

Matter 1 - Duty to Co-operate

Q2: With reference to our representations on the minerals chapter, we are concerned that the impacts on the Park, and its setting, of minerals activities outside the Park have not been adequately addressed, including where an application straddles adjacent Minerals Planning Authorities. Furthermore, our specific concerns about the in-Park impacts of unconventional hydrocarbon workings adjacent to the Park require further attention.

Q3: Our position is that there is no robust evidence of the efforts the PDNPA have made to cooperate on strategic cross boundary transport matters.

The duty to cooperate¹ places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters. In this instance this would include local authorities, local highway authorities, integrated transport authorities, Transport for the North as a subnational transport body, Highways England, and Network Rail.

According to Government guidance the duty requires active and sustained engagement. Local planning authorities and other public bodies must work together constructively from the outset of plan preparation to maximise the effectiveness of strategic planning policies. It is unlikely to be met by an exchange of correspondence, conversations or consultations between authorities alone.

However, in the current context we believe that the PDNPA can only reiterate the test of major development and must not be influenced to change the Local Plan from its strong and appropriate position on transport infrastructure.

Q4: In our view, housing need - including contribution to constituent authorities' housing need - is a matter for the Core Strategy and cannot realistically be dealt with in this Examination. It is also our general position that the National Park should be treated as a legitimate constraint upon the expectation that constituent authorities would meet their objectively assessed needs. The different timescales for constituent authorities' Local Plans, combined with NPPF review and the new DCHLG methodology for assessing housing need, provide too many variables to enable this matter to be considered at this stage, and how the Park Authority deals with these issues is a strategic concern that must be deferred to the forthcoming Core Strategy review.

¹ [Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004;](https://www.gov.uk/guidance/duty-to-cooperate#authorities-alone)
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