



KNARESBOROUGH TOWN COUNCIL

Neighbourhood Development Plan 2018-2035
Basic Conditions Statement

DECEMBER 2022

KNARESBOROUGH NEIGHBOURHOOD DEVELOPMENT PLAN: BASIC CONDITIONS STATEMENT.

1. Legal Requirements

1.1 This Statement has been prepared by Knaresborough Town Council to accompany its submission to the Local Planning Authority, Harrogate Borough Council of the Knaresborough Neighbourhood Development Plan (“the Neighbourhood Plan”) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).

1.2 The Neighbourhood Plan has been prepared by Knaresborough Town Council, a qualifying body, for the Neighbourhood Area covering the Knaresborough Neighbourhood Area, as designated by Harrogate Borough Council on 1st May 2013.

1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area only. The plan period of the Neighbourhood Plan extends until the end of 2035 and it does not contain policies relating to excluded development in accordance with the Regulations.

1.4 This Statement addresses each of the four ‘basic conditions’ required by the Regulations and explains how the Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

1.5 The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:

- 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 of the authority (or any part of that area);
- The making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations.

2. Introduction and Background

2.1 Following the designation of the Neighbourhood Area in 2013, the Town Council set up a Neighbourhood Development Plan sub committee and working group to progress the programme of work.

2.2 The Knaresborough Plan working group and Knaresborough Town Council wanted to ensure that local people were involved in the choices that will shape their town for many years to come. The neighbourhood planning process, which commenced in December 2013 has developed a coherent vision for the future of the parish:

“Knaresborough will be a place with a sense of community and a distinctive identity, where people choose to visit and stay to live and work, where people choose to set up business because of the excellent education facilities, the choice and quality of work, the range of leisure opportunities and access to housing.

Knaresborough will recognise and build on its natural assets and its important heritage and culture will be cherished. The town's setting on the River Nidd will be its defining and connecting feature combined with the historic centre, the markets, open spaces, beautiful parks and the riverside.

Knaresborough will be a retail destination of choice for the surrounding area and beyond due to its unique range of shops, excellent markets, lively cafés and restaurants, and leisure facilities which are complemented by the programme of events, festivals and activities, with convenient car parking and pedestrian areas.

Knaresborough will take advantage of its excellent rail and road links and its position on the high-tech-corridor between Leeds and York and beyond. It will strengthen its offer and role as a business location ensuring people can live and work locally. Knaresborough will strive to be a more self-reliant community.

Knaresborough will have an integrated and inclusive approach to transport so that traffic flows, the town becomes less congested and there will be improved access for all modes of transport including sustainable options, with consequential improvements in air quality.”

2.3 In addition, it has developed policies under the following key themes:

- Countryside and the rural environment
- Built environment design and public realm
- Community Facilities
- Economy and business
- Housing

2.4 After consultation with the community, a draft Neighbourhood Plan was produced and between

25th September 2017 and 13th November 2017 the Regulation 14 (pre-submission) consultation was undertaken. Responses from this consultation have been considered, and some minor changes made to the policies in the plan as a result. It is now ready to be submitted to North Yorkshire Council, the Local Planning Authority.

3. Conformity with National Planning Policy

3.1 The Neighbourhood Plan (NDP) has been prepared with regard to national policies as set out in the National Planning Policy Framework (NPPF) 2021. It is also mindful of the National Planning Guidance (NPPG) published by the Government in April 2014 in respect of formulating Neighbourhood Practice Plans.

3.2 Set out in Table 1 below, is a brief summary of how each policy has regard to the NPPF 2021. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all possible relevant paragraphs.

Table 1: Knaresborough NDP conformity with the National Planning Policy Framework (NPPF)

NDP Policy	Policy wording	NPPF paragraphs(s)	Commentary on conformity with NPPF
<i>Countryside and green environment (CGE)</i>			
CGE1: Local green corridors	<p>The following local green corridors, as shown on the Policies Map, are protected for their multiple ecosystem functions and services for wildlife and people. Development proposals within any of the corridors will only be permitted in exceptional circumstances, protecting the corridor as a multifunctional wildlife, amenity and recreational resource:</p> <p>a) The river valley through Knaresborough town b) The Nidd Gorge c) Beryl Burton cycleway d) Frogmire Dyke</p>	<p><i>Chapter 15 “Conserving the natural environment”</i></p> <p><i>Paras, 174, 175, 179-182</i></p>	<p><i>The NPPF identifies the need to protect wildlife, geodiversity sites or landscape areas.</i></p> <p><i>The Plan seeks to protect local green corridors as a multifunctional wildlife, amenity and recreational resource for the local community.</i></p>
CGE2: Neighbourhood wildlife and geological sites	<p>a) The following sites, as identified on the Policies map, will be protected from development that would reduce or damage their nature conservation value:</p> <ul style="list-style-type: none"> • Hay-a-Park pastures • Grimbald Crag • Aspin Pond and adjacent land • Frogmire Dike • Scotton Woods • Foolish Woods and Mackintosh Park • Birkham Wood (the part outside the SSSI) including riverside towards Calcutt • Collins Banks 	<p><i>Chapter 15 “Conserving the natural environment”</i></p> <p><i>Paras, 174, 175, 179-182</i></p>	<p><i>The NPPF identifies the need to protect wildlife, geodiversity sites or landscape areas.</i></p> <p><i>The Plan seeks to protect local neighbourhood wildlife and geological sites.</i></p>

NDP Policy	Policy wording	NPPF paragraphs(s)	Commentary on conformity with NPPF
	<ul style="list-style-type: none"> • Gallow Hill SINC b) New development proposals should protect wildlife and biodiversity on or adjacent to the development site. This includes preserving or creating wildlife habitats, including trees, verges, walls, hedgerows, bat and bird boxes and ponds. c) Existing trees, hedges and other landscape features of value to biodiversity should continue to be part of any development proposal unless clear evidence is provided that these are not worthy of retention. 		
CGE3: Sites of Specific Scientific Interest (SSSI) conservation	<p>a) Development proposals that result in harm to a Site of Special Scientific Interest will only be permitted in exceptional circumstances.</p> <p>b) Development proposals that are located in the vicinity of a SSSI should demonstrate how proposals will address the future well-being of the site, in particular the specified objectives (“reasons for notification”) of the designation:</p> <ul style="list-style-type: none"> • Hay-a-Park: Of interest for its breeding birds and wintering wildfowl. Of national importance for its wintering goosander. • Birkham Woods: One of the largest and most diverse examples of ancient semi natural broadleaved woodland remaining in the Vale of York. 	<p><i>Chapter 11 “Conserving The natural environment”</i></p> <p><i>Paras, 180</i></p>	<p><i>The NPPF identifies the need to protect wildlife, geodiversity sites or landscape areas, including SSSIs.</i></p> <p><i>The Plan seeks to protect SSSIs from development.</i></p>
CGE4: Public Rights of Way	<p>Proposals for development should ensure that Public Rights of Way are not disrupted and, wherever practicable, provide for new and / or enhanced opportunities for off- road travel.</p> <p>a) Proposals for improving the public rights of way network will be supported, including improved</p>	<p><i>Chapter 9 “Promoting sustainable transport”</i></p> <p><i>Paras 104-106, 110, 112, 113</i></p> <p><i>Chapter 8 “Promoting healthy communities”</i></p>	<p><i>The NPPF identifies the need to utilise opportunities for sustainable transport modes in relation to the design and delivery of new developments.</i></p> <p><i>The Plan supports the development of new Public Rights of Way and seeks to protect existing routes from becoming part of</i></p>

NDP Policy	Policy wording	NPPF paragraphs(s)	Commentary on conformity with NPPF
	<p>signage, maintenance, retention and accessibility for users, in line with the Rights of Way Improvement Plan.</p> <p>b) Proposals for development must retain and, where possible, enhance existing pedestrian, cyclist and horse-riding routes. Existing routes must not be incorporated into pavements or roads as part of developments.</p> <p>Proposals for development should seek to avoid any harm to the amenity value of public rights of way by a change in their character or visual outlook, and should avoid any proposals for diversions or closures which may reduce the amenity of walkers or others using these facilities.</p>	<p><i>Paras 92-95, 100</i></p>	<p><i>pavements or roadways to help keep pedestrians, cyclists and horse riders safe and secure and separate from conflicts with other traffic.</i></p>
<p>CGE5: Nidd Gorge conservation and enhancement</p>	<p>Proposals for development that, because of their proximity, may impact upon the Nidd Gorge in any way should ensure that adequate mitigation measures are put in place, in line with the Woodland Trust's Management Plan for the area, including:</p> <p>a) Protecting the remains of Gates Hill.</p> <p>b) Conserving and enhancing areas of semi natural ancient, ancient planted and ancient woodland.</p> <p>c) Protection and conservation of wildlife and biodiversity.</p>	<p><i>Chapter 15 "Conserving and enhancing the natural environment"</i></p> <p><i>Paras 174, 180, 181</i></p>	<p><i>The NPPF states that "development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons".</i></p> <p><i>The Plan seeks to protect the Nidd Gorge and the surrounding environment from development.</i></p>

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	<p>Proposals within the Nidd Gorge itself will not be allowed except in exceptional circumstances. Proposals for development that make a positive contribution towards the protection and sustainability of the Gorge will be supported, where they comply with all other relevant policies in this NDP.</p>		
<p>CGE6: Flood prevention</p>	<p>Knarborough suffers from flooding from the River Nidd and from surface run off. New development should not add to the overall level of flood risk in the parish.</p> <p>The following principles should be applied:</p> <p>a) Any new development should be located outside of Flood Zone 3 (by the river) in order to reduce the risk of flooding to the proposed development and future occupants. It is furthermore preferred for new development to be located outside Flood Zone 2 wherever practicable.</p> <p>b) Surface water management measures will be required for major development proposals to ensure that the risk of flooding both on-site and downstream is not significantly increased.</p> <p>c) Sustainable Drainage Systems (SuDS) as an alternative to conventional drainage will be supported where they are shown to be suitable in the intended location and that they will be properly maintained.</p> <p>d) Proposals for new green infrastructure incorporated into new developments will be supported in order to minimise the impact upon existing communities and to reducing run off and encourage sustainable drainage solutions. This should include porous surfaces wherever practicable, green spaces,</p>	<p><i>Chapter 14 “Meeting the challenge of climate change, flooding and coastal change”</i></p> <p><i>Paras 152-154, 159-169</i></p>	<p><i>The NPPF identifies the need to take into account climate change over the longer term, including flood risk and to avoid developing in areas at risk of flooding.</i></p> <p><i>The Plan seeks to avoid further flooding through establishing specific local policies that are relevant to Knarborough.</i></p>

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	<p>verges and street trees.</p> <p>e) There is a presumption against culverting and the constricting of watercourses and their immediate environs.</p>		
Built environment design and public realm (BE)			
BE1: Design of the built environment	<p>Development proposals, including conversion of existing premises, should be designed so as to relate appropriately to its location, paying particular attention to the following considerations:</p> <p>a) Full account should be taken of the significance of listed buildings and local non designated heritage assets and their contribution to the character of the area in which they are located, in determining any application for development affecting Knaresborough.</p> <p>b) New and extended buildings should be in harmony with the predominant character of that part of Knaresborough and respect the scale, style and detailed design of other buildings in the immediate vicinity, as set out in the Character Area appraisal.</p> <p>c) The materials used should relate well to their immediate surroundings taking their lead from the predominant materials which exist in the local area in which the development is to be placed.</p> <p>d) Planting schemes should be generous and should use locally appropriate species of trees and shrubs to enable the development to be acceptably integrated into the existing visual and ecological fabric of Knaresborough and its rural hinterland.</p> <p>e) Proposals for new development should incorporate an assessment of the relationship of the development to its local</p>	<p><i>Chapter 12 “Achieving well designed places”</i></p> <p><i>Paras 126-135.</i></p> <p><i>Chapter 16 “Conserving and enhancing the historic environment”</i></p> <p><i>Paras 189-197, 199-205, 208</i></p>	<p><i>The NPPF emphasizes the importance of good design as a key aspect of sustainable development in making places ‘better for people’.</i></p> <p><i>The Plan has assessed important design features for conservation and seeks to conserve it and reflect design in new development in order to seek consistency of good design across the neighbourhood area.</i></p>

NDP Policy	Policy wording	NPPF paragraphs(s)	Commentary on conformity with NPPF
	<p>environment. This assessment should be incorporated into a design statement which should accompany any planning application for such developments.</p> <p>f) Where possible new development should provide adequate off street parking to serve the needs of the development without aggravating existing problems of on street parking.</p> <p>g) New development should protect existing rights of way and make provision for new pedestrian routes and other rights of way so as to preserve and enhance pedestrian access around and within Knaresborough and the surrounding countryside. New routes should be designed as shared use pedestrian/cyclist routes wherever possible.</p> <p>h) Adding extensions into the roof space should have windows that face away from the road.</p>		
BE2: Design in the Conservation Area	<p>Within the defined Conservation Area, the following key principles should be observed in relation to all proposed development:</p> <p>a) The repair and reuse of older buildings should be encouraged in the first instance rather than redevelopment, except where the existing building detracts from the character of the Conservation Area.</p> <p>b) Design should respect the distinctive local architectural style, (as described in section 3.3.1.ii above) both in terms of overall form and detailed design as appropriate to the context:</p> <p>i) In the town centre and on the oldest streets close to it, buildings generally form terraces of two or three stories and front directly onto the footway, in most cases presenting</p>	<p><i>Chapter 12</i> <i>“Achieving well designed places”</i></p> <p><i>Paras 126-135.</i></p> <p><i>Chapter 16 “Conserving and enhancing the historic environment”</i></p> <p><i>Paras 189-197, 199-205, 208.</i></p>	<p><i>The NPPF emphasizes the importance of good design as a key aspect of sustainable development in making places ‘better for people’.</i></p> <p><i>The Plan has assessed important design features for conservation as well as recognizing the significance of the Knaresborough Conservation Area and seeks to conserve it and reflect design in new development in order to seek consistency of good design across the neighbourhood area.</i></p>

	<p>their eaves to the street. Generally eaves detailing tends to be fairly plain, though some of the grander buildings have parapets, cornices and fine ornamental eaves detailing. Gable ends, where visible above the roofs of neighbouring buildings, tend to have plain verges, though a few have stone tabling. Where buildings have parapets, the roofs are often invisible from the street. Detached buildings (or those which stand noticeably above their neighbours) may have hipped roofs.</p> <p>ii) Walls may be of Magnesian limestone, sandstone or gritstone, brick or render. Roofs are of Westmorland slates, Yorkshire stone slates, Welsh slates or pantiles, though there have been some replacements with modern tiles. Sometimes pantiled roofs have one or more courses of stone slates at the eaves to even out the run-off of water and avoid it overshooting the gutters.</p> <p>ii) Where the original fenestration remains (or has been restored in replica) windows are usually vertical sliding sashes on the more 'polite' buildings and Yorkshire sliding sashes on the humbler and more vernacular buildings.</p> <p>iii) At the Waterside area, some buildings are of brick and of gritstone and magnesian limestone but most are rendered and painted.</p> <p>iv) There is variety of eaves levels, which is important to the street- scene, and new development should maintain this interest without creating disharmony.</p>		
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NDP Policy	<i>Policy wording</i>	<i>NPPF paragraphs(s)</i>	<i>Commentary on conformity with NPPF</i>
	<ul style="list-style-type: none"> c) New development should not adversely impact on the historic skyline, in particular on the Castle, St John's Church and Holy Trinity Church. d) Retain important gaps between buildings to ensure glimpses of trees and important views are maintained. e) Where buildings are set back from the street, front boundaries (walls, hedges or railings) should reflect existing traditional boundaries in the immediate vicinity. f) Positive management of the ageing stock of mature trees, including landmark trees. g) Boundary walls (usually of stone) are an important feature and should be retained. 		

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BE3: Town centre car parking	<p>The area defined as the town centre is shown on the map “The town centre is defined in the URS Town Centre Review (2014)” above. For this area:</p> <ul style="list-style-type: none"> a) Proposals to provide increased numbers of public off road car parking spaces in or adjacent to the town centre will be supported. b) Where possible development proposals in or adjacent to the town centre should make adequate provision for on-site parking and not rely on on-street parking. <p>Wherever new car parking is proposed, this needs to be reflective of the design of its immediate environs, particularly within the Conservation Area.</p>	<p>Chapter 9 “Promoting sustainable transport”</p> <p>Paras 104-108, 110-112</p>	<p>The NPPF identifies the need to set local parking standards and improve the quality of parking in town centres.</p> <p>The Plan supports development which seeks to provide increased numbers of off road car parking spaces in or adjacent to the town centre.</p>
BE4: Shop front design	<p>Proposals for new shop frontages, or alterations to existing shop frontages, will be encouraged where the following criteria are satisfied:</p> <ul style="list-style-type: none"> a) The proposal would not result in the loss of a 	<p>Chapter 7: Ensuring the vitality of town centres</p> <p>Para 86</p>	<p>The NPPF recommends planning policies that define the extent of town centres and primary shopping centres, including a clear definition of primary and secondary frontages.</p>

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	<p>traditional shop front or features and details of architectural or historic interest.</p> <p>b) The proposal would be in sympathy with the architectural style, materials and form of the building(s) of which it would form part and the historic character of the town centre.</p> <p>c) Where a fascia is to be applied, it would be of an appropriate height which would be in scale with the overall height of the shop front, other elements of the building and adjacent buildings and would not intrude over the first floor level.</p> <p>d) Within the town centre, the design of shop fronts and associated shop signage should respect the character of the building and the architectural components which make up the building and the character of the street. Design should incorporate strong security measures, for example internal shutters, within the style of the overall shop front.</p>	<p><i>Chapter 15: “Conserving and enhancing the historic environment.”</i></p> <p><i>Paras 190-191, 195, 197</i></p>	<p><i>The Plan sets out clear definitions for new shop frontages or alterations to existing shop frontages.</i></p>
BE5: Empty properties	<p>Development proposals that result in bringing back into use redundant buildings and empty properties and empty spaces within properties will be encouraged and supported where the proposed use is in keeping with its immediate environment. If the proposal relates to a heritage asset, development proposals should not have an adverse impact on their significance.</p>	<p><i>Chapter 5 “Delivering a sufficient supply of homes”</i></p> <p><i>Para 64.</i></p>	<p><i>The NPPF sets out the need to identify and bring back into residential use empty housing and buildings.</i></p> <p><i>The Plan supports development proposals that bring back into use empty and redundant buildings.</i></p>

<p>BE6: Non designated local heritage features</p>	<p>a) Local heritage features as identified at Appendix 3 of the NDP will be conserved and enhanced for their historic significance and/or their importance to local distinctiveness, character and sense of place.</p> <p>b) Proposals for development that affect such features should take full and proper account of the scale and impact of any harm or loss and the significance of each asset.</p>	<p><i>Chapter 16 “Conserving and enhancing the historic environment”</i></p> <p><i>Paras 192-198, 199-205</i></p>	<p><i>The NPPF sets out the need for a positive strategy for conservation and enjoyment of the historic environment. In particular, the need for development proposals to assess the impact of any proposals upon heritage assets affected, including ‘non designated heritage assets’.</i></p> <p><i>The Plan has assessed potential non designated assets (features) across the neighbourhood area. It has assessed and recorded the significance of the identified non-designated features in seeking their conservation.</i></p>
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NDP Policy	Policy wording	NPPF paragraphs(s)	Commentary on conformity with NPPF
Community Facilities (CF)			
<p>CF1: Protecting existing community facilities</p>	<p>The retention and improvement of the following community facilities in their current use will be supported:</p> <p>Community meeting places</p> <ul style="list-style-type: none"> • Knaresborough Community Centre, Stockwell Avenue • Chain Lane Community Hub, Chain Lane • Knaresborough Friendship & Leisure Centre, 23 <p>Market Place</p> <ul style="list-style-type: none"> • Knaresborough House • Cliff House, Hilton Lane (Age UK) • The Frazer Theatre • The Masonic Hall • Knaresborough Library • Henshaws Arts and Crafts Centre • The Working Men’s Club • The Conservative Club • Scout Hut, Wetherby Road • Calcutt and Forest Moor Village Hall <p>Healthcare and Health Services</p> <ul style="list-style-type: none"> • Stockwell Road Surgery 	<p>Chapter 8 “Promoting healthy communities”</p> <p>Paras 69, 70, 73, 74.</p>	<p><i>The NPPF sets out the role the planning system can play in promoting social interaction, including delivering and guarding against the loss of social, recreational and cultural facilities needed by the community.</i></p> <p><i>Based upon assessment of facilities available to the community, the Plan identifies and seeks to maintain important local assets that contribute to community vitality.</i></p>

NDP Policy	Policy wording	NPPF paragraphs(s)	Commentary on conformity with NPPF
	<ul style="list-style-type: none"> • Beech House Surgery • Eastgate Medical Group • Alexander House Clinic, Ash Tree Road • Fysche Hall Clinic, Iles Lane • The Manor House Care Home • Thistle Hill Care Home <p>The retention and improvement of the following community facilities in their current use will be supported:</p> <p>Community Sports Facilities</p> <ul style="list-style-type: none"> • Knaresborough Pool, King James Road • Knaresborough Bowling Club, Park Crest • Knaresborough Cricket Club, Aspin Park Lane • Knaresborough Celtic Football Club, Thistle Hill • Knaresborough Town AFC, Manse Lane • Harrogate Golf Club, Harrogate Road • Knaresborough Rugby Union Club, Hay-A-Park Lane • Knaresborough King James’s Tennis Club, King James’s <p>School</p> <ul style="list-style-type: none"> • Knaresborough Forest Cricket Club <p>Places of worship</p> <ul style="list-style-type: none"> • St Mary’s Catholic Church • Holy Trinity Church • St John the Baptist Church • Gracious Street Methodist Church • United Reformed Church, Gracious Street • Park Grove Methodist Church 		

NDP Policy	<i>Policy wording</i>	<i>NPPF paragraphs(s)</i>	<i>Commentary on conformity with NPPF</i>
	<p>Places of Education</p> <ul style="list-style-type: none"> • King James’s School • St John’s Church of England Primary School • Meadowside Community Primary School • Aspin Park School • St Mary’s Catholic Primary School • The Forest School <p>Proposals for change of use will only be supported where it can be demonstrated that:</p> <p>a) Reasonable efforts have been made to secure their continued use for their current purposes and/or alternative provision is made For example, demonstrating that the operation of the existing facility is no longer viable in terms of market attractiveness, following the marketing of the facility for at least one year.</p> <p>b) The land or building in question has fallen out of its current community use; and</p> <p>c) Need for the new proposal can be demonstrated.</p> <p>The above list of protected facilities does not exclude similar protection being applied to any future or existing community facilities.</p>		
CF2: Provision of new community facilities	<p>Major new development proposals for new homes of 10 or more units should provide:</p> <p>a) New community facilities which meet demonstrable community need; or</p>	<p><i>Chapter 8 “Promoting healthy communities”</i></p> <p><i>Paras 69, 70, 73, 74</i></p>	<p><i>As stated above, the NPPF recognises the importance community recreational facilities play in sustainable communities and seeks to protect and enhance community assets</i></p>

NDP Policy	Policy wording	NPPF paragraphs(s)	Commentary on conformity with NPPF
	<p>b) Investment in existing community facilities accessible to the proposed development.</p> <p>c) Once provided any such facilities will be subject to the provisions of CF1.</p>		<p>where these are shown not to be surplus to requirements or where alternative provision can be made.</p> <p>Associated with new development, the Plan seeks to ensure the community is provided with sufficient facilities designed to maintain and enhance community vitality and sustainability.</p>
CF3: Local Green Spaces	<p>a) The locations listed below, detailed in Appendix 1 of the NDP and illustrated on the Policies Map are designated as Local Green Spaces. Development that would harm the functions of these Spaces will not be permitted.</p> <ol style="list-style-type: none"> 1. Conyngham Hall Estate, Horse Shoe Field 2. Appleby Crescent and Appleby Green 3. Bebra Gardens 4. Green areas around St. John the Baptist Parish Church 5. Allotments, Stockwell Road 6. Aspin Play area and surrounding land 7. Knaresborough House grounds 8. King George V Field, Stockwell Avenue 9. Holy Trinity church grounds 10. Low Bridge Garden, Abbey Road 11. Play area: The Spinney and surrounding green space. 12. Children's play area and Fysche Hall Field 13. Bilton Hall Lane allotments 14. Playing field, play area next to Scout Hut – Wetherby Road 15. Knaresborough Cricket Club 	<p>Chapter 8 “Promoting healthy communities”</p> <p>Paras 101-103</p>	<p>The NPPF highlights the important role the planning system can play in facilitating healthy, inclusive communities. In particular, this chapter of the NPPF highlights the opportunity for positive planning for provision and protection against the loss of shared spaces and community facilities. The opportunity is afforded to local communities writing a neighbourhood plan to designate special green areas as ‘Local Green Space’. The Knaresborough NDP has considered candidates for such a designation and policy CF3 reflects the conclusions of this process.</p> <p>The policy conforms with the NPPF having carefully analysed potential sites for designation and recorded these in the evidence base accompanying the Plan.</p>

NDP Policy	Policy wording	NPPF paragraphs(s)	Commentary on conformity with NPPF
	<p>16. Knaresborough Forest Cricket Club - The Union Field, Calcutt.</p> <p>17. Playing Field and Play area Old Penny Gate</p> <p>18. Playfield Stockwell Lane</p> <p>19. Knaresborough Rugby Club grounds</p> <p>Proposals for enhancing Local Green Spaces in terms of increasing or improving the functionality of a Green space are welcome</p>		
Economy and business (EB)			
<p>EB1: Employment sites</p>	<p>Proposals to upgrade or extend existing employment sites will be supported provided that:</p> <p>a) The impact on the amenities enjoyed by occupants of surrounding properties is acceptable.</p> <p>b) They do not compromise the character of the area or openness of the countryside.</p> <p>c) Traffic impact is acceptable in terms of highway safety and living conditions of residents.</p> <p>d) They include a traffic impact analysis or transport assessment which is proportionate to the development and demonstrates traffic impact and measures which may be taken to mitigate impacts.</p> <p>There will be a strong presumption against the loss of commercial premises or land which provide employment and are of demonstrable benefit to the local community. Applications for a change of use to an activity that does not provide employment opportunities will only be permitted if it can be demonstrated that:</p> <p>e) The commercial premises or land in question have not been in active use for at least 12 months; and there is</p>	<p>Chapter 6 “Building a strong competitive economy”</p> <p>Paras 81-82</p>	<p><i>The NPPF states that “Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”</i></p> <p><i>The Plan encourages the development of existing employment sites where it benefits the community and adheres to local policies. However the Plan recognises that a change of use could be permitted if it can be proven that the employment site is no longer viable.</i></p>

NDP Policy	Policy wording	NPPF paragraphs(s)	Commentary on conformity with NPPF
	<p>little or no prospect of the premises or land being reoccupied by an employment generating user. This must be proven through an independent sustained marketing campaign lasting for a continuous period of at least six months.</p> <p>f) The new use will not be hazardous to road safety or the living conditions of residents and the scope for mitigation of any impacts is identified and implemented.</p> <p>g) The application complies with other policies in this Neighbourhood Development Plan.</p>		
<p>EB2: Promoting the visitor economy</p>	<p>Proposals designed to enhance the visitor economy, including new overnight accommodation, will be supported where these:</p> <p>a) Are of an appropriate scale and fit to the immediate surroundings of the proposal.</p> <p>b) Can demonstrate they will serve to broaden Knaresborough's appeal to visitors both in terms of the range of the offer and by extending the season for tourism.</p> <p>c) Can demonstrate adequate traffic management and car parking arrangements so as to avoid adverse impacts in other parts of the town.</p>	<p>Chapter 7 "Ensuring the vitality of town centres"</p> <p>Para 86</p>	<p><i>The NPPF seeks to promote competitive town centre environment, including allocating sites to meet the scale of tourism needed in town centres.</i></p> <p><i>The Plan encourages the development of the visitor economy in Knaresborough, subject to local conditions.</i></p>
<p>EB3: Supporting the 'High Street'</p>	<p>Within the town centre:</p> <p>a) Proposals which would result in the loss of existing local shopping facilities through redevelopment will be discouraged, unless:</p> <ul style="list-style-type: none"> • they include proposals for alternative local shopping provision in the town centre; or • there is no reasonable prospect of viable continued 	<p>Chapter 7 "Ensuring the vitality of town centres"</p> <p>Para 86</p>	<p><i>The NPPF seeks to promote competitive town centre environment, including recognising town centres as the heart of the community and to pursue policies to support their viability and vitality.</i></p> <p><i>The Plan encourages the provision of local shopping facilities, new office space and filling redundant spaces above retail units</i></p>

NDP Policy	Policy wording	NPPF paragraphs(s)	Commentary on conformity with NPPF
	<p>use of the existing building or facility in its current use.</p> <p>b) Proposals for the provision of new office space will be supported where this is in keeping with its surroundings in terms of scale and design.</p> <p>c) Bringing into use redundant space above existing retail units in the town centre will be supported where the proposed use is in keeping with its surroundings and does not cause nuisance or other interference with near neighbours.</p>		<p><i>which will lead to a long term viable town centre.</i></p>
Housing (H)			
<p>H1: Responding to local needs</p>	<p>Development proposals for new homes of 10 or more units should provide a mix of housing types and tenures that suit local requirements based upon the most up-to-date assessment of local housing needs.</p>	<p><i>Chapter 5 “Delivering a wide choice of high quality homes”</i></p> <p><i>Para 62, 65</i></p>	<p><i>The NPPF emphasizes the importance of providing a wide choice of high quality homes to create sustainable, inclusive and mixed communities.</i></p> <p><i>The Plan seeks to provide a mix of housing types for large proposals, based on current local needs.</i></p>
<p>H2: Design of new homes</p>	<p>Proposals for new housing developments must demonstrate how they have taken into account the following where appropriate and subject to viability:</p> <p>a) That they should integrate into their surroundings by reinforcing existing connections and creating new ones; whilst also respecting existing buildings and land uses along the boundaries of the development site. Developers must demonstrate how they have had regard to movement (vehicular, pedestrian, and cycle).</p> <p>b) That they are integrated with good access to public transport and pedestrian and cycle routes to help reduce car dependency and support public transport use.</p> <p>c) Development proposals should seek to create a place</p>	<p><i>Chapter 12 “Well designed places”</i></p> <p><i>Paras 126-130, 132, 133, 134</i></p> <p><i>Chapter 9 “Promoting sustainable transport”</i></p> <p><i>Paras 104-106, 110-113</i></p> <p><i>Chapter 8 “Promoting healthy and safe communities”</i></p>	<p><i>The NPPF emphasizes the importance of good design as a key aspect of sustainable development in making places ‘better for people’.</i></p> <p><i>The Plan has assessed important design features for conservation and seeks to conserve it and reflect design in new development in order to seek consistency of good design across the neighbourhood area.</i></p> <p><i>The NPPF identifies the need to utilise opportunities for sustainable transport</i></p>

NDP Policy	Policy wording	NPPF paragraphs(s)	Commentary on conformity with NPPF
	<p>with a locally inspired or otherwise distinctive character.</p> <p>d) That they take advantage of and integrate with existing topography, landscape features (including water courses), wildlife habitats, existing buildings and site orientation.</p> <p>e) Buildings should be designed and positioned, with landscaping, to define and enhance streets and spaces.</p> <p>f) Development proposals should be designed to make it easy for people to find their way around and to recognise distinctive places.</p> <p>g) Streets should be designed in a way that encourage low vehicle speeds and allow the streets to function as social spaces.</p> <p>h) Resident and visitor parking should be sufficient and well integrated so that it does not dominate the street. Car parking must meet minimum standards, as set out by North Yorkshire County Council. In addition, frontages must not be entirely dedicated to car parking, but should provide for appropriate and significant public and private open space and landscaping, reflective of local character.</p> <p>i) Public and private spaces should be clearly defined and designed to be attractive, well managed and safe. There should be suitable private outdoor amenity space for new dwellings.</p> <p>j) There should be adequate external storage space for bins and recycling facilities as well as for cycles.</p> <p>k) Affordable homes should be designed to be well integrated with existing and other new housing development.</p>	<p>Para 75.</p>	<p><i>modes in relation to the design and delivery of new developments, including good access to Public Rights of Way.</i></p> <p><i>The Plan seeks to integrate new developments with existing and new sustainable transport options.</i></p> <p><i>The NPPF identifies the need to set local parking standards for residential and non-residential development.</i></p> <p><i>The Plan seeks to provide sufficient resident and visitor parking for new housing developments.</i></p>

2 General conformity with the strategic policies of the development plan

4.1 The adopted development plan for Knaresborough is the Harrogate District Local Plan 2014-2035, the current adopted policies against which any planning proposals would be appraised, as well as the NPPF. Table 2 below sets out how each policy is in general conformity with this document.

Table 2: Conformity of Neighbourhood Plan policies with Harrogate Borough Council’s District Local Plan (2014-2035)

NDP Policy	HBC Local Plan references	Commentary on conformity of NDP policies with 2014-2035 Local Plan	Overall conclusion on conformity by policy theme
CGE1: Local green corridors	POLICY NE3: PROTECTING THE NATURAL ENVIRONMENT	Policy seeks to protect the high quality of the landscape which is important to Knaresborough.	The countryside and the green environment theme is aimed at protecting local green areas, wildlife, geological and the local countryside.
CGE2: Neighbourhood wildlife and geological sites	POLICY NE3: PROTECTING THE NATURAL ENVIRONMENT	Policy seeks to increase wildlife habitats and species in accordance with the District’s Biodiversity Action Plan.	This includes Hay-a-Park and Birkham Woods SSSIs and Nidd Gorge, as well as locally designated wildlife and geological sites.

NDP Policy	HBC Local Plan references	Commentary on conformity of NDP policies with 2014-2035 Local Plan	Overall conclusion on conformity by policy theme
CGE3: Sites of Specific Scientific Interest (SSSI) conservation	POLICY NE3: PROTECTING THE NATURAL ENVIRONMENT	Policy seeks to improve the conditions of the District's Sites of Special Scientific Interest.	Policies conform with Local Strategic Policy across a range of themes, including the natural and built environment, protecting Public Rights of Way and reducing flood risk. The countryside and the green environment theme is important to the community as it seeks to protect the beautiful countryside surrounding Knaresborough.
CGE4: Public Rights of Way	POLICY TI1: SUSTAINABLE TRANSPORT POLICY HP5: PUBLIC RIGHTS OF WAY	Policy seeks to safeguard cycle and pedestrian routes identified in a Highway Authority plan or strategy. Policy seeks to improve public transport and associated infrastructure and prepare a Harrogate and Knaresborough Area Plan DPD to address issues including providing improvements for walking and cycling	
CGE5: Nidd Gorge conservation and enhancement	POLICY NE3: PROTECTING THE NATURAL ENVIRONMENT POLICY NE4: LANDSCAPE CHARACTER	Policy includes measures to identify local landscape designations to protect the high quality landscape which is important to Knaresborough.	
CGE6: Flood prevention	POLICY CC1: FLOOD RISK AND SUSTAINABLE DEVELOPMENT POLICY NE5: GREEN AND BLUE INFRASTRUCTURE	Policy seeks to ensure all new developments should seek to minimise flood risk.	

NDP Policy	HBC Local Plan references	Commentary on conformity of NDP policies with 2014-2035 Local Plan	Overall conclusion on conformity by policy theme
BE1: Design of the built environment	<p>POLICY CC1: FLOOD RISK AND SUSTAINABLE DEVELOPMENT</p> <p>POLICY CC4: SUSTAINABLE DESIGN</p> <p>POLICY HP2: HERITAGE ASSETS</p> <p>POLICY HP3: LOCAL DISTINCTIVENESS</p> <p>POLICY NE5: GREEN AND BLUE INFRASTRUCTURE</p>	<p>Policy seeks to ensure all development proposals should be well integrated with and complementary to neighbouring buildings and be appropriate to the form and character of the settlement and/or landscape character.</p> <p>Policy seeks to reduce level of energy and water consumption, waste production and car use within the District.</p>	<p>The built environment design and public realm theme is aimed at protecting locally important features as well as seeking to ensure the high quality design of new development in Knaresborough.</p> <p>The importance of improving the town centre as well as tackling car parking issues are highlighted in the Plan.</p> <p>Policies conform with Local Strategic Policy across a range of themes, including the natural and built environment, retail & town centre development and settlement growth.</p> <p>These themes are important to the community as they seek to enhance the town centre and ensure that any development that takes place is of a high standard that reflects and complements the surrounding environs.</p>

NDP Policy	HBC Local Plan references	Commentary on conformity of NDP policies with 2014-2035 Local Plan	Overall conclusion on conformity by policy theme
BE2: Design in the Conservation Area	<p>POLICY HS1: HOUSING MIX AND DENSITY</p> <p>POLICY CC4: SUSTAINABLE DESIGN</p> <p>POLICY HP2: HERITAGE ASSETS</p> <p>POLICY HP3: LOCAL DISTINCTIVENESS</p>	<p>Policy seeks to ensure all development proposals should be well integrated with and complementary to neighbouring buildings and be appropriate to the form and character of the settlement and/or landscape character.</p> <p>Policy seeks to carry out appraisals of the District's Conservation Areas to protect and enhance their special interest and ensure new development incorporates locally distinctive design.</p>	
BE3: Town centre car parking	<p>POLICY T13: PARKING PROVISION</p>	<p>Policy addresses the role of Knaresborough as a Principal Town and seeks to improve off street parking facilities adjacent to the town's shopping area and improve accessibility of the town centre, particularly by public transport and through improvements to the pedestrian environment.</p>	
BE4: Shop front design	<p>POLICY EC5: TOWN AND LOCAL CENTRE MANAGEMENT</p> <p>POLICY HP3: LOCAL DISTINCTIVENESS</p>	<p>Policy addresses the role of Knaresborough as a Principal Town and seeks to improve the town centre.</p>	

BE5: Empty properties	POLICY EC5: TOWN AND LOCAL CENTRE MANAGEMENT	Policy addresses the role of Knaresborough as a Principal Town and seeks to improve the town centre.	
BE6: Non designated local heritage features	POLICY HP2: THE NATURAL AND BUILT ENVIRONMENT AND GREEN BELT	Policy seeks to protect the District's built environment.	
CF1: Protecting existing community facilities	POLICY HP6: PROTECTION OF EXISTING SPORT, RECREATION AND COMMUNITY FACILITIES	Policy seeks to protect and enhance the supply of community facilities and local services.	<p>The community facilities theme seeks to protect and enhance the range of facilities available to existing and future residents.</p> <p>The theme provides important policies enabling population growth to take place and be sustainable.</p>
CF2: Provision of new community facilities	POLICY HP7: NEW SPORTS, OPEN SPACE AND RECREATION DEVELOPMENT POLICY HP8: PROTECTION AND ENHANCEMENT OF COMMUNITY FACILITIES POLICY HP9: PROVISION OF NEW COMMUNITY FACILITIES	Policy seeks to protect and enhance the supply of community facilities and local services.	

NDP Policy	HBC Local Plan references	Commentary on conformity of NDP policies with 2014-2035 Local Plan	Overall conclusion on conformity by policy theme
CF3: Local Green Spaces	POLICY NE6: LOCAL GREEN SPACES	Policy seeks to protect and enhance visual, residential and general amenity.	
EB1: Employment sites	POLICY EC1: PROTECTION AND ENHANCEMENT OF EXISTING EMPLOYMENT AREAS	Policy seeks to maintain and enhance a good range and mix of employment sites throughout the District, including Knaresborough	<p>The economy and business theme seeks to upgrade and extend existing employment sites and promote Knaresborough.</p> <p>The theme provides policies to support tourism, shopping on the High Street and job creation and growth to take place and to be sustainable.</p>
EB2: Promoting the visitor economy	POLICY EC5: TOWN AND LOCAL CENTRE MANAGEMENT POLICY EC6: PROTECTION OF TOURIST FACILITIES	Policy seeks to support the market town renaissance in Knaresborough.	
EB3: Supporting the 'High Street'	POLICY EC5: TOWN AND LOCAL CENTRE MANAGEMENT	Policy seeks to support the market town renaissance in Knaresborough.	
H1: Responding to local needs	POLICY HS1: HOUSING MIX AND DENSITY	Policy seeks to ensure a mix of new homes to be developed each year including homes for local people at affordable houses.	The housing theme seeks to ensure new developments are well integrated into the local community, including good access to public transport and

NDP Policy	HBC Local Plan references	Commentary on conformity of NDP policies with 2014-2035 Local Plan	Overall conclusion on conformity by policy theme
H2: Design of new homes	<p>POLICY HP3: LOCAL DISTINCTIVENESS</p> <p>POLICY HP4: RPROTECTING AMENITY</p> <p>POLICY NE5: GREEN AND BLUE INFRASTRUCTURE</p>	<p>Policy seeks to ensure all development proposals should be well integrated with and complementary to neighbouring buildings and be appropriate to the form and character of the settlement and/or landscape character.</p> <p>Policy seeks to reduce level of energy and water consumption, waste production and car use within the District.</p>	<p>Public Rights of Way routes and good design.</p> <p>The theme provides policies to support sustainable communities with a focus on providing a mix of homes for larger developments, dependent on the local housing need</p>

3 Contribution to Achieving Sustainable Development

5.1 A Sustainability Appraisal has not been undertaken as this is not a requirement for a Neighbourhood Plan. However, the Neighbourhood Plan has taken account of the need to contribute to the achievement of sustainable development.

5.2 The strategic objectives of the Neighbourhood Plan have sustainability at their heart. The Plan aims to:

Objective 1 – achieving sustainable community, economic and environmental development

To encourage development that is low or carbon neutral and demonstrates excellent design standards that complement existing character and design. New development should contribute positively to the town infrastructure, facilities and to an enhanced sense of local community and improve people's quality of life and well-being. Developers should provide a mix of housing types and size including affordable and social housing.

Objective 2 - conserving heritage

To promote development that complements and protects the cultural and environmental heritage of Knaresborough and creates an attractive mix of well-maintained residential and commercial areas, integrated with historic environments.

Objective 3 – incorporating green infrastructure

To ensure that major development is designed along the principles of a Garden City, incorporating green infrastructure (gardens, parks, trees and landscaping) so as to create a smooth transition between the historic town centre and the rural environment beyond.

Objective 4 – sustainable transport

To promote development that includes sustainable transport solutions, contributes to reducing traffic volumes, alleviating pollution, increased public and non-motorised modes of travel.

Objective 5 – community development

To promote development that demonstrates how it will contribute to ensuring community health and well-being, reduce social isolation, deliver an improved local education provision for all ages and ensures that school infrastructure meets the needs of an increasing population.

Objective 6 – a vibrant town centre

To foster development which contributes towards the town centre remaining a viable service and commercial centre, at the heart of the local community. This includes appropriate connectivity between out of town centre developments and the centre.

Objective 7 – supporting economic development

To promote opportunities for new business development in the town and surrounding rural area that create new employment opportunities for local residents.

5.3 Table 3 below has assessed the Neighbourhood Plan's policies in terms of how it will deliver sustainable development with regards to economic, social and environmental aspects. It shows that the Plan's policies are, in the main, either neutral in effect or will make Knaresborough more sustainable.

Table 3: Assessment of sustainability of Neighbourhood Plan policies

NDP Policy	Factors			Comments on sustainability and contribution made to achieving sustainable development
	Economic	Social	Environmental	
CGE1: Local green corridors	*	**	**	Planning for green corridors contributes to sustainability by ensuring new and existing residents have space for outdoor recreation and healthy living.
CGE2: Neighbourhood wildlife and geological sites	*	**	**	Identification of local natural sites for protection maintains high quality natural environment.
CGE3: Sites of Specific Scientific Interest (SSSI) conservation	*	**	**	Maintenance of world class natural heritage site.
CGE4: Public Rights of Way	*	**	**	The integration of new public right of way contributes towards sustainability by reducing vehicle movements and promoting healthy walking and cycling.
CGE5: Nidd Gorge conservation and enhancement	**	**	**	Maintenance of world class natural heritage site.
CGE6: Flood prevention	**	**	**	Reducing flood risk to properties and economic impact of flooding.
BE1: Design of the built environment	-	*	**	The high quality of the built environment is a key component of sustainability in the town and the maintenance of this and reflection of quality in new development ensures future growth is undertaken sustainably.
BE2: Design in the Conservation Area	-	*	**	The high quality of the built environment is a key component of sustainability in the town and the maintenance of this and reflection of quality in new development ensures future growth is undertaken sustainably.

NDP Policy	Factors			Comments on sustainability and contribution made to achieving sustainable development
	Economic	Social	Environmental	
BE3: Town centre car parking	*	*	*	Sustainable development in a town centre setting such as Knaresborough necessitates (at present) access to private cars. Hence policy seeks to minimise the impact of this upon the street scene.
BE4: Shop front design	*	-	-	Improving the streetscene and quality of the town centre visual environment.
BE5: Empty properties	**	*	-	Improving the streetscene and quality of the town centre visual environment. Bringing back into use redundant property avoids building new.
BE6: Non designated local heritage features	-	**	**	The conservation of locally important heritage assets contributes to the sustainability of the community by ensuring heritage is cherished and not lost through either neglect or new development.
CF1: Protecting existing community facilities	*	**	-	The policy contributes strongly to the sustainability of Knaresborough in the future by seeking to protect these assets for future generations.
CF2: Provision of new community facilities	*	**	-	As the town grows, so too will demand upon community facilities, hence the policy aims to sustainable growth by matching new growth of the population with appropriate growth in facilities to meet their needs.
CF3: Local Green Spaces	-	**	**	Maintaining existing key green spaces ensures sustainability by providing for places for outdoor recreation and healthy activity.

NDP Policy	Factors			Comments on sustainability and contribution made to achieving sustainable development
	Economic	Social	Environmental	
EB1: Employment sites	**	*	-	Business growth provides for new employment in the town, contributing to sustainable development by reducing vehicle movements.
EB2: Promoting the visitor economy	**	*	x	More visitors to the town spending more money on supporting local businesses and services.
EB3: Supporting the 'High Street'	**	**	-	Maintaining the economic viability of the 'high street' and town centre.
H1: Responding to local needs	**	**	x	Housing policy seeks to enable the neighbourhood area to grow in a sustainable manner. In particular, new residents will support the wider social, economic and environmental well-being of Knaresborough.
H2: Design of new homes	-	*	**	The high quality of the built environment is a key component of sustainability in the town and the maintenance of this and reflection of quality in new development ensures future growth is undertaken sustainably.

Assessment of policies: ** very positive * positive - neutral x negative xx very negative

4 Compatibility with EU Obligations and legislation

6.1 The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.

6.2 A screening opinion for the purposes of Strategic Environmental Assessment and Habitats Regulations Assessment has been undertaken by Harrogate Borough Council, and informed by the Statutory Consultees; Historic England, Natural England and the Environment Agency, see appendix 1 below. The Screening Report concludes that the proposals in the Knaresborough Neighbourhood Plan are not likely to have a significant environmental effect and that a full SEA is not required.

6.3 The Neighbourhood Area is not in close proximity to any European designated nature sites so does not require an appropriate assessment under the EU Habitats Regulations.

5 Overall conclusion

In conclusion, Knaresborough Town Council has presented a Neighbourhood Development Plan that conforms with both the National Planning Policy Framework and the Harrogate Borough Council adopted Local Plan 2014-2035.

The Knaresborough NDP plans positively for sustainable development across the designated Neighbourhood Area, recognising and responding to the need for stimulating and supporting housing growth and business development while seeking to conserve the best of the area in terms of its environmental quality and heritage assets. Policies are proposed across key themes identified through a substantive process of community engagement. Policies are clear, based on strong evidence and provide a direct link to the sustainable development of the Neighbourhood Area, in promoting sustainable growth for residents in relation to new housing, business development, alongside strong conservation measures for the built and 'green' environments and opportunities for the local community to preserve and enhance existing community and recreational assets and to increase provision.

**THE ENVIRONMENTAL ASSESSMENT OF PLANS AND PROGRAMMES REGULATIONS
2004 AND HABITATS REGULATIONS ASSESSMENT**

SEA and HRA SCREENING REPORT

PRE-SUBMISSION CONSULTATION DRAFT KNARESBOROUGH NEIGHBOURHOOD DEVELOPMENT PLAN

This document is a screening consideration of the need to carry out a Strategic Environmental Assessment (SEA) and/or a Habitats Regulation Assessment for the Pre-Submission Consultation Draft Knaresborough Neighbourhood Development Plan.

The Environmental Assessment of Plans and Programmes Regulations 2004 implement the requirements of the European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment. Before deciding whether significant environment effects are likely, the local planning authority should take into account the criteria specified in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004.

Regulation 5(6) of the Environmental Assessment of Plans and Programmes Regulations 2004 states that:

- (6) An environmental assessment need not be carried out—
- (a) for a plan or programme of the description set out in paragraph (2) or (3) which determines the use of a small area at local level; or
 - (b) for a minor modification to a plan or programme of the description set out in either of those paragraphs,
- unless it has been determined under regulation 9(1) that the plan, programme or modification, as the case may be, is likely to have significant environmental effects, or it is the subject of a direction under regulation 10(3).

Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004 states that:

9. —(1) The responsible authority shall determine whether or not a plan, programme or modification of a description referred to in—
- (a) paragraph (4)(a) and (b) of regulation 5;
 - (b) paragraph (6)(a) of that regulation; or
 - (c) paragraph (6)(b) of that regulation,
- is likely to have significant environmental effects.
- (2) Before making a determination under paragraph (1) the responsible authority shall—
- (a) take into account the criteria specified in Schedule 1 to these Regulations; and
 - (b) consult the consultation bodies.
- (3) Where the responsible authority determines that the plan, programme or modification is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), it shall prepare a statement of its reasons for the determination.

Therefore before the Council makes a decision whether or not the Pre-Submission Consultation Draft Knaresborough Neighbourhood Development Plan is likely to have significant environmental effects it must consider the plan proposals against the criteria specified in Schedule 1 of the Regulations and consult the consultation bodies (Historic England, Natural England and the Environment Agency). A copy of Schedule 1 of the Regulations is provided at **Appendix 1**.

An earlier copy of the Pre-Submission Consultation Draft was sent to the environment assessment consultation bodies in December 2016 by the Knaresborough Neighbourhood Development Plan team. All of the consultation bodies provided comments to the consultation. A summary of their responses is provided within the table below:

Consultation Body	Summary of Comments	Response
Historic England	Advise that based on the information supplied the preparation of a Strategic Environmental Assessment is not required.	Noted
Environment Agency	Raised concern about the Draft Policy EB2 : River Nidd Hydroelectric as these schemes can result in significant environmental impacts.	Concerns were noted and the hydroelectric scheme has subsequently been deleted from the NP.
Natural England	Advise that based on the information provided the proposals contained within the plan may have a significant effect on Hay a Park SSSI and therefore a SEA would be required. Given that there are no European Designated sites in the vicinity of the neighbourhood plan area, there is no need for a Habitats Regulation Assessment.	Concerns were noted and the policy relating to the Hay a Park has been subsequently amended to provide purely protection for the SSSI.

Whilst Natural England and the Environment Agency raised some concerns about the draft policies, the Pre-Submission Consultation Draft has been amended to address these specific concerns. The three bodies will be consulted again as part of the pre-submission consultation draft consultation.

In accordance with Regulation 9 of the SEA Regulations 2004, Harrogate Borough Council, as the responsible authority, considers that an environmental assessment and/or Habitats Assessment of the Pre-Submission Consultation Draft Knaresborough Neighbourhood Plan is not required as it determines the use of a small area at local level and is unlikely to have significant environmental effects. In coming to this conclusion the Council has had regard to Schedule 1 of the Regulations. The Council's consideration of the Pre-Submission Consultation Draft Knaresborough Neighbourhood Plan against Schedule 1 is set out in **Appendix 2**.

SCHEDULE 1

Regulations 9(2)(a) and 10(4)(a)

CRITERIA FOR DETERMINING THE LIKELY
SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT

1. The characteristics of plans and programmes, having regard, in particular, to—
 - (a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;
 - (b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
 - (c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
 - (d) environmental problems relevant to the plan or programme; and
 - (e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to—
 - (a) the probability, duration, frequency and reversibility of the effects;
 - (b) the cumulative nature of the effects;
 - (c) the transboundary nature of the effects;
 - (d) the risks to human health or the environment (for example, due to accidents);
 - (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
 - (f) the value and vulnerability of the area likely to be affected due to—
 - (i) special natural characteristics or cultural heritage;
 - (ii) exceeded environmental quality standards or limit values; or
 - (iii) intensive land-use; and
 - (g) the effects on areas or landscapes which have a recognised national, Community or international protection status.

Appendix 2: Consideration of the Pre-Submission Consultation Draft Knaresborough Neighbourhood Plan against Schedule 1 of the SEA Regulations

Criteria for determining the likely significance of effects on the environment (Schedule 1)	Likely to have significant environmental effects	Consideration of effects
1 (a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	No	The Neighbourhood Plan (NP) will set a policy framework for the determination of planning applications for future development projects. Once made the NP will form part of the Harrogate District Local Plan
1 (b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	No	A neighbourhood plan is only able to provide policies for the area it covers. These policies need to have regard to national policy and be in general conformity with the district's Local Plan. Parts of the Harrogate District Local Plan 2001 and Harrogate District Core Strategy 2009 are currently out of date because the evidence base in relation to housing and employment requirements is out of date. A new Harrogate District Local Plan is currently being prepared and has reached the Publication Draft Plan Stage (consultation due end of January 2018)
1 (c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	No	The Knaresborough Neighbourhood Plan seeks to have a positive impact on local environmental assets with an emphasis on the protection and enhancement of the public realm, green spaces and historic buildings. The achievement of sustainable development is one of the basic conditions to be met by the NP and is at the heart of the plan's vision and objectives.
1 (d) environmental problems relevant to the plan or programme	No	It is not considered that there are any particular environmental problems relevant to the plan. There are two Air Quality Management Areas within the Neighbourhood Area however as the NP does not allocate land for housing or employment it is not considered that there will be any environmental impacts on them from the NP.
1 (e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	No	This criterion is unlikely to be directly relevant in regard to the Neighbourhood Plan.
2 (a) the probability, duration, frequency and reversibility of the effects;	No	The Plan provides a framework for guiding development but does not specifically allocate land for development. It is likely that some development will

		occur during the duration of the Plan within the area therefore an element of environmental change will take place. However, the Plan policies are designed to encourage new development that is sustainable and has the least negative and greatest positive environmental impacts.
2 (b) the cumulative nature of the effects;	No	The Neighbourhood Plan does not allocate sites for development but provides a framework for guiding development. There are unlikely to be significant impacts on the local environment. The effects of the NP need to be considered alongside the Harrogate District Local Plan which it is required to be in general conformity with. It is not considered that the NP introduces additional effects over and above those already considered in the SA for the Harrogate District Local Plan as it does not propose additional development.
2 (c) the transboundary nature of the effects;	No	The Neighbourhood Plan does not allocate any land and the policies within are unlikely to have an impact beyond the Neighbourhood Area boundary.
2 (d) the risks to human health or the environment (for example, due to accidents);	No	No obvious risks have been identified.
2 (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	No	The NP is concerned with development within the Knaresborough Neighbourhood Area. The potential for environmental impacts are likely to be limited, minimal and local.
2 (f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use	No	The NP is unlikely to adversely affect the value and vulnerability of the area in relation to its special natural characteristics or cultural heritage. The policies within the plan seek to provide greater protection of the character of the area. The NP does not allocate sites, as such there are unlikely to be any intensive land-use concerns.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	No	It is not considered that the draft policies in the NP will adversely affect areas or landscapes which have a recognised national, community or international protection status. The policies do not allocate land for development and the plan seeks to protect some local green spaces