

MATTER 7D – ENVIRONMENT

Policy EN1 – Protection and Improvements in provision of Open Space and Recreation Facilities

Policy EN2 – Biodiversity and Geodiversity

Policy EN3 – Historic Environment

Policy EN4 – Landscape

Policy EN5 – Trees and Woodland

Policy EN6 – Energy

Policy EN7 – Flood Risk

Policy EN8 – Environmental Protection

7.16 Policy EN1 – Protection and Improvements in provision of Open Space and Recreation Facilities

- a. Is the approach to protecting and improving open space and recreational facilities fully justified by evidence, is it effective, deliverable, soundly based and consistent with the latest national guidance (NPPF/PPG)?
- b. Are the Open Space Standards (Appendix 9) unduly onerous, prescriptive and inflexible, and do they take viability issues into account? Is the evidence appropriate, up-to-date and accurate, and is there sufficient evidence to justify the approach to Green Infrastructure, Local Greenspace, Built Recreation Facilities and Standards of Provision and Maintenance?

7.17 Policy EN2 - Biodiversity and Geodiversity

- a. Is the approach to protecting Biodiversity and Geodiversity, including North/South Pennine Moors, Locally Designated Sites, Habitats and Species outside Designated Sites and Enhancement to biodiversity fully justified by evidence, is it effective, deliverable, soundly based and consistent with the latest national guidance (NPPF/PPG)?

7.18 Policy EN3 – Historic Environment

- a. Is the approach to preserving, protecting and enhancing the character, appearance, archaeological and historic value and significance of the District's designated and undesignated heritage assets and their settings fully justified by evidence, is it effective, deliverable, soundly based and consistent with the latest national guidance (NPPF/PPG)?

7.19 Policy EN4 – Landscape

- a. Is the approach to conserving, managing and enhancing the diversity of landscapes within the District, including the criteria set out, fully justified by evidence, is it effective, deliverable, soundly based and consistent with the latest national guidance (NPPF/PPG)?

7.20 Policy EN5 – Trees and Woodland

- a. Is the approach to preserving and enhancing the contribution that trees and areas of woodland make to the character of the District fully justified by evidence, is it effective,

deliverable, soundly based and consistent with the latest national guidance (NPPF/PPG)?

7.21 Policy EN6 – Energy

- a. Is the approach to maximising improvements to energy efficiency and support the development of renewable and low-carbon sources of energy, including identifying strategic low carbon and renewable energy opportunities, locational criteria and setting out local requirements for the use of decentralised energy and sustainability of buildings, fully justified by evidence, is it effective, deliverable, soundly based and consistent with the latest national guidance (NPPF/PPG)?
- b. Should the policy set targets for renewable and low-carbon energy?
- c. Is the policy unduly onerous and inflexible, and has it properly taken account of viability and practical issues in terms of renewable and low carbon energy provision?

7.22 Policy EN7 – Flood Risk

- a. Is the approach to flood risk, including the criteria and requirements set out in the policy fully justified by evidence, is it effective, deliverable, soundly based and consistent with the latest national guidance (NPPF/PPG)? Are there any outstanding issues raised by the Environment Agency and other relevant bodies or organisations?

7.23 Policy EN8 – Environmental Protection

- a. Is the approach to environmental protection, including the criteria and requirements set out in the policy relating to air quality, land, nuisance, and water environment, fully justified by evidence, is it effective, deliverable, soundly based and consistent with the latest national guidance (NPPF/PPG)?
- b. Does the policy properly consider amenity issues, is it unduly onerous and inflexible, and has it properly taken account of viability issues?

7.17 - Policy EN2 - Biodiversity and Geodiversity

A number of policies in the PDCS refer to the protection of the North and South Pennine SAC/SPA and adjacent areas based on the Habitats Assessment carried out by Urban Edge. Policies SP8, AD1 (Airedale) and WD1 (Wharfedale) are subject to earlier detailed comments in this submission. The Habitats Assessment has been used as a key contributory tool to reduce the housing provision in Wharfedale settlements and in certain Airedale settlements.

We object to policy EN2 on similar grounds and conclude that it fails a number of the soundness tests. It is however not clear whether part A of policy EN2 is meant to apply to the protection zones identified in policy SP8 or to development within the actual designated areas. A nil adverse effect test does not appear to allow for mitigation or compensation and the wording of this policy does not comply with the policy content of the NPPF in particular

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paragraphs 113, 114, 117 and 118. The approach taken by the Council does not constitute a positive and integrated approach which will allow for development where habitat mitigation, enhancement and connectivity can be achieved to an extent which over-rides the initial objection in principle.