



Planning Ecosystem

An outline of the key phases and how you can respond

Get familiar with the policy documents

National Planning Policy Framework and Planning Practice Guidance



NPPF Paragraph 16 Plans should:

c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees

NPPF Paragraph 41 They should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community

NPPF Paragraph 46 Local planning authorities should consult the appropriate bodies when considering applications for the siting of, or changes to, major hazard sites, installations or pipelines, or for development around them.

Neighbourhood Plans: Through the Localism Act the Government has introduced new rights and powers to allow local communities, a group of residents, employees or businesses, to have more say about the development that happens in their local area. The central right is to prepare neighbourhood plans, which can set out local policies that detail where development should go and the form it should take. Any neighbourhood plans which are adopted will become part of the statutory Development Plan and sit alongside the Local Plan policies, forming the basis for determining planning applications in those locations.

NPPF Paragraph 12 The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), **permission should not usually be granted**. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

NPPF Paragraph 13 The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.

Purpose of Planning Process

Ensure the delivery of sustainable development



Just a reminder about the words from the National Planning Policy Framework:

“At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs”.

So, what does sustainable development really mean?

- The creation of a range of housing and employment opportunities to meet local needs?
- The use of sustainable materials in the development process?

Delivered

- Ensuring there are sufficient school places and health services provision to meet community requirements?
- Ensuring there is sufficient access to Green Spaces, utilities and other amenities, including retail, entertainment, etc?

Mostly
Delivered

- The implementation of sufficient sustainable freight & passenger transport to reduce the need to travel by private car or HGV?
- Ensuring the development does not exacerbate the effects of climate change (ie resulting in increased flood risk, carbon emissions, or air, noise, light, vibration or water pollution)?
- Enabling the protection of natural capital assets, supporting nature's recovery and future food security?
- Ensuring there is a diverse range of employment opportunities to enable access to jobs and career progression?

Typically
NOT
Delivered

Local Nature Recovery Strategy

Another Important Consideration



England is widely considered to be one of the most nature-depleted countries in the world following historic and ongoing declines. Government has made legally-binding commitments to end these declines and for nature to recover. This is important for nature's own sake and for all the things that we rely on nature for, like clean water and food production. For nature to recover, targeted, co-ordinated and collaborative action will be required. Each local nature recovery strategy will agree priorities for nature recovery and propose actions in the locations where it would make a particular contribution to achieving those priorities.

LNRS should be designed to set out how the nature and biodiversity emergency can be tackled, to improve access to nature and set out a long-term vision for delivery of a resilient network for nature, connecting and enhancing wild spaces so that people and nature can thrive. In short, it's a roadmap for nature's recovery for each of the 48 areas in England!

In North Yorkshire, the aim is to submit the strategy for statutory public consultation during Spring 2025, with the published version of the strategy ready for September 2025.



19%
Across the UK species
studied have declined
on average by 19%
since 1970.

16%
Nearly one in six
species are threatened
with extinction from
Great Britain

151
of 10,008 species
assessed have already
become extinct since
1500

Statement of Community Involvement

Another Important Document for Residents



1.1 The Statement of Community Involvement (SCI) sets out how the council will involve the community and other stakeholders in the two main planning functions of preparing a local plan (or other planning policy document) and the consideration of planning applications. This document will set out:

- What will be consulted upon;
- Who we will consult;
- When the council will consult; and
- How the Council will consult (methods used to consult).

1.2 The SCI also provides information about: the role of elected councillors, parish and town councils, parish meetings and voluntary and community groups in planning matters; who you can contact for assistance in planning matters, and what will be expected of you when you make comments and how those comments will be presented.

1.3 The SCI is a statutory planning document and applies to the whole of the North Yorkshire Council area. North Yorkshire Council is the local planning authority for the whole of the unitary area of North Yorkshire (excluding the two national park authority areas).

What's in the North Yorkshire SCI?

Community Engagement and Consultation



1.6 **There is a clear emphasis throughout national policy on encouraging early and consistent community involvement.** The National Planning Policy Framework (NPPF) and the online Planning Practice Guidance encourage front-loading engagement and co-operation with the community so that local plans reflect a collective vision and agreed set of priorities. They also highlight the importance of early community engagement before planning and other applications are submitted.

1.7 Specifically for plan making, The Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the steps for the production of local plans and supplementary planning documents. It includes who is to be included at each consultation and which documents are available at each stage of the process.

1.8 Similarly for planning applications, The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out the procedure to be followed by local planning authorities when processing planning applications: from receipt of the application to the decision being issued and recorded.

1.13 The Statement of Community Involvement is a key part of the Council's overall approach to community engagementThe Council Plan sets out that it will carry out effective community engagement and encourage participation by our communities.

1.14 We believe that everyone should have the opportunity to have their say in shaping their environment **at the earliest opportunity.** Consultation and engagement with the relevant consultees and any interested parties is an essential part of the planning process. It informs the production of new planning policy documents and the consideration and determination of planning applications submitted to the council. Planning should be an inclusive process and the Statement of Community Involvement sets out when and how everyone will have the opportunity to express their views and comments at the relevant and appropriate times.

1.26 We believe that everyone should have the opportunity to be actively involved in decisions that affect them and their community. Voluntary and community groups are encouraged to be involved in planning matters and can represent their members.

3.15 All applicants are encouraged to do some form of consultation with the public such as neighbouring and nearby properties before they submit a planning application.

3.23 The council expects communities to be offered genuine choice and a real opportunity to influence proposals in these consultation exercises.



Rules: The Gunning Principles

They were coined by Stephen Sedley QC in a court case in 1985 relating to a school closure consultation (R v London Borough of Brent ex parte Gunning). Prior to this, very little consideration had been given to the laws of consultation. Sedley defined that a consultation is only legitimate when these four principles are met:

1. proposals are still at a formative stage

A final decision has not yet been made, or predetermined, by the decision makers

2. there is sufficient information to give 'intelligent consideration'

The information provided must relate to the consultation and must be available, accessible, and easily interpretable for consultees to provide an informed response

3. there is adequate time for consideration and response

There must be sufficient opportunity for consultees to participate in the consultation. There is no set timeframe for consultation,¹ despite the widely accepted twelve-week consultation period, as the length of time given for consultee to respond can vary depending on the subject and extent of impact of the consultation

4. 'conscientious consideration' must be given to the consultation responses before a decision is made

Decision-makers should be able to provide evidence that they took consultation responses into account


These principles were reinforced in 2001 in the 'Coughlan Case (R v North and East Devon Health Authority ex parte Coughlan²), which involved a health authority closure and confirmed that they applied to all consultations, and then in a Supreme Court case in 2014 (R ex parte Moseley v LB Haringey³), which endorsed the legal standing of the four principles. Since then, the Gunning Principles have formed a strong legal foundation from which the legitimacy of public consultations is assessed, and are frequently referred to as a legal basis for judicial review decisions.⁴

Importance of the Planning Weekly Lists



Make sure you are on the circulation lists

Reference Number:	114525/FUL/24	Partington Town Council	Bucklow St Martins Ward
Site Address:	Cross Lane Changing Rooms (Located Adjacent Cross Lane Park) Moss Lane Partington Manchester M31 4FA		
Proposal:	Erection of a single storey side extension and installation of PV panels to roof.		
Reference Number:	114628/RES/24	Carrington Parish Council	Bucklow St Martins Ward
Site Address:	Land At Heath Farm Lane Partington Manchester M31 4EH		
Proposal:	Reserved matters application for appearance, landscape, layout, and scale for the erection of 79 residential dwellings pursuant to outline approval as varied under application ref: 108032/VAR/22.		
Reference Number:	114583/FUL/24		Manor Ward
Site Address:	278 & 280 Washway Road Sale M33 4RY		
Proposal:	Joint application for erection of single storey rear extension (280) and erection of single storey side and rear extensions (278).		
Reference Number:	113679/FUL/24		Sale Central Ward
Site Address:	Marchfield Lodge 36 Wardle Road Sale		
Proposal:	Demolition of existing detached dwelling (Use Class C4 HMO) and erection of 4no dwellings with parking, landscaping and amenity space.		
Reference Number:	114406/HHA/24		Sale Central Ward
Site Address:	3 Lynn Avenue Sale M33 7BN		
Proposal:	Demolition of existing garage and erection of single storey front, side and rear extension.		

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Planning – Simple Search

Search for Planning Applications, Appeals and Enforcements by keyword, application reference, postcode or by a single line of an address.

Simple

Advanced

Weekly/Monthly Lists

Property

Map

Applications

Appeals

Enforcements

Status:

All

Enter a keyword, reference number, postcode or single line of an address.

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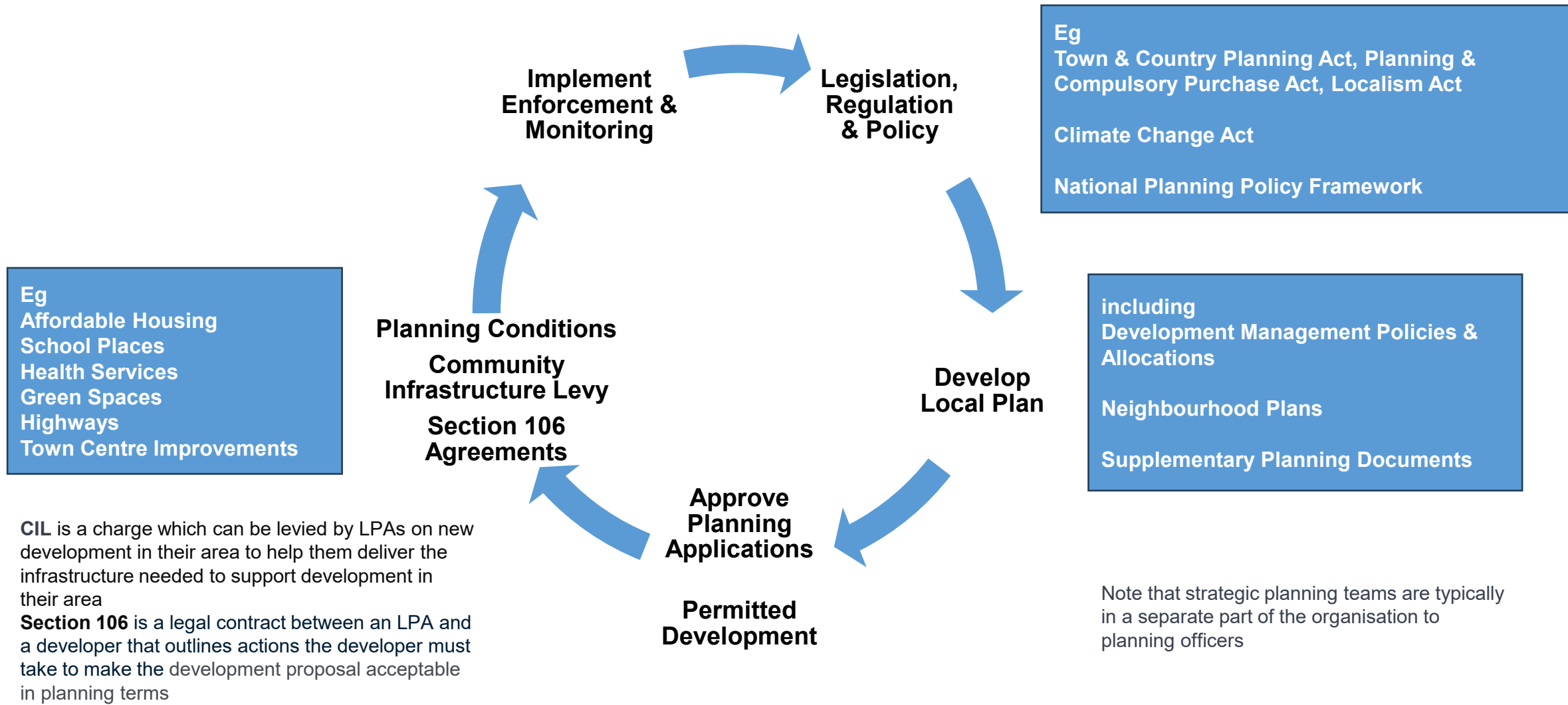
Search

Need to understand the process for North Yorkshire – they do not seem to send out weekly emails?

Overview of the Planning Process



All phases are extremely important



Permitted Development Rights (PDR)

No need to apply for planning permission



- Granted by Government (not LPAs)
- Those that apply to houses may not apply to flats, maisonettes or other buildings
- Commercial properties have different permitted development rights to dwellings
- Designated areas (eg conservation areas, national parks, AONBs, world heritage sites) have more restricted PDR
- Most permitted development rights are subject to conditions and limitations (eg the need to apply to the LPA for its 'prior approval', or to determine if its 'prior approval' will be required, enabling the LPA to consider the proposals, their likely impacts on, for example, transport and highways, and how these may be mitigated)
- Certain developments for agriculture or forestry have specific permitted development rights that require a prior approval application, including new buildings, or extensions/alterations to existing buildings, or creating or altering a private road
- Changing the use of buildings and land between Use Classes (1987 Order or from or to a 'sui generis' use) is usually considered to be a 'material change of use' which requires planning permission from the LPA – but this is not required if a material change of use is covered by PDRs (set out in the [General Permitted Development Order](#)) eg buildings in [commercial, business or service use can be converted to homes](#) without planning permission (subject to certain restrictions, conditions and limitations)
- Note that a [2020 study commissioned by the government](#) found that homes created through PDRs resulted in “*worse quality residential environments*” than those that required planning permission from the LPA, Government also expressed concerns that [some homes delivered through PDRs were “of poor quality and situated in unsuitable places”](#) and the LGA also raised concerns that LPAs could not require developers to [deliver affordable housing or supporting infrastructure for PDR schemes](#).

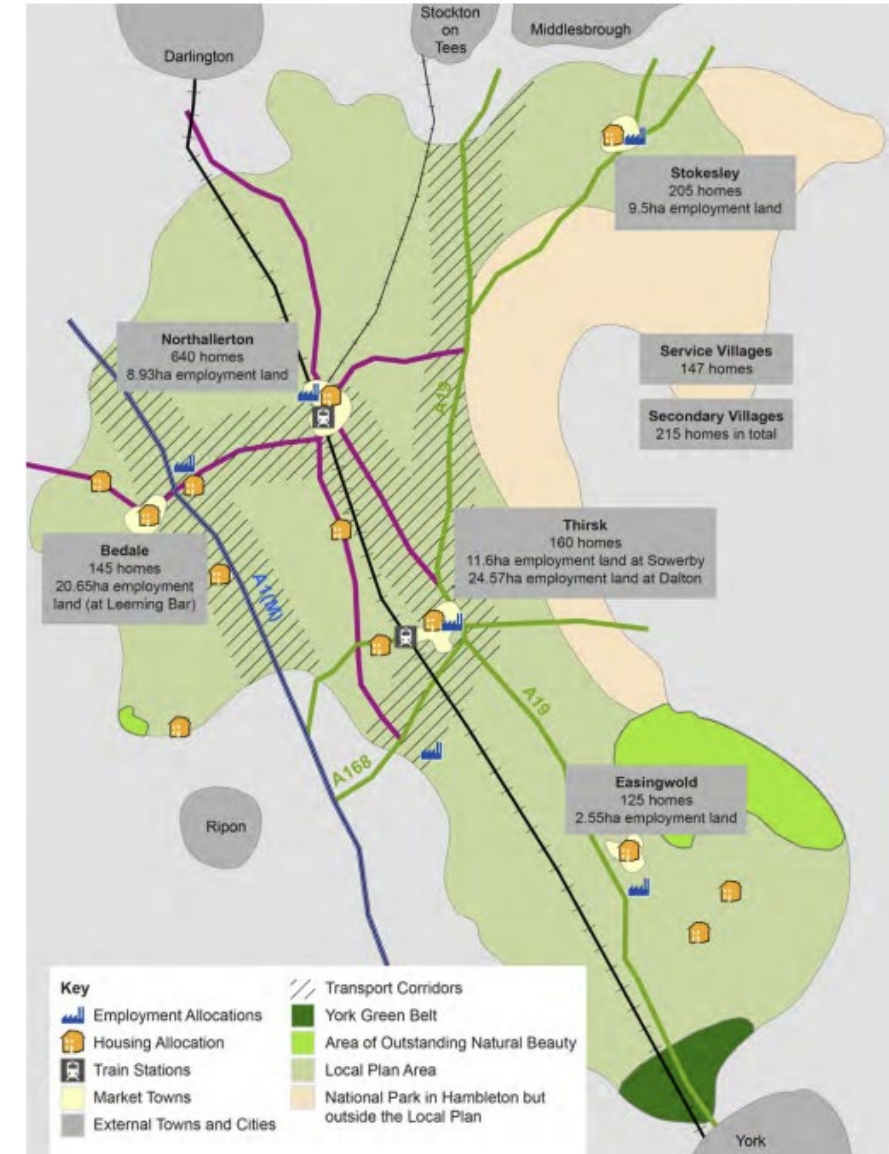
[Parliamentary Briefing 6th March 2024](#)

What's in the Hambleton Local Plan

Adopted in 2022 – plan period to 2036

- The Key Diagram is a high-level view of the spatial plan
- The locations of the two BESS developments are not highlighted for development in the plan
- Policy RM6: Renewable and Low Carbon Energy states “**Renewable and low-carbon energy installations, including associated infrastructure, will be encouraged**”
- Policy S5: Development in the Countryside states “**Development in the countryside will only be supported where it is in accordance with national planning policy or other policies of the development plan and would not harm the character, appearance and environmental qualities of the area in which it is located**”
- The Local Plan will help to ensure that development takes place in a planned and coordinated way so we get the **right kind of development in the right place**. Its policies will be the key tool for determining planning applications. The Plan makes clear where development is acceptable and provides certainty for local communities, developers and businesses wishing to expand or locate within the district.
- Local Plan Vision - Hambleton's natural and historic assets will be preserved and enhanced, providing support for the health and well-being of its communities
- Spatial Outcome 4: Hambleton's special qualities including its landscape, natural, built and historic assets have been protected and enhanced. Enhancing the districts biodiversity, adapting and mitigating climate change (including the management of flood risk), and supporting the working countryside and health and well being of residents.

Figure 3.1 Key Diagram



Local Plan Key Stages

As set out in the North Yorkshire SCI

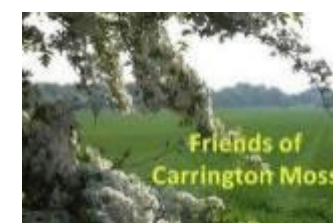


Table 1 The stages of local plan preparation

Local plans ¹		
Preparation stage	What is involved?	How you can be involved
Stage 1 Development of evidence base	Background research and evidence gathering to inform the emerging plan.	Informal engagement
Stage 2 Preparation of Local Plan (Regulation 18)	The council will inform the community that the local plan is being produced and ask for views on the scope of the plan, options and finally preferred options. This stage in the plan making process is likely to require a number of methods of consultation, including a six-week period of consultation on a preferred option draft local plan when comments will be invited. A sustainability appraisal scoping report will be prepared and consultation will be carried out with the Environment Agency, Natural England, Historic England.	Formal consultation – submit comments
Stage 3 Publication of the Local Plan (Regulation 19 & 20)	After taking into account the comments received on the (Regulation 18) preferred options draft plan, the Publication Draft Local Plan is formally published for a six-week period to allow representations to be made. Representations made will be considered during the independent Examination in Public. Consultees are asked to complete a standard representation form, to indicate whether in their view the plan is legally compliant and 'sound' or not and to give their reasons. The Council will ask those who respond if they wish to be kept informed of the progress of the document as it is submitted, examined and adopted and if they want to hear at the hearing sessions. A sustainability appraisal report will also be prepared, published & consulted on alongside the Publication Local Plan.	Formal Stage – submit representations

Stage 4 Submission to the Secretary of State (Regulation 22)	The draft local plan will be submitted to the Secretary of State for examination together with the: <ul style="list-style-type: none"> • submission policies map (if appropriate); • sustainability appraisal report; and • consultation statement detailing the main issues raised in the representations received in stages 2 & 3 and how issues raised in stage 2 have been addressed. Copies of any representations made at stage 3 and any other relevant supporting documents will be submitted. The council will notify those persons who have requested to be notified that the submission documents are available for inspection.	Inspection of documents available – no comments at this stage.
Stage 5 Independent examination (Regulation 24)	An examination is held by an independent Inspector. The Inspector will assess the soundness of the Local Plan.	Formal – attendance at Examination
	Any consultee who made a representation (objecting to the plan) at stage 3 (Regulation 19 & 20) and indicated that they wish to attend the public hearings will be informed of the date, time, venue and format of the hearings and be entitled to be heard at the examination.	
	Any main modifications the Inspector considers necessary to make the plan sound would be subject to sustainability appraisal and consultation.	Formal consultation – submit representations on any main modifications only.
Stage 6 Publication of the Inspector's report (Regulation 25)	The local authority publish the inspector's recommendations and give notice to all persons who requested to be notified that the recommendations are available.	Notification only.
Stage 7 Adoption (Regulation 26)	If the inspector finds the local plan sound (with or without main modifications), the Council will then decide whether to adopt the local plan or not. Subject to agreeing to adopt, the local planning authority publish the adopted local plan, the adoption statement, the sustainability report and informs those who have been asked to be notified of its adoption.	Notification only.

¹ The main documents for North Yorkshire council are the NYC Local Plan and the Minerals and Waste Plan. The latter of these may be produced jointly with the North York Moors National park Authority and the City of York Council.

Supplementary Planning Documents

Minimum Opportunities for formal/informal engagement



Table 2 The stages of SPD preparation

Supplementary Planning Documents (SPDs)		
Preparation stage	What is involved?	Type of community involvement
Stage 1 Public participation on the draft SPD (Regulation 12)	The council will carry out targeted consultation and ask for views on the draft SPD. Screening reports are prepared and published to determine whether the SPD should be subject to a SEA and/or HRA Appropriate Assessment. The council will publish invite comment on screening reports from key statutory consultees.	Informal engagement – submission of comments.
Stage 2 Invite representations on the draft SPD (Regulation 13)	The council will prepare and publish a consultation statement detailing the main issues raised in the comments received in stage 1 above and how those issues have been addressed in the draft SPD. The council will formally consult on the draft SPD for at least a four-week period to allow representations to be made. The council will notify those who respond when the SPD is adopted.	Formal consultation – submit representations
Stage 3 Adoption (Regulation 14)	The council adopts the SPD, makes the adopted SPD and adoption statement available and informs those who have been asked to be notified of its adoption.	Notification only

Opportunities to be involved are at the preparation stage of policy formulation, are usually for those potentially affected by the implementation of the SPD, or for those with a specialist interest in the subject of the SPD.

Neighbourhood Plans

From the North Yorkshire SCI



Table 3 The stages of neighbourhood plan preparation

Neighbourhood Plans		
Preparation stage	What is involved?	Type of community involvement
Stage 1 Neighbourhood area designation	An application from the town or parish council or other qualifying body for designation of a neighbourhood area will normally be: <ul style="list-style-type: none"> publicised by the local planning authority (LPA) for consultation for six weeks; or approved without the need for consultation if the area is the whole of the area of a parish council¹ 	Depending on the area proposed there may be consultation – submit comments on the proposed neighbourhood area
Stage 2 Preparing a draft neighbourhood plan	The qualifying body gathers baseline information, engages and consults those living and working in the neighbourhood area, and starts to prepare the draft neighbourhood plan.	Informal engagement – submit comments to the qualifying body
Stage 3 Consultation on the draft neighbourhood plan	The qualifying body consults on the draft plan for a minimum of six weeks. The qualifying body consults “consultation bodies”, adjoining parish councils, voluntary bodies, racial, ethnic or national groups, religious groups, persons carrying on business in the area and local residents, as well as North Yorkshire Council.	Formal consultation - submit comments to the qualifying body
Stage 4 Submission of the neighbourhood plan	The qualifying body formally submits the neighbourhood plan to North Yorkshire Council, along with the consultation statement, basic conditions statement and other supporting documents and information.	Formal consultation - submit representations
Stage 5 Consultation on the submitted neighbourhood plan	North Yorkshire Council consults on the submitted plan for a minimum of 6 weeks.	Formal consultation - submit representations to North Yorkshire Council
Stage 6 Examination of the neighbourhood plan	The LPA will send the neighbourhood plan together with all the supporting documents and representations received at stage 5 to the examiner. The examiner considers the plan taking account of all the supporting information, representations, and national and local planning policy. The examiner sends their report to North Yorkshire Council. The examiner’s report will form a view on whether the neighbourhood plan meets the basic conditions. This may include recommendations for modifications. The report will also recommend whether the plan should go to referendum.	In exceptional circumstances the examination may include hearing sessions – attend hearing sessions if invited to by the examiner

Stage 7 Decision on a plan proposal	North Yorkshire Council will consider the recommendations of the examiner and decide whether the plan will go to referendum.	Notification only
Stage 8 Referendum	The council is responsible for organising the referendum. The council must publish an information statement and notice of the referendum and declare the results.	Referendum – residents within the neighbourhood area will be eligible to vote
Stage 9 Adoption	If more than 50% of those voting in the referendum are in favour, then the plan must be made/adopted by the North Yorkshire Council. Once made, the neighbourhood plan becomes part of the statutory development plan for the area.	Notification only

¹ Consultation for 6 weeks is required if the proposed neighbourhood area extends beyond the parish boundary or does not cover the whole parish area; An extended period of consultation may be required if for example the area extends into more than one Local Planning Authority area

2.33 A neighbourhood plan gives local communities direct power to shape the development and growth of their local area by building upon the policies in the local plan. Communities can influence where new homes, shops, offices and other facilities are to be built in their neighbourhood, what the new buildings should look like and what infrastructure should be provided.

2.34 Introduced under the Localism Act (2011), a parish or town council will normally lead the production of the neighbourhood plan in your area with support and guidance from North Yorkshire Council. More information about neighbourhood planning can be viewed here. The key stages in the production of a neighbourhood plan are set out in Table 3 below. This sets out the key informal and formal opportunities for the community to be involved in the preparation of neighbourhood plans. This is the minimum required by the regulations .

2.35 The Levelling-Up and Regeneration Act brought in Neighbourhood Priorities Statements. These can be a pre-cursor to a full Neighbourhood Plan or a simpler statement of priorities. These new statements will require consultation with the community and, when finalised, will need to be taken into account when preparing local plans.

Planning Application Types

And an explanation of some of the jargon



Table 4 Planning application types

Application Type	Description	
Major	Residential developments of 10 or more dwellings, or a site area of 0.5 hectares or more. For other proposals, where the floor space being constructed is 1,000 square metres or more, or for a site area of 1 hectare or more. All minerals and waste applications.	Applications can be submitted as: <ul style="list-style-type: none"> • Outline¹¹ • Reserved Matters • Full • Section 73
Minor	Smaller applications, which do not fall into the category of 'Other Applications' for example residential developments of 1-9 dwellings or a site less than 0.5 hectares.	
Other	There are many different other applications which include: <ul style="list-style-type: none"> • permission in principle • householder applications • change of use • work to listed buildings • works to trees that are the subject of protection order or in a conservation area 	Prior notification and prior approval applications follow a different procedure to that of other planning applications. Prior notifications require the case officer to give comments on the proposal, rather than to make a formal decision.
	<ul style="list-style-type: none"> • advertisements • certificates of lawfulness • minor amendments • discharge of conditions • prior notifications • prior approvals • environmental impact screening opinions. • scoping opinions See the website for the full range of applications.	Prior approvals do require a formal decision.

Application for full planning permission: results in a decision on the detailed proposals of how a site can be developed. If planning permission is granted, and subject to compliance with any planning conditions that are imposed, no further engagement with the local planning authority is required to proceed with the development granted permission, although other consents may be required

Outline planning application: allows for a decision on the general principles of how a site can be developed, granted subject to conditions requiring the subsequent approval of one or more 'reserved matters'

Reserved matters: those aspects of a proposed development which an applicant can choose not to submit details of with an outline planning application, (ie they can be 'reserved' for later determination) - defined in [article 2 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) as Access (to the site by vehicles and pedestrians), Appearance, Landscaping, Layout, Scale (of the buildings)

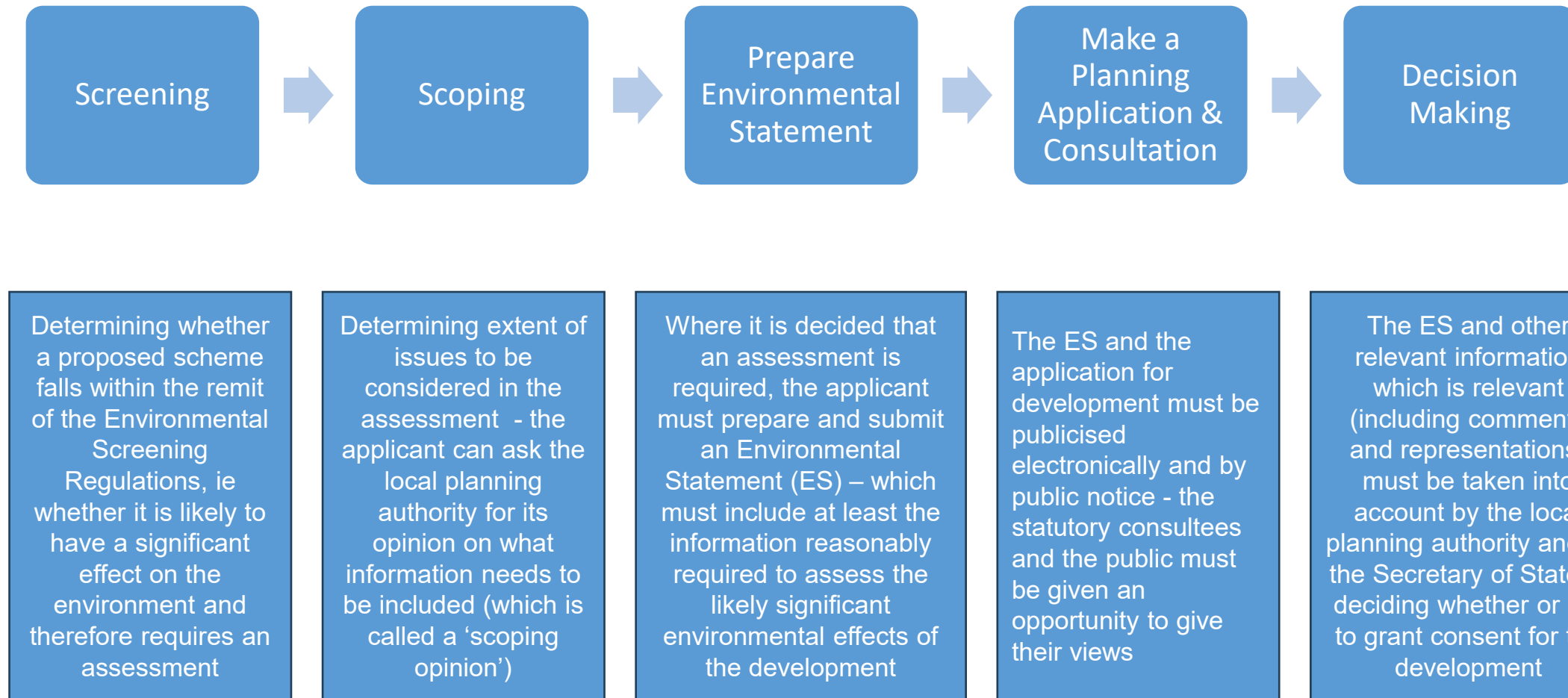
Hybrid planning application: A hybrid planning application is a single application that requests both outline and full planning permission for different parts of the same site, often used for major developments, allowing work to begin on one part of the site while the full details for the other parts are still being determined. Developers may use hybrid applications to establish the principle of development across the site, to secure detailed consent for the first phase and/or to demonstrate that the site is deliverable

Permission in Principle: this consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development.

¹¹ Minerals and Waste proposals cannot be submitted as an outline application

Planning Application Stages

Get involved from the very beginning!



EIA Screening and Scoping Opinion

Schedule 1 and Schedule 2 Developments



Schedule 1 (23 categories)	Schedule 2 (13 categories)
1. Crude-oil refineries	1. Agriculture and aquaculture
2. Thermal/Nuclear power stations	2. Extractive industry
3. Installations for the reprocessing of irradiated nuclear fuel	3. Energy industry
4. Integrated works for the initial smelting of iron ores and steel	4. Production and processing of metals
5. Installations for the extraction of asbestos	5. Mineral industry
6. Chemical installations	6. Chemical industry (unless included in Schedule 1)
7. Railways and airports with a basic runway longer than 2,100 m	7. Food industry
8. Inland waterways & ports	8. Textile, leather, wood and paper industries
9. Waste disposal installations or landfill of waste	9. Rubber industry
10. Waste disposal installations of non-hazardous waste with a capacity exceeding 100 tonnes	10. Infrastructure projects
11. Transfer of water resources	11. Other projects
12. Waste water treatment plants	12. Tourism and leisure
13. Groundwater abstraction or artificial groundwater recharge schemes	13. Changes and extensions
14. Extraction of petroleum and natural gas for commercial purposes	
15. Dams and other installations designed for the holding back or permanent storage of water	
16. Pipelines with a diameter of more than 800mm and a length of more than 40km	
17. Installations for the intensive rearing of poultry or pigs	
18. Industrial plants for the production of pulp or paper	
19. Quarries and open-cast mining	
20. Construction of overhead electrical power lines	
21. Storage sites (geological storage of carbon dioxide)	
22. Installations for the capture of carbon dioxide streams	
23. Any change to or extension of development listed in this Schedule	

Scoping Opinion: issued by the planning authority to confirm whether an Environmental Impact Assessment should be submitted for a future or current development proposal – note that if the scheme is listed in [Schedule 1](#) an Environmental Impact Assessment is required in every case, **if it is listed in [Schedule 2](#), the LPA should consider whether it meets the threshold in the legislation (the area of the development exceeds 0.5 hectare) and whether it is likely to have significant effects on the environment.**

Environmental Impact Assessment: (only applies to certain types of development – can apply to permitted development) aims to protect the environment by ensuring that any significant effects are taken into account in the decision-making process (scope should be limited to those aspects of the environment that are likely to be significantly affected) – it also gives the public an opportunity to participate in the process and is subject to consultation with the Environment Agency and Natural England.

Example Response – Scoping Opinion

114524_EIASCO_24-SCOPING_REPORT-1372113



FOCM Response:

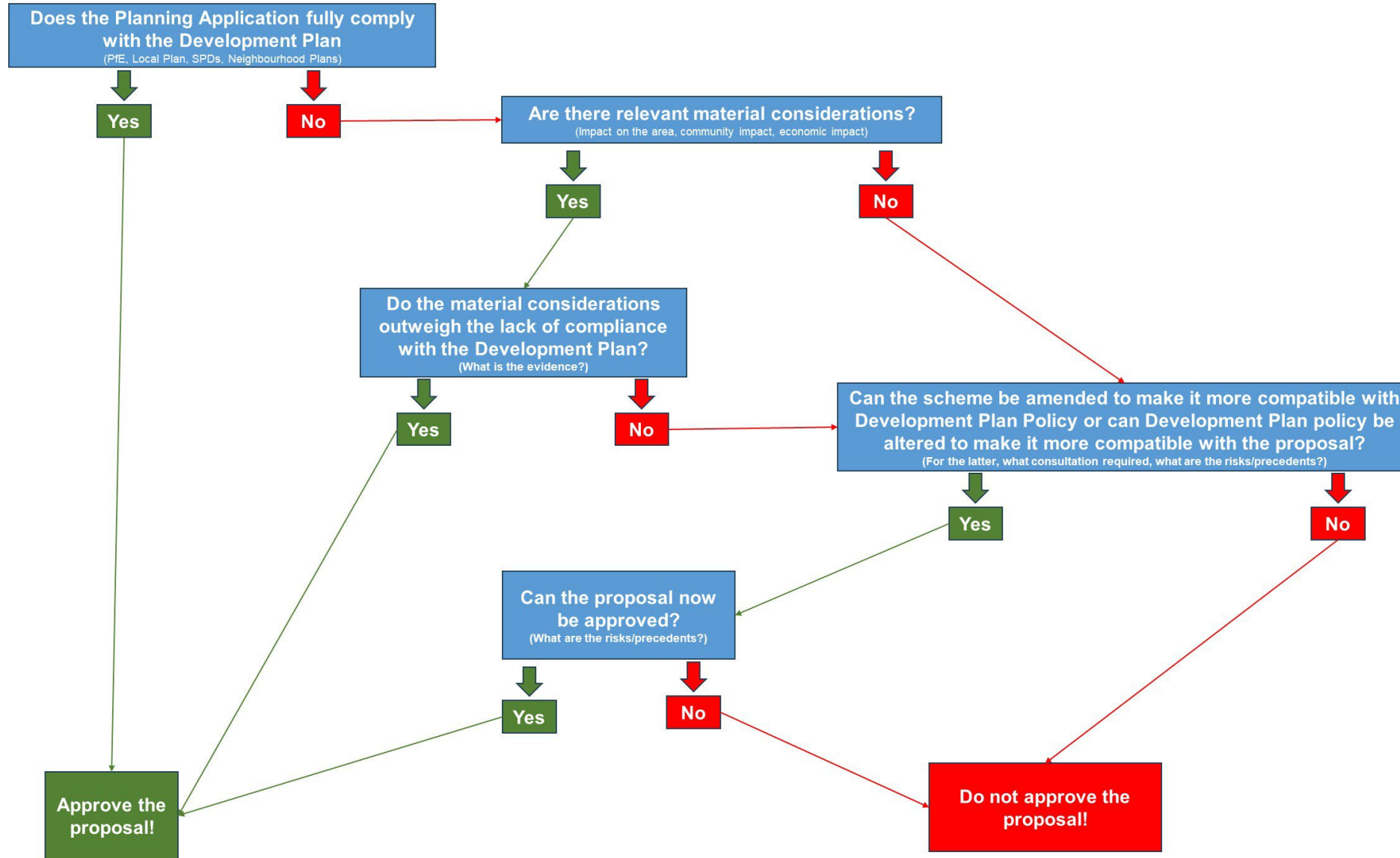
We write to object to the Scoping Opinion that has been proposed for the Warburton Lane development. So many items have been scoped out that the Environmental Assessment will not provide the likely significant effects of the proposed development, nor will it determine the cumulative effects. Whilst PfE is mentioned, there is no reference to any of the policies in the Plan, nor how they will be taken into consideration in the Environmental Assessment. In addition, the New Carrington Masterplan team has not yet published the natural infrastructure information/requirements for the whole site - how will these be taken into consideration?

Outcome:

“the Council is in broad agreement with the proposed scope of the ES as set out in your Scoping Report. However, the ES should also include the additional chapters identified, which comprise: Health; Transport and Access; Soils and Agriculture; and Biodiversity”.

Planning Application Decision Tree

The decision process your planning application will follow



Material Considerations

For Planning Applications (from the North Yorkshire SCI)



3.7 Decisions will be taken in accordance with the development plan. Many material considerations are covered within the policies of the development plan and should be taken into account in deciding a planning application. Material considerations can include (but are not limited to):

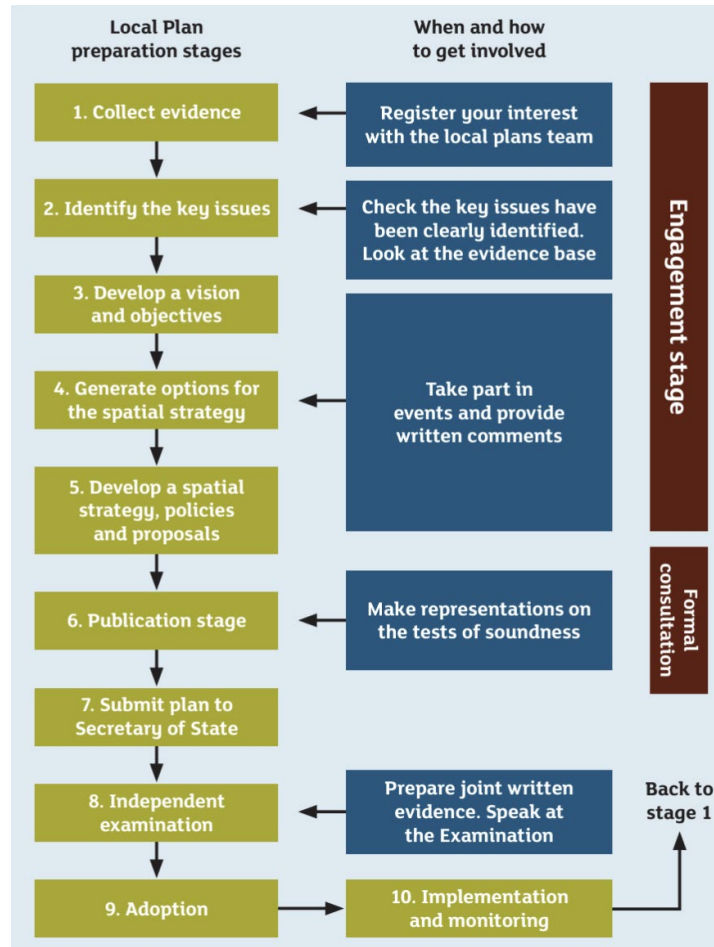
- Government policy (such as the National Planning Policy Framework);
- whether the council has a 5-year supply of housing;
- overlooking/loss of privacy; loss of light or overshadowing;
- impact on the environment;
- effect on listed building or conservation area;
- nature conservation;
- non-designated heritage assets;
- parking;
- highway safety;
- traffic;
- noise;
- layout and density of building;
- the appearance of a proposal;
- disabled persons' access;
- other proposals; and
- previous planning decisions (including appeal decisions).

3.8 Some matters cannot be taken into account, as they are not planning issues such as:

- the impact on property values;
- private disputes between neighbours;
- the loss of a private view;
- the impact of construction work;
- and business competition.

Use all available resources

To gather information - eg CPRE Planning Explained



https://www.cpre.org.uk/wp-content/uploads/2019/11/Planning_explained.pdf

Community Planning Alliance

<https://www.communityplanningalliance.org/>

Planning Practice Guidance

<https://www.gov.uk/government/collections/planning-practice-guidance>

House of Commons Library

<https://commonslibrary.parliament.uk/planning-in-england/>

Office for Environmental Protection

<https://www.theoep.org.uk/>

The Office for Environmental Protection (OEP) helps to protect and improve the environment by holding government and other public authorities to account. OEP is an executive non-departmental public body, sponsored by the Department for Environment, Food & Rural Affairs.

Freedom Of Information Act Requests

<https://www.whatdotheyknow.com/>

Previous Judicial Reviews

Such as the Airborough Neighbourhood Forum JR
[The win decision was announced on 8th June 2020](#)

Use Whatdotheyknow.com for FOI Requests

Makes the request and the response easily available



SIGNIFICANT INCIDENT REPORT

Incident: 018965 - 15092020

Address: Orsted BESS, Carnegie Road, Liverpool, L137HY

Date of incident: 15th September 2020

Author: Operational Assurance Team

Version 1.2

Defensive firefighting continued on site for a total of 59 hours, involving predominantly a 2 pump attendance

Extract from summary of key learning points:

3. Whilst there have been a number of significant BESS fires internationally, the Orsted BESS fire incident in Liverpool appears to be the first significant fire of its type to occur within the UK.
4. MFRS' Operational Risk Information available for responding crews specific to this site and the hazards associated with BESS was inadequate. This highlighted an internal gap for effective processing of certain Site Specific Risk Information (SSRI) and further highlights a broader gap on the awareness and understanding of BESS sites and their inherent fire risks.
8. The fire caused a significant blast event, with debris being propelled between 6 and 23m from the point of origin. This explosion occurred prior to the arrival of responding fire crews.
9. The explosion potential is a significant risk to emergency responders that has caused significant injury to firefighters at fire incidents on international BESS sites.
10. The presence of residential premises adjacent to the Carnegie Road BESS site raises concerns regarding the 'off-site potential' from fire incident risks at BESS sites to the local community.
11. The nature of Li-Ion cells makes them susceptible to a phenomenon called "thermal runaway". The condition when an electro- chemical cell increases its temperature through self-heating in an uncontrollable fashion and progresses when the cell's heat generation is at a higher rate than it can dissipate, potentially leading to off-gassing, fire, or explosion.
12. Once water was applied, the resulting run-off contained Hydrofluoric Acid (HF) (confirmed by Bureau Veritas) as a product of reaction between the cells and water contact. "Firefighting run-off was low due to the container involved being sited on a gravel base. Run-off was periodically checked for contamination, which was low. Appropriate environmental protection measures were put in place at the earliest opportunity". The run-off was mainly contained to the site.
13. Bureau Veritas (BV) scientific advisers identified the potential for the smoke plume to contain HF and Hydrochloric Acids (HCl) as a product of burning lithium cells, however, the dilution rate within the plume deemed the concentration as negligible.

Use Whatdotheyknow.com for FOI Requests

The information can be interesting and alarming!



Request to the Health & Safety Executive, for example:

1. In terms of LUP consultation zones, the New Carrington area assigned to employment development is dominated by the consultation zones for the LyondellBasell plant (aka Basell Polyolefins UK Ltd). This is an active major hazard site which benefits from a Planning (Hazardous Substances) Consent to store very large quantities of liquefied extremely flammable gas in pressurised spheres. The risks from a potential major accident are represented by HSE selecting a reasonably foreseeable worst case major accident, which in this case is a BLEVE² of one of a large spheres. The calculated consequences of a BLEVE in terms of thermal radiation to buildings and people lead to a very large inner consultation zone for the LyondellBasell site [REDACTED]

[REDACTED] The extent of the zone relates to the magnitude of the BLEVE which is determined by the maximum capacity of the storage permitted by the Planning (Hazardous Substances) Consent for the site.

3. HSE has modelled the effects on the surrounding area following the accidental release of liquefied flammable gas from storage vessels at the LyondellBasell plant. These would be significant. The zone covered by a BLEVE 'fireball' and the extent to where spontaneous ignition of combustible material would occur cover a considerable proportion of the inner consultation zone (see Figure 1). The relative short duration (tens of seconds) but high intensity of thermal radiation of a BLEVE event means that people located outdoors and close by are very unlikely to escape. Persons located in buildings within the fireball radius or just outside it are unlikely to be afforded any protection by a building as it almost instantly catches fire. Beyond the spontaneous ignition distance, persons are afforded greater protection by being in a building. However, those caught outdoors or who attempt to escape from a building within the inner zone during the event will be exposed to lethal levels of thermal radiation.

BLEVE: Boiling Liquid Expanding Vapour Explosion!

Call to Action

Make it easy for followers to comment without copying your response



- Give the details of the planning application (number, link to the planning application, link to consultation response page) and date consultation closes
- Give relevant background about the planning application and the land it relates to (eg importance of peatmoss, biodiversity loss, climate mitigation implications, etc)
- Provide some ideas for the basis of objections, for example:
 - does it comply with national policy, any regional plan, the local plan, supplementary documents, neighbourhood plan policies etc
 - the planning application contains errors, omissions, misleading statements, factually incorrect data
 - what do the statutory consultees say (Natural England, Environment Agency, H&S Executive, LLFA, Air Quality Officer, etc)
 - is there a comprehensive preliminary ecological appraisal and sustainability appraisal, do these documents contain all the available evidence, will the required BNG be achieved (minimum 10%)?
 - will there be risk of damage or destruction of irreplaceable habitats, sites of biological importance, sites of special scientific interest, or other ecological features?, for example:
 - there is up to 2m thickness of peat on the site, peatland is an irreplaceable habitat and therefore its loss cannot be mitigated by Biodiversity Net Gain or any other means - it is unacceptable to damage, dig out and destroy peatland - it is an essential carbon store
 - the planning application does not quantify the peat volumes, the impact to the peat, nor the amount of carbon that would be released by this development,
 - what are the risks with the proposal – are there any hazards for humans or wildlife
 - how will traffic be impacted, what sustainable transport options are proposed, what about air, noise, light, vibration and water pollution (& carbon emissions)
 - will the required affordable housing be achieved?
 - will there be sufficient public services infrastructure to support the scheme (schools, doctors, dentists, etc)



What's in the Hambleton Local Plan

Get familiar with this document

What's in the Hambleton Local Plan

Adopted in 2022 – plan period to 2036



The Plan also looks to **protect and enhance our countryside**, historic environment and the unique character of our market towns and villages, helping to protect what is special about Hambleton.

The Local Plan will help to ensure that development takes place in a planned and coordinated way so we get the **right kind of development in the right place**. Its policies will be the key tool for determining planning applications. The Plan makes clear where development is acceptable and provides certainty for local communities, developers and businesses wishing to expand or locate within the district.

Responding to and mitigating the effects of climate change is essential to protect Hambleton and its residents and reflects requirements set out in primary legislation.

Climate change has the potential to affect the environment in a wide range of ways and could have a significant impact on human activity; it will result in drier summers and warmer, wetter winters, as well as more extremes including more violent storms, which has wide ranging implications, particularly for water management and flood risk. Finding ways of adapting to the changing climate and enabling the environment to change will be important as will adapting human activity to limit future impacts.

Hambleton is a predominantly rural area and protecting the landscape, wildlife, habitats, the natural beauty of the countryside and the historic environment are all important aims.

Local Plan Vision - Hambleton's natural and historic assets will be preserved and enhanced, providing support for the health and well-being of its communities

Spatial Outcome 4: Hambleton's special qualities including its landscape, natural, built and historic assets have been protected and enhanced. Enhancing the districts biodiversity, adapting and mitigating climate change (including the management of flood risk), and supporting the working countryside and health and well being of residents. Action iv: To ensure that the use of land and development in the district (including land based activities, farming, recreation and tourism) responds to and respects the local natural, built and historic assets, and includes measures to mitigate and reduce the impact of climate change.

What's in the Hambleton Local Plan

Examples of Policies in the Plan



RM6: Renewable and Low Carbon Energy: Renewable and low-carbon energy installations, including associated infrastructure, will be encouraged. A proposal, including community-led initiatives for renewable and low carbon energy, will be supported where it is demonstrated that all potential adverse impacts, including cumulative impacts and those on aircraft, radar and telecommunications are, or can be made, acceptable. When identifying and considering the acceptability of potential adverse planning impacts their significance and level of harm will be weighed against the public benefits of the proposal. When identifying and considering landscape and visual impacts regard will be had to the Hambleton Landscape Character Assessment and Sensitivity Study (May 2016) or successor documents. Having identified potential adverse planning impacts the proposal must seek to address them all firstly by seeking to avoid the impact, then to minimise the impact. Enhancement and/or compensatory measures should be assessed, as appropriate, and included in order to make the impact acceptable. All reasonable efforts to avoid, minimise and, where appropriate, compensate will be essential for significant adverse impacts to be considered as being fully addressed. Sufficient evidence will need to have been provided to demonstrate that adverse impacts on designated nature conservation sites can be adequately mitigated. Where relevant this will include sufficient information to inform a Habitats Regulations Assessment. A proposal involving one or more wind turbines will only be supported where: a. the site is located within an area defined as being suitable for such in an adopted neighbourhood plan; and b. following consultation, the Council is satisfied that all potential adverse planning impacts, including cumulative impacts and those identified by affected local communities, have been fully addressed. A proposal for an extension of time to the permitted period for time limited planning permissions for a renewable or low carbon energy generation installation will be required to demonstrate that the measures to address adverse planning impacts remain effective and adhere to prevailing standards. Provision will be made for the removal of apparatus and reinstatement of the site to an acceptable condition, should the scheme become redundant or at the end of the permitted period for time limited planning permissions.

What's in the Hambleton Local Plan

Examples of Policies in the Plan



S1: Sustainable Development Principles: The Council will seek to ensure that development makes a positive contribution towards the sustainability of communities, enhances the environment and adapts to and mitigates the impact of climate change. This will be achieved by:

- a. Meeting development needs through sustainable development that supports existing communities, making effective and efficient use of land, supporting social cohesion, minimising the need to travel and promoting sustainable modes of travel;
- b. Ensuring communities have a healthy, safe and attractive living and working environment with reasonable access for all to a good range of facilities and services;
- c. Securing the provision of suitable and affordable housing to meet the needs and aspirations of existing and future residents;
- d. Promoting Hambleton as a recognised location for business by providing a range of employment opportunities that meet local aspirations, including high quality jobs, meeting the needs of new and expanding businesses and recognising the contribution of the rural economy;
- e. Protecting and enhancing the high quality natural and historic environment whilst facilitating development in a way that respects and strengthens the distinctive character of the landscape and the form and setting of settlements;
- f. Ensuring that development takes available opportunities to improve local environmental conditions, such as air and water quality, seeks the reuse of suitable previously developed and underused land and buildings, and reclaimed materials; and
- g. Supporting development and infrastructure provision that takes available opportunities to mitigate and adapt to climate change, including minimising greenhouse gas emissions, and makes prudent and efficient use of natural resources.

What's in the Hambleton Local Plan

Examples of Policies in the Plan



S2: Strategic Priorities and Requirements: In order to meet the Council's aspiration for Hambleton to be a place to grow provision will be made over the plan period 2014 to 2036 for: a) Approximately 77.8 hectares of employment land; and b) At least 6,930 net new homes, made up of both market and affordable.

S3: Spatial Distribution: The development strategy for Hambleton is to focus growth at:

- a. Northallerton and Thirsk, where development will benefit from and support the wide range of services and facilities and good transport connections of these two main towns;
- b. Key employment locations within the central transport corridor, in order to provide opportunities for expansion and inward investment along the strategic (A1/A19) transport corridor;
- c. The market towns of Bedale, Easingwold, and Stokesley and large villages, defined in the settlement hierarchy as Service and Secondary Villages, commensurate with their size, character and the concentration of services and facilities in these locations and their role in providing services to residents of other nearby communities; and
- d. Identified rural communities, defined in the settlement hierarchy as Small Villages, where limited development will be supported to help address affordable housing requirements and where development can support social and economic sustainability.

Economic Development: Economic development requirements will be met primarily at: e. the strategic employment sites at Leeming Bar (in the Bedale area), Sowerby Gateway and Dalton Airfield (in the Thirsk area), which are all in the central (A1/A19) transport corridor; and f. further employment land provision to support the role of market towns through allocations at Easingwold, Northallerton and Stokesley.

The Council will seek to enhance the economy by maintaining and enhancing the range of existing employment land where significant numbers of people are employed and the businesses derive benefit from being located together, which should be the main focus for business development in the district and any redevelopment should be for employment generating uses. The Council will seek to: g. enhance the visitor economy in our towns, through policy 'EG5: Vibrant Market Towns'; h. support economic development within the built form of settlements identified in the settlement hierarchy; i. support the growth and diversification of the rural and agricultural economy, through policies 'S5: Development in the Countryside' and 'EG7: Businesses in Rural Areas'; and j. support delivery of the Council's economic priorities to; support existing businesses; secure targeted inward investment; drive growth; ensure vibrant market towns and support business activity.

What's in the Hambleton Local Plan

Examples of Policies in the Plan



S4: Neighbourhood Planning:

The Council will support the production of neighbourhood plans that are in general conformity with the following strategic policies: a. All policies in chapter 3 'Vision and Spatial Development Strategy'; b. Policies - 'EG1: Meeting Hambleton's Employment Need' 'EG3: Town Centre Retail and Leisure Provision' 'HG1: Housing Delivery' 'HG3: Affordable Housing Requirements' 'E1: Design' 'IC1: Infrastructure Delivery' 'IC3: Open Space, Sport and Recreation' 'RM2: Flood Risk' For neighbourhood plans to progress to referendum they are required to meet the Basic Conditions, which include being in conformity with the strategic policies of this plan.

Designated neighbourhood areas: Neighbourhood areas currently designated are: Appleton Wiske Easingwold Huby Hutton Rudby, Rudby, Middleton and Skutterskelfe Ingleby Arncliffe; and Stokesley

The Ingleby Arncliffe Neighbourhood Plan is currently the only made neighbourhood plan in Hambleton. Where there is a made neighbourhood plan the Council will support development proposals that are in accordance with the neighbourhood plan.

What's in the Hambleton Local Plan

Examples of Policies in the Plan



S5: Development in the Countryside: The Council will seek to ensure that new development recognises the intrinsic beauty, character and distinctiveness of the countryside as an asset that supports a high-quality living and working environment, contributes to the identity of the district, provides an attractive recreational and tourism resource and is a valued biodiversity resource. The countryside is defined as land outside the existing built form of a settlement identified in the settlement hierarchy in policy S3: Spatial Distribution. Other villages, hamlets or groups of buildings that are not specifically identified in the settlement hierarchy will be considered to be part of the countryside. The built form is defined as the closely grouped and visually well related buildings of the main part of the settlement and land closely associated with them. The built form excludes: a. any individual building or group of dispersed buildings or ribbon developments which are clearly detached from the main part of the settlement; b. any ribbon development attached to the main part of the settlement where the buildings relate more to the surrounding countryside than to the main part of the settlement; c. gardens, paddocks and other undeveloped land on the edge of the settlement where this land relates more to the surrounding countryside than to the main part of the settlement; d. agricultural buildings on the edge of the settlement; and e. outdoor sports and recreational spaces on the edge of the settlement.

Development in the countryside will only be supported where it is in accordance with national planning policy or other policies of the development plan and would not harm the character, appearance and environmental qualities of the area in which it is located.

Where significant development in the countryside is demonstrated to be necessary, the loss of best and most versatile agricultural land (classed as grades 1, 2 and 3a) should be avoided wherever possible. If the benefits of the development justify the loss, areas of the lowest grade available must be used except where other sustainability considerations outweigh agricultural land quality considerations. Where agricultural land would be lost the proposal will be expected to be designed so as to retain as much soil resource as possible as well as avoiding sterilisation of other agricultural land by, for example, severing access to farmland.

Rural buildings: A proposal for the conversion of an existing building in the countryside that would not be dealt with through 'Prior Approval/Notification' will only be supported where it can be demonstrated f. the building is: i. redundant or disused; ii. of permanent and substantial construction; iii. not in such a state of dereliction or disrepair that significant reconstruction would be required; and iv. structurally capable of being converted for the proposed use; and g. the proposal: i. would enhance the immediate setting; and ii. any extension or alteration would not adversely affect the form, scale, massing or proportion of the building. A proposal for the replacement of an existing building (including a dwelling) in the countryside will only be supported where it is of permanent and substantial construction and the proposal is of a high-quality design, being sympathetic with its surroundings and takes opportunities to enhance the immediate surroundings. Only limited increases in floorspace will be supported and development proposals must be proportionate to the building(s) that they replace. The position of the replacement buildings within the site should be considered comprehensively so that it is located where it would have the least possible adverse impact on the immediate surroundings, the wider landscape and the amenity of the users of existing buildings nearby. A proposal for development for residential extension in the countryside must meet the requirements of policy 'E1: Design'. A proposal for the reuse or adaptation will also need to comply with the provisions of policy 'E5: Development Affecting Heritage Assets'.

What's in the Hambleton Local Plan

Examples of Policies in the Plan



EG7: Businesses in Rural Areas: Employment generating development will **only be supported** in locations outside the main built form of a defined settlement in the settlement hierarchy where it involves:

- a. the expansion of an existing business where it is demonstrated that there is an operational need for the proposal that cannot physically or reasonably be accommodated within the curtilage of the existing site; or
- b. the re-use of an existing building of permanent, structurally sound construction that is capable of conversion without the need for substantial extension, alteration or reconstruction and can accommodate the functional needs of the proposed use including appropriate parking provision; or
- c. a new building provided that it is well-related to an existing rural settlement and where it is demonstrated that the proposal cannot be located within the built form of a settlement or an identified employment location; or
- d. other proposals specifically requiring a countryside location.

Where new or replacement buildings are required, where possible they should be in close proximity to an existing group of buildings and the siting, form, scale, design and external materials of the new buildings should not detract from the existing buildings nor the character of the surrounding area.

Agriculture A proposal for a new agricultural use or farm diversification will be supported provided that: e. it is demonstrated that it is reasonably necessary for the purposes of agriculture within that unit and cannot be met by existing buildings within that unit or in the vicinity and the scale of the building is commensurate with its proposed use; f. the building is sited so that it is physically and functionally related with existing buildings associated with the farm unit unless there is a demonstrable need for a more isolated location; g. the building would be well integrated with its surroundings, being of appropriate location, scale, design and materials and with appropriate landscaping so as not to harm the character, appearance and amenity of the area; and h. the approach roads and access to the site have the capacity to cater for the type and levels of traffic likely to be generated by the development. Promotion of sustainable forms of agriculture which include environmentally sensitive organic and locally distinctive food production together with its processing, marketing and retailing will be encouraged as part of a thriving and diverse rural economy.

What's in the Hambleton Local Plan

Examples of Policies in the Plan



E3: The Natural Environment: All development will be expected to demonstrate the delivery of a net gain for biodiversity. A proposal that may harm a designated site of importance for nature conservation (SINC), local geological site, or a non-designated site or feature of biodiversity interest, will only be supported where: a. significant harm to biodiversity resulting from the development has been avoided (through locating on an alternative site with less harmful impact), adequately mitigated, or, as a last resort, compensated for; and b. they demonstrate proportionate long-term maintenance arrangements to ensure that biodiversity net gain will be resilient to future pressures from further development or climate change; and c. they clearly demonstrate that there is an overriding public need for the proposal which outweighs the need to safeguard biodiversity with no satisfactory alternative site with less or no harmful impacts; or d. they have, as their principal objective, the aim to protect, restore, conserve or enhance biodiversity or geodiversity and deliver a net gain for such objectives which accord with all other relevant policies.

A proposal that may impact on a special area of conservation (SAC), special protection area (SPA) or Ramsar site will only be supported where it can be demonstrated that there will be no likely significant effects and no adverse effects on the integrity of an European site, unless there are no alternative solutions and it is justified by an 'imperative reasons of overriding public interest' (IROPI) assessment under the Habitats Directives. A proposal that may either directly or indirectly negatively impact a Site of Special Scientific Interest (SSSI) will not normally be supported. The only exception will be where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest. All proposals should seek to protect and enhance SSSIs wherever possible. In addition, where a proposal is located within 2.5km of the North York Moors SPA, evidence must be provided of the extent to which the site and surrounding land is used by golden plover to ensure that loss of supporting habitat outside of the SPA does not occur. This may require a Phase 1 habitat survey to determine suitability of habitat and if required non breeding bird surveys to determine presence/absence of golden plover and population present. Multiple years data may be required to fully support the proposal.

What's in the Hambleton Local Plan

Examples of Policies in the Plan



E4: Green Infrastructure: The Council will seek to protect existing green infrastructure, secure improvements to its safety and accessibility, and secure net gains to green infrastructure provision by requiring development proposals to: a. incorporate and where possible enhance existing green infrastructure features as an integral part of the design, and provision of a landscaping scheme which deals positively with the transition between development and adjoining land; b. capitalise on opportunities to enhance and/or create links between green infrastructure features within the site and, where possible, with nearby features beyond the site, for example with multi-user paths, including linking green spaces, and/or address fragmentation of green infrastructure through inclusion of street trees, green roofs and other features as appropriate; c. where the site is located within, or in close proximity to a green infrastructure corridor, or a component of green infrastructure, enhance or create links within, to and between the site and the corridor and to enhance the functionality of the corridor; d. increase woodland cover with appropriate tree species; e. where possible, increase access to woodland in the district; and f. take opportunities to protect and enhance the public right of way network, avoiding unnecessary diversions and through the addition of new links. The Council will work with other parties to develop and improve cross-boundary green infrastructure links, particularly with the North York Moors National Park Authority.

What's in the Hambleton Local Plan

Examples of Policies in the Plan



E7: Hambleton's Landscapes: The Council will protect and enhance the distinctive landscapes of the district. A proposal will be supported where it: a. takes into consideration the degree of openness and special characteristics of Hambleton's landscapes; b. conserves and, where possible, enhances any natural or historic landscape features that are identified as contributing to the character of the local area; c. conserves and, where possible, enhances rural areas which are notable for their remoteness, tranquillity or dark skies; d. takes account of areas that have been identified as being particularly sensitive to/or suitable for certain forms of development; e. protects the landscape setting of individual settlements and helps to maintain their distinct character and separate identity by preventing coalescence with other settlements; and f. is supported by an independent landscape assessment where the proposal is likely to have a detrimental impact on the landscape.

Townscape The Council will protect and enhance the distinctive character and townscapes of settlements in the district. This will be achieved by ensuring that development is appropriate to, and integrates with, the character and townscape of the surrounding area.

Trees, Hedgerows and Woodland A proposal will be supported where it seeks to conserve and enhance any existing tree, hedge or woodland of value that would be affected by the proposed development. Should a development, including infrastructure provision, result in the loss, threat or damage to any tree, woodland or hedge of visual, heritage or nature conservation value this would only be acceptable where: g. a replanting scheme is agreed and this would include new native trees to form part of landscaping and improve tree canopy, the form of which will be determined by negotiation; h. for larger developments it would include a sustainable tree management programme in order to ensure any new trees, hedgerows or woodland are established; i. any new species should provide local distinctiveness within the landscape, and support biodiversity; j. any tree planting is the appropriate type of tree for the location, including distance to buildings considering root spread; and k. any loss or deterioration of irreplaceable habitats such as ancient woodland and/or veteran trees is justified by wholly exceptional reasons and a suitable compensation strategy is agreed. In all cases where trees, hedges or woodland are to be planted this must be carried out at an appropriate time of the year to enable their establishment with the minimum of aftercare.

What's in the Hambleton Local Plan

Examples of Policies in the Plan



RM2: Flood Risk: The Council will manage and mitigate flood risk by: a. Avoiding development in flood risk areas, where possible, by applying the sequential test and where necessary applying the exception test in accordance with national policy. b. Protecting areas of functional floodplain as shown on the Strategic Flood Risk Assessment, from development, except for water compatible uses and essential infrastructure. c. Requiring flood risk to be considered for all development commensurate with the scale and impact of the proposed development and mitigated where appropriate. d. Reducing the speed and volume of surface water run off as part of new build developments. e. Making space for flood water in high risk areas. f. Reducing the residual risks within areas of rapid inundation. g. Encouraging the removal of existing culverting where practicable and appropriate. h. Supporting development and management of flood alleviation schemes. This will be achieved by supporting a development proposal only where it is demonstrated that: i. the sequential test has been applied and passed; j. if, following application of the sequential test, it is not possible, consistent with wider sustainability objectives and the vulnerability to flooding of the proposed use for development to be located in zones with a lower probability of flooding, taking account the impacts of climate change, the exception test has been applied and passed, such that; i. the development will provide wider sustainability benefits to the community that outweigh flood risk, informed by the Hambleton Strategic Flood Risk Assessment (March 2017) or successor documents; and ii. the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. k. development has been sequentially located within the site to avoid flood risk; l. all reasonable opportunities to reduce overall flood risk have been considered and where possible taken; and m. the integrity of existing flood defences is not adversely affected and any necessary flood mitigation and compensation measures have been agreed with relevant bodies and the Council. Site specific flood risk assessment Where a site specific flood risk assessment is required the proposed development will only be supported where the assessment shows that the site will be protected adequately from flooding or the scheme will incorporate appropriate flood defences or other flood risk management measures. Any reliance on emergency services to make a proposal safe will not be acceptable. Safety risks will be determined with reference to the Defra guidance on flood risk safety FD2320 or successor guidance, on the basis that development should be 'safe for all' for a 1:100 annual probability flood event, for the lifetime of the development. In all circumstances where development in flood zone 2 or higher

What's in the Hambleton Local Plan

Examples of Policies in the Plan



RM3: Surface Water and Drainage Management: A proposal will only be supported where surface water and drainage have been addressed such that: a. surface water run-off is limited to existing rates on greenfield sites, and on previously-developed land reduce existing run-off rates by a minimum of 50 percent or to the greenfield run-off rate where possible; b. where appropriate, sustainable drainage systems (SuDS) will be incorporated having regard to North Yorkshire County Council Sustainable Drainage Systems Design Guidance or successor documents. The Council must be satisfied that the proposed minimum standards of operation are appropriate and arrangements for management and maintenance for the lifetime of the development are put in place; c. wherever possible, and where appropriate, SuDS are integrated with the provision of green infrastructure on and around a development site to contribute to wider sustainability objectives; d. if the drainage system would directly or indirectly involve discharge to a watercourse that the Environment Agency is responsible for, or a system controlled by an internal drainage board the details of the discharge must take account of relevant standing advice or guidance and have been informed by early engagement with the relevant body; e. if a road would be affected by the drainage system the details of the system have been agreed with the relevant highway authority; and f. SuDS for hardstanding areas for parking of 50 or more cars, or equivalent areas will be expected to include appropriate additional treatment stages/interceptors to ensure that any pollution risks are suitably addressed. Any watercourse on a development site must be retained and, where possible, restored and enhanced. The culverting of any watercourse will not be supported and development should, wherever possible, remove any existing culverts and increase on-site flood storage. Development should be laid out to enable maintenance of the watercourse. The Council will support flood risk management schemes that aim to slow the flow of water and local flood protection schemes where they do not result in unacceptable harm to landscape character, have an adverse environmental, social or economic impact or increase flood risk in other locations. In order to safeguard against the pollution of ground water the use of deep infiltration SuDS, such as deep borehole soakaways, will not be accepted in most circumstances. Exemptions will only be made if the proposal is for land uses that pose a very low pollution risk and are supported by an adequate risk assessment, conceptual site model and detailed design.



Other Slides

Former Green Belt Land being developed

No Brownfield first delivery in Greater Manchester!



- JPA1.1 Timperley Wedge in Trafford - consultation complete, masterplan will be turned into an SPD in November to enable planning applications to come forward – report to Planning Committee 16th October states *“A Legal Challenge was made to the Places for Everyone Plan in April 2024 and the PfE authorities are collectively defending the Plan. Until the outcome of the Legal Challenge to Places for Everyone is known, the plan remains in full force. As such it is right to continue to develop a Masterplan for this site and apply the adopted planning policies within with vigour in both plan-making and decision-taking”*.
- JPA7 Elton Reservoir & JPA9 Walshaw in Bury - consultation expected late October for both allocations
- JPA20 Land North of Smithy Bridge in Rochdale - 24/00581/HYBR - planning application submitted
- JPA25 Land East of Boothstown in Salford - PA/2024/0749 - planning application submitted - decision expected late October
- JPA28 Godley Green in Tameside - now has outline planning permission and was discussed at Planning Committee (16th October) - the report states (para 2.1) that the adoption of PfE is a significant milestone & means the proposal no longer represents inappropriate development within the Green Belt – the report recommended approval subject to agreed conditions once S106 is satisfactorily completed
- JPA30 New Carrington in Trafford - masterplan still under development but developer of Warburton Lane (Redrow) expecting to submit a planning application in November/December 2024
- JPA32 North of Moseley Common in Wigan - two planning applications approved - North site: A/23/95156/MAJES and South site: A/23/95155/OUTMES

Example Response Reserved Matters Application



114628 Heath Farm Lane Reserved Matters Application

Whilst we recognise that the principle of development has been approved at Heath Farm Lane, and that there are a number of positive aspects to this overall scheme, we would like to highlight our concerns with this reserved matters application

- Lack of engagement with the public and parish councils - whilst the document asserts that the Council's SCI has been followed, there has been no consultation for this phase of the scheme (unless it has been extremely limited) - there clearly has been significant engagement with Trafford Council*
- Lack of consideration of the policies within PfE (which gets a very minor mention despite it now superseding Core Strategy Policies), there is no mention, for example, that development in the JPA30 allocation area must be "in accordance with a masterplan that has been developed in consultation with the local community and approved by the local planning authority" - whilst the masterplan is evolving, there has, as yet been no discussion about the natural infrastructure requirements and the compensation proposal for the damage/destruction of peatland habitats has not yet been published - the application does not, therefore, comply with the Plan Policies*
- We are surprised that the Council concluded that that was no requirement for an EIA, given the significant environmental harm that is likely to result from the development:*
 - the original application highlighted that peat of 2.2m thickness was found on the site (no compensation for damage/destruction is proposed, peat is not even mentioned in the documents)*
 - the site is in close proximity to 3 SBIs (with many more in and around the allocation area)*
 - there is a presence of red listed birds and endangered wildlife in and around the site (many with severely declining populations, including the water vole present in the ditch beyond the north boundary)*
- Sustainability is about more than the materials the buildings are constructed with - despite highlighting the availability of regular bus services to various locations from the site and the promotion of pedestrian and cycle links, the amount of car parking provision suggests that this will be car-dependent sprawl*
- Given the proximity to several hazardous businesses in Carrington, what provision has been made for the evacuation of residents should a disaster occur?*

Example Response Planning Application

109755 The Junction Planning Application



For information – the proposal requires the complete felling of a woodland SBI replacing it with a 22m high warehouse!

I am writing to confirm that the Friends of Carrington Moss **objects** to this application for the following reasons (which are outlined in more detail in the attachment below):

- Policy Conflicts
- Impact on Woodland Habitat, Site of Biological Importance and Nature's Recovery
- Lack of Sustainable Freight Transport Options
- Impact on Climate Emergency and Carbon Neutral Action Plans
- Landscape and Visual Impact
- Lack of Community Consultation

In summary, this proposal does not meet Trafford's Core Strategy Policies, Trafford's Carbon Neutral Action Plan, or the requirements of its declaration of a Climate Emergency. It is also not aligned with the Policies set out in the Places for Everyone Regional Plan, which is currently being examined.

In addition, the documents include factually incorrect and conflicting information. It does not satisfy the requirements of the NPPF, and, if approved, this development would be detrimental to nature's recovery, negatively impacting the habitats of endangered bird and protected wildlife species and will result in considerable, harmful changes to the surrounding environment.

As there are alternative sites which could be used for this development, it is premature to submit a planning application which would destroy a woodland site of biological importance.

We note that the documentation on the Planning Database is unhelpfully structured. The Technical Appendices, in particular, contain several documents which should have each been separately included on the database, rather than being subsumed within other documents.

Example Response Planning Application

114439 Cryogenic Energy Storage Facility Planning Application



For information – the proposal suggests 5 x Liquid Air Storage Vessels **47.9 metres in elevation (that's over 157ft)** and 4 x High Grade Cold Store (HGCS) Vessels, **40 metres in elevation (that's over 131ft)**. This sets a huge precedent for future development in the area (how high will the warehouses be, if this is given approval). The previous SBI appears to have been "*lawfully*" destroyed and BNG is proposed offsite.

FOCM Response

Whilst we recognise the benefits of cryogenic energy solutions, productive economic use to part of the former Carrington Power Station should not be to the detriment of the local environment and we would like to highlight the following summary of our concerns about this planning application:

New Carrington Masterplan: the Places for Everyone Plan New Carrington Policy states that development of this site will be required to be "*in accordance with a masterplan that has been developed in consultation with the local community and approved by the local planning authority*". That masterplan has not yet been produced and, despite other workshops being held, the community has not yet been involved in any discussions about the natural infrastructure proposals, compensation and mitigation for the overall site.

Furthermore, Criterion 29 of the New Carrington Policy states that development on this site will be required to "*Reflect and respond to the special qualities and sensitivities of the key characteristics of the Mossland and Lowland Farmland landscape character type in accordance with Policy JP-G1*". Whilst this development is proposed for the brownfield part of the allocation, the height of the proposed structures does not meet that requirement and Policy JP-G1 (along with many other relevant policies in P1E) is not even referred to in Table 3.1 of the Design and Access Statement. The Landscape and Visual Amenity Statement confirms that the "*new proposals are likely to slightly increase the visibility of the consented scheme, because although the proposed infrastructure occupies a similar footprint to the consented scheme, the number of Liquid Air Storage Vessel tanks, the tallest structures in the proposals, has increased from one to five; and the height of the four consented HGCS Vessel tanks has increased by ~14% from 35m to 40m*". The term "*slightly increase*" is an understatement! Given the size of the site, we would request that shorter, wider structures be constructed, rather than the currently proposed taller structures.

Environmental Impact Assessment: given the previous presence of the Carrington Power Station SBI, and the other issues we are raising, including, as mentioned above, the number and particularly the height of the proposed structures (which set a huge precedent for development in the area), we are extremely surprised that Trafford did not require an Environmental Impact Assessment for this development.

Hazardous Development: We note that this is yet another development in Carrington that requires COMAH input. The Landscape and Visual Amenity Statement confirms that "*a larger plot size is required in order to provide greater spacing between components for process safety reasons*". The cumulative health and safety implications of siting a number of hazardous businesses within the same locality is of huge concern to local residents. What arrangements are in place for the evacuation of communities and employees should a disaster occur, particularly one which impacts more than one hazardous business? Note that a weekly alarm test that new residents do not understand (as highlighted in recent social media posts) is insufficient preparation for what could be a major disaster.

Site of Biological Importance/Wildlife Corridor: We note that the Design and Access Statement states that "*Much of the SBI area has been lawfully removed during the site wide clearance and earthworks*". Where has the recreation been located and what compensation has been provided for this destruction? The document also states, in relation to this SBI, that "*The origins of the designation are not known but it is believed to pre-date some of the more recent site clearance and levelling and therefore is reflective in part at least of features that no longer exist*". This is a good example of why a site-wide ecological appraisal should have been carried out as part of the Places for Everyone Plan development. GMEU data suggests that this site is an "*area of calcareous power station ash deposits which have been colonised by dense scrub and grassland*". *In the west of the site an area of relatively species-rich grassland occurs. This supports abundant southern marsh orchid, yellow-wort and common centaury. The adjacent area of reedbed is dominated by Phragmites with some great reedmace and reed canary-grass. Other species present around the edges include Himalayan balsam, Russian comfrey, red campion and rough meadow grass. Some invasion by willow is occurring. There is an abundant rabbit population. Burnet moth is also recorded. Butterflies observed include speckled wood, gatekeeper, small white, brimstone and common blue. Birds reported on the site include oystercatcher, little ringed plover and lapwing*". Given the recent reports that confirm nature's decline (including butterfly populations), Trafford and developers have a responsibility to take destruction of an SBI extremely seriously.

Biodiversity Net Gain: The document states that "*Due to limited space on-site for planting and habitat creation, the Applicant is currently in discussions with environmental third parties to provide the required units off-site*". Will that off-site BNG provide benefits for the local area?

Consultation with Residents: How have residents been consulted in relation to issues such as noise, which is described as exceeding daytime and night-time background levels, with a need for additional mitigation?

Other Points in the Design and Access Statement:

Whilst the Design and Access Statement mentions that "*The nearest settlements are Irlam located approximately 700 m to the west and northwest, Flixton approximately 1.4 km to the east and Partington approximately 1.4 km to the south*". It seems to ignore the fact that the settlement of Carrington Village is in much closer proximity to the site, with some residents effectively just over the road!

The Design and Access Statement acknowledges that "*there will likely be an increase in the potential visibility of the Proposed Development due to the change in number and height of tanks*", setting a huge precedent for development in the area.