

Leeds City Council

Pool-in-Wharfedale Neighbourhood Plan Review 2019 – 2033

Independent Examiner's Report

By Ann Skippers BSc (Hons) MRTPI FRSA FHEA AoU

27 May 2025

Contents		
	Summary	3
1.0	Introduction	4
2.0	The role of the independent examiner and the examination process	4
3.0	Neighbourhood plan preparation	8
4.0	Compliance with matters other than the basic conditions	8
5.0	The basic conditions	9
	<i>National policy and advice</i>	9
	<i>Sustainable development</i>	11
	<i>The development plan</i>	12
	<i>Retained European Union (EU) obligations</i>	13
	<i>European Convention on Human Rights (ECHR)</i>	14
6.0	Detailed comments on the Plan and its policies	15
	1. <i>Introduction</i>	15
	2. <i>The Neighbourhood Plan Area Yesterday and Today</i>	15
	3. <i>The Neighbourhood Plan Preparation Process</i>	15
	4. <i>The Vision and Objectives for Pool-in-Wharfedale</i>	15
	5. <i>The Plan Policies and Community Actions</i>	16
	- <i>Green Environment (Policies GE1 – GE7)</i>	16
	- <i>Heritage Assets (Policies BH1 – BH5)</i>	24
	- <i>Community Facilities and Services (Policies CFS1 – CFS4)</i>	26
	- <i>Transport and Traffic (Policies TT1 – TT4)</i>	28
	- <i>Housing (Policies H1 – H3)</i>	31
	- <i>Employment (Policy E1)</i>	34
	6. <i>Monitoring, Review and Implementation</i>	35
	Appendices	35
7.0	Conclusions and recommendations	36
	Appendix 1 List of key documents	37
	Appendix 2 Questions of clarification	38
	Appendix 3 Examination note 2	40

Summary

I have been appointed by Leeds City Council to carry out the independent examination of the Pool-in-Wharfedale Neighbourhood Plan.

The Plan area consists of the village of Pool-in-Wharfedale and the hamlet of Old Pool Bank. Located in open countryside, it is located in the picturesque Wharfe Valley.

The Plan is well articulated and ambitious in its outlook and intent. It contains a detailed vision which is underpinned by 16 objectives. The vision and objectives put sustainable development at the heart of the Plan. Containing 24 policies which cover a variety of issues including the environment, housing, employment and design, the Plan addresses some of the local community's key concerns about infrastructure and the type of development in the locality and also includes innovative policies on local heritage areas and non-designated heritage assets. It is a thorough and well thought out Plan supported by a good evidence base and helpful supporting documents.

It has been necessary to recommend some modifications. In the main these are intended to ensure the Plan is clear and precise and provides a practical framework for decision-making as required by national policy and guidance. These do not significantly or substantially alter the overall nature of the Plan.

Subject to those modifications, I have concluded that the Plan does meet the basic conditions and all the other requirements I am obliged to examine. I am therefore pleased to recommend to Leeds City Council that the Pool-in-Wharfedale Neighbourhood Development Plan can go forward to a referendum.

In considering whether the referendum area should be extended beyond the Neighbourhood Plan area I see no reason to alter or extend this area for the purpose of holding a referendum.

Ann Skippers MRTPI
Ann Skippers Planning
27 May 2025



1.0 Introduction

This is the report of the independent examiner into the Pool-in-Wharfedale Neighbourhood Development Plan (the Plan).

The Localism Act 2011 provides a welcome opportunity for communities to shape the future of the places where they live and work and to deliver the sustainable development they need. One way of achieving this is through the production of a neighbourhood plan.

I have been appointed by Leeds City Council (LCC) with the agreement of Pool-in-Wharfedale Parish Council to undertake this independent examination. I have been appointed through the Neighbourhood Planning Independent Examiner Referral Service (NPIERS).

I am independent of the qualifying body and the local authority. I have no interest in any land that may be affected by the Plan. I am a chartered town planner with over thirty years' experience in planning and have worked in the public, private and academic sectors and am an experienced examiner of neighbourhood plans. I therefore have the appropriate qualifications and experience to carry out this independent examination.

2.0 The role of the independent examiner and the examination process

Role of the Examiner

The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The basic conditions¹ are:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- The making of the neighbourhood plan contributes to the achievement of sustainable development
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area
- The making of the neighbourhood plan does not breach, and is otherwise compatible with, retained European Union (EU) obligations²

¹ Set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) and paragraph 11(2) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended)

² Substituted by the Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018/1232 which came into force on 31 December 2020

- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation and referred to in the paragraph above. Only one is applicable to neighbourhood plans and was brought into effect on 28 December 2018.³ It states that:

- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

The examiner is also required to check⁴ whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body
- Has been prepared for an area that has been properly designated for such plan preparation
- Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that
- Its policies relate to the development and use of land for a designated neighbourhood area.

I must also consider whether the draft neighbourhood plan is compatible with Convention rights.⁵

The examiner must then make one of the following recommendations:

- The neighbourhood plan can proceed to a referendum on the basis it meets all the necessary legal requirements
- The neighbourhood plan can proceed to a referendum subject to modifications or
- The neighbourhood plan should not proceed to a referendum on the basis it does not meet the necessary legal requirements.

If the plan can proceed to a referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

If the plan goes forward to referendum and more than 50% of those voting vote in favour of the plan then it is made by the relevant local authority, in this case LCC. The

³ Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

⁴ Set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act and paragraph 11(2) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended)

⁵ The combined effect of the Town and Country Planning Act Schedule 4B para 8(6) and para 10 (3)(b) and the Human Rights Act 1998

plan then becomes part of the 'development plan' for the area and a statutory consideration in guiding future development and in the determination of planning applications within the plan area.

Examination Process

It is useful to bear in mind that the examiner's role is limited to testing whether or not the submitted neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended) and paragraph 11 of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended).⁶

Planning Practice Guidance (PPG) confirms that the examiner is not testing the soundness of a neighbourhood plan or examining other material considerations.⁷

In addition, PPG is clear that neighbourhood plans are not obliged to include policies on all types of development.⁸ Often representations suggest amendments to policies or additional policies or different approaches. Where I find that policies do meet the basic conditions, it is not necessary for me to consider if further amendments or additions are required.

In 2018, the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) published guidance to service users and examiners. Amongst other matters, the guidance indicates that the qualifying body will normally be given an opportunity to comment upon any representations made by other parties at the Regulation 16 consultation stage should they wish to do so. There is no obligation for a qualifying body to make any comments; it is only if they wish to do so. The Parish Council made comments on the Regulation 16 stage representations and I have taken these into account.

PPG⁹ explains that it is expected that the examination will not include a public hearing. Rather the examiner should reach a view by considering written representations. Where an examiner considers it necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case, then a hearing must be held.¹⁰

I sought clarification on a number of matters from the Parish Council and LCC in writing on 15 September 2024 and my list of questions is attached to this report as Appendix 2.

Following this stage, I wrote again to the Parish Council and LCC to highlight some further issues and to suggest that the examination be 'paused' to allow for further public consultation to be undertaken on a number of specific matters. These included a Neighbourhood Plan Map which unfortunately had not been submitted with the other

⁶ Paragraph 11(3) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended) and PPG para 055 ref id 41-055-20180222,

⁷ PPG para 055 ref id 41-055-20180222

⁸ Ibid para 040 ref id 41-040-20160211

⁹ Ibid para 056 ref id 41-056-20180222

¹⁰ Ibid

documents, changes to some of the maps for the proposed Local Green Spaces and a new combined policy based on draft Policies TT1 and TT3 and a replacement policy for draft Policy GE1. That Examination Note 2 dated 23 October 2024 is attached to this report as Appendix 3.

As a result, a further short period of focused consultation on these specified matters was held between 13 January – 10 February 2025 to give interested parties an opportunity to make any comments. This resulted in 14 representations. The Parish Council took the opportunity to comment on the representations made and I have taken these comments into account.

I am very grateful to both Councils who have provided me with comprehensive responses (all publicly available) to my questions which, together with consideration of all the documentation and the representations made, have enabled me to examine the Plan without the need for a hearing.

I am very grateful to everyone for ensuring that the examination has run so smoothly and in particular Kwame Steadman at LCC.

I made an unaccompanied site visit to familiarise myself with the Plan area on 10 September 2024.

During the examination stage, the Government published a new NPPF on 12 December 2024. Transitional arrangements set out in the document¹¹ explain that the policies in the updated NPPF will only apply to those neighbourhood plans submitted from 12 March 2025 onwards. As a result, this examination has continued with the NPPF updated in December 2023.

Modifications and how to read this report

Where modifications are recommended they appear in a bullet point list of **bold text**. Where I have suggested specific changes to the wording of the policies or new wording these appear in ***bold italics*** in the bullet point list of recommendations. Modifications will always appear in a bullet point list.

As a result of some modifications consequential amendments may be required. These can include changing policy numbering, section headings, amending the contents page, renumbering paragraphs or pages, ensuring that supporting appendices and other documents align with the final version of the Plan and so on.

I regard these issues as primarily matters of final presentation and do not specifically refer to all such modifications, but have an expectation that a common sense approach will be taken and any such necessary editing will be carried out and the Plan's presentation made consistent.

¹¹ NPPF December 2024, para 239

3.0 Neighbourhood plan preparation

A Consultation Statement has been submitted. It meets the requirements of Regulation 15(2) of the Neighbourhood Planning (General) Regulations 2012.

Work began on the Plan in 2013. A Steering Group consisting of residents and Parish and Ward Councillors was set up.

Several themed events were set up along with specific surveys and a school project. A useful table in the Consultation Statement sets out the details.¹² In Autumn 2017, a policy intentions document with a questionnaire was sent to all households. Three drop-in events were held. Informal Sites consultations were also held.

Pre-submission (Regulation 14) consultation took place between 6 September – 18 October 2019. The draft Plan was available online and in various locations. A banner and posters advertised the consultation. A leaflet was sent to all residents, the School newsletter, Facebook and the Wharfedale Observer publicising the consultation. Three drop-in events were held during the consultation period.

I consider that the consultation and engagement carried out is satisfactory.

Submission (Regulation 16) consultation was carried out between 17 June – 4 August 2024.

The Regulation 16 stage resulted in six representations. I have considered all of the representations and taken them into account in preparing my report.

As explained above, a further period of focused consultation was held between 13 January – 10 February 2025. This resulted in 14 representations.

Whilst I make reference to some responses and not others, I have considered all of the representations and taken them into account in preparing my report.

4.0 Compliance with matters other than the basic conditions

Qualifying body

Pool-in-Wharfedale Parish Council is the qualifying body able to lead preparation of a neighbourhood plan. This requirement is satisfactorily met.

¹² Consultation Statement page 8

Plan area

The Plan area is coterminous with the administrative boundary for the Parish. LCC approved the designation of the area on 17 December 2013. The Plan relates to this area and does not relate to more than one neighbourhood area and therefore complies with these requirements. The Plan area is shown on page 11 of the Plan.

Plan period

The Plan period is 2019 – 2033. This is clearly stated in the Plan itself. The requirement is therefore satisfactorily met.

Excluded development

The Plan does not include policies that relate to any of the categories of excluded development and therefore meets this requirement. This is also helpfully confirmed in the Basic Conditions Statement.

Development and use of land

Policies in neighbourhood plans must relate to the development and use of land. Sometimes neighbourhood plans contain aspirational policies or projects that signal the community's priorities for the future of their local area, but are not related to the development and use of land. If I consider a policy or proposal to fall within this category, I will recommend it be clearly differentiated. This is because wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable.¹³

In this case, a number of Non-Planning Actions/Projects are referred to in each topic based section of the Plan. The Plan explains what they are and that they do not form part of the policies.¹⁴ They are clearly distinguishable from the planning policies. I consider this to be an appropriate approach for this particular Plan.

5.0 The basic conditions

Regard to national policy and advice

The Government revised the National Planning Policy Framework (NPPF) on 19 December 2023 and updated it on 20 December 2023. This revised NPPF replaces the previous NPPFs published in March 2012, revised in July 2018, updated in February 2019, revised in July 2021 and updated in September 2023.

¹³ PPG para 004 ref id 41-004-20190509

¹⁴ The Plan, pages 13, 24, 35

The NPPF is the main document that sets out the Government's planning policies for England and how these are expected to be applied.

In particular it explains that the application of the presumption in favour of sustainable development will mean that neighbourhood plans should support the delivery of strategic policies in local plans or spatial development strategies and should shape and direct development that is outside of these strategic policies.¹⁵

Non-strategic policies are more detailed policies for specific areas, neighbourhoods or types of development.¹⁶ They can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment as well as set out other development management policies.¹⁷

The NPPF also makes it clear that neighbourhood plans give communities the power to develop a shared vision for their area.¹⁸ However, neighbourhood plans should not promote less development than that set out in strategic policies or undermine those strategic policies.¹⁹

The NPPF states that all policies should be underpinned by relevant and up to date evidence; evidence should be adequate and proportionate, focused tightly on supporting and justifying policies and take into account relevant market signals.²⁰

Policies should be clearly written and unambiguous so that it is evident how a decision maker should react to development proposals. They should serve a clear purpose and avoid unnecessary duplication of policies that apply to a particular area including those in the NPPF.²¹

On 6 March 2014, the Government published a suite of planning guidance referred to as Planning Practice Guidance (PPG). This is an online resource available at www.gov.uk/government/collections/planning-practice-guidance which is regularly updated. The planning guidance contains a wealth of information relating to neighbourhood planning. I have also had regard to PPG in preparing this report.

PPG indicates that a policy should be clear and unambiguous²² to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the planning context and the characteristics of the area.²³

¹⁵ NPPF para 13

¹⁶ Ibid para 28

¹⁷ Ibid

¹⁸ Ibid para 29

¹⁹ Ibid

²⁰ Ibid para 31

²¹ Ibid para 16

²² PPG para 041 ref id 41-041-20140306

²³ Ibid

PPG states there is no 'tick box' list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken.²⁴ It continues that the evidence should be drawn upon to explain succinctly the intention and rationale of the policies.²⁵

Whilst this has formed part of my own assessment, the Basic Conditions Statement sets out how the Plan's policies correspond to the NPPF.

Contribute to the achievement of sustainable development

A qualifying body must demonstrate how the making of a neighbourhood plan would contribute to the achievement of sustainable development.

The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.²⁶ This means that the planning system has three overarching and interdependent objectives which should be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.²⁷

The three overarching objectives are:²⁸

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The NPPF confirms that planning policies should play an active role in guiding development towards sustainable solutions, but should take local circumstances into account to reflect the character, needs and opportunities of each area.²⁹

²⁴ PPG para 040 ref id 41-040-20160211

²⁵ Ibid

²⁶ NPPF para 7

²⁷ Ibid para 8

²⁸ Ibid

²⁹ Ibid para 9

Whilst this has formed part of my own assessment, the Basic Conditions Statement clearly sets out how each Plan objective and policy helps to achieve each of the NPPF's sustainable development objectives.

General conformity with the strategic policies in the development plan

The development plan consists of a number of documents; firstly, the saved policies of the Leeds Unitary Development Plan Review 2006 (UDP).

The Core Strategy was originally adopted by Leeds City Council on 12 November 2014 and amended by the Core Strategy Selective Review (CSSR) which was adopted in September 2019. The Core Strategy (as amended by the CSSR) sets a revised housing requirement for the period 2017 – 2033, amends policies on affordable housing, green space and sustainable construction and introduces new policies on housing space standards, accessible homes and electric vehicle charging points.

The Site Allocations Plan (SAP) was adopted on 10 July 2019. It was subject to a High Court challenge. Subsequently the SAP was changed by the remittal process which deleted 36 sites returning them to the Green Belt and allocating one Green Belt site for employment use. The SAP, as amended in 2024, was adopted on 17 January 2024.

The Natural Resources and Waste Local Plan 2013 also forms part of the development plan as well as Area Action Plans and other made neighbourhood plans.

Whilst this has formed part of my own assessment, the Basic Conditions Statement contains an assessment of how the Plan policies generally conform to relevant strategic policies.

Where I have not specifically referred to a strategic policy, I have considered all strategic policies in my examination of the Plan.

Emerging Plans at LCC level

LCC has started work on a Leeds Local Plan 2042.

There is no legal requirement to examine the Plan against emerging policy. However, PPG³⁰ advises that the reasoning and evidence informing the local plan process may be relevant to the consideration of the basic conditions against which the Plan is tested. Furthermore Parish Councils and local planning authorities should aim to agree the relationship between policies in the emerging neighbourhood plan, the emerging local plan and the adopted development plan with appropriate regard to national policy and guidance.³¹

³⁰ PPG para 009 ref id 41-009-20190509

³¹ Ibid

Retained European Union Obligations

A neighbourhood plan must be compatible with retained European Union (EU) obligations. A number of retained EU obligations may be of relevance for these purposes including those obligations in respect of Strategic Environmental Assessment, Environmental Impact Assessment, Habitats, Wild Birds, Waste, Air Quality and Water matters.

With reference to Strategic Environmental Assessment (SEA) requirements, PPG³² confirms that it is the responsibility of the local planning authority, in this case LCC, to ensure that all the regulations appropriate to the nature and scope of the draft neighbourhood plan have been met. It states that it is LCC who must decide whether the draft plan is compatible with relevant retained EU obligations when it takes the decision on whether the plan should proceed to referendum and when it takes the decision on whether or not to make the plan.

Strategic Environmental Assessment and Habitats Regulations Assessment

The provisions of the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'SEA Regulations') concerning the assessment of the effects of certain plans and programmes on the environment are relevant. The purpose of the SEA Regulations, which transposed into domestic law Directive 2001/42/EC ('SEA Directive'), are to provide a high level of protection of the environment by incorporating environmental considerations into the process of preparing plans and programmes.

The provisions of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), which transposed into domestic law Directive 92/43/EEC (the 'Habitats Directive'), are also of relevance to this examination.

Regulation 63 of the Habitats Regulations requires a Habitats Regulations Assessment (HRA) to be undertaken to determine whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. The HRA assessment determines whether the Plan is likely to have significant effects on a European site considering the potential effects both of the Plan itself and in combination with other plans or projects. Where the potential for likely significant effects cannot be excluded, an appropriate assessment of the implications of the Plan for that European Site, in view of the Site's conservation objectives, must be carried out.

A Screening Report for both SEA and HRA dated April 2024 has been prepared by LCC. It concluded that the Plan was unlikely to have significant environmental effects. Consultation with the statutory bodies was undertaken; the Environment Agency, Historic England and Natural England concurred.

³² PPG para 031 ref id 11-031-20150209

I have treated the Screening Report to be the statement of reasons that the PPG advises must be prepared and submitted with the neighbourhood plan proposal and made available to the independent examiner where it is determined that the plan is unlikely to have significant environmental effects.³³

Taking account of the characteristics of the Plan, the information put forward and the characteristics of the areas most likely to be affected, I consider that retained EU obligations in respect of SEA have been satisfied.

Turning now to HRA, the South Pennine Moors Phase 2 Special Protection Area (SPA) and Special Area of Conservation (SAC) and the North Pennine Moors SPA/SAC lie within a 15km radius of the Plan area.

The Screening Report concludes that no likely significant effects are predicted, either alone or in combination with other plans and projects. Further assessment was not needed.

On 28 December 2018, the basic condition prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended) was substituted by a new basic condition brought into force by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 which provides that the making of the plan does not breach the requirements of Chapter 8 of Part 6 of the Habitats Regulations.

Given the distance from, the nature and characteristics of the European sites and the nature and contents of the Plan, I agree with the conclusion of the Screening Report and consider that the prescribed basic condition relating to the Conservation of Habitats and Species Regulations 2017 is complied with.

Conclusion on retained EU obligations

PPG establishes that the ultimate responsibility for determining whether a plan meets retained EU obligations lies with the local planning authority.³⁴ LCC does not raise any concerns in this regard.

European Convention on Human Rights (ECHR)

The Basic Conditions Statement contains a statement in relation to human rights and equalities. Having regard to the Basic Conditions Statement, there is nothing in the Plan that leads me to conclude there is any breach or incompatibility with Convention rights.

³³ PPG para 028 ref id 11-028-20150209

³⁴ Ibid para 031 ref id 11-031-20150209

6.0 Detailed comments on the Plan and its policies

In this section I consider the Plan and its policies against the basic conditions. Where modifications are recommended they appear in **bold text**. As a reminder, where I suggest specific changes to the wording of the policies or new wording these appear in ***bold italics***.

The Plan is presented to a high standard and contains 24 policies. There is a helpful contents page at the start of the Plan along with a Foreword.

Various references in the Plan are made to the pre-submission plan. Consideration should be given as to whether for the final version of the Plan these add anything or indeed may create confusion. I consider this can be regarded as an editing matter.

Initial Sections: 1. Introduction; 2. The Neighbourhood Plan Area – Yesterday and Today; 3. The Neighbourhood Plan Preparation Process

There are three initial sections which set the scene and describe the various stages of Plan making; these are a helpful introduction to the Plan.

4. The Vision and Objectives for Pool-in-Wharfedale

The vision for the area is:

“In 2033 Pool-in-Wharfedale will have been maintained as a distinct community, not joined to or swallowed up by its neighbours, while retaining the fundamentally rural character of the Wharfe Valley. At the same time, it will have recognised and provided for the need for people to travel to towns and cities for employment, education, leisure and shopping, as well as improving such provision within Pool-in-Wharfedale itself, as required. Any new development will have been respectful of the area’s cultural heritage, while causing minimal environmental damage for the future. The community will be one where all residents can live in a safer and more sustainable manner, where longstanding problems of traffic blight, safety and pollution will have been noticeably alleviated and where people’s basic needs from cradle to grave will be largely catered for.”

The vision is underpinned by 16 objectives.

Both the vision and the objectives are clearly articulated and relate to the development and use of land and put sustainable development at the heart of the Plan.

5. The Plan Policies and Community Actions

5.1 Green Environment

There are seven policies in this section.

The NPPF states that policies should contribute to and enhance the natural and local environment including through the protection of valued landscapes and sites of biodiversity value, recognising the intrinsic character and beauty of the countryside and, minimising impacts on, and providing net gains for, biodiversity.³⁵

To protect and enhance biodiversity, the NPPF encourages plans to identify and map and safeguard local wildlife rich habitats and ecological networks, wildlife corridors and promote priority habitats as well as pursuing net gains for biodiversity.³⁶

CSSR Policy P12 conserves and enhances the character, quality and biodiversity of the landscape.

Policy GE1: Otley Chevin and Wharfe Valley Southern Slopes Special Landscape Areas brings forward the areas designated as Special Landscape Areas (SLA) in the UDP under saved policy N37 as they apply to the Plan area.

Saved UDP Policy N37 permits development provided it would not seriously harm the character and appearance of the landscape and the proposal's siting, design and materials are appropriate.

As part of my queries to the Parish Council, I asked a number of questions in relation to this policy. Firstly, the policy referred to a Neighbourhood Plan Map (NPM) to show the extent of the SLAs, but this unfortunately had not been submitted with other documentation. It has now been submitted and was one of the items further consultation was held upon in January/February 2025.

Secondly, I suggested that the proposed designation was changed to a local landscape designation rather than rolling forward the SLA designation usually found in local plans. This means that if the policy context alters at LCC level, the designation in the Plan would be separate and stand on its own two feet. It is important to recognise that this would be a local landscape designation made through this Plan. I am aware that similar designations have been made through other neighbourhood plans including in Suffolk. This suggestion was accepted and an amended policy and supporting text also formed part of the January/February 2025 consultation.

This revised policy therefore now proposes to replace the SLA designation with a new designation of "Area of Local Landscape Sensitivity" (ALLS). The area is shown on the NPM which will now be included in the Plan.

³⁵ NPPF para 180

³⁶ Ibid para 185

I have considered whether there is satisfactory evidence to support this local landscape designation in principle and whether the extent of the land identified is appropriate. The designation largely relies on evidence at LCC level including information in the UDP and a Landscape Assessment which is discussed in the Plan. The areas also overlap with a designation of Strategic Green Infrastructure in the CSSR. I saw at my site visit that the proposed ALLS is distinguishable from surrounding land and the remainder of the Parish and I consider that the area has been properly and appropriately designated.

Turning now to the wording of the revised policy, it does not prevent development per se, but seeks to ensure any development within this area is appropriate given the qualities of this landscape.

With the modifications recommended, the policy will meet the basic conditions by having regard to the NPPF, being in general conformity with CSSR Policy P12 in particular and helping to achieve sustainable development.

- **Include the Neighbourhood Plan Map submitted and consulted upon in January/February 2025 in the Plan**
- **Change the title of Policy GE1 to “POLICY GE1: OTLEY CHEVIN AND WHARFE VALLEY SOUTHERN SLOPES AREA OF LOCAL LANDSCAPE SENSITIVITY”**
- **Revise the wording of Policy GE1 to read:**

“In the designated *Area of Local Landscape Sensitivity*, as shown on the Neighbourhood Plan Map, development will be supported, provided it would not seriously harm the character and appearance of the landscape.

In terms of siting, design and materials, development or change in land use must demonstrate regard to the area’s landscape character and special features and contribute positively to landscape restoration or enhancement, paying particular attention to its:

- i. strong structure and visual unity;**
- ii. interesting topography;**
- iii. high scenic quality and fine views;**
- iv. local rarity, e.g. in its rock formations;**
- v. groups of buildings that make a positive contribution to local distinctive character;**
- vi. landmarks; *and***
- vii. natural and semi-natural woods, trees and hedgerows.”**

- **Add the following new paragraph of supporting text:**

“Recognising the importance of the two areas currently designated as Special Landscape Areas, a new Area of Local Landscape Sensitivity is designated in the Neighbourhood Plan. This area follows the same boundaries as they apply

to the Neighbourhood Plan area as the Special Landscape Areas originally designated in the UDP. The designation does not preclude any development taking place in the area, but it does mean that proposals will need to be designed to be in harmony with, and respect, the landscape character and special qualities of the area.”

Policy GE2: Local Green Infrastructure identifies two areas of local green infrastructure. These are the Pool Bank-Arthington Lane Corridor and the Bramhope Wood Corridor. Both areas are shown on the NPM. Details of each area are given in Appendix 1 of the Plan.

The NPPF defines green infrastructure as a network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.

It explains that plans should distinguish between the hierarchy of international, national and locally designated sites and, amongst other things, take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure.³⁷

It encourages plans to identify, map and safeguard local habitats and wider ecological networks.³⁸

The NPPF seeks to enable and support healthy lifestyles including through the provision of safe and accessible green infrastructure for example.³⁹ Access to a network of high quality open space and opportunities for recreation is also supported.⁴⁰ As part of this, the protection and enhancement of public rights of way (PROW) is supported including through the provision of better facilities by adding links to existing networks.⁴¹

This approach builds on the strategic green infrastructure at LCC level and is appropriate. I consider the policy could be made more robust and encourage enhancement of these areas whenever possible. A modification is therefore made to this effect. With this modification, the policy will meet the basic conditions by having regard to national policy, being in general conformity with strategic policies and CSSR Policy P12 in particular and helping to achieve sustainable development.

▪ **Reword Policy GE2 to read:**

“Local Green Infrastructure, as listed below and shown on the Neighbourhood Plan Map, will be maintained:

i. Pool Bank-Arthington Lane Corridor

³⁷ NPPF para 181

³⁸ Ibid para 185

³⁹ Ibid para 96

⁴⁰ Ibid para 102

⁴¹ Ibid para 104

ii. Bramhope Wood Corridor

Development *must* allow its continued operation as part of a multifunctional wildlife, amenity and recreational network, maintaining continuity of infrastructure and of the functions that infrastructure currently provides.

Any development within or adjacent to Local Green Infrastructure must, subject to viability considerations, *take every available opportunity to enhance or extend it, while conserving its current functions.*

Policy GE3: Protection of Local Green Spaces seeks to designate 13 areas of Local Green Space (LGS). More detailed information about each proposed LGS alongside a map is contained in the Plan at Appendix 2. The numbers in brackets refer to the information in the appendix.

The NPPF explains that LGSs are green areas of particular importance to local communities.⁴² The designation of LGSs should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.⁴³ It is only possible to designate LGSs when a plan is prepared or updated and LGSs should be capable of enduring beyond the end of the plan period.⁴⁴

The NPPF sets out three criteria for local green spaces.⁴⁵ These are that the green space should be in reasonably close proximity to the community it serves, be demonstrably special to the local community and hold a particular local significance and be local in character and not be an extensive tract of land. Further guidance about LGSs is given in PPG.

- i. Pool-in-Wharfedale Church of England Primary School Grounds (LGS07) is valued for its use and landscape and habitats.
- ii. Pool-in-Wharfedale Riverside Park (LGS06) is a park used for informal and formal recreation and offers access to the river. It is valued for its landscape and wildlife, the views, its historical associations and recreational uses.
- iii. St Wilfrid's Churchyard (LGS08) is an important green space part of the setting of the Church and offers a tranquil space.
- iv. Swallow Drive Greenspace (LGS10) provides a recreation space close to housing.
- v. Old Pool Bank Children's Playground (LGS03) is a formal open space area close to residential development.

⁴² NPPF para 105

⁴³ Ibid

⁴⁴ Ibid

⁴⁵ Ibid para 106

- vi. Pool Bank Quarries (LGS05) is a woodland valued for its recreation, history and wildlife. It is also identified as Local Green Infrastructure.
- vii. Stocks Hill (LGS09) is valued primarily for its historical links and although has some hard surfacing, also contains a sign and seating.
- viii. War Memorial Gardens (LGS13) is a focal point in the heart of Main Street. It is particularly valued for its historical associations and as a community event space and walking route.
- ix. Church Lane (LGS02) is a green pathway providing a valued pedestrian link between Church Close to St Wilfred's Churchyard, an important landmark. Views are also afforded from the pathway and there is some historic association.
- x. Arthington Lane Verges (LGS01) are various separate areas of verge valued for their greenness and contribution to the setting of the village as well as acting as traffic calming and pollution filters. I asked about the accuracy of the verges plotted and a revised map has been provided.
- xi. The Tower Drive (LGS12) is a green space enjoyed by residents and valued for its wildlife and village setting.
- xii. Wharfedale Court Amenity Space (LGS14) provides a well cared for green space for local residents.
- xiii. Swallow Drive to Disused Railway Walkway (LGS11) is a footway valued for its recreation and wildlife.

Based on the information in Appendix 2 and my site visit, in my view, all of the proposed LGSs meet the criteria in the NPPF satisfactorily subject to:

- amendments to the extent of four of the proposed LGSs (LGSs 05, 06, 07 and 08) to remove buildings and areas of hardstanding from the proposed designations;
- the partial deletion of LGS12 to remove the western side of the proposed LGS as these areas consist of private gardens that housed a variety of domestic paraphernalia and although I recognise these areas do contribute to the character of the area, they are not appropriate for designation and
- a more accurate representation of the verges identified in LGS01.

I asked the Parish Council to provide revised maps for LGSs 05, 06 and 08 and a revised map was also helpfully provided for LGS07. These revised maps showing the extent of the proposed LGSs were all consulted upon in the January/February 2025 consultation.

However, further amendments are needed to LGS07 to remove the areas of access, hardstanding, car parking and playground from the proposed designation. All the other revised maps for LGSs 05, 06 and 08 are now acceptable.

A representation from the Chair of the Governors of the Primary School has suggested other changes to LGSs 01 and 07. Taking LGS01 first, I am now content with the verges shown on the revised map and consider it makes sense to identify the verges along Arthington Lane on one map as one LGS regardless of maintenance responsibility. However, if the Parish Council feels strongly about this, there is no objection from my point of view to include these in LGS07; it is simply not a recommendation I need to make in respect of my role.

In relation to LGS07, I recommend a modification to exclude areas of hardstanding, car parking and the playground. I note that the representation suggests those areas and hatches them in blue in the representation. I have no objection to these areas which are already included in the proposed designation being the ones removed from LGS07. However, whilst I take the point that more land could be included in LGS07, it should not be extended as this has not been consulted upon. In any case, two points arise; the first is that the LGS does not have to exactly equate to the School grounds and secondly, it seems to me that most of this area (hatched blue to the south of the tennis courts in the representation) would be excluded anyway by virtue of not being 'green'.

The proposed LGSs are demonstrably important to the local community, are capable of enduring beyond the Plan period, meet the criteria in paragraph 106 of the NPPF and their designation is consistent with the local planning of sustainable development and investment in sufficient homes, jobs and other essential services given other policies in the adopted CSSR and SAP, and this Plan.

I have also considered whether there is any additional benefit to be gained by the designation for spaces falling within the Conservation Area or indeed any other designations such as the SLA. I consider that there is additional local benefit to be gained by identifying those areas of particular importance to the community and that these designations serve different purposes.

Turning now to the wording of the policy, it designates the LGSs and indicates that development in the LGSs will not be supported except in very special circumstances. The NPPF is clear that policies for managing development within a Local Green Space should be consistent with those for Green Belts.⁴⁶ The policy should therefore be consistent with this and a modification is made accordingly.

A reference to the more detailed maps in Appendix 2 is also added to the policy for clarity given the scale of the Neighbourhood Plan Map. Appendix 2 should be updated with the revised maps.

With these modifications, the policy will meet the basic conditions.

- **Delete the western side of Tower Drive LGS12**

⁴⁶ NPPF para 107

- Delete the buildings and any areas of hard surfacing including access, car parking and playgrounds from LSG07 Pool-in-Wharfedale Church of England Primary School Grounds (further amendments to be carried out to the revised map consulted upon in January/February 2025)
- Substitute the revised maps (used in the January/February 2025 consultation) for LGS01 Arthington Lane Verges; LGS05 Pool Bank Quarries; 06 Riverside Park and 08 St Wilfrid's Churchyard
- Add the words "*and in Appendix 2*" after "...Neighbourhood Plan Map..." in the first sentence of Policy GE3
- Change the second sentence of Policy GE3 to read: "*Development proposals within the designated local green spaces will be consistent with national policy for Green Belts.*"
- Update Appendix 2 maps as necessary
- Consequential amendments will be necessary

Policy GE4: Local Green Space Improvement, is a short policy which supports the enhancement of the LGSs.

This policy meets the basic conditions especially in relation to the NPPF's stance on LGSs and its support for high quality public open space⁴⁷, it is in general conformity with the CSSR and will help to achieve sustainable development. No modifications are therefore recommended.

Policy GE5: Provision of New Green Space seeks to establish support for the provision of new amenity green space, allotments (there are no allotments currently) and a burial ground which reflect the results of the community engagement carried out. In addition, it sets out that a financial contribution in lieu of provision for major housing development will not be supported. It seeks to shape and direct sustainable development to ensure that the local community has the right type of development for their needs.

Policy GE5 has regard to the NPPF which supports the development of accessible local space,⁴⁸ encourages the positive planning for open space⁴⁹ and emphasises the importance of access to a network of high quality open spaces.⁵⁰ The CSSR supports the provision of new open spaces. It will particularly support the social objective of sustainable development as this refers to open spaces which reflect the needs of the

⁴⁷ NPPF paras 8, 88, 97 and 102

⁴⁸ Ibid para 88

⁴⁹ Ibid para 97

⁵⁰ Ibid para 102

local community and support for wellbeing.⁵¹ The policy meets the basic conditions. No modifications are therefore recommended.

Policy GE6: Development Affecting the Main Street AQMA requires development of five or more dwellings to incorporate low emission measures to help mitigate any impact on air quality. The second element of the policy seeks the provision of motorised vehicular access to avoid Main Street when feasible.

The Plan explains that Main Street is a designated Air Quality Management Area (AQMA) largely due to traffic congestion and standing traffic. Policy GE6 takes its lead from policies at City level which require low emission measures such as encouraging sustainable travel and green infrastructure. The AQMA is now the last remaining such area within the LCC area.

I consider Policy GE6 to have regard to the NPPF which seeks to reduce congestion and emissions and improve air quality and public health through the management of growth patterns.⁵² As part of the NPPF's drive to contribute to and enhance the natural and local environment, planning policies should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.⁵³ It continues that development should, wherever possible, help to improve local environmental conditions such as air quality.⁵⁴

With regard to AQMAs, the NPPF states that policies should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.⁵⁵ Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.⁵⁶

The policy therefore meets the basic conditions by having regard to national policy, being in general conformity with the development plan and helping to achieve sustainable development.

Policy GE7: River Wharfe Local Renewable Energy Scheme supports the development of a hydro-electric micro-generation scheme in principle.

To help increase the use and supply of renewable and low carbon energy and heat, the NPPF states that plans should provide a positive strategy for energy from these sources.⁵⁷

⁵¹ NPPF para 8

⁵² Ibid para 109

⁵³ Ibid para 180

⁵⁴ Ibid

⁵⁵ Ibid para 192

⁵⁶ Ibid

⁵⁷ Ibid para 160

Community-led initiatives taken forward through neighbourhood planning should be supported by local planning authorities, including for developments outside areas identified in local plans or other strategic policies.⁵⁸

Policy GE7 therefore meets the basic conditions by having regard to national policy, being in general conformity with the development plan and helping to achieve sustainable development.

5.2 Heritage Assets

The Plan area has a rich history. The majority of the central core of the village forms the Conservation Area (CA) designated in 2009 and shown on page 27 of the Plan. The accompanying Conservation Area Appraisal and Management Plan (CAAMP) sets out the key features sub-dividing the CA into five character areas shown on page 28 of the Plan.

The NPPF is clear that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.⁵⁹ It continues⁶⁰ that great weight should be given to the assets' conservation when considering the impact of development on the significance of the asset.

In relation to achieving well-designed places, the NPPF explains that neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through neighbourhood plans and engagement with the development industry and local planning authorities.⁶¹

CSSR Policy P11 refers to conservation.

The first policy in this section is **Policy BH1: Pool-in-Wharfedale Conservation Area – Development and Design**. It sets out a series of design related principles for development within or affecting the setting of the CA should respond to. It takes its lead from the CAAMP and its key ways to retain character recommendations.

In relation to designated heritage assets such as CAs, the NPPF is clear that great weight should be given to the asset's conservation.⁶² Where a proposal would lead to the total loss or substantial harm to a designated heritage assets, consent should be refused unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss or other circumstances outlined in the NPPF.⁶³

⁵⁸ NPPF para 161

⁵⁹ Ibid para 195

⁶⁰ Ibid para 205

⁶¹ Ibid para 132

⁶² Ibid para 205

⁶³ Ibid para 207

Where there is likely to be less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.⁶⁴

The last element of the policy supports the sympathetic enhancement of the area. It is impossible to know how to apply this and in any case, I consider the remainder of the policy does this and in a more precise way. A modification is therefore made to delete this part of the policy.

Otherwise the policy has regard to the NPPF in that it promotes local character and distinctiveness,⁶⁵ is in general conformity with CSSR Policy P11 in particular and will help to achieve sustainable development.

- **Delete the last sentence of Policy BH1 that reads “The sympathetic enhancement of the area will be supported.”**

Policy BH2: Local Heritage Areas defines two areas, Pool Mills and Caley, as Local Heritage Areas. Both areas are shown on page 31 of the Plan.

Appendix 4 contains detailed information to support the local designations and includes information about the key elements of special interest and what makes each area special.

These types of policies are common in neighbourhood plans. Often plans identify local areas of local heritage interest. I regard these as a local policy designation.

Policies BH3: Pool Mills Local Heritage Area and BH4: Caley Local Heritage Area set out more detailed design principles for development in or adjacent to each area. This provides a clear framework for decision-making.

This suite of three policies meets the basic conditions by setting out a positive strategy for the conservation of the historic environment. They are in general conformity with CSSR Policy P11 and will help to achieve sustainable development.

Policy BH5: Protection and Enhancement of Non-Designated Heritage Assets seeks to designate 29 non-designated heritage assets.

In relation to non-designated heritage assets, the NPPF is clear that the effect of any development on its significance should be taken into account and that a balanced judgment will be needed having regard to the scale of any harm or loss and the significance of the heritage asset.⁶⁶

Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes which have heritage significance, but do not meet the criteria for designated

⁶⁴ NPPF para 208

⁶⁵ Ibid paras 196, 203

⁶⁶ Ibid para 209

heritage assets. PPG advises there are various ways that such assets can be identified including through neighbourhood planning.⁶⁷

However where assets are identified, PPG advises that it is important that decisions to identify them are based on sound evidence.⁶⁸ There should be clear and up to date information accessible to the public which includes information on the criteria used to select assets and information about their location.⁶⁹

In this case, Appendix 5 supports the identification of the assets. It has been compiled based on Historic England's published guidance, has taken a logical approach and supports the designation of these locally important buildings and structures.

I consider the wording of the policy needs to be clearer in that it designates the assets referred to as non-designated heritage assets.

The policy has regard to the NPPF insofar as how any development will be judged, but the phrase "sympathetic enhancement" is used. Again, in line with earlier recommendations, a modification to delete the word "sympathetic" is made. With the modification, Policy BH5 will have regard to the NPPF as it sets out a positive strategy for the conservation of the historic environment and seeks to conserve those buildings of local historic interest in a manner appropriate to their significance.⁷⁰ It is in general conformity with CSSR Policy P11 in particular and will help to achieve sustainable development.

- **Change the wording of the first sentence of Policy BH5 to read:**

"The particular significance of any Non-Designated Heritage Asset, as *designated and* listed below and identified on the Neighbourhood Plan Map, will be taken into account when considering the impact of any development proposal on or adjacent to such an asset."

- **Delete the word "sympathetic" from the last sentence of Policy BH5**

5.3 Community Facilities and Services

To support a prosperous rural economy, the NPPF expects planning policies to enable the retention and development of accessible local services and community facilities.⁷¹ It also states that policies should guard against the unnecessary loss of valued facilities and services as part of its drive to promote healthy and safe communities.⁷²

⁶⁷ PPG para 040 ref id 18a-040-20190723

⁶⁸ Ibid

⁶⁹ Ibid

⁷⁰ NPPF para 195

⁷¹ Ibid para 88

⁷² Ibid para 97

CSSR Policy SP8 sets out economic development priorities including the retention and development of local services and community facilities. CSSR Policy P9 recognises that access to local community facilities is important. New facilities should be accessible by foot, cycling or public transport and should not harm residential amenity. Any loss of a facility should result in satisfactory alternative provision if there is a need.

There are four policies in this section.

Policy CFS1: Protection and Enhancement of Community Facilities only supports the loss of 13 identified community facilities where the facility is suitably replaced or when it has been unviable for at least one year. Appendix 6 contains details of the facilities.

The policy also supports the improvement of the named facilities ranging from the public houses to the post office which the policy seeks to protect.

The Parish Council has advised that the Half Moon Public House should be removed from the policy as this is now a private dwelling. A modification is duly made in the interests of accuracy.

- **Delete “x. Half Moon Public House (CF02)” from Policy CFS1 with any necessary consequential amendments**

Policy CFS2: Provision of New Community Facilities supports new facilities and especially encourages health and educational facilities, a meeting place and a library. It specifies that such facilities should be centrally located and easily accessible.

Both Policies CFS1 and CFS2 meet the basic conditions by having regard to the NPPF, being in general conformity with and being a local and more detailed expression of CSSR Policies SP8 and P9 and helping to achieve sustainable development.

Policy CFS3: Land East of Main Street is a site-specific policy. This site, identified on the Neighbourhood Plan Map, is identified for community uses including retail, parish council offices and cultural uses and a public car park.

The Parish Council has advised that the site is not deliverable and should be removed from the Plan. A modification is made accordingly.

- **Delete Policy CFS3 and its supporting text from the Plan**

The last policy in this section is **Policy CFS4: Retail and Hot Food Takeaway Development**.

The first element of the policy supports a standalone or small-scale food store in a central and accessible location subject to satisfactory parking and litter bin facilities.

The second element of the policy resists hot food takeaways where evening opening may harm residential amenity, there is insufficient parking or traffic generation would be harmful.

Some modification is needed to this policy in the interests of clarity to specify the meaning of small-scale which takes its lead from CSSR Policies SP8 and P4 which supports stand alone or small scale food stores. The second element needs the inclusion of the words “or/and” to make sure that development is resisted if one, rather than all, of the identified issues is demonstrated.

With these modifications, Policy CFS4 will meet the basic conditions by having regard to national policy, being a local expression of, and in general conformity with, CSSR Policies SP8 and P4 in particular and helping to achieve sustainable development.

- **Add the words “(up to 372 square metres)” after “...small-scale food store...” in the first sentence of Policy CFS4**
- **Add the words “or/and” at the end of criteria i. and ii. of the second part of Policy CFS4**

5.4 Transport and Traffic

The NPPF promotes sustainable transport. In particular, it indicates that transport issues should be considered from the earliest stages of plan-making and, amongst other things, the opportunities to promote walking, cycling and public transport are identified and pursued.⁷³

CSSR Policy T1 supports sustainable travel. CSSR Policy T2 focuses on the location of new development with regard to public transport and safe and secure access for pedestrians, cyclists and people with impaired mobility.

There are four policies in this section. I will deal with **Policies TT1: Improved Walking and Cycling Provision and TT3: Pool-in-Wharfedale Rail Link Reinstatement** first as it is proposed to amalgamate these two policies into a single policy. The revised wording for the policy was consulted upon in January/February 2025.

The revised policy is ambitious. It seeks to ensure that development affecting the footpath, bridleway and cycleway networks is compatible and contributes to their enhancement. Development which increases usage is expected to contribute to improved or new provision including connections. Development improving the network is supported. Development that harms the delivery of the Wharfedale Greenway or on routes to the Greenway is resisted. Finally, the policy supports the potential reinstatement of some sort of rail link for Pool-in-Wharfedale which could be part of a more strategic project or a smaller project such as a tram to Leeds.

⁷³ NPPF para 108

The Wharfedale Greenway is an ambitious, cross partnership project to provide a safe walking and cycling path which will link Pool-in-Wharfedale with other communities along the valley.

Map 6 on page 43 of the Plan shows the footpath and cycleway network, but I did not find it very clear. A modification is made to ensure Map 6 is made more legible.

The revised policy will meet the basic conditions by having regard to the NPPF, adding a local layer to and being in general conformity with CSSR Policies T1 and T2 especially and helping to achieve sustainable development.

- **Amalgamate Policies TT1 and TT3 into a new single policy that reads:**

“POLICY TT1: *SUSTAINABLE TRANSPORT MODES: IMPROVED WALKING CYCLING, WHEELING AND RIDING PROVISION AND LONG TERM RAILWAY REINSTATEMENT*

Development directly affecting the Pool-in-Wharfedale footpath, *bridleway* and cycleway network, as shown on the Neighbourhood Plan Map, will be expected to be compatible with it and contribute to improvements of it.

Development likely to increase pedestrian footfall and/or cycle usage within the network will be expected to contribute to improvements or new desired provision in their immediate vicinity and to provide connections to the existing network.

***Otherwise acceptable* development which would add to and/or improve the cycleway, *bridleway*, and footpath network, *while maintaining the historic railway line*, will be supported.**

Development which would prevent or harm the development of:

- 1. the Wharfedale Greenway along the identified route, as shown on the Neighbourhood Plan Map; *or***
- 2. designated access routes to the Greenway; *or*;**
- 3. *the historic railway line and its potential future reinstatement*;**

will not be supported.

Development which supports the long term aspiration to reinstate the historic Railway line as a train or tram route without prejudicing the active travel function of the route will be supported.”

- **Consequential revision to the supporting text will be needed for this new policy**

- **Make Map 6 on page 43 of the Plan more legible**

Policy TT2: Improved Public Transport seeks development to contribute to the enhancement of access to public transport through such measures as new bus routes or associated infrastructure.

Policy TT2 has regard to the NPPF, is in general conformity with CSSR Policies T1 and T2 in particular with its promotion of sustainable transport and helps to achieve sustainable development.

The last policy in this section is **Policy TT4: New Car Parking for Public Use in Pool-in-Wharfedale**. Work on the Plan showed a range of issues around parking provision, especially at the School, the Sports and Social Club and the village shops.

This policy supports development that would provide additional, centrally located public parking in the village. The parking would also provide electric vehicle charging infrastructure, but in excess of the minimum requirement. It was not clear to me what the minimum requirement might be and so in response to my query on this, I have been directed to the Building Regulations and CSSR Policy EN8 which requires new development to provide electric vehicle charging points.

Often congestion around key facilities in villages occurs. Parking is integral to the design of schemes and is one of the issues that can contribute to making high quality places as the NPPF sets out.⁷⁴ I also recognise that in more rural areas, parking is needed to meet business and community needs where those areas are not as well served by public transport.

Furthermore it is considered that supporting electric vehicles will help with addressing the issues of the AQMA which is the last remaining one within the LCC area. Given the presence of the AQMA and the local context, I consider that requiring such infrastructure locally in excess of the usual minimum standard is a logical way forward.

References to the relevant building regulation and more particularly CS Policy EN8 which sets out the minimum standards can be added to the text and a reference to the CS policy is recommended within Policy TT4.

Such provision has regard to the NPPF which supports plug-in and other ultra low emission vehicles in safe and accessible locations⁷⁵ and CSSR Policy EN8 which supports the provision of electric charging points and will help to achieve sustainable development.

- **Add at the end of Policy TT4 “including as set out in Core Strategy Policy EN8 or any successor document.”**

⁷⁴ NPPF para 108

⁷⁵ Ibid para 116

- **Add a reference to CS Policy EN8 and any other relevant document in relation to the requirements for electric vehicle charging points in the supporting text for Policy TT4**

5.5. Housing

The NPPF states that to help support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land comes forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.⁷⁶ It continues that the overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community.⁷⁷

Within this context, it is clear that size, type and tenure of housing needed for different groups in the community should be assessed and reflected in policy.⁷⁸ These groups include affordable housing, families with children, older people and those with disabilities.⁷⁹

In rural areas, the NPPF explains that policies should be responsive to local circumstances and support housing developments that reflect local needs.⁸⁰

The CSSR identifies Pool-in-Wharfedale as a smaller settlement where new development must be sustainable and contribute to a wider mix of housing including affordable housing, transport facilities and key services. Additional development may be possible if current levels of services and infrastructure support it. CSSR Spatial Policy 1 delivers the spatial strategy and amongst other things, requires development to respect and enhance the local character and identity of places and recognises the role of infrastructure in delivering development to support communities and economic growth.

There are three policies in this section.

Policy H1: Development on Non-Allocated Sites seeks to ensure that new development keeps pace with infrastructure capacity. This includes the highways network, public transport, school places, medical and dental facilities and accessibility to local services. In addition, recognising that Main Street is an AQMA, new development should not exacerbate the existing situation re air quality.

The NPPF is clear that the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial

⁷⁶ NPPF para 60

⁷⁷ Ibid

⁷⁸ Ibid para 63

⁷⁹ Ibid

⁸⁰ Ibid para 82

development and supporting infrastructure in a sustainable manner.⁸¹ In discussing the economic objective of sustainable development, the NPPF refers to the identification and coordination of the provision of infrastructure with growth.⁸² It continues that for plan making, plans should align growth and infrastructure.⁸³ Additionally, the NPPF is clear that non-strategic policies, such as those in neighbourhood plans, can include the provision of infrastructure at a local level.⁸⁴

PPG is clear that infrastructure can be considered and in particular the infrastructure that is needed to support other development such as housing to ensure that the neighbourhood can grow in a sustainable way.⁸⁵

The policy seeks to ensure that new housing development can be accommodated by existing infrastructure or provide the requisite infrastructure. However, the policy accepts development in principle if infrastructure capacity is available and I am concerned that this might lead to otherwise unacceptable development coming forward. Additionally, the policy could be worded positively to help provide for sustainable development. For this reason, modifications to the policy are recommended.

With these modifications, the policy will have regard to the NPPF, is a local expression of CSSR Policy H2 and is in general conformity with the CSSR and help to achieve sustainable development.

▪ **Amend Policy H1 to read:**

“New housing development on non-allocated land will *only* be acceptable if the provision of infrastructure required to support the development proposed will be provided in a timely manner and no later than the appropriate phase of development for which it is required. In particular, the capacity and availability of all the following infrastructure is locally important:

- i. the local highway network, including highway safety;**
- ii. the local public transport network;**
- iii. *primary* and secondary school places in the local *area*;**
- iv. *patient* places at local GP and dental practices; *and***
- v. *other* local services.**

Proposals will need to demonstrate that they will not result in a worsening of air quality within the Pool Main Street AQMA.

New development should also be accessible from the existing highway network, avoiding Main Street wherever feasible.”

⁸¹ NPPF para 7

⁸² Ibid para 8

⁸³ Ibid para 11

⁸⁴ Ibid para 29

⁸⁵ PPG para 045 ref id: 41-045-20190509

Policy H2: New Housing Development – Key Guiding Principles sets out a number of principles aimed at housing development. The criteria are varied, but all are aimed at directing and shaping new development thereby seeking to achieve sustainable development in this local community. This particularly has regard to the NPPF’s promotion of sustainable transport, delivering a wide choice of homes and promoting healthy communities. Some of the criteria need some reworking so that they are positively worded, robust and deliverable but with some flexibility.

The policy and supporting text refers to “approved housing sites”; it is not clear to me what these might be and in any case the policy could and should apply widely. Modifications are therefore made to remove these references.

With these modifications, the policy will meet the basic conditions by having regard to national policy, being in general conformity with the development plan and helping to achieve sustainable development.

▪ **Amend Policy H2 to read:**

“New housing development should address and seek to achieve the following key guiding principles:

- i. Conserve and, where possible, enhance the landscape, nature conservation, open space assets and other special features of the Neighbourhood Plan area;***
- ii. Integrate and connect with any surrounding Strategic or Local Green Infrastructure, as shown on the Neighbourhood Plan Map, and incorporate existing and new landscape/habitat features and greenspace;***
- iii. Conserve or enhance the Conservation Area, local heritage areas and individual heritage assets;***
- iv. Have an acceptable impact on the local highway network;***
- v. Avoid through routes via residential streets linking ‘A’ roads (A658 and A659) through Pool -in-Wharfedale village or via Old Pool Bank;***
- vi. Deliver essential highways improvements at an appropriate time;***
- vii. Provide appropriate electric vehicle charging infrastructure;***
- viii. Provide quick and easy access to bus services including integration of services with rail services from Weeton and Menston Stations where possible, and contributing to the improvement of local bus infrastructure;***
- ix. Protect Public Rights of Way and the route of the Wharfedale Greenway, as shown on the Neighbourhood Plan Map;***
- x. Create new walking, bridleway and cycling routes and the bridging of gaps in and making of improvements to existing routes in order to encourage people to walk, horse-ride and cycle;***
- xi. Provide good accessibility to local community facilities; and***
- xii. Provide in-curtilage, off-street parking and/or communal parking at a level which does not add to any existing, evidenced, local parking***

problems in the immediate vicinity of the development site.

Promoters of major development proposals *should* prepare, as appropriate, the following documents in order for an approach to new housing development to be agreed with the local planning authority and the local community:

- a) A comprehensive development brief and concept masterplan
- b) A comprehensive transport study
- c) An infrastructure delivery plan.”

Policy H3: Housing Mix requires developments of five or more dwellings to provide an appropriate mix of housing and particularly smaller units of one and two bedrooms and homes for older people.

A Housing Needs Survey has not been carried out, but instead more general evidence from the Census, other housing needs assessment and the views of the local community are used to support the policy.

The policy also sets a relatively low threshold for the mix. However, this reflects the nature of the Plan area and is not unusual in neighbourhood plans in rural areas where there are no strategic sites. It therefore complements CSSR Policy H4 at a local level as this higher tier policy focuses on larger schemes and CSSR Policy H8 which supports housing for independent living.

On balance, with some modification, to future proof the policy, it will meet the basic conditions by having regard to the NPPF, is in general conformity with CSSR Policies H4 and H8 in particular and will help to achieve sustainable development.

▪ **Amend Policy H3 to read:**

“Housing development proposals of five or more dwellings should provide an appropriate mix of dwelling types based on the latest available local housing needs information. Particular support will be given to smaller dwellings (1 – 2 bedrooms) and the provision of housing suitable for the independent living needs of older people.”

5.6 Employment

The NPPF is clear that planning policies should help create the conditions in which businesses can invest, expand and adapt.⁸⁶ It places significant weight on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.⁸⁷ It continues that the approach

⁸⁶ NPPF para 85

⁸⁷ Ibid

should be to allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.⁸⁸

Planning policies should set out a clear economic vision and strategy which encourages sustainable economic growth whilst meeting anticipated needs over the plan period and being flexible and able to respond to changing economic circumstances.⁸⁹

CSSR Policy SP8 sets out economic development priorities including the provision and safeguarding of sufficient land and buildings for employment needs. CSSR Policy EC3 safeguards existing employment sites.

Policy E1: Protection of Existing Employment Sites seeks to protect six existing employment sites. The Plan explains that the SAP identifies the Pool Road Otley site as an employment site in SAP Policy EG1-7. However, other sites, important in the Plan area, are not identified at City level. This policy seeks to remedy that by identifying six sites as key employment sites. All are shown on the NPM.

I consider that the policy -which has inbuilt flexibility - has regard to the NPPF. It is a local expression of, and in general conformity with, CSSR Policies SP8 and EC3 in particular and will help to achieve sustainable development. It therefore meets the basic conditions and no modifications to it are recommended.

6. Monitoring, Review, Implementation

This section explains that the Plan will be reviewed annually. Monitoring of neighbourhood plans is not yet mandatory. However, I welcome this intention as good practice. The section also refers to the Community Infrastructure Levy.

A Project Delivery Plan is included which shows in detail the community actions and projects and how they could be achieved.

Appendices

Appendix 1 refers to local green infrastructure subject of Policy GE2.

Appendix 2 contains the Local Green Space Site Assessments for Policy GE3.

Appendix 3 contains photographs and details of the Key/Important Conservation Area Views. These are variously referred to in Policy BH1.

Appendix 4 contains details of the Local Heritage Areas subject to Policies BE2, BE3 and BE4.

Appendix 5 is the non-designated heritage assets information pertinent to Policy BE5.

⁸⁸ NPPF para 85

⁸⁹ Ibid para 86

Appendix 6 lists the community facilities subject of Policy CFS1.

Appendix 7 is a helpful glossary of terms. The definition of the NPPF should be updated and the definition of public right of way (PROW) amended in the interests of accuracy.

Appendix 8 is a list of abbreviations.

- **Update the definition of the NPPF on page 126 of the Plan**
- **Amend the definition of PROW on page 127 to read:**

“A route over which the public have a right to pass, whether or not the land that it crosses is privately-owned. The rights have been legally recorded on the Definitive Map and Statement. There are *four* categories; footpath, bridleway, *restricted byway* and *byways open to all traffic*. There are also permissive footpaths and bridleways.”

7.0 Conclusions and recommendations

I am satisfied that the Pool-in-Wharfedale Neighbourhood Development Plan, subject to the modifications I have recommended, meets the basic conditions and the other statutory requirements outlined earlier in this report.

I am therefore pleased to recommend to Leeds City Council that, subject to the modifications proposed in this report, the Pool-in-Wharfedale Neighbourhood Development Plan can proceed to a referendum.

Following on from that, I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. I see no reason to alter or extend the Plan area for the purpose of holding a referendum and no representations have been made that would lead me to reach a different conclusion.

I therefore consider that the Pool-in-Wharfedale Neighbourhood Development Plan should proceed to a referendum based on the Pool-in-Wharfedale Neighbourhood Plan area as approved by Leeds City Council on 17 December 2013.

Ann Skippers MRTPI
Ann Skippers Planning
27 May 2025

Appendix 1 List of key documents specific to this examination

Pool-in-Wharfedale Neighbourhood Plan 2019 – 2033 Submission Plan Draft (Version 8.7) March 2024

Basic Conditions Statement (undated)

Consultation Statement Final February 2024

Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report April 2024 (LCC)

Conservation Area Appraisal and Management Plan 21 September 2009 (LCC)

Core Strategy (as amended by the Core Strategy Selective Review 2019) adopted November 2014, Amendments adopted 11 September 2019

Site Allocations Plan as amended 2024 Section 1: Introduction and Section 2: Retail, Housing, Employment and Green Space Overview adopted July 2019, Amendments adopted 17 January 2024

Site Allocations Plan as amended 2024 Section 3: Proposals for the 11 Housing Market Characteristic Areas 7.Outer North West adopted July 2019 Amendments adopted 17th January 2024

List ends

Appendix 2 Questions of clarification from the examiner

Pool-in-Wharfedale Neighbourhood Plan Examination

Questions of clarification from the Examiner to the Parish Council and LCC

Having completed my initial review of the Neighbourhood Plan (the Plan), I would be grateful if both Councils (as appropriate) could kindly assist me as appropriate in answering the following questions which either relate to matters of fact or are areas in which I seek clarification or further information. Please do not send or direct me to evidence that is not already publicly available.

1. There are two queries on **Policy GE1: Otley Chevin and Wharfe Valley Southern Slopes Special Landscape Areas:**
 - a. The policy refers to the Neighbourhood Plan Map, but this does not appear to be in or accompany the Plan(?). I can find a plan on the Parish Council website, but this seems to be an earlier version does not appear to be comprehensive?
 - b. Please provide a map that shows the location and extent of the SLAs.
 - c. Map 2 on page 19 of the Plan shows the strategic green infrastructure identified in the Core Strategy; is this area the same as the SLAs?
2. **Policy GE2: Local Green Infrastructure:**
 - a. Two areas are identified but these do not appear to be mapped although the policy again refers to the Neighbourhood Plan Map. Please provide a map of the two areas.
 - b. Is the Pool Bank-Arthington Lane Corridor the same as proposed Local Green Space?
 - c. Is Appendix 1 correct and up to date? If not, please provide any amendments.
3. **Policy GE3: Protection of Local Green Spaces:**
 - a. The proposed LGSs should not include any buildings or hard surfaces within the designated area. Please provide revised maps for LGSs 05 (Pool Bank Quarries); 06 Riverside Park and 08 St Wilfrid's Churchyard.
 - b. LGS01, Arthington Lane Verges: at my site visit the two verges shown on the east on the map on page 64 did not seem to exist. Please confirm whether these verges have been plotted incorrectly (and if so, provide a revised map) or whether I am correct. What is the correct number of (retained) verges?
 - c. LGS12, The Tower Drive please confirm whether the western side of the Tower Drive proposed LGS consists of private residential gardens.
4. **Policy CFS3: Land East of Main Street:**
 - a. The policy refers to the Neighbourhood Plan Map, but I cannot find this. Please provide a map to show the location and extent of this site.
 - b. Please provide me with any up to date information about the site; is it now vacant?

5. **Policies TT1: Improved Walking and Cycling Provision and TT3 Pool-in-Wharfedale Rail Link Reinstatement:**
 - a. Both policies refer to the Neighbourhood Plan Map. Please provide a map(s) which shows the Wharfedale Greenway for Policy TT1 and the railway line for Policy TT3.
 - b. A representation suggests that the two policies cannot be achieved in tandem. I would welcome comments on this from both Councils. Are both policies deliverable individually and in combination?
6. **Policy TT4: New Car Parking for Public Use in Pool-in-Wharfedale** asks for electric vehicle charging infrastructure in excess of the minimum requirement. Is the minimum requirement set out anywhere and please could a brief explanation be given as to why additional provision might be appropriate in this location? This also applies to Policy H2.
7. **Policy H1: Development on Non-Allocated Sites** criterion v refers to “adopted standards of accessibility to local services”. I understand what the policy is seeking to achieve, but wonder if alternative wording might be helpful and if so, please could this be provided to me?
8. **Policy E1: Protection of Existing Employment Sites** refers to the Neighbourhood Plan Map. Please provide a map(s) to show the location and extent of the sites referred to.
9. Please provide a copy or link to the Conservation Area Appraisal and Management Plan.

It may be the case that on receipt of your anticipated assistance on these matters that I may need to ask for further clarification or that further queries will occur as the examination progresses. These queries are raised without prejudice to the outcome of the examination. Where I have invited changes to be suggested, this is entirely without prejudice to my consideration of the issue.

Please note that this list of clarification questions is a public document and that your answers will also be in the public domain. Both my questions and your responses should be placed on the Councils’ websites as appropriate.

With many thanks,

Ann Skippers MRTPI
Independent Examiner
15 September 2024

Appendix 3 Examination note 2

Pool-in-Wharfedale Neighbourhood Plan Examination Examination Note 2

Thank you for responding to my questions of clarification dated 15 September 2024. As a result of that stage, I am writing to set out some thoughts on the next stages.

In essence, there are two matters to address. I set out the detail below. However, before that I would like to indicate that I consider the overall Plan is a very important and innovative document that will have a positive impact on the local area. Therefore whilst I recognise this Note may well disappoint those involved in its production, the issues to address are largely matters of procedure to ensure that the Plan is as robust as it possibly can be for the future.

Firstly, I consider that the examination should be 'paused' to allow the Parish Council a short period to undertake some further specific consultation in relation to two policies, Policies CFS3 and GE3.

1. Policy CFS3: Land East of Main Street.

- A) Although the site is identified on the NPM, I consider it would be helpful to have a larger scale map of the land in question for inclusion in the Plan.
- B) In the answer provided to the questions of clarification, it is stated that it is not known if the site is available and no discussion has taken place with the landowner. Given this, it is important that discussions do take place with the landowner so there is some indication that the site is available or may become available over the lifetime of the Plan. This is to ensure the policy is deliverable.

2. Policy GE3: Protection of Local Green Spaces.

- A) Whilst consultation in general has taken place on all of the proposed Local Green Spaces (LGS), I am not clear whether specific consultation has been made with any of the owners or others who may have an interest in the land. This applies to all the proposed LGSs and is particularly pertinent in relation to LGS12, Tower Drive, as I note that the western side of the proposed LGS consists of private residential gardens. I am mindful that Planning Practice Guidance (paragraph 019, reference ID 37-019-20140306) states that landowners should be contacted by the qualifying body at an early stage about proposals to designate any part of the their land as LGS.

I would like to suggest a minimum period of two weeks is set aside for approaches to be made to the respective landowners. Once any replies have been received this will help to determine what then should be consulted upon more generally.

This approach is my preferred way forward as the alternative is to delete Policy CFS3 which I am reluctant to do given that it is a positive policy that would benefit, if achievable, the Plan area and to delete those proposed LGSs where we cannot be certain the landowner has had a specific approach about the proposed designation from the Parish Council.

Secondly, and after the first issue has been addressed, I consider that a short period of further general public consultation should be held. This is in relation to the following issues:

3. Unfortunately the **Neighbourhood Plan Map (NPM)** was not submitted with the other documents and therefore has not been subject to consultation at the submission stage. This is an important element of the Plan and is referred to in a number of policies. Given this, I consider it would be wise to hold a short period of consultation on the NPM.
4. **Policies TT1: Improved Walking and Cycling Provision and TT3 Pool-in-Wharfedale Rail Link Reinstatement.** In relation to a query on these two policies, a helpful suggestion has been put forward to combine the two into a new single policy. The new combined policy should be consulted upon given the nature of this change. The proposed text for this new policy, as put forward, can be found in the schedule to this Note.
5. **Policy GE1: Otley Chevin and Wharfe Valley Southern Slopes Special Landscape Areas.** In other neighbourhood plans I have examined, a local landscape designation has been used rather than rolling forward the Special Landscape Area designation usually found in Local Plans. The evidence for these new, locally distinct, designations, has tended to rely on the local planning authority level evidence base.

In this case, I would like to suggest that the policy designation is changed to an "Area of Local Landscape Sensitivity" (ALLS). This means that should the policy context alter at Leeds City level, the ALLS designation is separate and will stand the test of time. The changes to the policy (and any supporting text or maps) would be that all references to special landscape areas are changed to ALLS. This suggestion is a more significant change and for that reason, I am intending to include it in the proposed consultation. The changes to the policy are shown in the schedule to this Note.

6. Then, depending on the outcome of the consultation with the owners of the proposed LGSs in relation to **Policy GE3: Protection of Local Green Spaces**, the revised plans for proposed LGS 01, 05, 06, 07 and 08 submitted as part of the response to the questions of clarification (or any others as further amended as a result of the specific consultation with the landowners or changes I intend to recommend as modifications) should be consulted upon. This then will require further liaison between Leeds City Council, the PC and I to finalise this element before any public consultation starts.

I consider that a minimum period of two weeks should be sufficient for this additional period of public consultation.

I feel sure that LCC will wish to support the Parish Council at each stage as much as possible.

Only comments on the proposed changes will be sought. All parties should be reassured that any previous representations made at the submission stage are carried forward and there is no need to repeat them or resubmit them. As part of the consultation I would invite the Parish Council to set out their views to the proposed changes to help me in my deliberations.

It should also be noted that these are not a complete list of likely recommended modifications; they represent the ones I feel are more significant.

Please note that this Note is a public document. This note should be placed on the Councils'

websites as appropriate.

With many thanks,

Ann Skippers MRTPI
Independent Examiner
23 October 2024

Pool-in-Wharfedale Neighbourhood Plan Schedule of Proposed Changes

Policies TT1 and TT3 to become a new single policy to read (changes in bold):

“POLICY TT1: SUSTAINABLE TRANSPORT MODES: IMPROVED WALKING, CYCLING, WHEELING AND RIDING PROVISION AND LONG TERM RAILWAY REINSTATEMENT

Development directly affecting the Pool-in-Wharfedale footpath, **bridleway** and cycleway network, as shown on the Neighbourhood Plan Map, will be expected to be compatible with it and contribute to improvements of it.

Development likely to increase pedestrian footfall and/or cycle usage within the network will be expected to contribute to improvements or new desired provision in their immediate vicinity and to provide connections to the existing network.

Otherwise acceptable development which would add to and/or improve the cycleway, **bridleway**, and footpath network, **while maintaining the historic railway line**, will be supported.

Development which would prevent or harm:

1. the Wharfedale Greenway along the identified route, as shown on the Neighbourhood Plan Map;
2. designated access routes to the Greenway; or;
3. **the historic railway line and its potential future reinstatement;**

will not be supported.

Development which supports the long term aspiration to reinstate the historic Railway line as a train or tram route without prejudicing the active travel function of the route will be supported.”

Policy GE1 to designate a new Area of Local Landscape Sensitivity with new supporting text (changes in bold)

“POLICY GE1: OTLEY CHEVIN AND WHARFE VALLEY SOUTHERN SLOPES AREA OF LOCAL LANDSCAPE SENSITIVITY

In the designated **Area of Local Landscape Sensitivity**, as shown on the Neighbourhood Plan

Map, development will be supported, provided it would not seriously harm the character and appearance of the landscape.

In terms of siting, design and materials, development or change in land use must demonstrate regard to the area's landscape character and special features and contribute positively to landscape restoration or enhancement, paying particular attention to its:

- i. strong structure and visual unity;
- ii. interesting topography;
- iii. high scenic quality and fine views;
- iv. local rarity, e.g. in its rock formations;
- v. groups of buildings that make a positive contribution to local distinctive character;
- vi. landmarks; **and**
- vii. natural and semi-natural woods, trees and hedgerows."

New supporting text:

"Recognising the importance of the two areas currently designated as Special Landscape Areas, a new Area of Local Landscape Sensitivity is designated in the Neighbourhood Plan. This area follows the same boundaries as they apply to the Neighbourhood Plan area as the Special Landscape Areas originally designated in the UDP. The designation does not preclude any development taking place in the area, but it does mean that proposals will need to be designed to be in harmony with, and respect, the landscape character and special qualities of the area."

Schedule ends