

# North York Moors Local Plan

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

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### MATTER 8 – COMMUNITIES – STRATEGIC POLICY L / POLICIES CO1-CO5. (REF. EXMIQ/008)

#### *Strategic Policy L*

#### 8.1 **What is to be understood by the term “unacceptable adverse impact” on a community facility?**

8.1.1 This was intended to anticipate a circumstance where an activity would potentially lead to the loss of, or severely compromise the use of a community space. An example would be a development which generated a lot of traffic movements next to a play area or restricted access to a community space. It is accepted that such a circumstance would be rare, however it was felt that having a flexible enough policy to cover the situation where a separate development may not directly remove the community use of a space, but instead severely compromise its use would be desirable. For the sake of consistency (for example with policy BL6 (which is subject to a [proposed main modification](#) (MM35) [LP003] made at submission stage) we would suggest the following main modification:

8.1.2 **Development that would result in the loss of or unacceptable **adverse** impact on a community facility will not be permitted, unless it can be demonstrated that the facility is no longer suitable or viable in that location or that it is no longer needed.**

#### *Policy CO1*

#### 8.2 **Should the wording of the second sentence of this policy be consistent with that of Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 (as set out in the National Planning Policy Framework)?**

8.2.1 Yes. The following modification suggested to second line of Policy CO1 (Supporting New Development): **Developer contributions will be required where they are considered ~~reasonable, necessary and appropriate~~ necessary and directly, fairly and reasonably related to the development, to:**

#### 8.3 **Is the policy effective in articulating what criterion a) is seeking to achieve? “The least harmful option” when compared with what?**

8.3.1 ‘Least harmful’ is intended to mean least harmful in respect of potential impact on the landscape and special qualities of the National Park, and is meant to require demonstration that a proposal is the least harmful on these aspects following the investigation of alternatives and through careful design.

#### 8.4 **Does the list of criteria require an “and” after criterion b) to be effective?**

8.9.1 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 CO2*

8.5 **Is the title of the policy justified given that the content is about highways, not transport?**

8.5.1 No. A main modification is suggested to the title: **Transport Highways**

8.6 **Does the list of criteria require an “and” after criterion 2 to be effective?**

8.6.1 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 CO3*

8.7 **Is the plan clear about by whom the “parking problems” should be identified?**

8.7.1 Identified parking problems would be considered by the Authority in consultation in local communities and would be part of the evidence used in considering a planning application. In practice, areas with parking problems are known to the Authority and to local people, and the criterion is intended to make sure that new parking facilities are fully justified.

8.8 **Does the list of criteria require an “and” after criterion 3 to be effective?**

8.8.1 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 CO5*

8.9 **Is it effective to locate in the supporting text (paragraph 7.21) what appears to be worded as policy, having particular regard to the fact that the policy itself does not talk about suitability or viability?**

8.9.1 We agree that this should be in the policy.

8.9.2 Suggested modification: Additional Paragraph in Policy CO5 (Community Spaces) : **Permission resulting in the of loss of Community Spaces will only be granted if it can be demonstrated robustly that the space is no longer suitable or viable for its community use, in accordance with the viability and marketing tests set out at Appendix 2.**

8.9.3 Delete Paragraph 7.21 - **~~Permission resulting in the of loss of Community Spaces will only be granted if it can be demonstrated robustly that the space is no longer suitable or viable for its community use, in accordance with the viability and marketing tests set out at Appendix 2.~~**

8.9.4 We would also like to suggest a main and minor modification to improve the wording of paragraph 7.21:

8.9.5 This is particularly the case for churches or chapels as they could still serve the local community as a village or parish hall for example, especially in villages where there may be ~~isn't this provision already.~~ **be no existing provision.** -Permission resulting in the ~~of~~ loss of Community Spaces will only be granted if it can be demonstrated robustly that the space is no longer suitable or viable for a community use, in accordance with the viability and marketing tests set out at Appendix 2.