

From: [REDACTED]
To: [Local Dev. Framework](#)
Subject: LOCAL PLAN REPRESENTATION
Date: 13 February 2018 15:14:54
Attachments: [committee report page 1.pdf](#)
[committee report page 2.pdf](#)
[letter \[REDACTED\].doc](#)
[site plan sco66.pdf](#)
[pub-reps-form.docx](#)

Please see the attached Local Plan representation and 4 related attachments.

Please can you acknowledge receipt of this form

Kindest Regards

[REDACTED]

Alison Roland Town Planners Ltd

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Tel: [REDACTED]

Mob: [REDACTED]

www.artownplanners.co.uk

5. Chapter 4 – The Built Environment

5.1. Policy BE1

Inspector's Recommendation

"4.6 Modify the Plan as follows:-

a) amend Policy BE1 to read as follows:-

"Within Development Limits defined on the Inset Maps, proposals to develop open spaces which are considered important to the character or appearance of a settlement will not be permitted."

b) amend the justification by deleting the third, fourth and last sentence of paragraph 1.1 together with paragraphs 1.2 and 1.3 and add the following new paragraph:-

"1.2 The importance of open spaces in contributing to the quality of life in settlements is recognised in PPG17: SPORT AND RECREATION. Proposals for the development of open spaces may also be assessed against Policy SRC1. See Chapter 8 of the Plan (Sport, Recreation and Community Facilities)."

5.2. Analysis

5.2.1. The Inspector concludes at paragraph 4.4 that the principle of this policy is acceptable. The Inspector, however, also concludes that there is scope for some strengthening and clarification within the policy to make the relationship between policy BE1 and Policy SRC1 clear.

5.2.2. It is considered that the Inspector's Recommendation removes a degree of duplication that exists between policies BE1 and SRC1. Moreover, the revised wording strengthens the policy and adds clarity. Therefore the recommendation of the Inspector is commended to Members.

Recommendation of the Head of Planning and Property

5.2.3. That the Inspector's Recommendation 4.6 is approved and carried forward as a modification to the Local Plan.

5.3. Site ID99 – Omission from BE1 – Land West of Green Royd Drive, Sutton in Craven

Inspector's Recommendation

"4.27I recommend that the Plan be modified by deleting the objection site from the Special Landscape Area and including it in the Development Limits as defined on Inset Map D".

5.4. Analysis

5.4.1. The deposit draft plan identified this site as SLA and outside of settlement limits (see Map 9). The objector sought the designation of this site under policy BE1 and its inclusion within the settlement limit. The Inspector concludes at paragraph 4.25 that, in his opinion, the site is not visually 'special' and should not be designated under either policy BE1 or ENV4. Moreover, the Inspector concluded that because the site is virtually surrounded by development it should be included within the settlement limit.

- 5.4.2. In its proof of evidence to the Inspector the Council maintained that this site did not meet the criteria for designation under policy BE1. The Inspector has made a separate recommendation on the criteria for identifying settlement limits. If Members accept the Inspector's Recommendation 3.12 (b) as outlined at paragraph 4.1, the criteria for settlement limits would include sites such as this which are visually and functionally more closely related to the built up area of the settlement than open countryside.
- 5.4.3. In its proof of evidence submitted to the Inspector the Council maintained that the area should remain identified as Special Landscape Area under local plan policy ENV4. It should be noted that when Members considered the Landscape Character Assessment in April 1997 this site was recommended for exclusion from the Special Landscape Area on the basis that it met the exclusion criteria. Members considered that the site has the effect of bringing the countryside in to the settlement and as such rejected officer recommendation on this basis. The Inspector has rejected the argument put forward by Members primarily on the basis that the site is virtually surrounded by development. In my opinion, there are no firm planning reasons to reject this recommendation of the Inspector.
- 5.4.4. In respect of proposals for housing on unidentified sites within the settlement limits of Sutton in Craven, local plan policy H4 would be the prime consideration to assess proposals by. Policy H4 of the local plan states that such proposals will be limited to "...infilling, small scale conversion, small scale development of neglected, derelict or under used land or the redevelopment of land or premises.....". It is considered that in policy terms large scale residential development proposals in respect of unidentified sites that are within settlement limits but do not fit in to the above categories can be resisted on this basis.

Recommendation of the Head of Planning and Property

- 5.4.5. That the Inspector's Recommendation 4.27 is approved and carried forward as a modification to the Local Plan in accordance with Map 9.

5.5. **POLICY BE2- PROTECTION OF THE APPROACHES TO SKIPTON**

SITE ID82 - LAND BETWEEN RAIKES ROAD AND SOD HILL LANE, SKIPTON

SITE ID83 - OTLEY ROAD APPROACH ALONG THE OLD A65 AND KNARESBOROUGH ROAD APPROACH ALONG THE OLD A59 APPROACH, SKIPTON

SITE ID85 - NIFFANY BRIDGE TO CLAY HALL, BROUGHTON ROAD, SKIPTON

Inspector's Recommendation

"4.32 I recommend that the Plan be modified by the deletion of Policy BE2."

5.6. **Analysis**

- 5.6.1. The Inspector, at paragraph 4.30, agrees that the approaches to Skipton that are defined in the deposit draft plan are visually important and should be protected. The Inspector concludes, however, that there are too many duplicating protective policies in the plan, which is contrary to Government guidance. In the Inspector's opinion, each of these sites can be afforded sufficient protection from development by policies ENV1, ENV4, and

[REDACTED]
Planning Policy
Craven District Council
1 Belle Vue Square
Broughton Road
Skipton
North Yorkshire
BD23 1FJ

11/7/16

[REDACTED]

SUBMISSION REGARDING SCO66: LAND TO REAR OF BAY HORSE BARN SUTTON-IN-CRAVEN

Further to our recent telephone conversations, we agreed I would write to you to put the case forward for inclusion of the above site within the forthcoming Craven Local Plan as an allocated housing site. I understand my client [REDACTED] initiated this process some time ago.

From a historical perspective, the Inspector who chaired the Inquiry on the currently adopted Craven Local Plan, reported prior to its adoption, that the land in question should be included in the development limits for Sutton village as it is "*virtually surrounded by development*" (see attached Committee report). Although the Committee resolved to disregard that advice (and it is by no means clear why), it is nonetheless sage planning advice proffered by an experienced independent Planning Inspector. That in itself carries substantial weight.

Secondly and perhaps more saliently, the premise on which the Inspector came to the above finding, still prevails on the ground today; that is to say that the land in question is completely surrounded by development and its exclusion from the settlement boundary of Sutton village is nonsensical and serves no planning purpose whatsoever. I also understand that there is some development potential identified on the car park to the rear of the Bay Horse Inn, which if undertaken, will render the site in question even more contained by other housing development.

I understand that settlement limits are not to be included as part of the forthcoming Local Plan. As such, and given the considerable size of the land in question (which you will see from the attached indicative plan is capable of accommodating around 15 units), I would submit that the land in question should be identified as a potential housing site.

The site is identified as SCO66 on the Pool of Site Options with Potential for Residential/Mixed Use Sustainability Appraisal Document (5/4/16). It is suggested in the

table that the site is not included in the pool of sites due to lack of access. However, it can be seen on the attached plan that there are two potential means of access to the site. The first is from Ellers Road. Whilst the client does not own the entirety of the length of that particular access onto the carriageway, he nonetheless possesses a right of access across it. Whatever the views of the Highway Authority in respect of that access, the fact remains that it has served several dwellings without incident for many years and it seems probable that it could service at least part of the site.

The other potentially more viable access option is from Greenroyd Drive through the side garden of No 32 Greenroyd Drive, which is under the ownership of my client. This may potentially require the acquisition of a small strip of land from Yorkshire Housing in order to facilitate the requisite width to the satisfaction of the Highway Authority. I am about to pursue negotiations with the latter, but a preliminary enquiry has indicated that they would not unreasonably withhold disposal of the land in question.

I am sure you are aware that it is common practice to impose Grampian type of conditions on planning consents requiring that the development is not commenced until some particular action is undertaken; typically on land outside the applicant's ownership (for instance, as here, to secure highway works). The relevant test for such conditions is that these can be used provided there is not "no prospect at all" of the condition being complied with. In other words, even if there is only a slight chance that the terms in the condition can be met, then such conditions can be imposed on planning consents. Whilst negotiations with Yorkshire Housing are ongoing at this point, there is certainly no suggestion that the land in question cannot be acquired.

A fallback position, in the event that for some inexplicable reason, that could not be secured, would be the partial or wholesale demolition of No 32 Greenroyd Drive, which would also potentially facilitate an access of reasonable width into the site. The latter option is not preferred by my client, but it nonetheless exists.

Therefore from the submissions in made thus far, it is clear that "lack of suitable access" is not a legitimate barrier to the allocation of the land for housing in the forthcoming Local Plan.

Secondly, I understand that an earlier version of the April 2016 document (cited above), pointed out that a small part of the site presents flood risk issues. However, an examination of the Flood Risk Map on the Environment Agency website reveals that the site lies outside flood zones 2 and 3 (see attached map extract). The site has also never been known to flood. Accordingly, it appears that there is no legitimate basis to resist inclusion of the site on the basis of flood risk. Whilst Holme Beck does run along the northern perimeter of the site, this is set at a significantly lower level. It also does not appear to have acted as a barrier to development in terms of the new housing recently constructed to the rear of Greenroyd Mill, which lies to the immediate north of the site.

Secondly, there is a suggestion that a nearby Special Protection Area and Special Area of Conservation need to be "investigated further". Both of these ecology designations lie a considerable distance to the West of the site in question and it is virtually inconceivable that their designation would in any way affect the viability of the site for development. The site also comprises cultivated and well managed garden land. It is thus highly improbable that it presents any habitat of ecological interest. Accordingly, there is no evidence to suggest that there is any ecological interest that should pose a barrier to the allocation of the site for housing in the forthcoming Local Plan.

In summary, from the submissions in this letter it is clear that there should be no barrier to inclusion of the site as an allocated housing site in the forthcoming Local Plan. Indeed, from a planning perspective, the site scores extremely highly; it is well contained by development visually and would not amount to an encroachment into the countryside; it scores very highly from a sustainability perspective, being physically well related to the settlement of Sutton village and the extended range of facilities in Crosshills and Glusburn. The fact the site falls within the Conservation Area is not particularly unusual and would simply require greater attention to detail in the site layout and house design.

I also understand that the Council are unable at the present time to demonstrate a five year supply of deliverable housing. This makes the case for allocating sustainable sites such as this, all the more imperative.

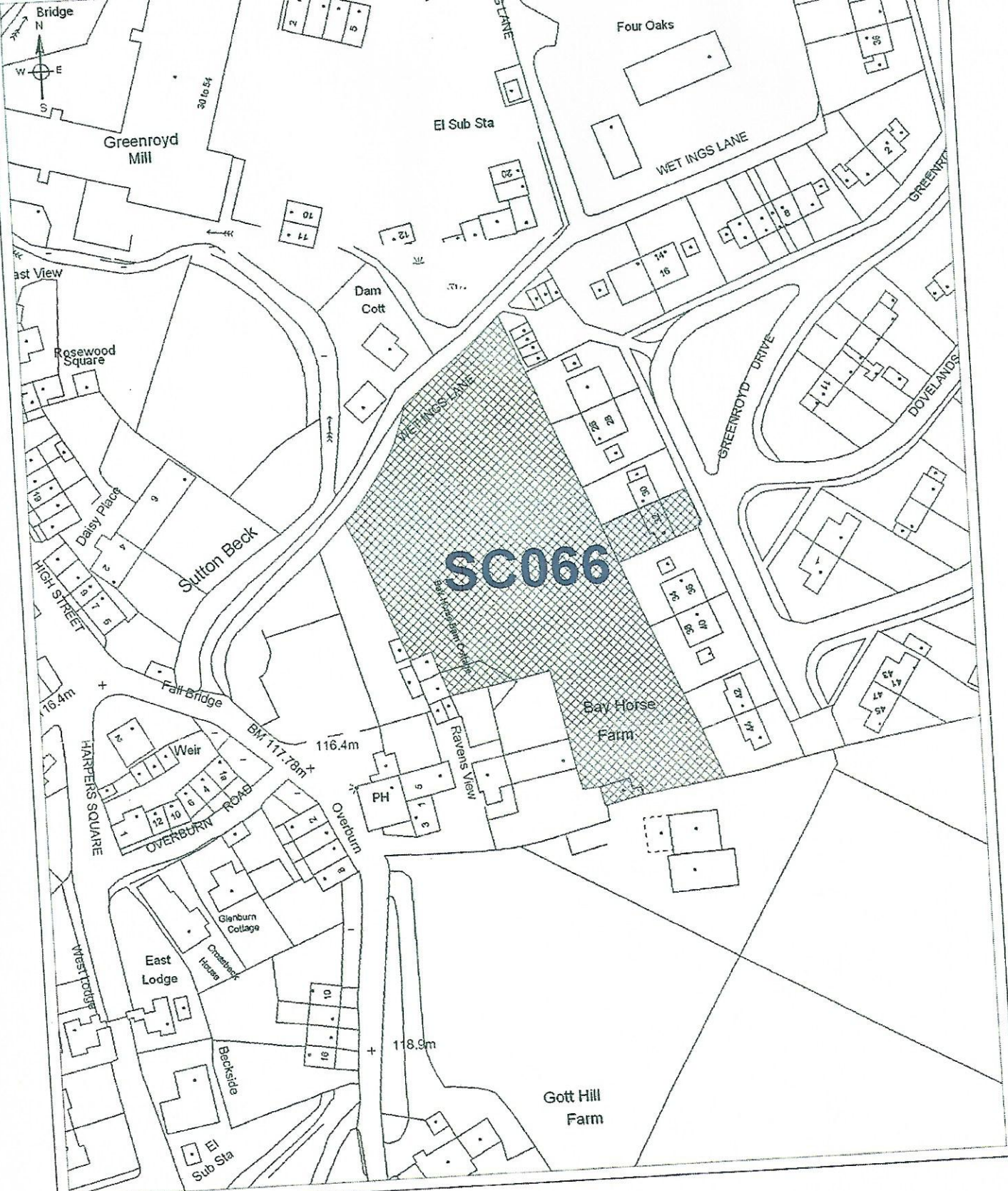
In the circumstances, I would invite you to give serious consideration to inclusion of this site as an allocated housing site in the forthcoming Local Plan as it can make a realistic and beneficial contribution towards meeting the housing needs of the Borough, without adversely impacting on any interest of acknowledged importance. The fact that the Inspector reporting on the current iteration of the Local Plan identified that the site should be included in the settlement boundary of Sutton village, lends considerable credence to the above assertion.

I would ask that you keep me informed of forthcoming developments in the Local Plan, particularly those that may require further submissions to be made on behalf of my client in respect of this particular piece of land.

I have also attached a draft indicative layout of a possible housing scheme in order to further your negotiations with the Highway Authority.

Yours Sincerely.





SC066
 Land west of Greenroyd Drive, Sutton
 SCALE: 1:1250 @ A4



© Crown Copyright and database right 2011. Ordnance Survey 100024694.

Drawing Issued By: CH
 22nd December 2011

Craven Local Plan 2012-2032 (outside the Yorkshire Dales National Park)

Publication Stage Representation Form

Publication draft Craven Local Plan public representations period runs from Tuesday 2nd January 2018 – Tuesday 13th February 2018.

Regulation19-Townand Country Planning (Local Planning) (England) Regulations 2012

Representations must be received no later than 5pm on Tuesday 13th February 2018

Please return completed forms to:

Planning Policy, Craven District Council, 1 Belle Vue Mills, Broughton Road, Skipton, North Yorkshire, BD23 1FJ

Or by email to: localplan@cravencd.gov.uk

For further information please contact the Council's Planning Policy Team via email at the address set out above or telephone 01756 706472

This form has 2 parts: Part A for personal details and Part B for your representation(s). **Please fill in a separate form for each representation you wish to make.**

Please note each representation must be signed and dated

Part A

Section 1: Personal Details

Title :	■
First Name:	■■■■
Last Name:	■■■■■■■■
Job Title (where relevant):	
Organisation (where relevant):	
Address 1:	■■■■■■■■■■
Address 2:	■■■■■■■■
Address 3:	■■■■■■■■■■

Address 4:	██████████
Postcode:	██████████
Telephone:	CARE OF AGENT
Email:	CARE OF AGENT

Section 2: Agent Details

Please supply the name, address, telephone number and e-mail of any planning agent you have working on your behalf.

Agent name:	██████████
Address:	Alison Roland Town Planners Ltd ██████████
Telephone number:	██████████
Email:	██

Part B

Please fill in a separate form for each representation

The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the legal and procedural requirements, and whether it is sound.

Section 3

Name or Organisation:	
To which part of the Local Plan does this representation relate?	
Section and Paragraph	
Policy	SP11 and SP4

Policies Map	
--------------	--

Section 4: Legal Compliance & Duty to Cooperate

Do you consider the Local Plan is: (tick as appropriate)		
	Yes	No
1. Legally Compliant	yes	
2. Sound	no	
3. In Compliance with the Duty to Cooperate	yes	

Please refer to the Council's representation guidance notes at <http://www.cravenc.gov.uk/newlocalplan>

Section 5: Details of Representation

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the Duty to Cooperate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the Duty to Cooperate, please also use this box to set out your comments.

The spatial strategy is unsound because it is inconsistent with national policy: Appendix 4 NPPF para 2 states that :

– *the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.*

Sutton-in-Craven is listed as a Tier 4a settlement. The plan understates the sustainability of Sutton village (by not making any housing allocations therein) as it has excellent access to the services and public transport facilities in Glusburn and Cross Hills. There is a Co-operative supermarket at Cross Hills, as well as South Craven Secondary School and many other facilities, including Cross Hills Medical Centre. Policy SP11 makes no housing allocations within Sutton village. The Spatial Strategy at SP11 is thus flawed and also not justified for the same reason. Sutton village is a sustainable location for some limited housing development.

Submissions were made earlier in the Local Plan process in connection with a specific site SCO66 Land West of Greenroyd Drive (plan attached).

The table on page 89 of the Residential Site Selection process (incorporating employment site selection) Background Paper January 2018 states: *The site has current difficulties in access. There may be acceptable access but this is subject to the garden in adjacent house number 32 requiring hard surfacing to provide replacement off park parking (Highways comments 2016).* This does not reflect the up to date position whereby a planning application (2017/18753) is under process and shortly to be determined, for residential development of 10 units affording access into the site via the demolition of No 32 Greenroyd Drive (owned by the applicant). The Highway Authority have confirmed they are happy with this arrangement.

Even if no other sites are allocated for Housing in Sutton, this site is locationally excellent and constitutes "rounding off" of the settlement having being previously recommended for inclusion

within the settlement boundary in the previous Local Plan examination. The Inspector who chaired the Inquiry on the currently adopted Craven Local Plan, reported prior to its adoption, that the land in question should be included in the development limits for Sutton village as it is "*virtually surrounded by development*". I go further and consider that it should be allocated for housing development under SP11. This would be consistent with the objective of SP4 to direct limited growth to Tier 4a settlements as the site is not excessively large relative to the village.

National Policy in the NPPF seeks to secure sustainable development; one component of which is locating housing development in settlements which have good access to services and public transport. The failure to allocate SCO66 for housing under SP11 renders the Plan unsound as it is neither justified nor consistent with national policy.

I also make submissions in relation to criterion I of SP4 which states:

I. *Supporting the release of non-allocated sites for housing that adjoin the main built up area** of settlements where:-*

a) it can be demonstrated that the planned growth in the spatial strategy for the settlement will not be delivered during the plan period ,or

b) it is a rural exception site in accordance with Policy H2

This seeks to restrict the development of non allocated sites unless it can be demonstrated that the planned growth will not be achieved or the site is a rural exception site. This is setting a ceiling on housing provision which could come forward on a windfall site which is acceptable on its planning merits. This is inconsistent with the NPPF objective to "boost significantly" the supply of housing. The requirement of I ii) requiring proposals to be *proportionate to the size of the settlement* and iii) *complementary to settlement form* are adequate safeguards.

Section 6: Proposed Modifications to the local plan

Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified above where this relates to soundness. (NB Please note that any non-compliance with the Duty to Cooperate is incapable of modification at examination) You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

SCO66 should be allocated for Housing in Policy SP11.

Criterion a) to c) of subsection I to Policy SP4 should be deleted, but the first sentence "supporting the release of non allocated sites for housing that adjoins the main built up area of settlements" should be retained. The next line after subsection c) should simply read *Proposals will be supported provided they meet the following criteria:....*

These measures will render the plan sound insofar as it will be justified and consistent with national policy.

I also attach a copy of the site SCO66 and my original submission to [REDACTED] dated 11/7/16 which provides background information relevant to this submission. Also attachments Committee report pages 1 and 2 which refer to the Inspectors' comments on the current Local Plan relative to SCO66.

(Continue on a separate sheet if necessary. Please remember to include on any separate sheets the name/organisation and details of which section, paragraph, policy or element of the policies map your representation relates)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not be a subsequent opportunity to make further representations based on the original representation at publication stage.

After the representations period of the Publication Craven Local Plan has closed, further submissions will only be at the request of the Inspector, based on the matters and issues debated at the examination.

Section 7: Participation at the Examination

If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? (please select one answer with a tick)

Yes, I wish to participate at the oral examination

No, I do not wish to participate at the oral examination

CORRECT

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

--


Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Section 8: Being Kept Informed

Would you like to be kept informed of the progress of the Craven Local Plan through to adoption? (please select one answer with a tick)	
Yes, I want to be informed	yes
No, I don't want to be informed	

Please note that if you do not wish to be kept informed of the progress of the Craven Local Plan through to adoption, you will not receive any subsequent updates relating to the Local Plan examination etc.

Section 9: Signature & Date of Representation

Please sign and date below:	
Signature	
Date	13/2/18

After the end of the representation period the Council will submit all individual representations received to the Secretary of State, together with a summary of the main issues raised during the representations period.

Information that you provide in your representation, including personal information, may be published or disclosed in accordance with the Environmental Information Regulations 2004 (EIR), or the Freedom of Information Act (FoIA). If you want the information that you provide to be treated as confidential, please tell us, but be aware that under the EIR and FoIA, we cannot guarantee confidentiality.

However, if you are submitting representations as an individual, the Council will process your personal data in accordance with the Data Protection Act 1998, and this means that if you request confidentiality, your personal information will not be disclosed to third parties.

If you wish your personal details to be treated in confidence and not published please tick the box below:	
I wish to request that the personal details submitted with this representation are treated in confidence and not published.	YES
Please explain below, why you have made this request:	

Client request

Craven District Council | 1 Belle Vue Square | Skipton | BD23 1FJ

| www.cravencd.gov.uk

Planning Policy Team | 01756 706472 | localplan@cravencd.gov.uk



INVESTOR IN PEOPLE



If you would like to have this information in a way that's better for you, please telephone 01756 700600.