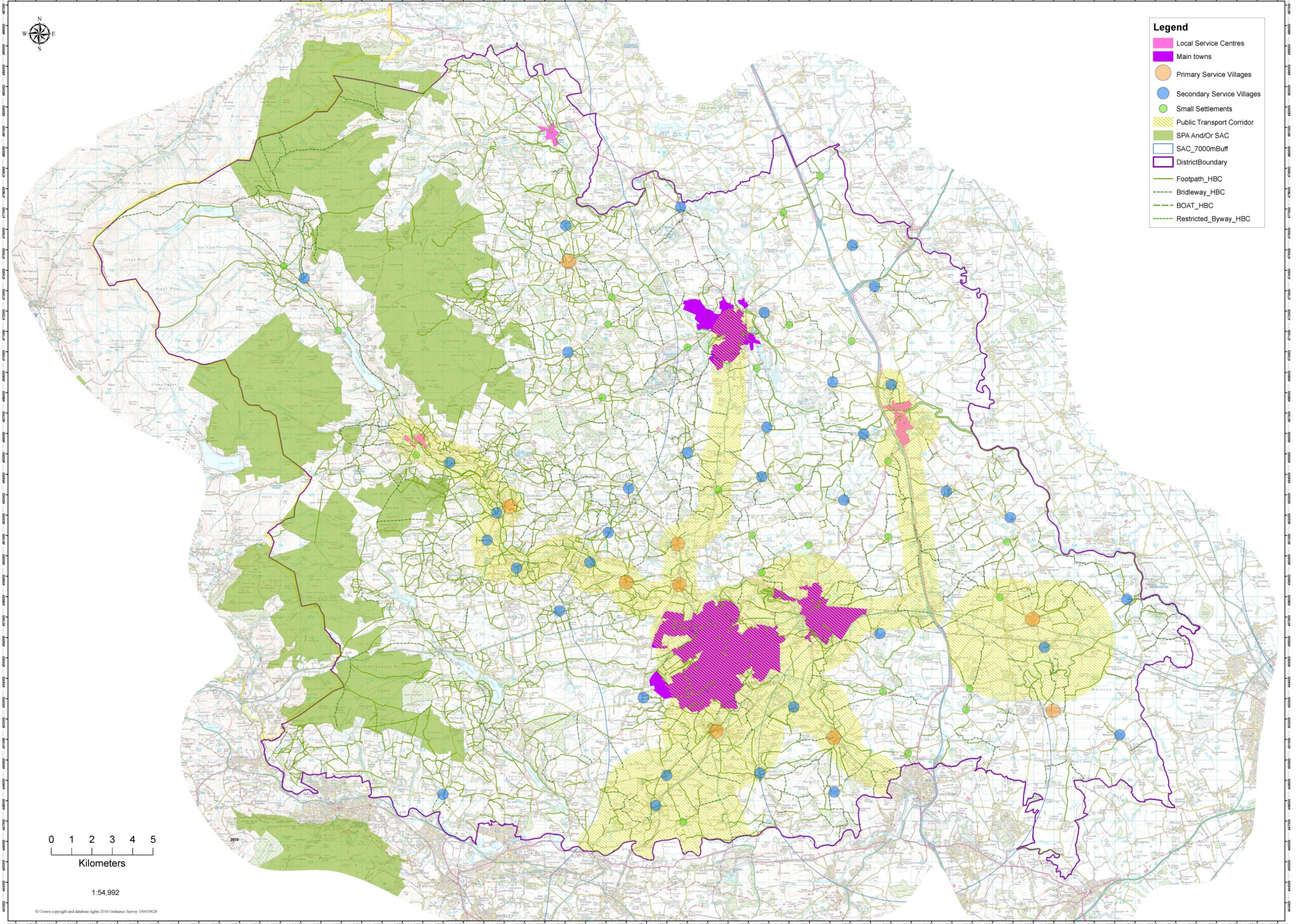
0 1 2 3 4 5
Kilometers

1:55,031

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Map 3.1 Growth Strategy

Map: Public Rights of Way



- Legend**
- Local Service Centres
 - Main towns
 - Primary Service Villages
 - Secondary Service Villages
 - Small Settlements
 - Public Transport Corridor
 - SPA And/Or SAC
 - SAC_700mBuff
 - DistrictBoundary
 - Footpath_HBC
 - Bridleway_HBC
 - BOAT_HBC
 - Restricted_Byway_HBC

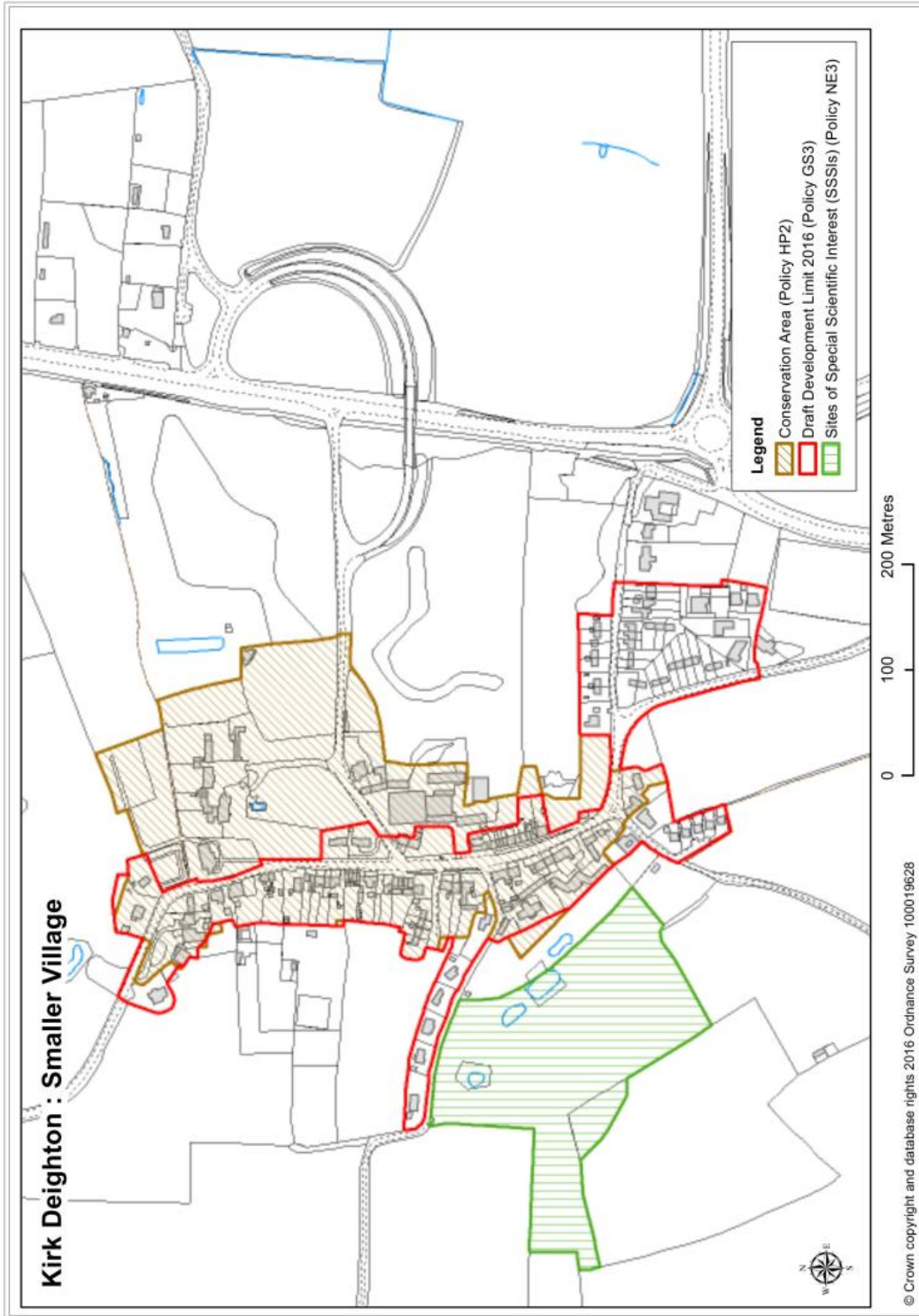
0 1 2 3 4 5
Kilometers

1:54,992

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Map 3.2 Public Rights of Way

Map: Kirk Deighton



Link between November 2015 consultation and Draft Local Plan policies 2016

Appendix 4 Link between November 2015 consultation and Draft Local Plan policies 2016

4.1 Since the publication of earlier HRA reports the titles of various policies have changed. In addition, provisions within some early drafts of policies have been strengthened, removed or moved to be included within different policies. The following table highlights policies that were assessed by the HRA at earlier stages, and identifies the policies within the current draft Local Plan that take forward the aims or provisions included in previous policies.

Draft Development Management Policies (Nov/Dec 2015)	Draft Local Plan Policies (October 2016)
SD1: Presumption in Favour of Sustainable Development	GS6: Sustainable Development
SD2: Criteria for Sustainable Development	GS7: Health and Wellbeing TI1: Sustainable Transport CC1: Flood Risk and Sustainable Drainage CC4: Sustainable Design HP3: Local Distinctiveness HP4: Protecting Amenity NE4: Landscape Character
SD3: Flood Risk and Sustainable Drainage	CC1: Flood Risk and Sustainable Drainage
HS1: Type, Mix and Density of New Market Housing Units	HS1: Housing Mix and Density
HS2: Affordable Housing	HS2: Affordable Housing and Starter Homes
HS3: Gypsies and Travellers	HS10: Providing for the needs of Gypsies and Travellers
HS4: Replacement Dwellings in the Countryside	HS7: Replacement Dwellings in the Countryside
HS5: Extensions to Dwellings	HS8: Extensions to Dwellings
HS6: Rural Workers Dwellings	HS9: Rural Workers Dwellings
EC1: Protection and Enhancement of Employment Areas	EC1: Protection and Enhancement of Existing Employment Areas EC2: Expansion of Existing Businesses
EC2: Town and Local Centre Management	EC5: Town and Local Centre Management
EC3: Impact Assessment Thresholds	EC5: Town and Local Centre Management
EC4: Protection of Tourist Facilities	EC6: Protection of Tourist Facilities
EC5: Sustainable Rural Tourism	EC7: Sustainable Rural Tourism
EC6: Telecommunications	TI5: Telecommunications
HP1: Heritage Assets	HP2: Heritage Assets
HP2: Local Distinctiveness	HP3: Local Distinctiveness
HP3: Public Rights of Way	HP5: Public Rights of Way
HP4: Parking Provision	TI3: Parking Provision

Draft Development Management Policies (Nov/Dec 2015)	Draft Local Plan Policies (October 2016)
HP5: Protection of Existing Sport, Open Space and Recreation Facilities	HP6: Protection of Existing Sport, Open Space and Recreation Facilities
HP6: New Sports, Open Space and Recreation Development	HP7: New Sports, Open Space and Recreation Development
HP7: Protection and Enhancement of Community Facilities	HP8: Protection and Enhancement of Community Facilities
HP8: Provision of New Community Facilities	HP9: Provision of New Community Facilities
NE1: Air Quality	NE1: Air Quality
NE2: Water Quality	NE2: Water Quality
NE3: Protecting the Natural Environment	NE3: Protecting the Natural Environment
NE4: Landscape Character	NE4: Landscape Character
NE5: Trees and Woodland	NE7: Trees and Woodland
NE6: Renewable Energy	CC3: Renewable Energy
NE7: Unstable and Contaminated Land	NE9: Unstable and Contaminated Land

Table 4.1 Link between development policies from November 2015 consultation with draft Local Plan policies 2016

