

North Yorkshire Local Access Forum**17 January 2018****Craven Publication Draft Local Plan****Report of the Secretary****1.0 Purpose of the Report**

- 1.1 To advise members of the Forum of the current consultation by Craven District Council and to invite the Forum to consider its response to the consultation.

2.0 Background

- 2.1 Craven District Council is currently consulting on its Publication Draft Local Plan. The Local Plan sets out the broad spatial planning policy framework and vision for Craven District (outside the Yorkshire Dales National Park) i.e. the plan area, up to 2032, as well as identifying the necessary development sites and infrastructure to support this growth. The Local Plan will also be used to make decisions on future planning applications and, once adopted, will replace the Council's existing Local Plan, which includes a number of 'saved' Local Plan Policies, originally adopted in 1999.
- 2.2 The consultation can be viewed here:
<http://www.cravencdc.gov.uk/newlocalplan>
- 2.3 The Publication Local Plan is the version of the Plan which the Council wishes to adopt. The Council has previously consulted on the following versions of the Draft Local Plan:
- first draft of Craven Local Plan (22nd September to 3rd November 2014)
 - second draft Craven Local Plan (5th April – 31 May 2016)
 - third draft pre-publication Craven Local Plan (19th June – 31st July 2017)
- Representations received during each of these consultations have been taken into account, alongside other considerations, during the preparation of the Publication Local Plan.
- 2.4 Members will recall that the Local Access Forum considered the third draft pre-publication plan consultation at its meeting on 12 July 2017 and submitted a formal response to the consultation. A summary of the responses to the Forum's formal comments is attached. These have been derived from the Policy Response Papers published on the new local plan website page on Craven District Council's website.
- 2.5 Following the current representations period (from 2nd Jan – 13 Feb 2018), the Publication Version Local Plan will be submitted, together with the individual representations received during this representations period, to the Secretary of State for Communities and Local Government, who will appoint an independent Inspector to conduct an Examination in Public. A summary of the main issues raised during the representations period will also be submitted to the Secretary of State.
- 2.6 Alongside the Publication Local Plan, the Council is also publishing the proposed Submission Policies Map showing how the adopted Policies Map is intended to be changed to reflect the proposals in the Publication Local Plan. This sets out, on an

Ordnance Survey base map, allocations and designations arising from policies in the local plan.

- 2.7 Representations at this stage should only be made on the legal and procedural compliance of the Craven Local Plan, the soundness of the Craven Local Plan and whether the Craven Local Plan is in conformity with the Duty to Cooperate. The Council has produced representation guidance notes which are included on the website.
- 2.8 The North Yorkshire Local Access Forum has been invited to participate in the consultation. Matthew Collins, Planning Support Officer for Craven District Council, will attend the meeting to introduce the consultation and to respond to Forum members' questions. It is hoped that this will be useful in helping the Forum to consider the contents of any formal response it wishes to submit as part of the consultation process.

3.0 Responding to the consultation

- 3.1 The closing date for the consultation is 5.00pm on Tuesday 13 February 2018.
- 3.2 It is suggested that the Forum adopts the usual approach to preparing consultation responses – ie that the relevant District Council liaison representative and the Secretary work together to draft a summary based on the discussion at the meeting, and adding any additional issues arising from consideration of the consultation documents. The draft response will then be circulated by email for members' comments prior to formal submission on behalf of the Forum by the given deadline.

4.0 Recommendations

- 4.1 That the Local Access Forum considers the content of any response it wishes to submit to the Craven Publication Draft Local Plan consultation.
- 4.2 That the relevant District Council liaison representatives and the Secretary prepare a draft formal response to the consultation, and circulate it by email for members' comments prior to submission on behalf of the Forum.

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Background Documents: 2017-07-31 LAF Submitted comments on Craven Local Plan consultation

Craven Local Plan – Response to LAF comments submitted on third pre-publication draft local plan – July 2017

Main issues from consultation	Response	Change required (Yes/No)	Changes made to the plan
<p><u>General comment</u> The LAF is impressed by and welcomes the extent to which the Craven Draft Local Plan covers access issues. The LAF hopes the Local Planning Authority will be successful in carrying through its ambitions to the implementation stages, recognising that there is a big difference between local plan ‘wish lists’ and future progress on the ground.</p>			
<p><u>Key Issues – Craven Plan Area</u> The LAF would suggest that the final bullet point on Transport should not refer to connection further afield but should include words something like ‘whilst also maximising every opportunity for sustainable transport (bus/cycle and foot) in all locations’.</p>	<p>Disagree. The key issue highlighted under the heading Transport arises from the sub regional/economic context of Craven and its transport links with the wider region and is a key strategic issue that is appropriate for the Local Plan to address. Policy ENV3: Good Design supports development that seeks to maximise opportunities for sustainable modes of travel and maximising opportunities for occupiers of dwellings to walk or cycle to most key services is included as a development principle for individual allocated sites within Policies SP5 to SP11.</p>	No	
<p><u>Plan Objectives</u> There is no mention of access issues in the Plan Objectives. The LAF would like to see access issues included here.</p>			
<p><u>Section 5: Environment</u> The North Yorkshire Local Access Forum welcomes the Council’s clearly expressed intent to work in partnership with it and also the LAF of the Yorkshire Dales National Park.</p>			

<p><u>Draft Policy ENV1: Countryside and Landscape</u> The LAF particularly welcomes ENV1(e) which talks about restoration, preservation and enhancement of the PROW network and promotion of disabled access to the countryside and ENV1(g) which aims to preserve existing and create new connections between built-up areas and the countryside.</p>	Support is noted and welcomed	No	
<p><u>Draft Policy ENV3: Good Design</u> The LAF particularly welcomes section h-k of this policy regarding accessibility for the disabled; new development making getting around easy for pedestrians, cyclists and the disabled by improving existing routes, adding new, and creating connections to enhance local networks; and even mentioning bike storage to encourage sustainable transport.</p>	This comment supports draft policy ENV3 on Good Design.	No	N/A
<p><u>Draft Policy ENV5: Green Infrastructure</u> The LAF welcomes the importance of footpaths, cycle routes, national trails, etc in this policy.</p>	Support noted and welcomed.		
<p><u>Draft Policy ENV10: Local Green Space</u> The intention is to protect significant and valuable green spaces from development that would spoil the spaces. This is welcome, but greater clarity on the question of whether these spaces will automatically have public access, in whole, or in part, would make the aim of this policy clearer. The public will be pleased to see local green areas protected from disfiguring development. Where these areas are traversed by public rights of way, no doubt these rights will be protected, but if there are no pre-existing public rights of way, or rights of access, will they be created?</p>	Support is noted and welcomed	No	
<p><u>Draft Policy ENV11: Leeds Liverpool Canal</u> The recognition of the huge public amenity value of the canal and its adjacent towpath are welcome. The Plan acknowledges that the canal and towpath are not public rights of way, but is confident that public access on water (by licence), alongside on foot, and on bicycles, will continue, although access is permissive, and is in the hands of the Canals and Rivers Trust (section 5.165). Mixed use of towpaths by walkers, cyclists and wheelchair-users needs careful management, as does the selection of surfacing that accommodates all users, and which blends in with the character of the canal. These matters may lie beyond the remit of the Authority, but close liaison</p>	Noted	No	

<p>between the Rights of Way Department and the Canals and River Trust will be important. The possibility of opening the towpath to horses, although contentious, could usefully be explored.</p>			
<p><u>Draft Policy ENV12: Footpaths, bridleways and cycle routes</u> The Plan rightly recognises the importance of Craven’s network of footpaths and bridleways, but is thin when it comes to detail.</p> <p>1. The network is to be ‘enhanced’, but it is unclear what conditions need to be fulfilled if new rights of way are to be created. Walkers are, by and large, well-served by the existing footpath network – provided that the paths are well-maintained and signed, but the network of bridleways that cyclists and horseriders need is patchy. The creation of new bridleways should explicitly be considered.</p> <p>2. The Rights of Way Department and the Highways Department have a long backlog of Definitive Map Modification Orders that need to be determined. Some consideration should be given to the prospects of clearing this backlog, and thus bringing the Definitive Map up to date.</p> <p>3. The plan contains (section 5.106) an aspiration to make ‘the countryside more accessible for disabled people.’ If this is to be more than an aspiration, some consideration should be given to a commitment to establish, in each area within Craven, short, well-surfaced, stile-free circuits suitable for wheelchair-users and people with limited mobility. (Yorkshire Water have done this, very effectively, in the Washburn Valley.)</p> <p>4. The plan considers only footpaths and bridleways. It says nothing about three other rights of way classifications that constitute an important part of Craven’s recreational assets – ie restricted byways (RBs), byways open to all traffic (BOATs), and unsealed, unclassified county roads (UUCRs). RBs are scarcely different from bridleways, differing only in permitting horse-drawn carriages. BOATs, which are defined as having the general character of footpaths or bridleways, are more contentious, for they are open to motor vehicles and thus often present challenging management problems. The public rights</p>	<p>1. Noted – new bridleways should be considered explicitly.</p> <p>2. Noted, but it is not clear how this could be achieved through the local plan.</p> <p>3. Noted – support for the creation of such circuits would be a good addition to the draft policy.</p> <p>4. Noted – North Yorkshire County Council’s PROW Team has recommended adding references to “byways” consistently throughout the draft policy and supporting text and it is intended to follow that recommendation.</p> <p>5. This is addressed in the subsequent paragraph, 5.108, and then followed up in the leading paragraph and parts d) and e) of the draft policy itself.</p> <p>6. Noted, but it is considered that the wording of the draft policy gives the appropriate and positive support required, including in part d), but also in the leading paragraph and second part c) [now part i)].</p>	<p>Yes</p>	<p>Part d) of the draft policy has been amended to include explicit reference to new bridleways.</p> <p>Paragraph 5.106 of the supporting text has been amended and a new part j) has been added to the draft policy to support the creation of accessible circuits.</p> <p>The draft policy and supporting text have been amended so that they refer to byways throughout.</p>

on UUCRs are unclear, beyond the unquestioned rights of pedestrians to use them. But in practice, cyclists and equestrians use them, along with recreational 4x4 and motorbike users. The management of 'green lanes' – as BOATs and UUCRs are colloquially known -presents challenges: the often conflicting demands of motorised and non-motorised are difficult to reconcile. Obviously, the Craven Plan cannot go into fine detail, but some consideration ought to be given to the three classes of rights of way that at present are not considered at all, but which are likely to present Craven with some of its most challenging rights of way management problems.

5. Section 5.107 deals with footpaths that run through proposed new building developments. The Plan says that these rights of way must be respected by developers and not hemmed in or made difficult to use. The Plan does not seize the opportunity to say that brand new footpaths and cycle routes will automatically be included in new developments.

6. Section 5.109 says that 'loops' will be created to join up existing rights of way, so as to provide attractive traffic-free routes between communities, and circuits around communities. This is welcome, but it stops short of declaring that new rights of way will automatically be created in order to complete a 'loop' or a route between communities - although the policy env12, section d, reassuringly declares, as a general policy, that new rights of way will be created.

Sustainability Appraisal Objective SO8

The LAF would suggest that this objective should read "Improve connectivity for those without a car, reduce the need for travel, and ensure proposed developments have safe access". The Forum thinks that as currently written it does not emphasise the case for non-motorised users robustly enough.
