

Pool-in-Wharfedale Neighbourhood Plan (2019-2033)

Basic Conditions Statement

Contents

1. Introduction

- 1.1 This Basic Conditions Statement accompanies the Pool-in-Wharfedale Neighbourhood Plan (NP) which is submitted by Pool-in-Wharfedale Parish Council (PC) to the Local Planning Authority (LPA), Leeds City Council (LCC). This Statement is in fulfilment of the requirement of Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 1.2 The Basic Condition Statement, as well as the rest of the submission documents, has been considered and approved by the PC at its meeting on 13th May 2024.
- 1.3 Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) states that a Neighbourhood Plan will be considered to have met the basic conditions if:
 - Having regard to national policy and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan;
 - The making of the neighbourhood development plan contributes to the achievement of sustainable development;
 - The making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area); and
 - The making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations.
- 1.4 In addition, Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) prescribes an additional basic condition:
 - The making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 1.5 This Basic Conditions Statement addresses each of the Basic Conditions required by the Regulations and explains how the submission draft Pool-in-Wharfedale Neighbourhood Plan meets the requirements of Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990.

2. Legal Obligations

- 2.1 Pool-in-Wharfedale PC is a Qualifying Body (QB) and is entitled to submit a neighbourhood plan for the Pool-in-Wharfedale Neighbourhood Area (NA).
- 2.2 The Pool-in-Wharfedale NP is a neighbourhood development plan as defined by the Localism Act 2001. The plan contains planning policies which specifically relate to the development of use and land. The NP has been prepared in accordance with the statutory requirements and processes as set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011), the Neighbourhood Planning (General)

Regulations (2012) (as amended) and in line with advice set out in Planning Practice Guidance.¹

- 2.3 The plan period of the NP is from 2019 to 2033 as is stated on the submission draft NP.
- 2.4 The NP does not contain policies that relate to 'excluded development'.
- 2.5 There are no other neighbourhood development plans in place relating to the Pool in Wharfedale Neighbourhood Area.
- 2.6 It is not considered that there is benefit in extending the area for the referendum beyond the Neighbourhood Area.

3. The Neighbourhood Area

- 3.1 The Pool-in-Wharfedale NA covers the whole of the civil parish of Pool-in-Wharfedale. At a special meeting on 29th May 2013 the PC took the decision to commence the preparation of a NP. This decision was taken in response to concerns regarding potential new housing development and opportunities to shape that development to help ensure the provision of appropriate infrastructure. In addition, neighbourhood planning was seen as an opportunity to take forward elements of the Village Design Statement that was in preparation but had stalled.
- 3.2 The PC therefore submitted an application to Leeds City Council for the designation of the Pool-in-Wharfedale Neighbourhood Area in August 2013. A copy of the NA application is available in **Appendix A**. At the time of the NA application and designation, the Pool-in-Wharfedale parish boundary was set to change. Through discussions with LCC's legal advisors, it was agreed that it would be appropriate for the NA boundary to match the proposed revised parish boundary.
- 3.3 LCC publicised the application, in accordance with the requirements of the Regulations, between 26th September and 7th November 2013, by making the application available on the LCC website and at their buildings at Rossington Street, as well as at Otley Library. The consultation period was also advertised in the local paper, the Wharfedale Observer. The PC also advertised the application on the PC website and on another local website, Pool eNews.
- 3.4 LCC subsequently approved the designation of the NA on 17th December 2013, in line with the 2012 Regulations². A copy of the letter confirming the NA designation is available in **Appendix B**.
- 3.5 The neighbourhood plan policies apply only within the designated Pool-in-Wharfedale NA, and not any other neighbourhood area.
- 3.6 The NA boundary is available to view in Figure 1.

¹ Ministry of Housing, Communities and Local Government, Planning Practice Guidance, 2020. Available from: <https://www.gov.uk/guidance/neighbourhood-planning--2>

² Designation of the Pool-in-Wharfedale Neighbourhood Area, Leeds City Council, 2013. Available from: <https://democracy.leeds.gov.uk/ieDecisionDetails.aspx?ID=40711>

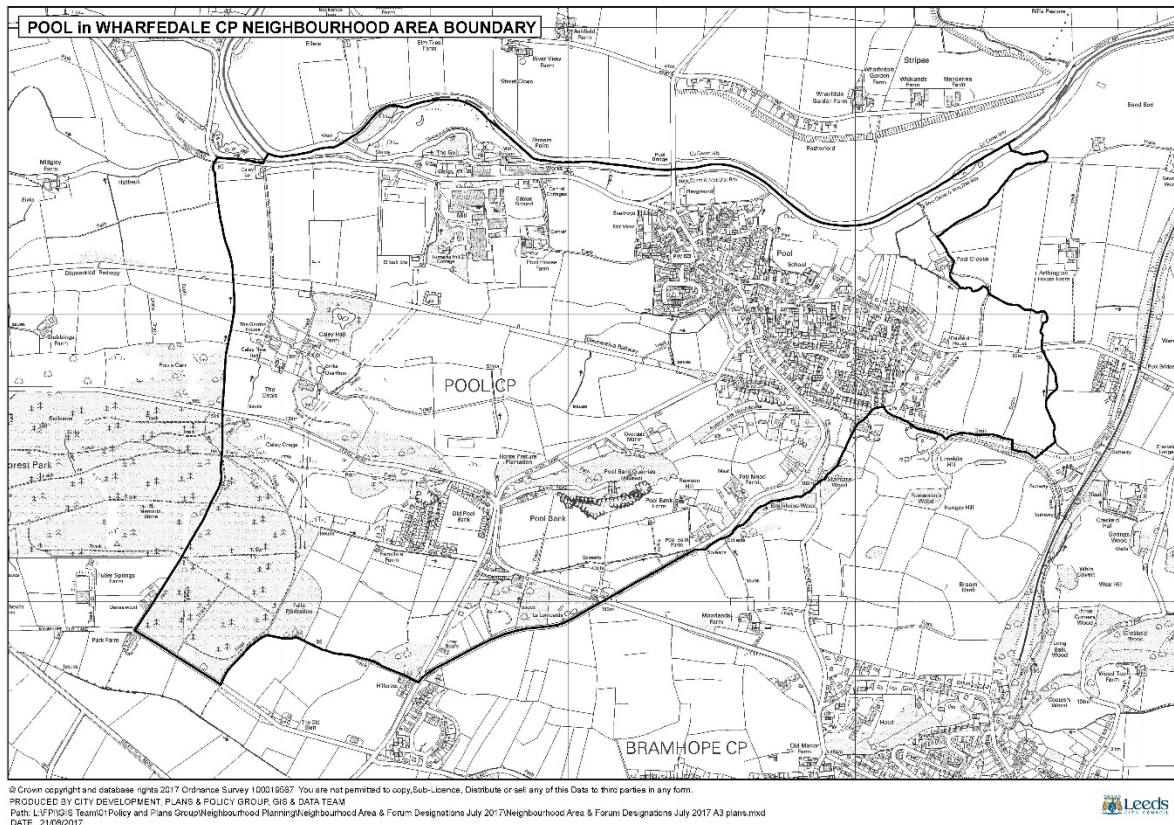


Figure 1: Pool-in-Wharfedale Neighbourhood area

4. Having Appropriate Regard to National Planning Policy and Guidance Issued by the Secretary of State

- 4.1 The NP must have appropriate regard to national policy and guidance issued by the Secretary of State (notably Planning Practice Guidance). The following section describes how the submission draft Pool-in-Wharfedale NP has regard to the National Planning Policy Framework (NPPF) (2023).
- 4.2 The PC acknowledges that having regard to the NPPF and guidance issued by the Secretary of State is not the same as “compliance” nor is it the same as part of the test of soundness provided for in respect of Local Plan examinations which requires plans to be “consistent with national policy”. Planning Practice Guidance also clarifies that having regard to national policy means that “a neighbourhood plan must not constrain the delivery of important national policy objectives”.³
- 4.3 In addition, Paragraph 13 of the NPPF is clear that neighbourhood plans should support the delivery of strategic policies contained in local plans and spatial development strategies. QBs should plan positively to support local development, shaping and directing development in their area that is outside these strategic policies. Paragraph 29 of the NPPF also states that neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.⁴

³ Planning Practice Guidance, Paragraph 069, Reference ID: 41-069-20140306.

⁴ Planning Practice Guidance, Paragraph 070, Reference ID: 41-070-20190509.

- 4.4 The NP has been prepared in conformity with the policies set out in the NPPF, alongside Planning Practice Guidance (published in 2014 and as amended most recently in 2024).
- 4.5 The table below (Table 1) sets out a summary of how each draft NP policy has had regard to the relevant paragraphs of the NPPF. This is not an exhaustive exercise and the most relevant aspects of NPPF are considered here.

Pool-in-Wharfedale NP Policy	National Planning Policy Framework	Commentary
GE1: Otley Chevin and Wharfe Valley Southern Slopes Special Landscape Areas	Paragraphs 132, 150, 180	By protecting the character of the designated Special Landscape Areas (SLAs) and highlighting the features that development proposals should take into account, including offering support to enhancement of the SLAs, the policy is in line with NPPF objectives which encourage planning policies to ensure that developments are sympathetic to the surrounding landscape setting, including protecting and enhancing landscapes (including those within the Green Belt).
GE2: Local Green Infrastructure	Paragraphs 96, 159, 181	Policy identifies Local Green Infrastructure which should be maintained, and outlines that development proposals within or adjacent should allow the continued operation of LGI whilst also taking measures to ensure enhancement for expansion. This is in line with NPPF objectives which supports the planning and provision of accessible green infrastructure within new developments to enable healthy lifestyles, and encourages planning policies that take a strategic approach to enhancing green infrastructure.
GE3: Protection of Local Green Space	Paragraphs 103, –106-107	Policy identifies Local Green Space of particular importance in line with criteria set out in paragraph 106 of the NPPF, it also protects Local Green Space from new development other than in exceptional circumstances in line with paragraph 103. Policies for managing the development of these sites are consistent with those for Green Belts, in line with paragraph 107. An assessment of the proposed Local Green Spaces against NPPF criteria is provided at Appendix 2 to the NP.
GE4: Local Green Space Improvement	Paragraphs –103-104	The policy is in line with NPPF ambitions for planning policies and decisions to take opportunities to provide improved facilities for users in line with paragraphs 103-104.
GE5: Provision of New Green Space	Paragraphs 102, 105	The policy supports the direct provision of additional amenity green space through new development where necessary, and is in line with paragraphs 102 and 105.

Pool-in-Wharfedale NP Policy	National Planning Policy Framework	Commentary
GE6: Development Affecting the Main Street AQMA	Paragraphs 109, 111, 191-192	The policy designates an AQMA which is in line with NPPF ambitions set out in paragraphs 109, 191-192 which encourage policies to identify opportunities to improve air quality and for emissions and congestion to be reduced in order to improve public health. As well as for new developments to take into account the likely effects of pollution on health, living conditions and the natural environment, that new development in AQMA is consistent with the local air quality action plan and in line with paragraph 111, provide charging infrastructure for electric vehicles.
GE7: River Wharfe Local Renewable Energy Scheme	158, 160-161, 164	The policy seeks to encourage the development of a hydro-electric scheme which is in line with NPPF objectives for plans to take a proactive approach in mitigating and adapting to climate change. In line with paragraphs 160-161 and 164, the policy identifies suitable areas for renewable energy sources and takes into account the current and future impacts of climate change.
BH1: Pool-in-Wharfedale Conservation Area – Development and Design	131-134, –Chapter 16	This policy sets out a positive strategy for the conservation and enjoyment of the historic environment and seeks to encourage positive design and development within the conservation area through identifying five character areas which set out a criteria that should be taken into account when determining planning applications. This is in line with NPPF ambitions for plans to set out a clear design vision and to provide expectations and frameworks which contribute towards creating distinctive places with high quality and consistent design.
BH2: Local Heritage Areas	196, 198	This policy is in line with paragraph 196 and 198, by identifying what should be taken account of in determining planning applications in terms of heritage assets, local character and distinctiveness.
BH3: Pool-in-Wharfedale Mills Local Heritage Area	132, 135, 196, 198	This policy is in line with paragraph 196 and 198, by identifying what should be taken account of in determining planning applications within the Local Heritage Area in terms of heritage assets, design, local character and distinctiveness.

Pool-in-Wharfedale NP Policy	National Planning Policy Framework	Commentary
BH4: Caley Local Heritage Area	132, 135, 196, 198	This policy is in line with paragraph 196 and 198, by identifying what should be taken account of in determining planning applications within the Local Heritage Area in terms of heritage assets, design, local character and distinctiveness.
BH5: Protection and Enhancement of Non-Designated Heritage Assets	209	The policy identifies a list of Non-Designated Heritage Assets, and ensures that their heritage significance is taken account of in any development affecting them. The policy also supports and encourages sympathetic enhancement in line with paragraph 209 (weighing the effects of a planning application the significance of a non-designated heritage asset)
CFS1: Protection and Enhancement of Community Facilities	28, –97-99	Through listing community assets, the policy promotes the protection and enhancement of local services and community facilities.
CFS2: Provision of New Community Facilities	97, 193	The policy supports development of new community facilities where a need has been identified, this is in line with NPPF ambitions for policies to plan positively for the provision and use of community facilities.
CFS3: Land East of Main Street	20, 85, 90, 97, 108,111, 135, 207, 212	The policy identifies a development opportunity area for provision of community and mixed uses, and is in line with NPPF ambitions for plans to support a strong economy, vital town centres and social, recreational and cultural facilities. The policy is also in line with environmental objectives of NPPF through ensuring that development of the site has a positive impact on the character of the area and takes into the account the Conservation Area within which the site is located.
CFS4:Retail and Hot Food Take Away Development	90, 108	The policy promotes the development of local services and retail provision and is in line with paragraph 90 of the NPPF which encourages plans to promote vitality of town centres. The policy is also in line with paragraph 108 of the NPPF through encouraging adequate parking to reduce impact on highways.

Pool-in-Wharfedale NP Policy	National Planning Policy Framework	Commentary
TT1: Improved Walking and Cycling Provision	96, 108, 116	The policy is in line with paragraphs 96, 108, and 116 of the NPPF of which promote sustainable modes of transport and encourage planning policies to identify opportunities to promote walking and cycling which aim to enable and support healthy life styles.
TT2: Improved Public Transport	108, 111-112 116	The policy is in line with paragraphs 108, 111-112, and 116 of the NPPF of which promote sustainable modes of transport, and also encourage new developments to improve and integrate transport systems.
TT3: Pool-in-Wharfedale Rail Link Reinstatement	108-110	This policy is in line with paragraphs 108-110 of the NPPF which supports sustainable modes of transport, as well as opportunities to identify and protect sites which could be critical in developing infrastructure.
TT4: New Car Parking for Public Use in Pool-in-Wharfedale Village	108, 111	The policy seeks to maintain and improve the quality and quantity of parking in the village.
H1: Housing Development on Non-Allocated Sites	11, 69-74, 97, 99, 110-111, 192, 196	This policy seeks to ensure that housing development on non-allocated sites (69-74) is sustainable (11), providing that infrastructure capacity is not exceeded in relation to transport and highways (110-111), education, health and community facilities (97, 99), that air quality and climate change are mitigated (192) and that visual, historic and spatial character is considered (196)
H2: New Housing Development – Key Guiding Principles	11, 69-74, 96-99, 108-111, 192, 196	The policy sets out key guiding principles for new housing development on approved sites (69-74) is sustainable (11) by achieving improved community facilities, sustainable transport options, green infrastructure (20, 96-99), positive benefits on the natural and historic environment (185), delivery of highways and sufficient parking (108-111) and that new developments should be mindful on its impact on climate change (192). Major proposals should also submit listed studies in line with the 12 key guiding principles.

Pool-in-Wharfedale NP Policy	National Planning Policy Framework	Commentary
H3: Housing Mix	63-64	The policy plans for a mix of housing and identifies that appropriate mix will be needed for new dwellings reflecting local demand, with particular focus on smaller homes and homes for older people. This is in line with the NPPF paragraph's 63-64
E1: Protection of Existing Employment Sites	20, 85-87, 127	The policy identifies and protects existing employment sites and supports the safeguarding of its uses.

Table 1: Summary of how each draft NP policy has had regard to the relevant paragraphs of the NPPF

5. Contribution to the Achievement of Sustainable Development

5.1 The Pool-in-Wharfedale NP must contribute to the achievement of sustainable development. Sustainable development is defined within the NPPF as the planning system having three overarching objectives (NPPF Paragraph 8):

5.2 These roles are:

- **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure
- **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

5.3 There is no set way of demonstrating that a NP contributes to sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan making and decision-taking (NPPF Paragraph 11). Planning Practice Guidance states, that the Basic Condition on sustainable development is consistent with “the planning principle that all plan-making and decision-making should help to achieve sustainable development”. A qualifying body should demonstrate how its plan will contribute to improvements in environmental, economic and social conditions or that consideration has been given to how any potential adverse effects arising from the proposals may be prevented, reduced or offset (referred to as mitigation measures). Additionally, in order to demonstrate that a draft neighbourhood plan contributes to sustainable development, sufficient and proportionate evidence should be presented on how the draft neighbourhood plan guides development to sustainable solutions.⁵

5.4 Neighbourhood planning provides an opportunity for local communities to set out what sustainable development means for them and their local areas. The Vision for the Pool-in-Wharfedale NP sets out the local community's aspirations for future sustainability within the NA, as follows:

In 2033 Pool-in-Wharfedale will have been maintained as a distinct community, not joined to or swallowed up by its neighbours, while retaining the fundamentally rural character of the Wharfe Valley. At the same time, it will have recognised and provided for the need for people to travel to towns and cities for employment, education, leisure and shopping, as well as improving such provision within Pool-in-Wharfedale itself, as

⁵ Planning Practice Guidance, Paragraph 072, Reference ID: 41-072-20190509.

required. Any new development will have been respectful of the area's cultural heritage, while causing minimal environmental damage for the future. The community will be one where all residents can live in a safer and more sustainable manner, where longstanding problems of traffic blight, safety and pollution will have been noticeably alleviated and where people's basic needs from cradle to grave will be largely catered for.

5.5 The vision is clearly linked to aspirations for Pool-in-Wharfedale to be more sustainable in the future, which is supported by the NP objectives:

- 1. To find a sustainable solution to Pool-in-Wharfedale's desperate traffic problem, which renders much of the parish unsafe and/or unhealthy for pedestrians.*
- 2. To make Pool-in-Wharfedale into a settlement well-served by public transport, reducing dependency on private cars.*
- 3. To provide safe walkways across the community, to enable residents to access local facilities without danger from traffic.*
- 4. To maintain and extend green footpaths, bridleways and cycle ways, in particular to see the Wharfedale Greenway project realised, linking Pool-in-Wharfedale with other communities along the valley.*
- 5. To give a greater protection to Pool-in-Wharfedale and Old Pool Bank's countryside hinterland.*
- 6. To protect, enhance and provide new green space.*
- 7. To seek a site for a new non-denominational burial ground to address the lack of capacity in the existing churchyard.*

8. *To preserve and enhance the heritage and character of this Domesday village, including its many notable buildings.*
9. *To encourage affordable new housing, to enable children and grandchildren to remain in the community if they wish.*
10. *To encourage energy efficient new housing.*
11. *To ensure that any new housing is accompanied by an at least proportionate investment in infrastructure.*
12. *To achieve design reflective of the particular part of the Neighbourhood Area in which new development is taking place, including the use of traditional materials where these have been used before.*
13. *To encourage the provision of more facilities for meeting, eating and shopping in the community.*
14. *To encourage a medical facility within the parish, to obviate the need for travel outside the area for basic healthcare.*
15. *To encourage the provision of a River Wharfe based hydro-electric power generation scheme.*
16. *To safeguard, promote and support Pool-in-Wharfedale's economic and employment base.*

- 5.6 It is considered that these neighbourhood plan objectives contribute well towards the three overarching sustainability objectives of the NPPF which contribute to sustainable development.
- 5.7 The economic sustainability of the plan is supported in a number of the objectives, such as ensuring new housing is accompanied by at least proportionate investment in infrastructure, encouraging the provision of more community facilities within the village, including retail and healthcare, to reduce the need for residents to travel outside the area, and to safeguard and promote Pool-in-Wharfedale's economic and employment base. This should ensure the sustainable growth of the village, making it more attractive to residents and investors alike.
- 5.8 The social objective of the NPPF has been well considered in the emerging plan. Objectives such as increasing the public transport offer and addressing traffic problems, providing safe walkways for pedestrians, extending green footpaths and cycleways, providing new green space, seeking a site for a new non-denominational burial ground, preserving and enhancing the heritage and character of the village, encouraging affordable new housing and increasing the provision of more community facilities, will support the current and future needs of the Pool-in-Wharfedale community and foster improved health and wellbeing.
- 5.9 Ensuring the environmental objective is met has been addressed in a number of ways through the neighbourhood plan objectives. Aspirations such as finding sustainable solutions to traffic problems, reducing dependency on cars by increasing public transport provision, improving active travel opportunities, protecting and enhancing existing green space and seeking opportunities for new green space, encouraging energy efficient new housing and supporting the provision of a River Wharfe based hydro-electric power generation scheme, should help ensure that new development within the village contributes to the environmental objective and mitigates against/secure resilience to the impacts of climate change.

- 5.10 A Sustainability Appraisal of the NP has not been undertaken as this is not a requirement for a neighbourhood plan. However, the draft NP has taken account of the need to contribute to the achievement of sustainable development. Table 1 (pages 5-9) provides an assessment of how the NP has regard to the policies within the NPPF, which when taken together, provide an assessment of how the NP contributes to the achievement of sustainable development as it is defined within the NPPF.
- 5.11 The Basic Condition requires the consideration of whether the making of the neighbourhood plan contributes to the achievement of sustainable development. There is no requirement as to the nature or extent of that contribution, nor a need to assess whether a neighbourhood plan makes a specific contribution. The requirement is that there should be a contribution.
- 5.12 The planning policies of the NP have been considered against the three dimensions of sustainability stated above to provide a summary of the likely impact on the dimensions of sustainability, and potential contribution to the achievement of sustainable development (see Table 2 below).

Pool-in-Wharfedale NP Policy	Economic Sustainability	Social Sustainability	Environmental Sustainability
GE1: Otley Chevin and Wharfe Valley Southern Slopes Special Landscape Areas	This policy will help to ensure that development in Pool-in-Wharfedale preserves and enhances the special landscape area which is an integral part of the character of the area and contributes to its overall economy in terms of visitors to the Chevin. It is not considered that the policy will have any substantive impact on economic sustainability beyond helping to retain the best of our natural environment.	This policy will help to ensure that residents and visitors in Pool-in-Wharfedale continue to have opportunities to access the countryside which provides intrinsic health and wellbeing benefits.	This policy will help to ensure that Pool-in-Wharfedale's much valued natural environment and landscape are preserved and enhanced for future generations to enjoy.
GE2: Local Green Infrastructure	This policy will help to ensure that new development in Pool-in-Wharfedale preserves, enhances and maintains Local Green Infrastructure which contributes to its overall economy in terms of potential visitors using footpaths and cycle routes. Opportunities for enhancement with new development may have future impact on economic sustainability.	This policy will help to ensure that residents and visitors in Pool-in-Wharfedale continue to have opportunities to access a network of local green infrastructure links, corridors and general recreational land.	This policy will help to ensure that Local Green Infrastructure in Pool-in-Wharfedale is maintained, preserved and continues to act as amenity spaces as well as sanctuaries for wildlife.
GE3: Protection of Local Green Space	This policy will ensure that Local Green Spaces enjoy a high level of protection against development, it is not considered that the policy will have a substantive impact on economic sustainability beyond	This policy helps to ensure that residents and visitors in Pool-in-Wharfedale continue to have opportunities to use accessible and valued Local Green Spaces which	The policy ensures that Local Green Space in Pool-in-Wharfedale will be preserved as valued amenity spaces, as well as maintained as examples for wildlife richness, history and beauty.

Pool-in-Wharfedale NP Policy	Economic Sustainability	Social Sustainability	Environmental Sustainability
	protecting local green spaces within Pool-in-Wharfedale	provide intrinsic health and wellbeing benefits.	
GE4: Local Green Space Improvement	The policy encourages improvement of Local Green Spaces, it is not expected that this will have a substantive impact on the local economy beyond improving existing green spaces within Pool-in-Wharfedale which could improve the visitor offer.	The policy ensures that development contributes to improved green space within Pool-in-Wharfedale where necessary which has the potential to provide additional opportunities for recreational use within the area, thus contributing to additional health and wellbeing benefits for the residents and visitors of the village.	The policy ensures that development contributes to improved green space within Pool-in-Wharfedale where necessary which has the potential to provide additional opportunities for wildlife within the area.
GE5: Provision of New Green Space	The policy encourages additional green space to be provided through new developments, which is a positive for the local economy through supporting a high quality local environment. However, it is acknowledged that the need for new developments to provide green space could be seen as a viability constraint on new development.	This policy ensures that new development contributes towards the improved provision of green space which will in turn provide enhanced health and wellbeing benefits for the residents in Pool-in-Wharfedale.	This policy ensures that development directly contributes towards the provision of new green space, creating a more attractive environment within Pool-in-Wharfedale
GE6: Development Affecting the Main Street AQMA	Whilst ensuring that any new development on the main street is environmentally sustainable, this policy may affect economic sustainability through acting as a constraint on new development on	This policy ensures that development affecting the Main Street AQMA does not contribute negatively to the health and wellbeing of residents within Pool-in-Wharfedale.	In line with the declared climate emergency, this policy ensures that development on Main Street incorporate low emission measures and ensure that the overall impact on

Pool-in-Wharfedale NP Policy	Economic Sustainability	Social Sustainability	Environmental Sustainability
	the Main Street in Pool-in-Wharfedale.		air quality is mitigated and there is limited impact on the environment.
GE7: River Wharfe Local Renewable Energy Scheme	The policy encourages the development of a Local Renewable Energy Scheme which has the potential to provide employment, education and skills opportunities to Pool-in-Wharfedale.	This policy ensures that the residents of Pool-in-Wharfedale have the opportunity to enjoy renewable energy sources in the future, which have the potential to provide health and well-being benefits through improved outdoor amenity space.	Whilst this policy encourages a hydro-electric micro-generation scheme on the River Wharfe which not only provides renewable energy sources, but also contributes to improved environmental conditions, cleaner air quality and a reduced carbon footprint. It is also considered, the scheme may have a impact on environmental sustainability if too large, as well as through the loss of natural habitat, water use and the use of hazardous materials in bringing the scheme into use.
BH1: Pool-in-Wharfedale Conservation Area – Development and Design	The policy ensures the preservation and enhancement of the Pool-in-Wharfedale conservation and character areas, thus contributing to the rich culture within the area which has potential to attract visitors to the village. Any potential development which conforms to the development and design guidelines also has the potential to bring increased economic activity to the area.	This policy ensures that the conservation and character areas remain protected and are not compromised by new development, allowing continued enjoyment and use for the residents of Pool-in-Wharfedale, as well as ensuring the continued and enhance provision of health and wellbeing benefits	Through setting out development and design guidelines for the conservation and character areas, the policy ensures the protection and enhancement of the valued historic environments within Pool-in-Wharfedale.

Pool-in-Wharfedale NP Policy	Economic Sustainability	Social Sustainability	Environmental Sustainability
	However, it must be noted that Conservation Area considerations may have a negative impact on economic sustainability through acting as a policy constraint for new developments in the area.		
BH2: Local Heritage Areas	The policy supports development which preserves and enhances the historic character of the identified Local Heritage Areas, new development could support economic sustainability to Pool-in-Wharfedale as it will help to maintain a high quality local environment, however this policy may have a minor effect on economic sustainability by adding a constraint on new development.	The policy ensures the retention of the Pool Mills and Caley Local Heritage Area for current and future residents to continue to enjoy, which currently provide health, well being benefits and cultural to the residents and visitors of Pool-in-Wharfedale	The policy ensures that the Local Heritage Areas enjoy protection against development that would not preserve or enhance their historic character.
BH3: Pool-in-Wharfedale Mills Local Heritage Area	The policy promotes the retention of historic character which has the potential to attract visitor footfall, as well as promoting archaeological surveys which could contribute to the cultural offerings of Pool-in-Wharfedale.	The policy ensures the retention of the Pool-in-Wharfedale Mills Local Heritage Area for residents to continue to enjoy.	The policy ensures that the Caley Local Heritage Area is preserved in line with historic features and character of the area, and that archaeological needs are acknowledged.
BH4: Caley Local Heritage Area	The policy promotes the retention of historic character which has the potential to attract visitor footfall to the Heritage Area, as well as	The policy ensures the retention of the Caley Local Heritage Area for the residents of Pool-in-Wharfedale to continue to enjoy.	The policy ensures that the Caley Local Heritage Area is preserved in line with historic features and character of the area, thus ensuring

Pool-in-Wharfedale NP Policy	Economic Sustainability	Social Sustainability	Environmental Sustainability
	encouraging modern architectural innovation in the area which could bring new sympathetic development to the area.		that well-designed development is achieved in the area. However, the addition of modern architectural innovation could have a negative impact on the environmental sustainability of the area if it is not sympathetic to the areas existing character.
BH5: Protection and Enhancement of Non-Designated Heritage Assets	Through the protecting the valued assets within Pool-in-Wharfedale, the rich heritage and character of the village is preserved and has potential to attract tourism and visitor footfall thus contributing to economic sustainability.	Through identifying Non-Designated Heritage Assets for protection and enhancement, the policy ensures that the residents of Pool-in-Wharfedale will be able to continue to enjoy the cultural benefits that these assets provide.	The policy ensures that the character and heritage of the village is preserved and enhanced for the enjoyment of future generations.
CFS1: Protection and Enhancement of Community Facilities	Through identifying community facilities for enhancement and protection, the policy ensures that that employment opportunities provided through these facilities are safeguarded, thus contributing to stabilising the local economy.	The policy ensures protection and enhancement of existing community facilities which will benefit the residents of Pool-in-Wharfedale through safeguarding intrinsic health, education and wellbeing benefits within the community, any loss of these facilities should be replaced by an alternative equivalent.	The policy ensures the safeguarding of the identified community facilities which will continue to provide facilities in accessible and sustainable locations within Pool-in-Wharfedale.
CFS2: Provision of New Community Facilities	The provision of new community facilities through new development has the potential to contribute to the local economy through the provision of additional jobs, employment and	The policy promotes provision of new community facilities with new development which could benefit and meet the needs of the residents of Pool-in-Wharfedale by providing	The policy ensures that provision of new community facilities through new development are in central and accessible locations, promoting reduced travel times which will have

Pool-in-Wharfedale NP Policy	Economic Sustainability	Social Sustainability	Environmental Sustainability
	skills opportunities. However, the need to provide new community facilities may act as a viability constraint for any new development in the area.	additional health, educational and recreational facilities.	a positive effect on the environment. In order to preserve environmental sustainability, it must be ensured that any provision of new facilities must not contribute to the loss of existing facilities or local greenspace and open space.
CFS3: Land East of Main Street	Through encouraging development of the site which could be used for expanded retail opportunities, or cultural and community uses, the policy promotes economic sustainability through providing options for increased centre vitality.	The policy promotes development of the site which in turn could provide enhanced social value for the residents and visitors of Pool-in-Wharfedale through increased retail or cultural and community uses within the Centre.	The policy ensures that through development of the site, the environment in which it is situated in is enhanced in line with development and design guidelines set out for conservation and character areas, as well as ensuring that traffic and the proposals impact on the environment is taken into consideration. In order to ensure environmental sustainability the new development must not have a negative impact on the existing environment.
CFS4:Retail and Hot Food Take Away Development	The policy contributes to economic sustainability through supporting specific types of food stores, however the policy may constrain additional development of different and varying types of retail uses within the area, which could adversely affect the economy through the potential loss of job opportunities.	The policy ensures social sustainability through ensuring that new development does not affect residential amenity in terms of noise and odour, as well as ensuring that sufficient parking is available through any new development. However through restricting development type, the policy could adversely affect	The policy ensures environmental sustainability through ensuring that new developments have sufficient parking to reduce impact on highways, as well as litter bins to prevent adverse impact on the environment.

Pool-in-Wharfedale NP Policy	Economic Sustainability	Social Sustainability	Environmental Sustainability
		choice of retail amenities for the residents of Pool-in-Wharfedale.	
TT1: Improved Walking and Cycling Provision	The policy encourages improved walking and cycling provision which has the potential to contribute to economic sustainability through increasing footfall through Pool-in-Wharfedale from both residents and increased visitors.	Improved walking and cycling provision provides the opportunity for increased health and wellbeing benefits for the residents of Pool-in-Wharfedale through improving options and choices for exercise.	Through encouraging developer contributions to improve the existing walking and cycling options within the area, this will enhance Green Infrastructure and networks and general connectivity within Pool-in-Wharfedale, as well as providing increased options for sustainable transport.
TT2: Improved Public Transport	Improved public transport has the potential to contribute towards economic sustainability through providing better links in and out of Pool-in-Wharfedale which could attract additional residents, visitors and businesses to the area.	Through encouraging improved public transport options, residents of Pool-in-Wharfedale will not only have more choice for travel, but health and well-being also have the potential to be improved through better air quality.	The policy ensures that new developments contribute towards improved public transport options, which has the potential to improve air quality and reduce pollution within Pool-in-Wharfedale, which is especially important when considering the AQMA on Main Street.
TT3: Pool-in-Wharfedale Rail Link Reinstatement	The policy encourages the reinstatement of the Pool-in-Wharfedale rail link which has the potential to contribute to long term economic sustainability through providing better links in and out of the area, which could attract more	The policy ensures that the residents and visitors of Pool-in-Wharfedale might have an opportunity to enjoy sustainable transport options in the future if the rail link were to be reinstated.	The policy has identified an opportunity to promote and pursue sustainable transport options within Pool-in-Wharfedale which has potential opportunity to contribute to long-term environmental sustainability through alleviating

Pool-in-Wharfedale NP Policy	Economic Sustainability	Social Sustainability	Environmental Sustainability
	<p>residents, visitors and businesses. However, the policy could affect economic sustainability by identifying a potential additional constraint on development.</p>		<p>traffic and air quality issues which are projected to increase with population growth. However any development of the site may affect environmental sustainability through the potential harm to any wild life habitats that have established on the site.</p>
<p>TT4: New Car Parking for Public Use in Pool-in-Wharfedale Village</p>	<p>Additional centrally located parking within Pool-in-Wharfedale will support the vitality of the local centre through ensuring that adequate parking is available for shoppers and businesses.</p>	<p>The policy ensures that the residents and visitors of Pool-in-Wharfedale have sufficient parking, and will help to resolve problems connected to existing parking issues.</p>	<p>The policy ensures that any new car parking development should provide electric vehicle charging thus supporting sustainable transport options. However, the policy may affect environmental sustainability through encouraging the use of cars within central areas of Pool-in-Wharfedale, which in turn could contribute to increased congestion levels and increased pressure on the AQMA.</p>
<p>H1: Housing Development on Non-Allocated Sites</p>	<p>The policy encourages windfall sites and non-allocated sites to come forward to stimulate the local economy through local population growth, employment opportunities and S106 contributions.</p>	<p>This policy ensures that social benefits through encouraging additional housing within Pool-in-Wharfedale for residents, as well as ensuring that education and health will not be lost from the potential development of new housing on non-allocated land.</p>	<p>The policy ensures environmental sustainability through ensuring that highways accessibility, sustainable transport options and the impact of development on air quality is considered by any potential proposals. However, the policy may have an impact on environmental sustainability if any development should result in the loss of natural</p>

Pool-in-Wharfedale NP Policy	Economic Sustainability	Social Sustainability	Environmental Sustainability
			habitats, open space or affect the character of the area.
H2: New Housing Development – Key Guiding Principles	The policy enables allocated sites to be delivered which will stimulate the economy through local population growth, employment opportunities and S106 contributions.	Whilst enabling allocated sites to be delivered, the policy ensures that new developments should seek to enhance and provide additional social benefits for the residents in Pool-in-Wharfedale in line with the 12 Guiding Principles that have been set out in the Neighbourhood Plan.	This policy ensures environmental sustainability through setting out guidelines to ensure that new development contributes towards maintaining and enhancing open space, local green infrastructure, sustainable transport options and that proposals are considerate on their impact on the environment. As well as ensuring that major development proposals undertake delivery studies to achieve sustainability.
H3: Housing Mix	Providing varying house sizes and types to encourage the maximum number of potential purchasers, with a focus on smaller starter homes to encourage people to move into the area.	This policy ensures social sustainability through encouraging a mix of housing suitable for the varying needs of the population of Pool-in-Wharfedale.	The policy encourages the efficient use of housing sites and may also reduce the pressure on the development of greenfield sites.
E1: Protection of Existing Employment Sites	This policy ensures economic sustainability through identifying existing employment land of which will be maintained. The uses of the	Through safeguarding existing employment land, this policy ensures that employment benefits are	The policy encourages the efficient use of employment sites, and ensures that natural habitats elsewhere are not lost through

Pool-in-Wharfedale NP Policy	Economic Sustainability	Social Sustainability	Environmental Sustainability
	<p>identified sites will be safeguarded in order to ensure economic viability and a sustainable business community within Pool-in-Wharfedale. However, the policy may have an impact on economic sustainability through preventing the site from being used by alternative uses.</p>	<p>provided for residents within Pool-in-Wharfedale.</p>	<p>employment uses being proposed elsewhere.</p>

Table 2: Planning policies of the NP against the three dimensions of sustainability

- 5.13 Overall, it is considered the neighbourhood plan contributes positively, when read as a whole, to the three objectives of sustainability identified in the NPPF.
- 5.14 The objectives of the plan, and the specific policies providing guidance and detail to achieve those objectives, should ensure that growth within the village is achieved positively and sustainably. The need for housing growth, improved community facilities and provision of economic and employment opportunities has been recognised, while seeking to conserve the character, heritage and environmental assets in the neighbourhood area as well as enhancing wellbeing provision for residents. The progress on achieving these objectives should be monitored throughout the plan period, ensuring that any viability conflict between protecting existing assets and encouraging growth are mitigated against as early as possible to protect the sustainability objectives.

6. General Conformity with the Strategic Policies of the Development Plan

6.1 The Pool-in-Wharfedale NP must be in general conformity with the strategic planning policies contained within the Development Plan for Leeds. As at March 2024 the development plan for Leeds consists of the following documents:

- The Leeds Core Strategy (including as amended by the Leeds Core Strategy Selective Review) (2019);
- The Site Allocations Plan (2019);
- The Leeds Natural Resources and Waste Local Plan (2013);
- The Saved Policies of the Leeds Unitary Development Plan Review (2006); and
- Aire Valley Leeds Area Action Plan (2017)

6.2 For the purposes of the NP, the strategic policies of the development plan are considered to be those policies contained within the Core Strategy and the Saved Policies of the Unitary Development Plan Review. The Site Allocations Plan contains identified sites and allocations for housing, employment and mixed-use development, as well as designating areas of green space. The allocations within the plan are non-strategic. The Leeds Natural Resources and Waste Local Plan for the most part contains policies on excluded development for neighbourhood planning purposes. The Aire Valley Leeds Area Action Plan covers the lower Aire Valley with is outside of the Pool-in-Wharfedale Neighbourhood Area.

6.3 LCC is currently conducting work on an emerging Local Plan Update, and initial Regulation 18 consultation on the plan took place in Summer 2021. At this present time, it is not considered that the emerging Local Plan Update will have a significant impact on the policies within the NP. The Local Plan Update seeks to update elements of the Local Plan in view of the fact that Leeds City Council declared a Climate Emergency in March 2019. The fact that the Local Plan Update is in progression does not prevent a neighbourhood plan being brought forward beforehand. Additionally, the Basic Conditions require that the neighbourhood plan be in general conformity with the strategic policies of the development plan, and the emerging Local Plan Update does not currently form part of the development plan and therefore this Basic Condition does not apply in this respect. The Basic Condition requires that the NP is in general conformity with the strategic policies of the development plan. It is accepted that general conformity means that there is an element of flexibility, and that the word “general” allows for a degree of conflict. There should be broad consistency between the policies of the NP and those within the development plan, however the flexibility implied is not unlimited.

6.4 Planning Practice Guidance states that “When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority should consider the following:

- Whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with;

- The degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy;
- Whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy; and
- The rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach.”⁶

6.5 The policies in the submission draft Pool-in-Wharfedale NP have therefore been assessed against the relevant development plan policies (as contained within the Leeds Core Strategy (as amended), 2019; and the Saved Policies of the Leeds Unitary Development Plan Review, 2006; see Table 3 below). This assessment provides commentary on the most relevant development policies to the draft NP policies. The considerations of Planning Practice Guidance (set out in paragraph 6.5, above) have been used to guide the assessment process.

⁶ Planning Practice Guidance, Paragraph 074, Reference ID: 41-074-20140306.

Pool-in-Wharfedale NP Policy	Development Plan Policies	Commentary
GE1: Otley Chevin and Wharfe Valley Southern Slopes Special Landscape Areas	Core Strategy SP13 UDP N32 UDP N37	<p>The importance of the Otley Chevin and Wharfe Valley Southern Slopes are designated as Special Landscape Areas (SLAs) with Policy N37 of the Unitary Development Plan which recognises their importance as areas of landscape value.</p> <p>They are also designated as Green Belt within the UDP and as well as being within an area of Strategic Green Infrastructure identified by Core Strategy Policy SP13.</p> <p>By protecting the character of the SLAs, highlighting the features which should be taken into consideration in development proposals, including the promotion of landscape enhancement, the policy amplifies and adds locally-specific detail existing development plan policies by identifying the special characteristics of the SLA which generate its landscape value.</p>
GE2: Local Green Infrastructure	Core Strategy Policy SP13.	The identification and maintenance of Local Green Infrastructure, together with the promotion of enhancement, extension and protection of function, is in line with the approach of Spatial Policy 13 (Strategic Green Infrastructure). GE2 is similarly framed and based on the mapping and description of identified infrastructure corridors as listed in the policy.
GE3: Protection of Local Green Space	Core Strategy Policies G1, G6.	Policy GE3, seeking to protect existing green spaces, is in conformity with the aims of these CS Policies which seek to protect green spaces from development and enhance and extend green infrastructure.
GE4: Local Green Space Improvement	Core Strategy Policy G4.	Policy GE4 adds a local level of detail to Policy G4 through the direction of improvement works towards designated Local Green Spaces.

Pool-in-Wharfedale NP Policy	Development Plan Policies	Commentary
GE5: Provision of New Green Space	Core Strategy Policies G4, G8.	Core Strategy Policy G4 sets out the quantity of on-site or off-site green space provision per residential unit required for residential developments of 10 dwellings or more. Neighbourhood Plan Policy GE5 adds an additional level of detail to this policy by highlighting the area's documented green space needs, to be specifically met wherever appropriate, and setting out the circumstance in which a financial contribution in lieu of on-site or off-site green space provision would not be supported.
GE6: Development Affecting the Main Street AQMA	NRWLP Policy AIR1.	Policy AIR1 requires all major developments to incorporate low emission measures. Policy GE6 extends the provisions of AIR1 to all housing development of five dwellings or more, as well as specifically addressing the issue of Main Street traffic volumes. This approach is not a conflict with AIR1, it just aims to increase the number of developments which will be required to adhere to this policy's requirements, with the justification being that due to the existence of an Air Quality Management Area in Pool in Wharfedale more urgent action/mitigation is required.
GE7: River Wharfe Local Renewable Energy Scheme	NRWLP Policy ENERGY2.	Low-level micro-generation scheme is supported by Natural Resources and Waste Local Plan – Policy ENERGY2), subject to acceptable impacts on landscape, visual amenity, noise, safety, ecology and the conservation of the built environment. Within this context, Policy GE7 seeks to encourage the development of a hydro-electric scheme in a suitable location on the River Wharfe, subject to its acceptability in terms of the requirements of policy ENERGY2.
BH1: Pool-in-Wharfedale Conservation Area – Development and Design	UDP Policies N18 - N20, Core Strategy Policy P11.	BH1 adds Pool in Wharfedale-specific detail to the generic provisions of the development plan policies in respect of conservation areas, while remaining clearly in conformity with those policies.

Pool-in-Wharfedale NP Policy	Development Plan Policies	Commentary
BH2: Local Heritage Areas	UDP Policies N18 – N20, Core Strategy Policy P11.	BH2 adds Pool in Wharfedale-specific detail to the generic provisions of the development plan policies in respect of conservation areas, while remaining clearly in conformity with those policies.
BH3: Pool-in-Wharfedale Mills Local Heritage Area	UDP Policies N18 – N20, Core Strategy Policy P11.	BH3 adds Pool in Wharfedale-specific detail to the generic provisions of the development plan policies in respect of heritage areas, while remaining clearly in conformity with those policies.
BH4: Caley Local Heritage Area	UDP Policies N18 – N20, Core Strategy Policy P11.	BH4 adds Pool in Wharfedale-specific detail to the generic provisions of the development plan policies in respect of heritage areas, while remaining clearly in conformity with those policies.
BH5: Protection and Enhancement of Non-Designated Heritage Assets	UDP Policies N14 – N17, Core Strategy Policy P11.	BH2 adds Pool in Wharfedale-specific detail to the generic provisions of the development plan policies, by identifying the non-designated assets to which those policies should apply.
CFS1: Protection and Enhancement of Community Facilities	Core Strategy Policies P9 and SP8.	Policy CF1 is consistent with P9 and SP8, which seek the retention of local services and community facilities. The policy adds Pool in Wharfedale-specific detail to the development plan policies by identifying those services and facilities to which these policies should apply.
CFS2: Provision of New Community Facilities	Core Strategy Policies P9 and SP8.	Policy CF2 which supports the provision of new community facilities, is in line with P9, which stresses the importance of access to local facilities for community health and wellbeing, while also stating that new provision should be relative to local levels of need and proportionate to the size of the settlement as well as easily accessible and centrally located.
CFS3: Land East of Main Street	Core Strategy Policies P9, SP8, P11, T2 and EN8.	Policy CFS3 presents a potential opportunity for new community facilities in line with CS Policy P9, provided proposals have regard to other development plan policies regarding preservation or enhancement of the character of the

Pool-in-Wharfedale NP Policy	Development Plan Policies	Commentary
		Conservation area, adjacent listed buildings, a traffic impact assessment and provision of electric vehicle charging infrastructure.
CFS4:Retail and Hot Food Take Away Development	Core Strategy policy P4	Policy CFS4 supports the aims of the development plan policy P4 by setting out local considerations regarding new retail development within the Neighbourhood Area and extending criteria to be taken into account of for hot food takeaway proposals.
TT1: Improved Walking and Cycling Provision	Core Strategy policies SP11, T1 and T2.	Core Strategy Policies T1 and T2 both encourage sustainable transport solutions and the use of developer contributions to achieve such solutions. Policy TT1 adds to and complements the Core Strategy's strategic approach by specifically addressing Pool-in-Wharfedale's local needs and aspirations.
TT2: Improved Public Transport	Core Strategy policies SP11, T1 and T2.	Policy TT2 conforms to development plan policies in seeking to advance sustainable travel proposals and requiring new infrastructure to provide access to public transport and developer contributions to meet that requirement.
TT3: Pool-in-Wharfedale Rail Link Reinstatement	Core Strategy Policy SP11	Policy TT3 supports SP11 in ensuring development does not prejudice future improvements to the rail network and supporting sustainable modes of transport.
TT4: New Car Parking for Public Use in Pool-in-Wharfedale Village	Core Strategy Policies T1 and EN8.	Policy TT4 conforms to the aims of development plan policies, encouraging appropriate parking development which would address Pool-in-Wharfedale's local issues as well as supporting more sustainable travel choices.
H1: Housing Development on Non-Allocated Sites	Core Strategy Policy H2	This policy upholds the general principle of the development plan policy regarding housing on non-allocated sites, while also adding further local detail to guide proposals.

Pool-in-Wharfedale NP Policy	Development Plan Policies	Commentary
H2: New Housing Development – Key Guiding Principles	Core Strategy Policies H2, G1, G4, T1, T2, P9, P11, EN8.	This policy provides significantly more detailed key guiding principles for housing development on non-allocated sites, bringing together the general principle of housing development under CS Policy H2, as well as more specific details, such as green space, accessibility, conservation, road safety/parking, active travel routes etc., which are controlled by other policies within the development plan.
H3: Housing Mix	Core Strategy policies H4 and H8	This policy supports policy H4 in promoting a good mix of housing for new residential development and H8 which seeks to increase provision for elderly people. Policy H3 reduces the dwelling threshold triggers of H8 to all housing development of five dwellings or more, rather than 50 dwellings in the Core Strategy. This approach is not a conflict with H8, it just aims to increase the number of developments which will be required to adhere to this policy's requirements, with the justification being to address the housing needs of the area.
E1: Protection of Existing Employment Sites	Core Strategy Policy EC3	Policy E1 is in conformity with the development plan policy in safeguarding existing employment land and adds local detail.

Table 3: Assessment of the NP against the relevant development plan policies

7. Compatibility with EU Obligations including Human Rights

- 7.1 The Basic Conditions require that the making of the neighbourhood plan does not breach and is otherwise compatible with European Union obligations. These are:
- Directive 2011/91/EU on the assessment of the effects of certain public and private projects on the environment (known as the Environmental Impact Assessment (EIA) Directive).
 - Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds.
- 7.2 In addition, the Basic Conditions require that the making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 7.3 To assess whether the Pool-in-Wharfedale NP might breach any of these requirements, Leeds City Council prepared a screening report to determine whether the Plan required a Strategic Environmental Assessment (SEA) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004.
- 7.4 The screening report also considered whether the Pool-in-Wharfedale NP required a Habitats Regulations Assessment in accordance with Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended).
- 7.5 The screening was undertaken prior to the pre-submission consultation on the draft NP. The submission version of the plan did not change in a material way since the pre-submission consultation took place, but other aspects of the report have been updated, for example references to the National Planning Policy Framework.
- 7.6 As part of the preparation of the screening, LCC re-consulted with the statutory consultees (Historic England, The Environment Agency and Natural England) on the draft screening.
- 7.7 The SEA screening concluded that as a result of the assessment carried out within the screening exercise, it is unlikely that the significant effects will arise as a result of the Pool-in-Wharfedale NP and that an SEA is not required when judged against the application of the SEA Directive Criteria.
- 7.8 The Habitats Regulations Assessment screening also concluded that none of the policies in the draft NP are likely to give rise to significant effect on the South Pennine Moors and North Pennine Moors SPAs/SACs and therefore the NP did not include any mitigation measures. Furthermore, no potential in combination effects were identified. Therefore, the draft NP can be considered to be screened out. This satisfies the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 7.9 The statutory consultees all agreed with LCC's screening conclusions. Furthermore, the statutory consultees also provided a response to the pre-submission consultation on the draft neighbourhood plan (see the Pool-in-Wharfedale Neighbourhood Plan Consultation Statement).

7.10

8. Compatibility with Human Rights Legislation

8.1 The Human Rights Act 1998 incorporated provisions of the European Convention on Human Rights (ECHR) into UK Law.

8.2 The specific Articles of the ECHR relevant to planning include:

- Article 6 (Right to a fair and public hearing);
- Article 8 (Right to respect for private and family life, home and correspondence);
- Article 14 (Prohibition of discrimination); and
- Article 1 of Protocol 1 (Right to peaceful enjoyment of possessions and protection of property).

8.3 The statutory and non-statutory consultations on the draft neighbourhood plan have been carried out in such a way that all sections of the local community, including those with an interest in the NP and the NA, have been given the opportunity to express their views. The ways that this has been achieved are set out in the accompanying Consultation Statement. The neighbourhood plan has been prepared to take into account the views of the whole community.

8.4 The preparation of the neighbourhood plan has also had regard to the provisions of Section 149(1) of the Equality Act 2010 and the PC is not aware of any discrimination, harassment, victimisation or any other conduct that is prohibited under this Act.

8.5 The PC has considered the potential impacts on persons with protected characteristics (as identified in the Equality Act 2010), in Table 4 as follows:

Protected Characteristic	Potential Impact of Draft Pool-in-Wharfedale NP
Age	<p>The draft NP seeks to support a more inclusive environment for people of all ages, as is recognised by the vision. In particular, the NP seeks to safeguard the existing natural environment in the NA including improving access for all residents (regardless of age). The NP also includes policies which support enhanced connectivity, including public transport, which should provide opportunities for increased mobility for residents of all ages. In addition the NP seeks to protect valued community facilities, many of which cater for a broad age range, including supporting the provision of additional facilities, which will cater for residents of all ages. Finally, policy H3 of the NP specifically encourages development to provide an appropriate mix of housing, including smaller dwellings and provision for independent living for the needs of elderly people.</p> <p>It is therefore not considered that the NP will have any specific negative effects on persons due to their age, and instead will</p>

	increase opportunities for residents of all ages to continue to enjoy the special character of pool, including the services and facilities within the village.
Gender reassignment	It is not considered that any of the provisions within the NP will have an effect (either positive or negative) on persons specifically in relation to gender reassignment or gender identity.
Marriage or civil partnership	It is not considered that any of the provisions within the NP will have a specific effect (either positive or negative) on persons in relation to marriage or civil partnership. Notwithstanding that, the draft NP seeks to support a more inclusive environment for people, as is recognised by the vision. The aims of the NP in general, in terms of encouraging new affordable housing including a mix of property sizes, safeguarding, promote and support Pool-in-Wharfedale's economic and employment base and protecting existing and encouraging new community facilities, will ensure that the village can support a whole range of residents, from individuals, to couples and families of all sizes.
Pregnancy or maternity leave	One of the aims of the NP is the make Pool in Wharfedale a parish where people's needs from cradle to grave are largely catered for. The NP includes policies to protect and enhance community facilities, which may provide opportunity for support groups/events for expectant/new mums if there is a need. Policy CFS2 specifically refers to opportunities for a new medical facility within the parish, to obviate the need for travel outside the area for basic healthcare. This will make the village more attractive for a variety of people, including those wishing to start a family if there is local access to healthcare. Overall the NP should either have a neutral or positive impact on pregnancy or maternity leave, protecting or enhancing the range of facilities and services available.
Disability	Policy CFS2 specifically refers to opportunities for a new medical facility within the parish, to obviate the need for travel outside the area for basic healthcare. This would make local healthcare more accessible for residents with a disability. All the NP policies supporting new facilities within the parish, whether healthcare, retail, meeting places/library etc. require proposals to be centrally located and easily accessible which will support their use by residents with disabilities. Policy TT1, supporting improved walking and cycling provision, states that pavement width and safe street crossing is a priority. This will ensure that any new networks are easily accessible and safe for use by people with disabilities. Overall, these policies should ensure that future development within the village will positively benefit those residents with a disability.
Race, including colour, nationality, ethnic or national origin	It is not considered that the NP will have any specific negative effects on persons due to their race, nationality or ethnicity, and instead will increase opportunities for all residents to continue to enjoy the special character of Pool, including the

	services and facilities within the village, and attract new residents to the area with an increase of affordable homes.
Religion or belief	Policy GE5 supports the provision of new green space within the parish, including specifically a new non-denominational burial ground. This will support residents of all religions or beliefs if they wish to be buried/bury a loved one locally, which should be a positive benefit.
Sex	It is not considered that any of the provisions within the NP will have an effect (either positive or negative) on persons specifically in relation to sex.
Sexual orientation	It is not considered that any of the provisions within the NP will have an effect (either positive or negative) on persons specifically in relation to sexual orientation

Table 4: Potential Impact of Draft Pool-in-Wharfedale NP on protected characteristics

8.6 It is not considered that the NP is likely to have any specific or particular impact on any persons with a protected characteristic. Overall the NP is likely to either have neutral benefit, or a general positive benefit for all residents of Pool in Wharfedale with increased inclusivity and accessibility through support for improved community facilities and services, affordable housing and enhanced green space.

8.7 The neighbourhood plan has had regard to the fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act. This is evidenced through the vision, objectives and policies in the draft neighbourhood plan which seek to improve quality of life for residents and others in the NA through improving local sustainability.

8.8 In addition, the plan as submitted provides further opportunities for involvement in village life, through engaging with the community in order to deliver projects identified in the neighbourhood plan and support its implementation.

9. Conclusions

9.1 This Basic Conditions Statement has considered the submission draft Pool-in-Wharfedale NP against the requirements of the neighbourhood planning Basic Conditions. It is considered that the NP meets the requirements of the Regulations in that it:

- Has regard to national planning policy and guidance issued by the Secretary of State;
- Contributes to the achievement of sustainable development;
- Is in general conformity with the strategic policies of the development plan;
- Complies with EU obligations, including Human Rights requirements; and

- Does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

9.2 Pool-in-Wharfedale Parish Council therefore respectfully suggests that the Pool-in-Wharfedale NP complies with Paragraph 8(1) of Schedule 4B of the Town and Country Planning Act 1990 and, subject to the conclusions of the independent examination, can proceed to a Referendum.

10. Appendix A

POOL-IN-WHARFEDALE PARISH COUNCIL

APPLICATION FOR DESIGNATION OF A NEIGHBOURHOOD AREA



Prepared by Joanna Rowling on behalf of Pool-in-Wharfedale Parish Council

11th August 2013

11. Appendix B



Ms Joanna Rowling
Vice Chair
Pool Parish Council

City Development
Forward Planning and Implementation
The Leonardo Building
2 Rossington Street
LEEDS
LS2 8HD

Contact: Heather Suggate
Tel: 0113 2478084
Fax: 0113 2476484
Email: heather.suggate@leeds.gov.uk
Our ref:
Date: 20th December 2013

Dear Ms Rowling,

Notification of approval of Neighbourhood Area designation

I am writing to confirm that Leeds City Council approved the Pool in Wharfedale neighbourhood area boundary designation (as shown on the attached plan), for the purposes of neighbourhood planning on 17th December 2013 in accordance with the Town and Country Planning Act 1990 (as amended) and the Neighbourhood Planning (General) Regulations 2012.

Please accept this letter as formal confirmation that the neighbourhood area has been designated.

Yours sincerely,

Ian Mackay
Neighbourhood Planning Manager