

# North York Moors National Park Authority

## Local Plan – Pre-Submission Draft Representation Form.

[www.northyorkmoors.org.uk/localplan](http://www.northyorkmoors.org.uk/localplan)

Please fill out this form if you want to provide your views on our Local Plan 'Pre-Submission' draft.  
**Please read the Guidance Notes at the end of this document before completing this form.**

[Note: This formal response form is based on the template Model Representation Form prepared by the Planning Inspectorate]

**Please return the completed form by 5.00pm on Friday 24<sup>th</sup> May 2019 to:**

North York Moors National Park  
Authority  
The Old Vicarage  
Bondgate, Helmsley, York  
YO62 5BP

or an electronic version of the form is available online at

<http://www.northyorkmoors.org.uk/localplan>

which can be e-mailed to: [policy@northyorkmoors.org.uk](mailto:policy@northyorkmoors.org.uk)

**This form is available in Large Print or other formats on request.**

### Office Use Only:

**Parish:**

**Reference no:**

Your personal details will not be passed on to anyone else or published although we may publish aggregated data. This will not include individual contact details.

#### Privacy Statement:

North York Moors National Park Authority is a 'Data Controller' as defined by Article 4(7) of the General Data Protection Regulations (GDPR). This means that the Authority has a duty of care towards the personal data that it collects and uses.

The Authority is committed to ensuring the responsible collection and use of personal data in the course of its business. We will ensure that personal data is processed fairly and lawfully, and that the rights of data subjects are properly respected. When collecting personal information from you, we will tell you how this information is to be used, and will not use your details for other purposes without your consent. The Authority has appointed Alison Johnson to be its Data Protection Officer, contact details are: Alison Johnson – Audit and Fraud Manager, Telephone No: 01723 (384431) E-mail address: [dataprotection@scarborough.gov.uk](mailto:dataprotection@scarborough.gov.uk)

A full Privacy statement can be found at <http://www.northyorkmoors.org.uk/about-us/termsandconditions>

The data collected will only be used for the purpose of informing development of the Local Plan.

This form has two parts:

- Part A – Personal Contact Details.
- Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make. This form is editable, meaning the only parts that can be filled in/changed are those indicated by 'click to enter text'. It is important that personal contact details are included for each representation. If you are having difficulties filling out the form please contact us at [policy@northyorkmoors.org.uk](mailto:policy@northyorkmoors.org.uk) or 01439 772700.

## PART A – Personal Contact Details

<b>Title:</b>	EDWARDSON ASSOCIATES
<b>First Name:</b>	Click here to enter text.
<b>Surname:</b>	Click here to enter text.
<b>Job Title (where relevant)</b>	Click here to enter text.
<b>Address:</b>	PADDOCK HOUSE, 10 MIDDLE STREET SOUTH, DRIFFIELD, EAST YORKSHIRE
<b>Organisation or Group:</b>	Click here to enter text.
<b>Postcode:</b>	YO25 6PT
<b>Telephone no:</b>	01377 249720
<b>Email Address:</b>	plngapps@edwardsonassociates.com

## PART B – Your representation(s)

*Please use a separate sheet for each representation*

### 3. To which part of the Local Plan does this representation relate?

Paragraph?	<input type="text" value="Click here to enter text."/>	Policy?	<b>SPB – The Spatial Strategy</b>	Policies Map?	<input type="text" value="Click here to enter text."/>
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### 4. Do you consider the Local Plan is:

a) Legally compliant?	Yes	<input type="text" value="Click here to enter text."/>	No	<input type="text" value="Click here to enter text."/>
b) Sound?	Yes	<input type="text" value="Click here to enter text."/>	No	<input checked="" type="checkbox"/>
c) Complies with the Duty to Co-operate?	Yes	<input type="text" value="Click here to enter text."/>	No	<input type="text" value="Click here to enter text."/>

### 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance, soundness of the Local Plan or its compliance with the duty to co-operate, please use this box to set out your comments.

Edwardson Associates is a well-established planning consultancy based in Driffild in East Yorkshire. We have acted for many clients in the National Park and continue to do so. Our work includes advising clients on the re-use of existing traditional buildings in the open countryside, including buildings of architectural or historic importance.

We object to the soundness of Criteria 1 of the Open Countryside Section to Strategic Policy B on the grounds that the residential reuse of buildings of architectural or historic importance is limited to local needs housing.

We consider that the policy wording should be changed to allow for buildings of architectural or historic importance to be reused for unrestricted open market housing.

We consider that restricting the residential option to local needs housing will limit and reduce the opportunities for buildings of architectural or historic importance to be safeguarded in the long term.

Extending the residential reuse option to the wider open market will provide greater assurance that listed buildings and buildings at risk will be safeguarded in the long term.

Placing local needs conditions on listed buildings and buildings at risk will make it more difficult for individuals to secure finance and /or obtain mortgages. This will deter many with a genuine interest, and those with the financial means, to invest in the purchase and long term stewardship of heritage buildings.

We consider that in the planning balance, and in terms of delivering and securing sustainable development in the National Park, the greatest weight should be given to finding new lives for built heritage assets, not on controlling their occupancy.

The objectives of preserving the significance and heritage values of assets and better revealing or enhancing significance very often attracts greater levels of time resource and financial investment, including requirements to remove unsightly later additions to traditional buildings, remediation of

contamination, the detailed recording of historic features, ecological surveys and a higher bar in relation to the quality of materials and attention to architectural detail. Placing occupancy restricts on these historic assets will limit and prevent real opportunities for these important buildings to be safeguarded.

Section 16 of the NPPF states that plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.

We consider that the NPPF's objective of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation is incompatible with a concurrent policy objective which seeks to control the residential occupancy of these heritage assets.

We consider that the great weight that should be given to the conservation of these assets in the planning process is unreasonably outweighed by the concurrent policy objective of controlling and restricting residential occupancy. In our opinion, the greatest weight should be given to the heritage assets in the overall planning balance, therefore a policy is needed which can facilitate this outcome

(Continue on a separate sheet / expand box if necessary)

6. **Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to soundness. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).**

To make this policy sound we consider that reference to and a restriction to 'local needs housing' should be removed to allow for buildings of architectural or historic importance in the open countryside to be converted to unrestricted market housing.

(Continue on a separate sheet / expand box if necessary)

**Please Note:** *Your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

*After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he / she identifies for the Examination.*

7. **If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the Examination?**

Click here to enter text.

No, I do not wish to participate at the oral Examination

X

Yes, I wish to participate at the oral Examination

8. **If you wish to participate at the oral part of the Examination, please outline why you consider this to be necessary.**

**In order to explain to the Inspector why amending the policy to allow conversion of buildings of architectural and historic importance in the open countryside to unrestricted market housing would be in the best interests of safeguarding these important heritage assets.**

## PART B – Your representation(s)

*Please use a separate sheet for each representation*

### 3. To which part of the Local Plan does this representation relate?

Paragraph?	5.6	Policy?	Strategic Policy J – Sustainable Tourism and Recreational Development	Policies Map?	Click here to enter text.
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### 4. Do you consider the Local Plan is:

a) Legally compliant?	Yes	Click here to enter text.	No	Click here to enter text.
b) Sound?	Yes	Click here to enter text.	No	X
c) Complies with the Duty to Co-operate?	Yes	Click here to enter text.	No	Click here to enter text.

### 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance, soundness of the Local Plan or its compliance with the duty to co-operate, please use this box to set out your comments.

We consider that the wording of this policy is unclear in relation to proposals for new tourism and recreation accommodation in the open countryside. We interpret Criteria b to mean that in the open countryside new 'accommodation' will only be supported if it uses an existing building. There are other forms of tourism 'accommodation', the siting and scale of which can be acceptable in the open countryside, such as touring and static caravans and camping pods and Draft Policy UE1 would support these. These forms of tourism accommodation would not use an existing building and would therefore, on the face of it, be compliant with Policy UE1 and yet in conflict with Policy SPJ. This could lead to a scenario whereby a development management officer could refuse an application for tourism accommodation development in the open countryside (not involving reuse of a building) on the basis of conflict with Policy SPJ as currently written. Furthermore, in paragraph 5.6 of the explanatory text to Policy SPJ we consider that limiting the occupancy of holiday accommodation to a maximum of 28 days in one calendar year is unsound. Some people can, will and do take longer holidays, or more than one holiday or trip in one calendar year. The wording of this policy would prevent a person or family from undertaking more than one holiday, or returning for a second holiday to a particular site in one calendar year. This could result in situations and scenarios whereby tourism accommodation operators turn away genuine holidaymakers.

(Continue on a separate sheet / expand box if necessary)

### 6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to soundness. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

Policy SPJ should be amended to make it clear that other forms of tourism accommodation in the open countryside are acceptable, not only those which reuse existing buildings. Furthermore, paragraph 5.6 should be amended to remove reference to a maximum holiday stay of 28 days in one calendar year.

(Continue on a separate sheet / expand box if necessary)

**Please Note:** Your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he / she identifies for the Examination.

**7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the Examination?**

Click here to enter text.

No, I do not wish to participate at the oral Examination

X

Yes, I wish to participate at the oral Examination

**8. If you wish to participate at the oral part of the Examination, please outline why you consider this to be necessary.**

**To explain to the Inspector that, as currently written, new tourism accommodation in the open countryside which does not use an existing building would be in conflict with Policy SPJ and this is confusing and unsound, and furthermore, to explain why holiday stays (either singularly or cumulatively) of more than 28 days in one calendar year are appropriate, reasonable and sustainable.**

*Please Note: The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the Examination.*

**Signature** **Edwardson Associates**

**Date** **21 May 2019**

## PART B – Your representation(s)

Please use a separate sheet for each representation

### 3. To which part of the Local Plan does this representation relate?

Paragraph?	<input type="text" value="Click here to enter text."/>	Policy?	<input type="text" value="UE1 – Small Scale Tourism Accommodation"/>	Policies Map?	<input type="text" value="Click here to enter text."/>
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### 4. Do you consider the Local Plan is:

a) Legally compliant?	Yes	<input type="text" value="Click here to enter text."/>	No	<input type="text" value="Click here to enter text."/>
b) Sound?	Yes	<input type="text" value="X"/>	No	<input type="text" value="Click here to enter text."/>
c) Complies with the Duty to Co-operate?	Yes	<input type="text" value="Click here to enter text."/>	No	<input type="text" value="Click here to enter text."/>

### 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance, soundness of the Local Plan or its compliance with the duty to co-operate, please use this box to set out your comments.

We support the changes that the Authority has made in relation to the development of new small scale tourism development in the open countryside, namely other forms of accommodation which do not involve the reuse of existing buildings. We support the fact that sites and proposals which are now screened by existing topography and buildings (as well as vegetation) will now be considered acceptable. We also support the policy approach that a means of managing a site does not require a dwelling to be on site in all circumstances. We also support a policy which enables accommodation to be serviced, i.e. connected to a foul drainage system and we agree that schemes of this type should be in close proximity to and adequately accessible to the existing road network and provide adequate levels of car parking.

(Continue on a separate sheet / expand box if necessary)

### 6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to soundness. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

No modification to the sections of Policy UE1 referred to above are being sought by this representation.

(Continue on a separate sheet / expand box if necessary)

**Please Note:** Your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he / she identifies for the Examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the Examination?

Click here to enter text.

No, I do not wish to participate at the oral Examination

X

Yes, I wish to participate at the oral Examination

8. If you wish to participate at the oral part of the Examination, please outline why you consider this to be necessary.

**We would like to participate in the oral examination of Policy UE1. We act for a significant number of clients who have and will continue to pursue business, rural economic growth and tourism proposals in the countryside in the National Park area, therefore we are keen to understand how the debate into the merits or otherwise of this policy unfolds and to understand (and have an input into) any changes and modifications which may materialise as a consequence of the debate.**

*Please Note: The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the Examination.*

**Signature**

**Edwardson Associates**

**Date**

**22 May 2019**

## PART B – Your representation(s)

*Please use a separate sheet for each representation*

### 3. To which part of the Local Plan does this representation relate?

Paragraph?	5.12 and 5.13	Policy?	UE1 – Small Scale Tourism Accommodation	Policies Map?	Click here to enter text.
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### 4. Do you consider the Local Plan is:

a) Legally compliant?	Yes	Click here to enter text.	No	Click here to enter text.
b) Sound?	Yes	Click here to enter text.	No	<b>X</b>
c) Complies with the Duty to Co-operate?	Yes	Click here to enter text.	No	Click here to enter text.

### 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance, soundness of the Local Plan or its compliance with the duty to co-operate, please use this box to set out your comments.

**We object to the final paragraph of Draft Policy UE1 in relation to proposals for new static caravans or proposals to change touring caravan or camping sites to static caravan sites, except where proposals will reduce the visual impact of the site in the wider landscape. This approach (and the explanatory text set out in paragraphs 5.12 and 5.13), appear to set out a firm policy presumption against the very principle of static caravan proposals in the National Park area. Within the policy wording it states that this presumption against should apply except where visual impact in the wider landscape would be reduced, whereas paragraph 5.13 says new static caravan sites would be allowed where existing sites are being remodelled or extended, and furthermore paragraph 5.13 says that static caravans are altogether incongruous with a nationally protected landscape. There appears to be some confusion and conflict between the policy text and the explanatory text. We are not comfortable with, and we do not consider a policy to be sound, which sets out a total blanket presumption against a particular land use. Whilst we support the wording of the final paragraph of Policy UE1 which sets out an exception to the stated presumption against static caravans, we consider that the policy should be worded differently to say that small scale static caravan proposals (including changes from camping and touring caravan sites) would comply with policy, if they are being remodelled or extended (as per paragraph 5.12), or if they would reduce visual impact in the wider landscape, or if they are well screened and thus would not lead to harm to landscape. A policy such as this would allow for applications to be determined on their individual merits at any given moment in time within the Plan period, having regard to the particular context and characteristics of a site. A policy which places a blanket presumption against a land use is, in our experience, the wrong approach, because otherwise acceptable proposals are prevented from being supported and prevent planning authorities from supporting such proposals until a lengthy Local Plan review has been undertaken.**

(Continue on a separate sheet / expand box if necessary)

### 6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at question 5 above where

**this relates to soundness. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).**

Policy UE1 and paragraphs 5.12 and 5.13 should be modified and clarified to allow small scale static caravan proposals to be supported which are well screened by existing topography, buildings or adequate well established vegetation which is within the applicant's control and where arrangements for its long term maintenance can be demonstrated, and / or for proposals which will reduce the visual impact of the site in the wider landscape. This should include support for either new static caravan sites, the small scale expansion or remodelling of existing static caravan sites, and changes from camping and touring caravan sites to static caravan sites.

(Continue on a separate sheet / expand box if necessary)

**Please Note:** *Your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

*After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he / she identifies for the Examination.*

- 7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the Examination?**

Click here to enter text.

No, I do not wish to participate at the oral Examination

**X**

Yes, I wish to participate at the oral Examination

- 8. If you wish to participate at the oral part of the Examination, please outline why you consider this to be necessary.**

**We would like to participate in the oral examination of Policy UE1. We act for a significant number of clients who have and will continue to pursue business, rural economic growth and tourism proposals in the countryside in the National Park area, therefore we are keen to understand how the debate into the merits or otherwise of this policy unfolds and to understand (and have an input into) any changes and modifications which may materialise as a consequence of the debate.**

*Please Note: The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the Examination.*

**Signature**

**Edwardson Associates**

**Date**

**22 May 2019**

## PART B – Your representation(s)

*Please use a separate sheet for each representation*

### 3. To which part of the Local Plan does this representation relate?

Paragraph?	Click here to enter text.	Policy?	<b>UE2 – Development of Existing Tourism and Recreational Businesses</b>	Policies Map?	Click here to enter text.
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### 4. Do you consider the Local Plan is:

a) <b>Legally compliant?</b>	<b>Yes</b>	Click here to enter text.	<b>No</b>	Click here to enter text.
b) <b>Sound?</b>	<b>Yes</b>	Click here to enter text.	<b>No</b>	<b>X</b>
c) <b>Complies with the Duty to Co-operate?</b>	<b>Yes</b>	Click here to enter text.	<b>No</b>	Click here to enter text.

### 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance, soundness of the Local Plan or its compliance with the duty to co-operate, please use this box to set out your comments.

**We support a policy which provides opportunities for new build permanent tourism and recreation development. We acknowledge and agree with a policy approach which seeks to use or extend existing buildings first, but we also support a policy which additionally supports new buildings if existing buildings are not present, or if an applicant wishes to expand further beyond buildings which have already been used. We note that proposals must relate to an existing tourism or recreation business, but what about sites where applicants are proposing a new business from scratch and either want to use an existing building or build a new one? Is there scope to expand the policy further so that small scale, good quality new buildings can be approved for a new tourism or recreation business where one does not presently exist. Is the requirement to have an existing business already present too restrictive?**

(Continue on a separate sheet / expand box if necessary)

### 6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to soundness. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

One option would be to expand this policy to make it clear that new build tourism and recreation development could be supported where there is not an existing business in situ. If such new build proposals are of an appropriate scale and of high quality design then it should not matter that there is not an existing business on site. A small scale, high quality new building relating to a proposed new business enterprise should also be supported by this policy. Alternatively, proposals for new build holiday accommodation could be included within Policy UE1 – Small Scale Tourism Accommodation. What happens in a situation for a log cabin proposal, for example, which defines as a building and not as a caravan – which policy would such a proposal be considered under?

(Continue on a separate sheet / expand box if necessary)

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7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the Examination?

Click here to enter text.

No, I do not wish to participate at the oral Examination

Yes, I wish to participate at the oral Examination

8. If you wish to participate at the oral part of the Examination, please outline why you consider this to be necessary.

**We would like to participate in the oral examination of Policy UE2. We act for a significant number of clients who have and will continue to pursue business, rural economic growth and tourism proposals in the countryside in the National Park area, therefore we are keen to understand how the debate into the merits or otherwise of this policy unfolds and to understand (and have an input into) any changes and modifications which may materialise as a consequence of the debate.**

*Please Note: The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the Examination.*

**Signature**

**Edwardson Associates**

**Date**

**22 May 2019**

## PART B – Your representation(s)

*Please use a separate sheet for each representation*

### 3. To which part of the Local Plan does this representation relate?

<b>Paragraph?</b>	Click here to enter text.	<b>Policy?</b>	<b>UE4 – New Holiday Accommodation within Residential Curtilages</b>	<b>Policies Map?</b>	Click here to enter text.
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### 4. Do you consider the Local Plan is:

<b>a) Legally compliant?</b>	<b>Yes</b>	Click here to enter text.	<b>No</b>	Click here to enter text.
<b>b) Sound?</b>	<b>Yes</b>	Click here to enter text.	<b>No</b>	<b>X</b>
<b>c) Complies with the Duty to Co-operate?</b>	<b>Yes</b>	Click here to enter text.	<b>No</b>	Click here to enter text.

### 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance, soundness of the Local Plan or its compliance with the duty to co-operate, please use this box to set out your comments.

Edwardson Associates is a well-established planning consultancy based in Driffield in East Yorkshire. We have acted for many clients in the National Park and continue to do so. One of our key areas of expertise and interest is in the holiday and tourism sector. This includes the submission of applications for the use of land for the siting of high quality visitor accommodation proposals, including small scale visitor accommodation located within the curtilages of larger properties.

We object to the wording of Draft Policy UE4 – New Holiday Accommodation Within Residential Curtilages because it restricts opportunities for holiday accommodation within residential curtilages to the conversion and use of an existing building only.

The wording of this policy prevents in principle opportunities for the siting of small, scale, low key, high quality short-stay visitor and tourist accommodation within residential curtilages. This restrictive approach has the potential to prevent reasonable proposals from being approved on the basis of principle alone.

There may be properties with larger domestic curtilages wherein there is space to accommodate the siting of new and different forms of bed and breakfast / short stay serviced accommodation, such as a serviced shepherd’s hut or an old boat or vintage vehicle.

The objective of the policy in terms of safeguarding residential amenity is not questioned, likewise it is clear that the scale of any proposal should be appropriate, however we do not consider that acceptable schemes within residential curtilages can only consist of the re-use of existing buildings. Good quality, small scale holiday accommodation proposals can be satisfactorily located within larger, well-screened domestic curtilages without causing harm to residential or visual amenity, and a more pragmatic policy which offered such opportunities would reflect the spirit and objectives of paragraph 83 of the NPPF.

(Continue on a separate sheet / expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to soundness. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

We consider that the wording of Policy UE4 should be changed to provide opportunities for the siting of small scale visitor accommodation (such as shepherd's huts or similar) where a domestic curtilage is considered to be large enough to accommodate such proposals. Very small scale proposals of this nature can provide supplementary incomes to existing dwellings and families within the National Park and there will be some circumstances where proposals can be satisfactorily accommodated without compromising the residential amenities of the host dwelling, and without harm to the character and appearance of the locality etc. Furthermore, a planning condition can be imposed tying the operation of the consent to the host dwelling.

In conclusion, the objectives of Policy UE4 in relation to safeguarding residential amenity are acknowledged, however the policy as currently written unfairly and unreasonably precludes opportunities for appropriate small scale holiday accommodation proposals within the residential curtilages of larger, well-screened properties.

(Continue on a separate sheet / expand box if necessary)

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After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he / she identifies for the Examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the Examination?

Click here to enter text.

No, I do not wish to participate at the oral Examination

X

Yes, I wish to participate at the oral Examination

8. If you wish to participate at the oral part of the Examination, please outline why you consider this to be necessary.

We would like to participate in the oral examination of Policy UE4. We act for a significant number of clients who have and will continue to pursue business, rural economic growth and tourism proposals in the countryside in the National Park area, therefore we are keen to understand how the debate into the merits or otherwise of this policy unfolds and to understand (and have an input into) any changes and modifications which may materialise as a consequence of the debate.

Please Note: The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the Examination.

Signature

Edwardson Associates

Date

22 May 2019

## PART B – Your representation(s)

*Please use a separate sheet for each representation*

### 3. To which part of the Local Plan does this representation relate?

Paragraph?	Click here to enter text.	Policy?	<b>BL1 – Employment and Training Development</b>	Policies Map?	Click here to enter text.
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### 4. Do you consider the Local Plan is:

a) <b>Legally compliant?</b>	<b>Yes</b>	Click here to enter text.	<b>No</b>	Click here to enter text.
b) <b>Sound?</b>	<b>Yes</b>	Click here to enter text.	<b>No</b>	<b>X</b>
c) <b>Complies with the Duty to Co-operate?</b>	<b>Yes</b>	Click here to enter text.	<b>No</b>	Click here to enter text.

### 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance, soundness of the Local Plan or its compliance with the duty to co-operate, please use this box to set out your comments.

**We object to Criteria C of Policy BL1 on two grounds. Firstly, this policy provides no scope for a small scale business to be created in the open countryside using an existing contemporary building, such as a portal framed agricultural building. The policy requires employment proposals in the countryside to accord with the requirements of Policy CO12, which states that in order to be fit for conversion to employment use, buildings must be of architectural or historic importance. If it really is important that the planning policy Framework for the National Park recognises the need to diversify and strengthen the local economy (as per the statement in paragraph 6.4), then a policy is needed which allows for other buildings located in the open countryside to be used for small scale employment uses. As currently written, Policy BL1 would prevent the change of use of buildings which are not of architectural or historic importance from being reused for small scale employment purposes. We also object to section C1 of Policy BL1 on the basis that small scale employment development in the open countryside must be physically and functionally linked to an existing business. This would mean that if you were a new business not currently in existence, any proposal would be contrary to this policy.**

*(Continue on a separate sheet / expand box if necessary)*

### 6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to soundness. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

To make this policy sound we suggest that Section C1 is amended to remove the requirement to adhere to Policy CO12 in all cases so that other types of existing buildings in the open countryside can be used for employment purposes. We also suggest that reference to 'physically and functionally linked to an existing business' should be removed, so that new businesses can also develop in the open countryside, rather than employment development in the open countryside being limited to existing businesses only.

*(Continue on a separate sheet / expand box if necessary)*

**Please Note:** Your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he / she identifies for the Examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the Examination?

Click here to enter text.

No, I do not wish to participate at the oral Examination

Yes, I wish to participate at the oral Examination

8. If you wish to participate at the oral part of the Examination, please outline why you consider this to be necessary.

**So we can explain to the Inspector why Section C1 of Policy BL1 is unsound, because it places unreasonable barriers in the way of diversifying and strengthening the local economy of the National Park.**

*Please Note: The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the Examination.*

**Signature**

**Edwardson Associates**

**Date**

**23 May 2019**

## PART B – Your representation(s)

*Please use a separate sheet for each representation*

### 3. To which part of the Local Plan does this representation relate?

Paragraph?	Click here to enter text.	Policy?	<b>BL3 – Rural Diversification</b>	Policies Map?	Click here to enter text.
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### 4. Do you consider the Local Plan is:

a) Legally compliant?	<b>Yes</b>	Click here to enter text.	<b>No</b>	Click here to enter text.
b) Sound?	<b>Yes</b>	Click here to enter text.	<b>No</b>	<b>X</b>
c) Complies with the Duty to Co-operate?	<b>Yes</b>	Click here to enter text.	<b>No</b>	Click here to enter text.

### 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance, soundness of the Local Plan or its compliance with the duty to co-operate, please use this box to set out your comments.

**We object to Criteria 1 of Policy BL3 on the grounds that proposals for the diversification of existing agricultural and forestry businesses must be compliant with Policy CO12 if it is proposed to make use of an existing building. Policy CO12 states that in order to be fit for conversion to employment use, buildings must be of architectural or historic importance. As currently written, Policy BL3 would prevent buildings which are not of architectural or historic importance from being reused for rural diversification purposes. It is our view that rural diversification can reasonably and satisfactorily take place using a range of different building types, including more contemporary buildings of functional utilitarian design, and not only buildings of architectural and historic importance. If it is not an absolute policy requirement that Policy CO12 is also complied with, (and we don't think it is), then we suggest that reference to Policy CO12 is removed from criteria 1 of Policy BL3.**

(Continue on a separate sheet / expand box if necessary)

### 6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to soundness. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

Remove reference to the requirement to be compliant with Policy CO12 from Criteria 1 of the policy text. Instead, state that rural diversification can take place using a variety of existing building types and also in new ones if there are no suitable existing ones available.

(Continue on a separate sheet / expand box if necessary)

**Please Note:** Your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

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**7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the Examination?**

Click here to enter text.

No, I do not wish to participate at the oral Examination

**X**

Yes, I wish to participate at the oral Examination

**8. If you wish to participate at the oral part of the Examination, please outline why you consider this to be necessary.**

**To explain to the Inspector why the necessity to be compliant with Policy CO12 may prevent otherwise reasonable rural diversification schemes from being supported.**

*Please Note: The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the Examination.*

**Signature**

**Edwardson Associates**

**Date**

**23 May 2019**

## PART B – Your representation(s)

*Please use a separate sheet for each representation*

### 3. To which part of the Local Plan does this representation relate?

<b>Paragraph?</b>	Click here to enter text.	<b>Policy?</b>	<b>CO12 – Conversion of Existing Buildings in the Open Countryside</b>	<b>Policies Map?</b>	Click here to enter text.
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### 4. Do you consider the Local Plan is:

<b>a) Legally compliant?</b>	<b>Yes</b>	Click here to enter text.	<b>No</b>	Click here to enter text.
<b>b) Sound?</b>	<b>Yes</b>	Click here to enter text.	<b>No</b>	<b>X</b>
<b>c) Complies with the Duty to Co-operate?</b>	<b>Yes</b>	Click here to enter text.	<b>No</b>	Click here to enter text.

### 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance, soundness of the Local Plan or its compliance with the duty to co-operate, please use this box to set out your comments.

Edwardson Associates is a well-established planning consultancy based in Driffield in East Yorkshire. We have acted for many clients in the National Park and continue to do so. Our work includes advising clients on the re-use of existing traditional buildings in the open countryside, including buildings of architectural or historic importance.

We object to two parts of Draft Policy CO12, as follows: -

We object to Point 7 on the basis that in order to be acceptable for conversion, buildings in the open countryside must be located within an existing group of buildings that have a close physical and visual relationship to each other. This policy requirement is not consistent with paragraph 79 of the NPPF, 2019.

Paragraph 79 of the NPPF, 2019, makes it clear that isolated homes in the countryside will be supported where (b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets, and (c) the development would re-use redundant or disused buildings and enhance its immediate setting.

Paragraph 79 of the NPPF, 2019 does not say that in the open countryside residential conversion options b and c will only apply to buildings which are located within an existing group of buildings that have a close physical and visual relationship to each other, or where there is an existing residential unit within that group of buildings. We do not understand where Criteria 7 comes from or why it is necessary.

We consider that the wording of Criteria 7 of Policy CO12 should be changed to be consistent with paragraph 79 of the NPPF, removing reference to the requirement for buildings to be situated within an existing group with a close physical and visual relationship to each other or where there is an existing residential unit within that group. As currently written the policy will unreasonably prevent

the residential conversion of single buildings of architectural and historic importance in the open countryside and/or other redundant or disused buildings which are not located within an existing group of buildings that have a close physical and visual relationship to each other.

There may well be examples of individual isolated buildings which stand alone in the open countryside, and which are of architectural and historic importance or which are redundant and disused. Proposals to redevelop these individual buildings would conflict with Policy CO12 as currently written. There appears to be no reasonable justification for this policy approach and test and it is clearly inconsistent with the National Planning Policy approach and its objective of providing opportunities for housing in the open countryside.

Secondly, we object to Criteria b of Policy CO12, which states that 'In the case of permanent residential accommodation a local connection condition will be applied'. We consider that imposing the local connection condition will limit and reduce opportunities for buildings of architectural or historic importance to be safeguarded in the long term.

Extending the residential reuse option to the wider open market will provide greater assurance that listed buildings, buildings at risk and other buildings of architectural or historic importance will be safeguarded in the long term.

Placing local needs conditions on open countryside conversion consents will make it more difficult for individuals to secure finance and /or obtain mortgages. This will deter many with a genuine interest, and those with the financial means, to invest in the purchase and long term stewardship of heritage asset buildings, either designated or non-designated.

We consider that in the planning balance, and in terms of delivering and securing sustainable development in the National Park, the greatest weight should be given to finding new lives for buildings of architectural or historic importance, not on controlling their occupancy.

The objectives of preserving, or better revealing or enhancing the significance of these building assets very often attracts greater levels of time resource and financial investment, including requirements to remove unsightly later additions to traditional buildings, remediation of contamination, the detailed recording of historic features, ecological surveys and a higher bar in relation to the quality of materials and attention to architectural detail. Placing local needs occupancy restrictions on these buildings will limit and prevent real opportunities for these important buildings to be safeguarded.

Section 16 of the NPPF states that plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.

We consider that the NPPF's objective of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation is incompatible with tDraft Policy CO12 which seeks to control the residential occupancy of these heritage assets.

The best way to secure viable futures for buildings of architectural or historic interest is a strong policy which safeguards their architectural and historic interest, but also a pragmatic and workable policy which does not control their occupancy.

(Continue on a separate sheet / expand box if necessary)

- 6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to soundness. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).**

We consider that Criteria 7 of Policy CO12 should be removed. It is not necessary and it is not consistent with the NPPF. There will be buildings of architectural or historic importance in the open countryside which are not located within an existing group of buildings, and

where there is an existing residential unit within that group, but which would satisfy all other policy tests. Secondly, we contend that the local connection condition should not be applied to residential conversion consents of buildings of architectural and historic importance, for the reasons stated above.

Se

(Continue on a separate sheet / expand box if necessary)

**Please Note:** Your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

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**7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the Examination?**

Click here to enter text.

No, I do not wish to participate at the oral Examination

Yes, I wish to participate at the oral Examination

**8. If you wish to participate at the oral part of the Examination, please outline why you consider this to be necessary.**

**So we can explain to the Inspector why Criteria 7 of Policy CO12 is not consistent with the NPPF and why the use of the local needs connection condition is not appropriate for the conversion of buildings of architectural and historic interest in the Open Countryside.**

*Please Note: The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the Examination.*

**Signature**

**Edwardson Associates**

**Date**

**22 May 2019**