

## **Pool-in-Wharfedale Neighbourhood Plan Examination Examination Note 2**

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

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

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

### **1. Policy CFS3: Land East of Main Street.**

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

### **2. Policy GE3: Protection of Local Green Spaces.**

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

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

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

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

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

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

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

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

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

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

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

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

websites as appropriate.

With many thanks,

Ann Skippers MRTPI  
Independent Examiner  
23 October 2024

## **Pool-in-Wharfedale Neighbourhood Plan Schedule of Proposed Changes**

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

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

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

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

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

Development which would prevent or harm:

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

will not be supported.

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

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

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

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

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

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

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

**New supporting text:**

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

**Schedule ends**