

North York Moors Local Plan

North York Moors National Park Authority's Response to Inspector's Matters, Issues and Questions.

MATTER 2 – COMMUNITIES - STRATEGIC POLICY M (HOUSING) / POLICIES CO6-CO20 (REF. EXMIQ/002)

- 2.1 **Does the plan set out an appropriate strategy for addressing the National Park's falling population levels and aging resident population, along with the need to support the local economy?**
- 2.1.1 We consider the Plan strikes the right balance between ensuring the National Park's first purpose is followed whilst helping meet the socio economic needs of North York Moors residents. The Plan introduces additional flexibility to bring forward new housing, employment and tourism accommodation compared to current policy.
- 2.1.2 This is particularly the case for new housing where we are proposing a significant evolution of policy – compared to current policy there is an increased rate of housing anticipated, expressed as a minimum (Strategic Policy M), a far more flexible replacement to the current strict, infill policy (Policies CO6-8), a new 'principal residence' category of housing (Policy CO7), a relaxation of restrictions around local occupancy (Policy CO13) and for the first time the Plan would allow for conversions in the open countryside to be for permanent residential ownership (local needs). Current policies allow for employment, tourism and residential letting uses only).
- 2.1.3 Priority is accorded to addressing the *local need* for affordable housing which has arisen as a result of high external demand pushing up house prices ([TP007](#), page 19), the size, type and tenure of the North York Moor's existing housing stock ([TP007](#), page 18), low average incomes ([EB003](#), page 75) and the disparity between house prices/rents and local incomes which means there is an 'affordability gap' ([EB003](#), pages 73-74).
- 2.1.4 The strategy will contribute to sustainable communities by helping those households who do not have access to existing housing - particularly younger, working age households - so that they can continue to live and work in the North York Moors. Over time, this should help to rebalance the North York Moors' population which has a higher than average older and very aged population and, consequently, a lower than average proportion of younger, working age people.
- 2.1.5 This change of policy has directly flowed from the awareness of falling population levels and the need to support the vitality of the National Park's villages, as was supported through consultation feedback received. The vast bulk of housing need identified within the National Park is being accommodated in neighbouring local planning authority areas.
- 2.1.6 The Plan also introduces policies aimed at meeting the needs of an ageing population including policies on residential annexes and smaller housing units. An extra care facility has also recently been built at Helmsley following allocation of land in the Helmsley Local Plan. Finally, the approach to bringing forward affordable housing sites in villages relies on housing needs surveys carried out by the Rural Housing Enablers, which will identify any particular needs, including those of the elderly – for example bungalows.

2.1.7 The Plan also supports the second purpose and statutory duty by including policies to manage new tourism development within the first purpose, and includes more flexible policies than at present. The Plan allows for larger housing sites to come forward in Larger Villages to support services and relaxing local connection criteria to allow anyone working for a substantive amount of time. It continues to support the farming sector and rural diversification and introduces a new policy on manager and staff accommodation. For example by no longer requiring chalet and camping sites to be screened by woodland (although they must be screened) and defining 'small scale' at Policy UE1 as up to 12 units (current policy DP17 of the [Core Strategy and Development Policies Document](#) [CP001] has a figure of 6 as a guide (paragraph 8.29)

Strategic Policy M

2.2 Is the housing requirement figure, including the figure for affordable housing, based on robust and up-to-date evidence? Is the approach taken to establishing a requirement figure reasonable having regard to national planning policy and guidance?

2.2.1 The Local Plan housing strategy takes as its starting point, and is justified by, the National Park designation. The level of new housing development must be compatible with [National Park purposes](#).

2.2.2 Evidence to underpin the housing strategy is set out in the [Housing Topic Paper \(TP007\)](#). It explains how the approach in the Plan reflects, and is consistent with, national planning policy and guidance for housing in National Parks.

2.2.3 We would stress that the figure of 29 homes per year in the SHMA and Local Plan **is not** a requirement i.e. an indication of the objectively assessed need for new housing in the National Park that helps meet national needs, rather it is a policy aspiration designed to help stabilise the National Park's population over the years 2016-35. Objectively assessed need across the four housing market areas over which the National Park lies is largely being met outside the National Park boundary (see table 1 of the [Housing Topic Paper \(TP007\)](#)). The exception a small amount for Ryedale, which is being met through allocations in the adopted Helmsley Local Plan. Any additional housing delivered through this Plan will therefore be in excess of objectively assessed needs across the four housing market areas that correspond with local district/borough boundaries.

2.2.4 National methods for calculating housing need are based primarily on population and household projections, which in turn are based on projecting forward past trends. They are therefore of limited use in an area such as the National Park where population has been in decline. This is because projecting forward a scenario where population has declined will assume that this decline will continue and hence that there is little or no housing need. This can be seen in Table 13 on page 59 of the [Strategic Housing Market Assessment](#) which shows a housing need of only six dwellings per year (the baseline projection) or a negative figure if a five year trend is used.

2.2.5 This is significantly below past completion rates and the Authority does not consider that a demographic projection approach would establish a realistic response to addressing local housing need given a declining population and a disparity between incomes and house prices.

2.2.6 Both the HBF and the Mulgrave Estate made comments on the Pre-Submission draft stating that the figure of 29 per year is low compared to recent completions. There has been an average completions rate over the 2008/9 to 2018/19 period of 42 new homes per year. In our view this does not take into account the evidence underpinning the plan and does not account for complexity of the relationship between housing supply and population levels in the National Park.

2.2.7 Firstly, the figure is very deliberately presented as a minimum, with the Plan being clear at paragraph 7.28 that the figure is not be used to put a moratorium on new development once it

has been reached – decisions about new development will be based on the quality of the proposal rather than solely on numbers and the extent to which it will meet identified local needs. The Authority will be supportive of new housing that meets local needs whilst respecting National Park purposes.

- 2.2.8 Secondly, as the Plan does not allocate housing sites it is not the case that it can revise the figure upwards and allocate more sites. 49% of housing delivery in the National Park over that time came from sites of 5 units or fewer and a further 26% of rural exceptions sites, with the majority of the remainder being from development at Helmsley.
- 2.2.9 Thirdly, 128 of these completions relate to recent completions on allocated sites at Helmsley, which (23%) lowers the average to 22 over eleven years when removed. The locations at Helmsley were part of a separate plan that sought to meet housing needs over a long term period (till 2025) and will add a further 296 homes to a town of 1,530. Most of these houses are recently occupied or yet to be occupied and residents will not yet have been counted in population statistics.
- 2.2.10 Fourthly, the evidence set out in the [Strategic Housing Market Assessment](#) [EB003] shows that a figure of 29 per year is what is needed to stabilise population levels over the plan period.
- 2.2.11 Regarding the evidence used to establish the figure of 29 homes per year, the SHMA was published in 2016. This used a 2014 mid-year sub national population projection figure for the National Park and projected it forward using 2012 population and household projection assumptions on births, deaths, migration and household formation.
- 2.2.12 The Plan does not include a separate housing requirement figure for affordable housing. The [Strategic Housing Market Assessment](#) estimated that 21 affordable homes per year would be needed (table 29, page 89). This would be 72% of the overall total of 29. This figure is based on the standard ‘stock and flow’ method of estimating affordable housing supply and uses Census, Core Projection modelling and affordability data. In practice, the availability of new affordable housing (outside Helmsley) will be dependent on grant as new supply will come from a rural exception site approach – due to the scale of development that comes forward the Authority does not operate a cross subsidy model in its villages. 28 affordable units have yet to be completed at Helmsley and permission has recently been granted for 12 units at Staithes. In practice the ‘rural exception approach’ will establish need on a village by village basis through local housing needs survey work.
- 2.3 Is the strong reliance upon continued delivery from windfall sites and affordable housing schemes reasonable and soundly based, having particular regard to the apparent lack of appropriate development sites identified during the plan’s production?**
- 2.3.1 We are confident that the anticipated supply of housing will come forward, and that this level will be greater than over the previous Core Strategy and Development Policies document period as a result of the wider approach to new housing development in the Local Plan.
- 2.3.2 A call for sites was made as part of the ‘First Steps’ consultation in September 2016 and details are in the Authority’s [Land Availability Assessment](#) [EB004]. A total of 87 sites were put forward but the assessments showed that the majority were not in sustainable locations and those that were would be acceptable under the Plan policies. Additionally due to the small numbers of houses built in the National Park compared to most local planning authorities it is considered better to continue with the existing approach which relies on conversions, windfall development within villages and rural exception schemes rather than adopt an allocations policy.
- 2.3.3 Housing supply in the Plan is essentially made up of three components (see the housing trajectory on page 68 of the Housing Topic Paper [TP007] for more details):

1. **Housing in Helmsley.** The Authority put in place steps to boost housing levels in its

single town through the Helmsley Plan in 2015. From the base date of the Plan up to the current monitoring year 2018/19 134 units have been completed and a further 74 are under construction. The total of 208 is more than a third (38%) of the plan's anticipated completions rate of 551 new homes.

2. **Rural exception sites.** Paragraph 8.12 and Appendix 4 of the [Housing Topic Paper](#) [TP007] show that 14 schemes yielding 119 affordable dwellings have been completed since 2008. This is 11 per year, equivalent to 38% of the Plan's anticipated completions rate of 29 per year. There is still an ongoing 'rolling' programme of rural exception sites being worked up with parishes and Rural Housing Enablers. The 2019 update to the Strategic Housing Land Assessment also shows that there are 50 affordable units identified as either deliverable or developable on rural exception sites. 12 units have recently been permitted on a rural exception site at Land off Hinderwell Lane, Staithes. We can therefore be confident that this source of supply will continue to deliver.
3. **Windfalls on Suitable Sites.** The windfall delivery rate in the Housing Trajectory (15 dwellings per year) is based on the record of actual schemes of less than two units over a ten year period from 2008/2009 to 2017/18 and is considered to be realistic. This would be equivalent to 52% of the annual anticipated rate of 29 per year set out at Strategic Policy M. The delivery rate is considered to be realistic particularly given the Plan's wider definition of windfall sites in villages.

2.3.4 The National Park area has historically seen a high rate of building in recent years. A total of 462 units were completed between April 2008 and March 2019 (an eleven year period). This is 42 per year, of which 70% (325 units) were new build and 30% (137 units) conversions or change of use of existing buildings. This is notably higher than the anticipated completion figure of 26 per year in the Core Strategy indicating that policies have been delivering more new housing in the National Park than in the 1990s and 2000s. This figure does however include 115 completions on land allocations in the 2015 Helmsley Local Plan, including 65 affordable homes (61 as part of an extra care facility).

2.3.5 Completions were as follows:

	New Build		Conversions		All completions	
	No.	%	No.	%	No.	%
Open Market	90	19.5%	43	9.3%	133	28.8%
Local Needs	46	10.0%	94	20.3%	140	30.3%
Affordable	189	40.9%	0	0.0%	189	40.9%
Total	325	70.3%	137	29.7%	462	100.0%

2.3.6 The Authority has therefore maintained a successful record of housing delivery since 2008. This is based on a more restrictive policy approach than that proposed in the Plan. This is explained at 1.10 of the [Housing Topic Paper](#), but the change from current infill policy to 'suitable sites' which will allow more dwellings, combined with a more flexible principal residence/local connection policy and more flexibility on conversions in the open countryside is expected to bring forward additional housing supply.

2.4 **Is the plan effective in setting out what is meant by paragraph 3 of the policy and what is expected of development proposals in this regard?**

2.4.1 This is explained at paragraph 7.27 which explains that information in the [Strategic Housing Market Assessment](#) (SHMA) [EB003] should be taken into account when developing proposals. The main housing needs as assessed by the 2016 SHMA were for smaller homes, affordable homes and homes for local needs. Chapter 8 of the SHMA sets out evidence on the need for different sizes of homes. Paragraph 8.15 states the evidence suggests a need for two bedroom homes and projects a surplus of four bedroomed stock.

- 2.4.2 The reference to ‘other local surveys’ is primarily meant to refer to affordable housing needs surveys as compiled by the Rural Housing Enablers, however, as it is possible that other surveys may be undertaken (for example as part of neighbourhood planning) the term is expressed less specifically.
- 2.5 **To be effective, and to allow for robust monitoring and for compliance with national planning policy, should the plan contain a housing trajectory and indicators of action to be taken if housing deliver is not being achieved?**
- 2.5.1 A housing trajectory is set out at Section 6 of the [Land Availability Assessment](#) [EB004] and [Appendix 8 of the Housing Topic Paper](#). [TP007].
- 2.5.2 It is not however included within the Plan itself. We are aware that the NPPF states that strategic policies should include a trajectory ([NPPF 73](#)) [NPG001]. The Plan was drafted prior to the publication of the [July 2018 version](#) of the NPPF (the Preferred Options version came out the same month) which for the first time required that strategic policies (i.e. the development plan) should include a trajectory. The [2012 NPPF](#) required only that the local plan authority should set out a planning trajectory, a requirement that dates back to [Planning Policy Statement 3 \(Housing\)](#) (2006) which indicated they were part of the monitoring framework (footnote 30).
- 2.5.3 In our view the trajectory shows illustrative evidence and is a monitoring tool rather than policy, and any trajectory included in the Plan will become quickly out of date. Trajectories were originally introduced to provide an ‘early warning’ of where housing supply policies risked under delivery so actions could be undertaken. The bulk of future supply in the Plan (once the Helmsley Local Plan sites are built out) is dependent on windfall development, including rural exception sites – it is therefore difficult to illustrate a *known* rate of development over a fifteen period and there is therefore less of a case for including the housing trajectory in the Plan.
- 2.5.4 Regarding ‘indicators of action’ within the Plan itself, typically plans in areas outside National Parks would have a range of options available to them around controlling the planning pipeline of allocated sites or bringing reserve sites forward, as well as examining barriers to delivery of allocated sites. This is not an option open to this Authority, which is anticipating a limited amount of development through windfalls and rural exception sites. The Authority is also not subject to the Housing Delivery Test which could necessitate the preparation of an action plan (NPPF 75).
- 2.5.5 The only indicators of action open to the Authority if housing supply was below anticipated levels would be to revise the Plan policies (a mechanism now exists to make sure this is done as plans have to be reviewed every five years) or to work with Rural Housing Enablers to identify and deliver exception sites for affordable housing – which is already routinely done.
- 2.5.6 Finally we would also note that only one of the ten National Parks and Broads Authorities that have adopted a Plan since 2012 (the Broads Authority) have included a housing trajectory in their Plan, with four having plans adopted or examined in recent years (The Yorkshire Dales, Exmoor, the New Forest, and the South Downs).
- 2.5.7 To conclude, we feel the inclusion of a housing trajectory within the Plan itself would not ‘add anything’ in terms of policy or an up to date understanding of the sources of supply. We also do not think it is necessary or possible to set out any potential actions beyond that already set out in the final sentence of paragraph 7.28 – i.e. a plan review.

Housing Policies Diagram

- 2.6 **Is the content of the text boxes effective in setting out what is specified by the plan policies (as opposed to what is mentioned in the supporting text and which is not policy)?**

- 2.6.1 The suggested changes to Policies CO7 and CO8 (see response to Matters 2.13 and 2.15 below) would address the concern that the text boxes cover supporting text as well as policy wording. We also think that the purpose of the diagram – which is to guide applicants to the particular policies that cover various types of housing development – could be clarified by changing the title to “*Housing Policies Guide*”. Minor modification to title of Housing Policies Diagram suggested: ~~Local Plan – Housing Policies Diagram~~ Guide.
- 2.6.2 We have noticed two amendments that need to be made to the diagram to make sure it fully matches policy. Within the ‘Helmsley New Build Box’ as policy would not allow for schemes of five or more units to be permitted. A main modification is requested:
- 2.6.3 (Helmsley) New Build. Open Market on suitable sites of no more than 5 units within the defined development limits. ~~Where 6+ units or 0.2 ha+, 40% to be affordable.~~
- 2.6.4 (Larger Villages) New Build. 100% affordable on Rural Exception Sites adjacent to the village. ~~or, on~~ larger sites (6+ units) within the main built up area of the village, 100% affordable but will accept an element of Principal Residence for viability reasons.

Policy CO6

2.7 Is it effective for policy to suggest that development “*will be permitted*” where it meets the specified criteria?¹

- 2.7.1 Many of the policies in the existing [Core Strategy and Development Policies Document \[CP001\]](#) use the wording “*developmentwill be supported*”. That is appropriate for a strategic document but it was considered that there would be greater clarity for applicants if policies in the new Local Plan, particularly the development management policies, were more positively prepared, using the phrase “*developmentwill be permitted*”.

2.8 Is the policy justified and necessary given that the Helmsley Local Plan 2015 is still in place?

- 2.8.1 Yes, Policy CO6 is both justified and necessary. We accept that there is some duplication with policies in the [Helmsley Local Plan 2015 \[CP003\]](#) but Policy CO6 is included for transparency and to ensure that there is a consistent policy approach across the National Park, for example in relation to the new approach to small windfall sites and new internal floor area requirements. The plan periods are slightly different for the two documents with the Helmsley Local Plan running to 2027 and the new Local Plan running to 2035. As the settlement is split by the National Park boundary, the Helmsley Local Plan was prepared jointly with Ryedale District Council who have not raised any concerns in consultation about Policy CO6 being included in the Local Plan.

2.9 If it is justified, is the policy consistent with the Helmsley Local Plan 2015, with particular regard to internal floor area requirements, affordable housing provision and reference to “*the main built up area*” rather than a Development Limit?

- 2.9.1 A new policy approach to internal floor area requirements is being proposed in the Local Plan in order to encourage the development of more small dwellings which will meet the needs identified in the [Strategic Housing Market Assessment \[EB003\]](#) and be more affordable for local people. If the Plan is adopted as currently drafted, the 93 sq. m maximum will apply to new build windfall developments in all listed settlements and it is both logical and desirable for it to apply in Helmsley so that there is a consistent approach across the National Park. Policy H2 of the [Helmsley Local Plan 2015 \[CP003\]](#) requires a windfall site to “*fulfill the relevant policy requirements set out in the Ryedale Local Plan Strategy or North York Moors Core Strategy and Development Policies Document*”. Under current policies there is no internal floor area requirement but it will become a “*relevant policy requirement*” if the Plan is adopted as

¹ N.B. This point also applies to the following policies (Strategic Policy C, J, K; CO1; CO3; CO7; CO8; BL1; BL3-BL5; BL8; BL10; UE1)

currently drafted. Paragraph 1.11 of the Plan confirms that, when adopted, “*this Local Plan and other elements of the development plan will replace all policies in the 2008 Core Strategy and Development Management Policies document.*” Once adopted, therefore, the internal floor area requirement will be consistent with the Helmsley Local Plan.

2.9.2 See response to Matter 2.11 below regarding how the requirement for affordable housing provision contained in Policy CO6 is consistent with the Helmsley Local Plan 2015.

2.9.3 The term “*main built up area*” used in Policy CO6 is not consistent with the term used in the Helmsley Local Plan. In Policy H2 of the [Helmsley Local Plan 2015 \[CP003\]](#) windfall development is supported on sites located within the defined Development Limit where the site fulfills the relevant policy requirements. Policy CO6 in the Local Plan should therefore also refer to the defined Development Limit. Main modification to first sentence of criterion 3 of Policy CO6 suggested: **3. As conversion of an existing building which lies within the ~~main built-up area~~ defined Development Limit and makes a positive contribution to the character of the settlement.**

2.9.4 We would also like to suggest a modification to criterion 2 of Policy CO6, to be consistent with the modifications suggested in response to Matters 2.13 and 2.15 below. It would be appropriate for the number of dwellings permitted on windfall sites in Helmsley to be in the policy wording rather than being in the supporting text. Main modification to first sentence of criterion 2 of Policy CO6 suggested: **2. On suitable ~~small sites~~ capable of accommodating no more than five dwellings brought forward under Policy H2 of the Helmsley Local Plan as Windfall Development.**

2.10 **Is the policy’s approach to internal floor area limits justified and positively prepared?**²

2.10.1 Yes. The proposed new policy to restrict the size of newly built dwellings is considered to be important. It will help move towards a more appropriate mix of dwelling sizes within the overall stock in the National Park as well as encouraging new development that will be suitable and more affordable for young working people. It will encourage development that meets the needs identified in the [Strategic Housing Market Assessment \[EB003\]](#) and it is also an appropriate response to demographic changes which mean there is a growing proportion of smaller households within the population. It also helps use land more efficiently.

2.10.2 Further information and evidence about the new policy approach to internal floor area limits is in Sections 7 and 12 of the [Housing Topic Paper \[TP007\]](#). The need to limit the size of new dwellings is justified by evidence which shows that:

- The National Park’s existing housing stock has a higher than average proportion of larger, detached housing and that consequently it does not provide a range of accommodation sizes and types to meet the needs of all sections of the local community. This affects different prospective occupiers not just those in affordable need;
- There is a disparity between house prices/rents and local incomes and this is exacerbated by the size and type of the existing housing stock.
- In addition, older households, often living in family housing, may need smaller, more manageable housing to move to.

2.10.3 The Plan focuses on new development to address the needs of existing and future households in the National Park. Size limits are important to help to provide a better mix of housing in the stock as a whole and, together with local occupancy conditions; they are a way of influencing and improving the affordability of housing in the National Park.

² N.B. This point also applies to the following policies (CO7; CO8)

2.10.4 The Authority considered a number of different figures and concluded that the upper size limit for new dwellings should be 93 square metres. This figure is taken from the Government's national space standards, ('Technical housing standards – nationally described space standard' Department for Local Government, March 2015) and is the minimum gross internal floor area for a 3-bedroom, 5-person dwelling. The Authority is suggesting this figure rather than a smaller figure set for 2-bedroom dwellings because the standard sets a minimum amount of space required whereas the Local Plan policy wording is effectively a maximum. We are also aware of concerns that some new housing has insufficient storage space. The 93m² figure would cover 1 and 2-bedroom dwellings of varying styles and designs as well as some smaller 3-bedroom dwellings. It would provide flexibility and would allow for a good standard of smaller sized new housing in the National Park. Over time it would help to re-balance the range of sizes within the existing housing stock. The approach also follows on from a 93m² size limit included in the adopted Local Plan for Exmoor.

2.10.5 The size limit does not apply to conversions nor to affordable housing schemes developed in response to the needs identified in a specific local housing survey so the policy is considered to be positively prepared and not over-restrictive.

2.11 **Is the policy correct in appearing to set out that no development other than conversions of six or more dwellings is subject to affordable housing provision?**

2.11.1 The three points of the policy set out the circumstances in which housing development will be permitted in Helmsley:

- Point 1 refers to sites that have been allocated in the [Helmsley Local Plan 2015 \[CP003\]](#) - these are larger sites where affordable housing **is** required in line with Policy H3 which sets an affordable housing target of 40% where viable.
- Point 2 refers to new build windfall development on sites within the Development Limit and relates to Policy H2, Windfall Development of the Helmsley Plan. Policy H2 refers to a site which comprise "*a small infill gap and/or fulfills the relevant policy requirements set out in the Ryedale Local Plan Strategy or North York Moors Core Strategy and Development Policies Document*". The Local Plan proposes a change in the definition of sites suitable for windfall development in the National Park and, if adopted as currently drafted, the relevant policy requirements in the North York Moors Local Plan will be that a site in Helmsley should be within the defined Development Limit and capable of accommodating no more than five dwellings. Affordable housing would not be required on these sites.
- Point 3 refers to windfall *conversions* where affordable housing is required where viable where six or more new dwellings will be created. Again, this is in line with Policy H3 of the Helmsley Local Plan

2.11.2 The circumstances under which affordable housing could come forward in Helmsley would be within an allocated site or on a conversion of more than five units (or on an exception site). We consider that the policy as currently worded is correct and is in line with the Helmsley Local Plan in its affordable housing requirements.

2.12 **Is the plan clear how the "main built up area" is to be defined?**³

2.12.1 See paragraph 2.9.3 above in relation to Policy CO6, Housing in Helmsley. Regarding the more general use of the phrase "*main built up area*" in the other policies listed in the footnote, this is a continuation of current policy wording that has been in use since adoption of the [Core Strategy and Development Policies Document \[CP001\]](#). Our current policy approach does not set settlement limits or boundaries and the interpretation of what constitutes the 'main built up area' of a village is decided on a case by case basis.

³ N.B. This point also applies to the following policies (CO7; CO11; Strategic Policy J; BL1; BL8)

2.12.2 The reason behind not using development boundaries relates to the settlement pattern of the National Park. The sporadic and loose knit character of many settlements means that it would be difficult to draw a sensible development boundary for every part of every settlement. Furthermore, the imposition of a 'boundary' can put pressure on the areas within it for development, thus changing the character of a settlement. Experience of this approach over several years has enabled officers to build up a consistent approach to what constitutes the 'main built up area' for different settlements.

2.12.3 This issue was one of the main matters considered at the public examination into the Core Strategy. The Inspector's report concluded that, although it would be possible to draw sensible boundaries around the settlements in the Park, the approach in the document represented the most appropriate in all the circumstances and met the tests of soundness. He pointed out that although *'judgement is necessary in the consideration of proposals on their merits.....similar judgements would have to be made in order to delineate boundaries around settlements for development control purposes'*.

2.12.4 The Authority's 'case by case' interpretation of what constitutes the main built up area of settlements has been supported on appeal under both the Local Plan and Core Strategy and Development Policies.

Policy CO7

2.13 **Is it effective to locate in the supporting text (paragraph 7.47) what appears to be worded as policy, in relation to the number of dwellings permitted on windfall sites?**

2.13.1 We agree that the number of dwellings permitted on windfall sites in Larger Villages should be incorporated into the policy wording rather than being in the supporting text. Main modification to criterion 1 of Policy CO7 suggested: **1. On suitable ~~small sites~~ capable of accommodating no more than five dwellings within the main built up area of the village.**

2.14 **Is this supporting text's aim to restrict windfall sites to no more than five dwellings justified and positively prepared? What is the rationale for this number?**

2.14.1 The rationale for including a size limit of five dwellings came from a wish to increase the number from two, as originally set out for all villages at the time of the ['Current Thinking'](#) consultation. Current policy is only for one dwelling. Consultation feedback had suggested that there should be more scope for new development in the main built up area of Larger Villages to support their economic and service function. It was still considered important to include a figure that would encourage an appropriate scale of development within these National Park villages and experience/local knowledge suggested there were few locations within villages (if any) where developments of more than five units could be accommodated. To illustrate, only one site of more than five dwellings has been built in the last eleven years outside Helmsley - excluding rural exception sites - despite current policy (Core Policy J) allowing for housing on non-infill sites in Service Villages.

2.14.2 The figure of five is also the figure used by national planning policy above which an affordable housing contribution can be sought and using it for the limit for windfall sites in Larger Villages is consistent with Policy H3 of the Helmsley Local Plan which requires affordable housing provision on non-allocated sites coming forward for six or more units. In short the figure was selected on the basis that there was support for increasing the figure from two; that sites should still be small in scale and tempered by the knowledge that past experience has shown that larger sites have not come forward in past years.

Policy CO8

2.15 **Is it effective to locate in the supporting text (paragraph 7.48) what appears to be worded as policy, in relation to the number of dwellings permitted on windfall sites?**

2.15.1 We agree that the number of dwellings permitted on windfall sites in Larger Villages should be incorporated into the policy wording rather than being in the supporting text. Main modification to criterion 1 of Policy CO8 suggested: **1. On suitable ~~small sites~~ capable of accommodating no more than two dwellings within the main built up area of the village.**

2.16 Is this supporting text's aim to restrict windfall sites to no more than two dwellings justified and positively prepared? What is the rationale for this number?

2.16.1 Yes. The rationale for this number was the wish to be more flexible than current policy in the [Core Strategy and Development Policies Document \[CP001\]](#) so that windfall housing developments could continue to come forward. Existing policy restricts infill development to a small gap within a continuously built up frontage capable of accommodating only one unit and an issue discussed in the early stages of the Plan's preparation was how many infill sites using the existing definition remain to be developed. A change from the current approach was considered to be needed in order to allow additional sites to come forward that may have not done so in the past and to allow for the more efficient use of land. The figure of two was chosen because Smaller Villages are sensitive locations with limited local services and it is important for new housing to be small in scale in order to support sustainable development and retain the character of these settlements.

2.17 Is the policy's approach to affordable housing provision justified and effective?

2.17.1 Yes. Outside Helmsley (which has its own adopted policies) the approach is for affordable housing to be delivered almost entirely through rural exception sites, with no cross subsidy model used. This approach has been working (see response to MIQ 2.3) and has been highly effective in delivering affordable dwellings to meet locally identified needs in many villages across the National Park and evidence suggests it will continue to do so – a rolling programme of around eight sites is in progress.

2.17.2 Policy CO8 would allow for affordable housing on a small site within the main built up area of a Smaller Village but it is acknowledged that housing associations would be likely to find it difficult to make such small schemes work, unless it were possible to combine a number of small sites situated reasonably close together in one development proposal. Such circumstances are likely to be very rare but it was considered desirable to allow for affordable as well as local needs housing on small windfall sites in Policy CO8 in order not to block any potential opportunities for appropriate affordable schemes. In practice it is likely that the vast majority of affordable dwellings would be delivered as rural exception site schemes under Policy CO11.

2.17.3 The policy also includes criterion 2 which seeks the provision of affordable housing within a conversion of six or more units. Again, it is acknowledged that in practice this scenario is highly unlikely to happen (only one scheme of more than five units has been developed within the built up area of all villages in the last eleven years), so we would describe this criterion as being there 'in case' - we do not want to lose the opportunity for appropriate affordable provision should such a circumstance arise. The figure of six is due to national policy requirements ([NPPF 63](#)) [NPG001]. Because the affordable housing requirement covers conversions only and would rarely (if ever) be applied it is not possible to test viability at a plan-wide level and, should a scheme emerge, viability would need testing on a case by case basis.

2.18 Is the policy's approach to the type of housing that may be permitted in Smaller Villages justified and positively prepared?

2.18.1 Yes. Policy CO8 permits both local needs and affordable housing schemes in Smaller Villages, thereby meeting the priority needs identified in the [Strategic Housing Market Assessment \[EB003\]](#). The overall policy approach to housing in the National Park is to permit open market housing in Helmsley, principal residence housing in Larger Villages and local needs housing in Smaller Villages. Affordable dwellings are permitted in all settlements. The justification for

permitting open market housing in Helmsley and principal residence housing (a form of market housing) in Larger Villages is to support the vitality and wider service function of these settlements. Smaller Villages by definition have a smaller population and fewer services and any new development needs to be small in scale in order to be sustainable and conserve the character of the settlement. Opportunities for windfall housing development are therefore limited and it is considered important that they should be used to meet the priority needs of local people rather than meeting housing needs arising outside the National Park. The policy is positively prepared as it is worded to enable Smaller Villages to have an appropriate scale of new development that meets local needs and is consistent with the National Park first purpose to conserve the protected landscape.

2.18.2 We would also like to request an addition to paragraph 7.48 to signpost that where applications are made to change local connection criteria to principal residence the requirements set out in Policy CO13 are complied with. This is mentioned in supporting text of Policy CO13 (and we are suggesting a modification to place it in the policy), however we think it warrants a mention here to make sure plan users are aware of Policy CO13:

2.18.3 Suggested main modification at end of paragraph 7.48: Applications to change a local connection condition to a principal residence condition will be assessed under Policy CO13.

Policy CO9

2.19 **Is it effective to seek compliance with a document that does not exist? Is this requirement justified given that this issue is addressed by other policies?**

2.19.0 Point 7 of the Botton Village policy requires all development to respect the existing character of the neighbourhood and its landscape setting as set out “*in any future Botton Village character appraisal.*” The Camphill Village Trust community at Botton was founded in 1955 and is organised around eight ‘neighbourhoods’ based on buildings around Botton Hall and six scattered farmsteads. The Camphill community was influenced by the philosophy and architecture of Rudolf Steiner (1861-1925) and the central neighbourhoods in particular have a very distinctive character with buildings that have an organic, expressionist architectural style. As part of the discussions about the proposed Botton Village policy it was agreed that it was important to conserve the features which contribute to the unique character of the village and a Botton Village character appraisal was suggested as the appropriate way to take this forward. The formal arrangements for an appraisal have not yet been agreed but the intention is that it would be carried out and eventually adopted by the Authority in a process similar to a Conservation Area Appraisal. It is likely that there would be sections covering the historical development of the community, the character and form of the settlement, an architectural appraisal of key buildings, important spaces and views, and principles for future development.

2.19.1 We expect the Appraisal to be carried out and adopted within the lifetime of the Local Plan and have therefore included reference to it in Policy CO9. We consider it justified because of the unique physical character of the settlement – the intention is that the Botton Village character appraisal will include some clear guidelines regarding future development in different parts of the settlement which will be more specific than the general requirement included in Strategic Policy C that new development should complement existing buildings and the form of settlements.

2.19.2 We do, however, accept that the wording of point 7 should be improved. As currently drafted, there could be confusion about whether it will apply to the Botton Village Character Appraisal once it is adopted. Minor modification to Policy CO9 suggested: **7. All development should respect the existing character of the neighbourhood and its landscape setting as set out in any future adopted Botton Village character appraisal.**

Policy CO10

2.20 **Does the list of criteria require an “and” after criterion c) to be effective?**

2.20.1 We do not think this is essential since para 1.18 says that throughout the Plan, unless stated otherwise, where policies contain separate criteria all criteria are intended to apply. It could be interpreted that adding “and” implies that it is only the last two criteria that must apply together.

Policy CO11

2.21 Is it clear what “*adjacent*” to the main built up area means?

2.21.1 The word “*adjacent*” to the main built up area in Policy CO11 has its common dictionary meaning of ‘next to’ or ‘adjoining’. It is a matter of professional judgement by planning officers whether individual plots of land would be regarded as adjacent to the main built up area of a village. It is not intended to permit sporadic outlying development beyond the edges of villages and the Authority generally supports locations where there is no gap between the proposed site and an existing developed plot at the edge of the main built up area. There may be occasional circumstances where the particular pattern of land ownership means that the proposed site is not exactly contiguous but this would be unusual and would be supported only where the new housing would appear as a natural extension of existing development at the edge of the village.

2.21.2 The phrase “*adjacent to the main built up area*” is used in the current [Core Strategy and Development Policies Document](#) [CP001] Core Policy K, Affordable Housing on Exception Sites and most of the completed schemes have been in such locations. The wording is familiar to Rural Housing Enablers and Registered Providers operating in the area, consultants, planning agents and local communities. Its interpretation has not led to problems in practice and the early stages of working up a rural exception site scheme usually involves consideration of a number of potential sites and discussion about which ones would meet the policy requirements. The Authority believes that it is beneficial to have a policy wording which enables particular sites to be considered on their merits and does not think it necessary to amplify the meaning of “*adjacent*”.

2.22 Are criteria 2 and 3 effective and justified, given that affordable housing is already permitted within Larger Villages and Smaller Villages (under policies CO7 and CO8 respectively) and, as such, would not be an exception to the hierarchy policies?

2.22.1 Criterion 2 is considered to be effective and justified since it refers to affordable housing schemes being permitted as an exception to policy within the main built up area of a Larger Village where the site is capable of accommodating *more* than five dwellings. Policy CO7, Housing in Larger Villages permits principal residence and affordable housing on ‘suitable’ sites within the main built up area of the village - defined in paragraph 7.47 as those capable of accommodating no more than five dwellings (i.e. *five or fewer* dwellings). The sites referred to in criterion 2 of Policy CO11 would not therefore be permitted for housing under Policy CO7 so they would be an exception to the hierarchy policies.

2.22.2 It is however accepted that the wording of criterion 3 of Policy CO11 needs to be amended. Policy CO8, Housing in Smaller Villages permits local needs and affordable housing on ‘suitable’ sites within the main built up area of the village - defined in paragraph 7.48 as those capable of accommodating no more than two dwellings (i.e. two or fewer). Criterion 3 of Policy CO11 should refer to sites within the main built up area that are capable of accommodating *more* than two dwellings so it is clear that these sites are not ones that would be permitted for housing under Policy CO8. For clarity it is suggested that the requirements of the existing criterion 3 are split into two parts and the criteria are re-ordered into a more logical sequence. Main modification to Policy CO11 suggested:

1. **Adjacent to the main built up area of Helmsley or a Larger Village;**
2. **~~Within the main built up area of a Larger Village where the site is capable of accommodating more than five dwellings;~~ Adjacent to the main built up area of a Smaller Village, provided a Sustainability Appraisal demonstrates that the homes**

will contribute to the environmental, social and economic sustainability of the settlement.

3. ~~Within or adjacent to the main built up area of a Smaller Village provided a Sustainability Appraisal demonstrates that the homes will contribute to the environmental, social and economic sustainability of the settlement.~~ Within the main built up area of a Larger Village where the site is capable of accommodating more than five dwellings;
4. Within the main built up area of a Smaller Village where the site is capable of accommodating more than two dwellings, provided a Sustainability Appraisal demonstrates that the homes will contribute to the environmental, social and economic sustainability of the settlement.

2.23 **Are criteria b) and c) justified given that they are matters covered by other plan policies?**

2.23.1 We accept that it is not essential to include criteria b) and c) in Policy CO11 since they refer to matters that are also covered in Strategic Policy C, Quality and Design of Development. The reason for them being re-stated in Policy CO11 is that they are particularly pertinent to Rural Exception Sites, given the location of most schemes at or just beyond the edges of villages. Exception site schemes often change the outline of the village so their size, layout and design need particularly careful consideration to ensure that the new housing will not detract from the overall form and character of the settlement and will create a suitable link with the surrounding countryside. Their location also means that views into and out of the village may well be changed and it is important to ensure that any new development will not significantly detract from views that are important to the character and amenity of the settlement. Re-stating these principles as specific criteria in Policy CO11 is justified because it ensures that they will be taken into account from the outset when potential sites are considered.

2.24 **Does the second set of criteria require an “and” after criterion d) to be effective?**

2.24.1 We do not think this is essential since para 1.18 says that throughout the Plan, unless stated otherwise, where policies contain separate criteria all criteria are intended to apply. It could be interpreted that adding “and” implies that it is only the last two criteria that must apply together.

Policy CO12

2.25 **Should criterion 1 refer to historic “interest” to ensure internal consistency and to reflect the terminology of national planning policy and guidance?**

2.25.1 Yes. We agree that the policy wording would be improved by use of the word ‘interest’ rather than ‘importance’. Main modification to Policy CO12 suggested: **1. The building is of architectural or historic ~~importance~~ interest and makes a positive contribution to the landscape and special qualities of the National Park;**

2.26 **Does the policy require an “and” after criterion 7) to be effective?**

2.26.1 We do not think this is essential since para 1.18 says that throughout the Plan, unless stated otherwise, where policies contain separate criteria all criteria are intended to apply. It could be interpreted that adding “and” implies that it is only the last two criteria that must apply together.

2.27 **Is there a sound justification for the exclusion of community facilities from the final list of criteria?**

2.27.1 Policy CO12 as written follows our existing approach in [Core Strategy and Development Policies Document \[CP001\]](#) DP8 which does not permit traditional unlisted buildings in open countryside to be converted for use as community facilities. The rationale for this approach is

that it is part of the spatial strategy set out in Strategic Policy B to limit development in open countryside and focus new development in existing villages, encouraging sustainable development by supporting the existing service function of villages and helping reduce car journeys in the National Park.

2.27.2 However, it is accepted that there is an inconsistency between Policy CO12 as written and Strategic Policy B, The Spatial Strategy and Strategic Policy L, Community Facilities, both of which support community facilities being located in open countryside in exceptional circumstances where there are no suitable sites in Helmsley or one of the Larger or Smaller Villages. Not including community facilities in the list of permitted uses for converted buildings would have the unintentional effect of restricting such development to new buildings. The aim of Policy CO12 is to support the appropriate conversion of buildings which make a positive contribution to the landscape and it can be argued that there is little difference between a community facility and a tourism facility in terms of impact on the surrounding area. Any proposal for a new community facility would be assessed against SPL (and it would have to be shown that a village location was not available) but it is agreed that it should also be covered by Policy CO12 so that existing buildings can be considered where appropriate. Main modification to Policy CO12 suggested: **d. Community facilities, in exceptional circumstances and where the proposal meets the requirements of Strategic Policy L;**

2.27.3 **e. Purposes incidental to.....**

2.28 **Is it sufficiently clear from criterion 6 whether all of the factors mentioned bear upon character and appearance / landscape, or whether only parking areas are relevant in this regard?**

2.28.1 We agree that the wording and punctuation of criterion 6 should be improved to avoid any potential misunderstanding. Minor modification to Policy CO12 suggested: **6. The proposed use does not lead to changes, for example, in the building's curtilage or in relation to the creation of any new vehicular access or parking area, that would adversely affect the character and appearance of the building or the surrounding landscape;**

2.29 **Is criterion 7 justified and positively prepared? What is the rationale for it, given that standalone buildings are often perfectly suitable for conversion?**

2.29.1 Yes. Criterion 7 is justified by the need to conserve the National Park landscape and avoid inappropriate sporadic development in open countryside. The majority of conversion proposals submitted to the Authority are for buildings that belong to a traditional farmstead. They form part of a coherent group of buildings usually with a common access. Such farmsteads are a typical feature of the North York Moors landscape and the main aim of CO12 is to enable these buildings (usually redundant barns) to be converted to alternative uses to ensure their continued upkeep as an important part of the National Park built heritage. The Authority's experience is that conversions in these circumstances can be successfully carried out with the rural character of the building and the farmstead being retained.

2.29.2 Isolated standalone buildings are, by comparison, rare in the North York Moors and there are more landscape issues associated with their conversion for example the impact of domestic paraphernalia such as garden furniture, play equipment, sheds and new lighting. There is less likely to be an established curtilage large enough to accommodate a new use and the visual impact of new access, parking and other facilities is likely to be much greater. Extra activity associated with a new use is also more likely to be harmful where a building is in an isolated, standalone position. Creating new residential units in isolated locations also has implications in terms of the delivery of services such as waste collection, post and other home deliveries which can lead to long journey times, and over the lifetime of the Plan increased carbon dioxide emissions.

2.29.3 Including criterion 7 in Policy CO12 is largely a continuation of the existing policy approach and we think it is positively prepared because it supports the National Park's first conservation

purpose, discourages unsustainable development and is consistent with the spatial strategy. It helps protect landscape character and climate and does not prohibit development in most situations likely to arise in the North York Moors.

2.29.4 Finally we do anticipate that some conversions for sale will come forward where previous policy would have prevented it which represents a major change to current policy. Current policy ([Core Strategy and Development Policies Document](#) Policy DP8 [CP001]) restricts uses to employment, tourism accommodation and residential letting only.

2.30 Is criterion b justified and positively prepared? What is the rationale for requiring that there is an existing residential use?

2.30.1 Yes. The rationale for requiring that there is an existing residential unit within the group of buildings is to avoid the development of isolated new permanent housing in unsustainable open countryside locations. In the case of holiday accommodation, the necessary management is more likely to be successful if the 'host' accommodation is close by. An existing residential unit also means that there is an initial hub of activity, and landscape impact will be lessened compared to that created by an isolated new unit.

2.30.2 The criterion is positively prepared because it supports the spatial strategy set out in Strategic Policy B. As stated above, it would be unusual to have a conversion proposal where there was not an associated farmhouse in residential use so the requirement in criterion b is not considered to be one that would stop acceptable development proposals coming forward.

Policy CO13

2.31 Is this policy justified and effective given that it refers to a planning condition, the scope or aims of which could change, perhaps substantially, over the life of the plan?

2.31.1 Local occupancy restrictions have underpinned the successful delivery of housing to meet local needs in the National Park since 1992. The local connection criteria set out in policy CO13 have received support throughout the preparation of the Local Plan. We are unsure as to whether the question is asking about the overall policy approach or the use of a planning condition, and whether 'the scope and aims' that could change refers to the policy or the condition – in either case if the local connection criteria were to change this would necessitate a plan review. If the concern is about the circumstances of the occupants changing, it would remain the case that any new occupant would need to comply with the planning condition but that enforcement action would not be taken against occupants who had complied with the condition when they moved into a local needs dwelling but whose circumstances subsequently changed so that they no longer complied.

2.32 Is the policy positively prepared having particular regard to the three year time requirement and potential public sector equality implications? What impacts could it have, for example, upon those in need of care, or in need of becoming carers, within three years of moving into the National Park?

2.32.1 Yes. The Authority has sought legal advice on this and the view of this Authority this policy is compatible with the Equalities Act. The policy is positively prepared having particular regard to NYMNP's PSED in that it significantly positively advances the opportunity to occupy local needs housing of those with a care or support need (without excluding any "protected characteristic") compared to those that do not have a care or support need. The three year threshold only has the effect of reasonably limiting the extent of that significant positive advancement.

2.32.2 The potential impacts upon those in need of care or in need of becoming carers with the three year timeframe would only be positive, so far as those persons are compared to persons who do not or will not have such need.

- 2.32.3 The case of Buckley v Bath and North East Somerset Council 2018 highlights the need for the Authority's development management function to assess the potential PSED impacts of applying all our planning policies (including the proposed CO13) on a case-by-case basis - it might often be possible for a PSED-compliant policy to still have a PSED-non-compliant impact, such as applying CO13 to replacement builds rather than new builds, in which case a Buckley case scenario could potentially arise so would need to be identified/addressed. To this end the Authority is adding explicit PSED requirement to the application file checklist.
- 2.32.4 Should the Inspector still consider it the case that the policy is non-compliant because of the three year requirement this could be removed by deleting the words 'for at least the previous 3 years' in criterion 3 and 'for at least the previous 3 years in criterion 4.
- 2.32.5 We would also like to request a modification to the Plan. Paragraph 7.74 contains a phrase we consider should be in the plan as part of policy.
- 2.32.6 Suggested modification adding to the end of Policy CO13: **Applications to remove a local connection condition will only be permitted if it is clearly demonstrated that the property has been adequately marketed at a suitable price and for an appropriate period. In such circumstances the Authority will apply a principal residence.**
- 2.32.7 Suggested modification to paragraph 7.74: ~~Only if it is clearly demonstrated that the property has been adequately marketed at a suitable price and for an appropriate period, will the Authority consider changing a local connection condition to a principal residence condition.~~ **The replacement of a local connection condition with a principal residence condition will only be allowed where a property has been marketed at a suitable price for a period of 12-18 months.**

Policy CO14

- 2.33 **Is this policy justified and positively prepared, having particular regard to criteria 2 (issues of architectural or historic interest excepted), 3 and 5?**
- 2.33.1 Yes. This policy is largely a continuation of [Core Strategy and Development Policies Document](#) Policy DP21 [CP001]. The purpose of the policy is to allow for the development of a new dwelling (rather than a conversion) outside a settlement which would normally be contrary to policy. It is positively prepared and justified in that it allows a new dwelling to meet a need and would potentially improve local landscape character. The purpose of the policy to avoid the unnecessary replacement of dwellings that are part of the National Park's built heritage. Existing buildings are also part of the evidential record of how people have lived and farmed in the North York Moors over generations. Such buildings contribute to our understanding of the past and are a vital part of the area's cultural heritage. '*Locally distinctive buildings and building materials*' is one of the National Park's special qualities which the Authority has a responsibility to conserve.
- 2.33.2 The first part of criterion 3, which requires applicants to demonstrate that it is not feasible to repair or improve the existing dwelling is justified by the National Park's first conservation purpose to conserve and enhance the cultural heritage (including built form). Planning policies which restrict the development of new dwellings in open countryside have been in place for many years and most dwellings in open countryside are therefore older properties which are part of the built heritage of the National Park. It is important that these buildings are retained wherever possible to conserve the distinctive character of the local landscape. The second part of criterion 3 recognises that there may be circumstances where repairs are feasible but replacing the existing building would improve the local landscape character. The criterion is positively prepared in allowing such proposals to be permitted provided it is demonstrated that a new dwelling would make a significantly improved contribution. The supporting text at paragraph 7.76 points applicants to the North York Moors Landscape Assessment which will be referred to in assessing these applications.
- 2.33.3 In Open Countryside, the design, size and scale of new dwellings can have a significant impact

on the character of the surrounding area, particularly if the dwelling is in a prominent position. Criterion 5 requires replacement dwellings to be of an appropriate design and curtilage and is justified by the objective to conserve the character of the local landscape in the National Park. Requiring replacement dwellings to have a similar floor area and volume to the existing dwelling supports this objective and also ensures that the policy does not result in a reduction in the number of smaller dwellings in the overall housing stock. Criterion 5 is therefore both justified and positively prepared as it contributes to the overall strategic housing objective to ensure that a range of types and sizes of housing is available.

2.33.4 We would ask that a minor modification is made to paragraph 7.76 to remove the date of the Landscape Assessment. The current Assessment [EB001] is still dated 2004 and is still to be reviewed: *In considering applications under this policy, the Authority will have regard to the ~~2018~~ North York Moors Landscape Assessment.*

2.34 **Should criterion 2 refer to historic “interest” to ensure internal consistency and to reflect the terminology of national planning policy and guidance?**

2.34.1 Yes. We agree that the policy wording would be improved by use of the word ‘interest’ rather than ‘importance’. Main modification to Policy CO14 suggested: **2. The dwelling is in an unsatisfactory state of repair or lacks basic amenities and is not of architectural or historic ~~importance~~ interest;**

2.35 **Does the policy require an “and” after criterion 4 to be effective?**

2.35.1 We do not think this is essential since para 1.18 says that throughout the Plan, unless stated otherwise, where policies contain separate criteria all criteria are intended to apply. It could be interpreted that adding “and” implies that it is only the last two criteria that must apply together.

Policy CO15

2.36 **Is it clear what is meant by “two units” under criterion 4, given the focus of national planning policy and guidance upon numbers of “pitches”?**

2.36.1 We agree that using the word ‘units’ in the policy is potentially confusing and that it should be changed to ‘pitches’ in order to be consistent with national planning policy and the supporting text at paragraphs 7.78 and 7.79. Main modification to Policy CO15 suggested: **4. The proposed site is for no more than two ~~units~~ pitches and is in close proximity to the highway network in a position that is appropriate to the locality with existing screening.**

2.37 **Does the policy require an “and” after criterion 5 to be effective?**

2.37.1 We do not think this is essential since para 1.18 says that throughout the Plan, unless stated otherwise, where policies contain separate criteria all criteria are intended to apply. It could be interpreted that adding “and” implies that it is only the last two criteria that must apply together.

Policy CO17

2.38 **Does the policy require an “and” after criteria 2, b) and d) to be effective?**

2.38.1 We do not think this is essential since para 1.18 says that throughout the Plan, unless stated otherwise, where policies contain separate criteria all criteria are intended to apply. It could be interpreted that adding “and” implies that it is only criteria 2 and 3 that must apply together.

2.38.2 The two sets of subsidiary policy points listed with lower case letters cover additional requirements that must be met, first in the case of extensions and alterations to the existing dwelling and second, in the case of existing outbuildings and the development of new outbuildings. Since the wording which introduces both sets of subsidiary requirements is: **In the case of, the following criteria must also be met:** we do not think it is essential to add “and” to the penultimate criterion of each list.

2.39 Are both the first criterion a) and criterion c) justified and positively prepared? What is the rationale for the 30% and proximity requirements given that proposals would need to address criterion 1 in any case?

2.39.1 Yes. The justification for criterion a) which requires extensions not to increase the total habitable floorspace by more than 30% is set out in Section 16 of the [Housing Topic Paper \[TP007\]](#), with further details contained in an officer report '[Extensions to residential properties](#)' [EB009] dated October 2018. One of the issues raised during the early stages of preparation of the Local Plan was the number of proposals being submitted for large extensions. Large extensions are more likely to significantly alter the form and appearance of an existing dwelling and, where it is a traditional farmhouse in open countryside or on the edge of a village a large extension can have an impact on the character of the National Park built environment and the local landscape. Over a number of years large extensions will gradually reduce the stock of smaller, more affordable dwellings in the National Park, exacerbating the problem of there being insufficient smaller dwellings to meet local housing needs and frustrating the aim to re-balance the overall housing stock of the National Park.

2.39.2 An initial review of permissions granted for additional living accommodation in 2016 showed that there were a number of cases where the footprint of properties was increased by more than 40% and it was agreed that a policy to limit very large extensions should be considered.

2.39.3 A more extensive survey of extensions granted planning permission between April 2017 and March 2018 was carried out in 2018 [\[EB009\]](#) using habitable floorspace as the measure and this supported the findings of the initial survey. 85 permissions were included in the survey and key findings were:

- Permission was granted for extensions to properties in settlements of all sizes in the National Park and in open countryside;
- The most popular type of proposal was for a new build, single storey extension – these accounted for 41 of the 85 schemes;
- More than a third of the permissions (34 cases or 40% of the total) affected dwellings that had been extended before;
- The majority of permissions increased the total habitable floorspace by no more than 30% (66 cases or 77% of the total);
- There were, however, a significant number of larger extensions – in 10 cases the total habitable floorspace was increased by 30-50% and in 9 cases the increase was greater than 50%.

2.39.4 The survey results indicate that a policy to limit the size of extensions is justified and that specific policy wording is needed to achieve this. The wording contained in criterion 1 of Policy CO17 is taken from the existing [Core Strategy and Development Policy Document Policy 19 \[CP001\]](#) but this alone has not stopped a number of very large extensions being carried out since 2008. 30% of total habitable floorspace was chosen as the proposed figure as it is considered to be a reasonable general upper limit. It is consistent with the policies that have been put in place by other National Park authorities – Dartmoor, the South Downs and the New Forest all use 30% of habitable floorspace as the general extensions limit in their householder development policies. It is also pragmatic and positively prepared in that it would not stop the types of extension that the majority of householders are seeking - most of the extension permissions (77%) in the review would have fallen within a 30% limit. It will allow for the creation of extra bedrooms as well as the additional living space and to meet the changing needs of a family that many households want while also fulfilling the policy aim of limiting the largest extension proposals. The proposed wording of the policy incorporates flexibility for special circumstances, requiring extensions to fall within this limit *unless there are compelling planning considerations in favour of a larger extension*'. This would allow for special cases, for

example, if more additional space were needed for disabled adaptations.

2.39.5 Criterion c) refers to new outbuildings being located in close proximity to existing buildings and is justified by the need to conserve the built heritage of the National Park which is typified by farmsteads with outbuildings clustered close to a traditional farmhouse. The Authority's policies aim to avoid sporadic development of isolated buildings in order to conserve the traditional form of settlements, groups of buildings and to protect the amenity of adjacent dwellings. It covers a more specific point than criterion 1 and is positively prepared in that it gives clear practical guidance to applicants on the approach the Authority will take in assessing applications.

2.40 Is criterion d) justified and positively prepared? What is the rationale for it given that new build outbuildings are permitted under this policy?

2.40.1 Criterion d) of Policy CO17 refers to works to improve or extend existing outbuildings and says that the original structure must be worthy of retention and capable of improvement. There have been a small number of cases in recent years where proposals have been put forward to carry out works to very poor quality outbuildings which were not worthy of retention e.g. dilapidated timber sheds. Such structures do not make a positive contribution to the landscape and character of the National Park and criterion d) seeks to avoid works that would make them a long-term feature of the built environment where they cannot be effectively improved. The approach is consistent with Strategic Policy C, Quality and Design of Development which requires good quality design and construction. The criterion is justified because it will help to improve the quality of the National Park's built environment and the policy as a whole is positively prepared because it would support the replacement of an existing outbuilding that is not worthy of retention with an appropriate, well-designed new structure.

2.40.2 For consistency and clarity we would like to request a minor modification so that the numbering of the final set of criteria ~~a), b), c), d), e)~~ are replaced with i), ii), iii), iv), v).

Policy CO18

2.41 Does the policy require an "and" after criterion 3 to be effective?

2.41.1 The wording of the policy is considered to be effective as drafted. If the sentence after criterion 3 were added to the list of criteria, the wording would need to be altered to "*The proposal meets the requirements of Policy CO17, Householder Development*". There could then be confusion as to whether the fourth criterion applied to all residential annexes or just new build ones. No modification suggested.

2.42 Is criterion 3 justified and positively prepared? What is the rationale for it given the requirements of criterion 1?

2.42.1 Criterion 3 is a continuation of existing policy; It is justified to ensure that residential annexes are not made into separate dwellings at a later stage and to allow for the sharing of space and facilities. Residential annexes are usually occupied by family members and, while they remain attached to the main dwelling and under the control of the occupier, there is usually no need for additional facilities within the curtilage, e.g. parking or fenced off external space. It is not considered desirable to have the additional external facilities as well as the increased activity levels that would result from the annexe being separated from the host dwelling at a later stage. It is positively prepared because it reinforces the spatial strategy while still allowing households scope to develop residential annexes where needed to cope with changing family circumstances.

2.43 Is the policy justified at all, given the content of CO17?

2.43.1 Policy relating to residential annexes could have been included in Policy CO17, Householder Development – as it is in the current [Core Strategy and Development Policies document Policy](#)

[19 \[CP001\]](#). It was, however, decided that the additional points relating to residential annexes would be best included in a separate policy so as not to increase the length and complexity of Policy CO17, which already has a number of separate sections. The points relating to residential annexes are different from those contained in Policy CO17 so it would not have been possible simply to omit Policy CO18.

Policy CO19

2.44 Does the policy require an “and” or “or” after criterion 3 to be effective?

2.44.1 We do not think this is essential since para 1.18 says that throughout the Plan, unless stated otherwise, where policies contain separate criteria all criteria are intended to apply. It could be interpreted that adding “and” implies that it is only the last two criteria that must apply together.

2.45 Is it clear from criterion 2 whether “the land” is that into which a domestic curtilage is proposed to extend?

2.45.1 We agree that the meaning would be clearer with some additional wording in criterion 2. Main modification to Policy CO19 suggested: **2. The land to be incorporated into the domestic curtilage does not form part of a Community Space or a valuable local habitat or heritage asset;**

2.46 Is criterion 4 justified? What is the rationale for requiring the incorporation of an “environmental enhancement”? Is it clear what is meant by an “environmental enhancement”?

2.46.1 This criterion was added to the draft policy wording following a meeting of the Authority’s [Development Plan Working Group on 20 April 2017](#). The Authority does receive a relatively high number of applications to extend domestic curtilages. Under the existing policy (DP20) there were 44 applications for extensions to domestic curtilages between November 2008 and April 2016, all of which were approved. The policy had generally operated successfully but there had been some recent cases where small sections of a field had been offered to a number of adjacent property owners and Members did not want this to become a growing trend. Members felt that the Authority’s default position should *not* favour domestic curtilages being extended since the change of use from agricultural land to domestic use can result in the quality of the landscape being eroded and the traditional and historic layout and character of villages being harmed. It was, however, recognised that there were circumstances where an extension would not be harmful and could result in environmental benefits, for example the planting of a new small orchard. Members asked for the policy to be strengthened and for environmental enhancement to be included.

2.46.2 The reason for asking for environmental enhancement is that the extended domestic curtilage is less likely to have a harmful impact on the character of the immediate surroundings if the proposal includes works such as repairing or re-instating a traditional stone wall, tree planting or creating a species rich grassed area. The Authority wants to encourage applicants considering extending domestic curtilages to take any opportunities to create valuable new features such as orchards. It is however accepted that it would be more appropriate to encourage environmental enhancement in the supporting text rather than putting it in the policy wording. The first three criteria cover the requirements which must be met for an extension to a domestic curtilage to be approved. The desirability of including environmental enhancement in the proposal is akin to the advice in the supporting text regarding appropriate boundary treatment and lighting. Moving it to the supporting text would also enable the meaning of environmental enhancement to be clarified with examples being provided.

2.46.3 Main modification to Policy CO19 suggested: ~~4. The proposal will incorporate an environmental enhancement.~~

2.46.4 Main modification to paragraph 7.98 suggested: Add the following text between the fifth and

sixth sentences: Where possible and appropriate, proposals should include environmental enhancements such as re-building or re-instatement of dry-stone walling, tree or orchard planting or the creation of wildflower areas.

Policy CO20

2.47 Would the policy be more effective with an “and” after criterion 5?

2.47.1 We do not think this is essential since para 1.18 says that throughout the Plan, unless stated otherwise, where policies contain separate criteria all criteria are intended to apply. It could be interpreted that adding “and” implies that it is only the last two criteria that must apply together.

2.48 Is criterion 2 justified and positively prepared? What is the rationale for requiring any new facilities to be closely associated with existing buildings, given the requirements of criteria 1 and 3?

2.48.1 Criterion 2 is included in the policy in order to conserve the National Park landscape and limit the development of sporadic buildings and structures in open countryside locations. Many households living in the National Park keep horses for private use and, while the Authority does not want to limit horse riding as a recreational activity, a proliferation of stables, all-weather exercise areas and other horse-keeping structures in isolated positions in fields and paddocks would have an adverse impact on the local landscape. Using existing buildings where possible and locating new structures close to existing buildings so that the whole group follows the form of a traditional farmstead will allow households to develop the facilities they require at the same time as minimising any adverse impacts. Criterion 2 is therefore considered to be both justified and positively prepared. Criterion 1 has a broader reach and including the locational requirement as a separate criterion gives potential applicants a clear guide regarding what type of development will be considered appropriate. There is no overlap with Criterion 3 which covers the scale and design of any new structures rather than their location. The rationale for the Authority’s approach is set out in the supporting text at 7.101 and 7.102.

2.48.2 For the sake of consistency (for example with policy BL6 which is subject to a [proposed main modification](#) (MM35) [LP003] made at submission stage) and a suggested modification to Strategic Policy L we would suggest the following main modification:

2.48.3 1) There is no unacceptable **adverse impact on the local landscape character or the special qualities of the National Park;**