



From: [Plan Cons Area Team \(Yorkshire & Northern Lincolnshire\) \(NE\)](#)
To: [Local Dev. Framework](#)
Subject: RE: Publication Draft Craven Local Plan: Regulation 19 Draft Document - 2nd January 2018 - 13th February 2018
Date: 13 February 2018 17:38:24
Attachments: [234760 Natural England Response.pdf](#)
[234204 Natural England Response.pdf](#)
[227014 Natural England Response.pdf](#)

Dear Planning Policy Team,

Thank you for consulting Natural England on the Publication Draft Craven Local Plan – Regulation 19 Draft Document for Publication, January 2018. Please find attached our response along with two planning application responses referred to in our response attached for your ease of reference.

Yours faithfully,


Lead Adviser
Yorkshire and Northern Lincolnshire Team
Natural England
Foss House, 1-2 Peasholme Green, York, YO1 7PX
Tel: 

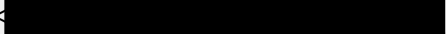
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These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, reduce the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

From: Craven District Council, Planning Policy
[\[mailto:localplan=cravenc.gov.uk@mail9.wdc01.mcdlv.net\]](mailto:localplan=cravenc.gov.uk@mail9.wdc01.mcdlv.net) **On Behalf Of** Craven District Council, Planning Policy
Sent: 21 December 2017 12:05
To: Consultations (NE) < >
Subject: Publication Draft Craven Local Plan: Regulation 19 Draft Document - 2nd January 2018 - 13th February 2018

[View this email in your browser](#)



Dear Sir/Madam,

Craven Publication Draft Local Plan Representation Procedure

I am writing to inform you that Craven District Council is about to Publish its Publication Local Plan and invite formal representations on it. The representations period will begin on Tuesday 2nd January 2018 and finish at 5pm on Tuesday 13th February 2018.

The Local Plan sets out the broad spatial planning policy framework and vision for Craven District (outside the Yorkshire Dales National Park) i.e. the plan area, up to 2032, as well as identifying the necessary development sites and infrastructure to support this growth. The Local Plan will also be used to make decisions on future planning applications and, once adopted, will replace the Council's existing Local Plan, which includes a number of 'saved' Local Plan Policies, originally adopted in 1999.

The Publication Local Plan is the version of the Plan which the Council wishes to adopt. The Council has previously consulted on the following versions of the Draft Local Plan:

- first draft of Craven Local Plan (22nd September to 3rd November 2014)

- second draft Craven Local Plan (5th April – 31 May 2016)
- third draft pre-publication Craven Local Plan (19th June – 31st July 2017)

Representations received during each of these consultations have been taken into account, alongside other considerations, during the preparation of the Publication Local Plan.

Following this representations period (from 2nd Jan – 13 Feb 2018), the Publication Version Local Plan will be submitted, together with the individual representations received during this representations period, to the Secretary of State for Communities and Local Government, who will appoint an independent Inspector to conduct an Examination in Public. A summary of the main issues raised during the representations period will also be submitted to the Secretary of State.

Alongside the Publication Local Plan, the Council is also publishing the proposed Submission Policies Map showing how the adopted Policies Map is intended to be changed to reflect the proposals in the Publication Local Plan. This sets out, on an Ordnance Survey base map, allocations and designations arising from policies in the local plan.

Representations at this stage should only be made on the legal and procedural compliance of the Craven Local Plan, the soundness of the Craven Local Plan and whether the Craven Local Plan is in conformity with the Duty to Cooperate. Please refer to the Council's representation guidance notes when preparing representations.

For details of how to submit representations on the Publication Local Plan, please see the Statement of Representation Procedure and the council's representation guidance notes, which accompanies this letter and can be downloaded at <http://www.cravenc.gov.uk/newlocalplan> Copies of the Publication Stage Representation Form are also available via this link.

You are receiving this letter because you have submitted representations on previous drafts of the Craven Local Plan and your contact details are held on the council's Local Plan consultation database. If you no longer wish to be contacted with regard to the Craven Local Plan and/or the contact details are incorrect, please let us know either by phone 01756 706472 or email localplan@cravenc.gov.uk

If you require any further information regarding this invitation to make representations, please do not hesitate to contact the Planning Policy Team using the details at the top of this letter.

Yours faithfully
Planning Policy Team

Statement of Representation Procedure
Statement of Representations Procedure and Availability of Documents
Town and Country Planning (Local Planning) (England) Regulations 2012 –
Regulation 19
Craven Local Plan – Publication

Title of Document

Publication Draft Craven Local Plan – Regulation 19 Draft Document for Publication, January 2018.

Subject Matter and Area Covered

Craven District Council has prepared the Publication version of the Local Plan for submission to the Secretary of State for Communities and Local Government. The Local Plan sets out the broad spatial planning, policy framework and vision for Craven District (outside the Yorkshire Dales National Park) i.e. the plan area, up to 2032, as well as the necessary development sites and infrastructure to support this growth. The Local Plan will also be used to make decisions on future planning applications.

Period of Publication for Representations

Representations are invited on the Publication Draft Craven Local Plan for a period of 6 weeks, from Tuesday 2nd January 2018 and ending at 5pm on Tuesday 13 February 2018. This statement provides details on how to make representations.

Statement of fact – How to view the documents

During this public representations period, copies of the Publication Draft Craven Local Plan and other proposed submission documents listed below will be available to view on the Council's website at <http://www.cravencd.gov.uk/newlocalplan> and will also be available for inspection at the Council's offices at Belle Vue Square, Broughton Road, Skipton, North Yorkshire, BD23 1FJ. Opening Hours: 9.00am to 5.00pm Monday to Thursday, 9.00am to 4.30pm Friday. The Publication Craven Local Plan and accompanying documents will also be available to view at local libraries located within the plan area at Skipton, Settle, Bentham, Ingleton, Crosshills, Gargarve and Embsay with Eastby, and on the Supermobile library. Opening times for these libraries can be viewed at <https://www.northyorks.gov.uk/local-libraries>

Documents which are available to view are:

- Publication Draft Craven Local Plan (January 2018)
- Publication Draft Craven Local Plan Appendices A-D (January 2018)
- Submission Policies Map (January 2018)
- Sustainability Appraisal Report (January 2018)
- Statement of Consultation (Regulation 22 Statement) (January 2018)

There are also a considerable number of other supporting documents and evidence

base reports which underpin the Publication Draft Craven Local Plan and these can be viewed online at <http://www.cravencd.gov.uk/newlocalplan>. Alternatively paper copies of these documents are available to inspect by prior arrangement with the Planning Policy Team who can be contacted on localplan@cravencd.gov.uk or by phoning 01756 706472.

Paper copies of documents can be provided directly to interested parties if requested, however please note that printing charges will apply.

PRINTING CHARGES: We can print paper copies of documents, or specific extracts, on request and will make a charge to recover printing costs. Charges will include the cost of paper, but not staff time, and will be 4.3p per page. Printed documents, or extracts, can be collected in person or they can be posted. An additional charge will be made to cover the cost of any postage. Documents will be provided on receipt of a cheque for the right amount, which should be made out to Craven District Council with "Local plan printing charge" written on the back.

Representations

Representations on the plan can be made throughout the representations period. Representations must be made in writing before 5pm on Tuesday 13th February 2018. Please note that late representations cannot be accepted. It is recommended that representations are made by completing the Council's Publication Stage Representation Form with the aid of the representation guidance notes.

Representation forms and guidance notes are available to download from the Council's website at <http://www.cravencd.gov.uk/newlocalplan>, and from the Craven District Council offices at Belle Vue Square in Skipton by contacting The Planning Policy Team on 01756 706472 or via the details below. Paper copies are available from libraries within the plan area and from the Craven District Council office reception desk.

Completed representation forms should be returned to:

Planning Policy Team, Craven District Council, Council Offices, Belle Vue Square, Broughton Road, Skipton, North Yorkshire, BD23 1FJ.

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

All individual representations received will be submitted to the Secretary of State, together with a summary of the main issues raised during the representations period and considered as part of a public examination by an independent Planning Inspector. Representations at this stage should only be made on the legal and procedural compliance of the Craven Local Plan, the soundness of the Craven Local Plan and whether the Craven Local Plan is in conformity with the Duty to Cooperate. Please refer to the Council's representation guidance notes when preparing representations.

Receiving notification of the progress of the Local Plan

By using the representation form you can request to be notified of the following steps:

- The submission of the Publication Draft Craven Local Plan to the Secretary of State for Communities and Local Government for independent examination.
- Publication of the Planning Inspector's Report on the Craven Local Plan
- Adoption of the Craven Local Plan

For further details, please contact the Planning Policy Team on 01756 706472 or email localplan@cravenc.gov.uk

Craven Local Plan Publication 2018
Representation Guidance Notes
Further copies can be downloaded at
<http://www.cravenc.gov.uk/newlocalplan>

1. Introduction

1.1. The Local Plan is published in order for representations to be made prior to submission. The representations will be submitted to the Secretary of State for Communities and Local Government, who will appoint an independent Inspector to conduct an Examination in Public. The Planning and Compulsory Purchase Act 2004 (as amended) (The Act) states that the purpose of the examination is to consider whether the plan complies with the legal requirements, the duty to co-operate and is sound.

2. Legal Compliance and Duty to Co-operate

2.1. The Inspector will first check that the plan meets the legal requirements under section 20(5)(a) of The Act and the duty to co-operate under section 20(5)(c) of The Act before moving on to test for soundness.

2.2. The following should be considered before making a representation on legal compliance:

- The Local Plan should be included in the current Local Development Scheme (LDS) and the key stages should have been followed. The LDS is effectively a programme of work prepared by the LPA, setting out the Local Development Documents (LDDs) it proposes to produce. It will set out the key stages in the production of any plans which the LPA proposes to bring forward for independent examination. If the plan is not in the current LDS it should not have been published for representations. The LDS should be on the LPA's website and available at its main offices.
- The process of community involvement for the Local Plan should be in general accordance with the LPA's Statement of Community Involvement (SCI) (where one exists). The SCI sets out the LPA's strategy for involving the community in the preparation and revision of LDDs (including plans) and the consideration of planning applications.
- The Local Plan is required to comply with the Town and Country Planning

(Local Planning) (England) Regulations 2012 (the Regulations). On publication, the LPA must publish the documents prescribed in the Regulations, and make them available at its principal offices and in other appropriate locations, for example libraries within the plan area, and on its website. The LPA must also notify the various persons and organisations set out in the Regulations and any persons who have requested to be notified.

- The LPA is required to provide a Sustainability Appraisal Report when it publishes a plan. This should identify the process by which the Sustainability Appraisal has been carried out, and the baseline information used to inform the process and the outcomes of that process. Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental and economic factors.

2.3. The following should be considered before making a representation on compliance with the duty to co-operate:

- The duty to co-operate came into force on 15 November 2011 and any plan submitted for examination on or after this date will be examined for compliance. LPAs are expected to provide evidence of how they have complied with any requirements arising from the duty.
- The Act establishes that non-compliance with the duty to co-operate cannot be rectified after the submission of the plan. Therefore the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector has no choice but to recommend non-adoption of the plan.

3. Soundness

3.1. Soundness is explained in paragraph 182 of the National Planning Policy Framework (NPPF). The Inspector has to be satisfied that the plan is positively prepared, justified, effective and consistent with national policy:

- **Positively Prepared:** This means that the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
- **Justified:** The plan should be the most appropriate strategy when considered against reasonable alternatives, based on proportionate evidence.
- **Effective:** the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.
- **Consistent with national policy:** the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF.

3.2. If you think the content of the Local Plan is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:

Is the issue with which you are concerned already covered specifically by national planning policy? If so it does not need to be included.

- Is what you are concerned with covered by any other policies in the plan on which you are seeking to make representations or in any other plan?
- If the policy is not covered elsewhere, in what way is the plan unsound without the policy?
- If the plan is unsound without the policy, what should the policy say?

4. General Advice

4.1. If you wish to make a representation seeking a modification to a plan or part of a plan you should make clear in what way the plan or part of the plan is inadequate having regard to legal compliance, the duty to co-operate and the four requirements of soundness set out above. You should try to support your representation by evidence showing why the plan should be modified. It will be helpful if you also say precisely how you think the plan should be modified. Representations 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 submissions based on the original representation made at publication. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

4.2. Where there are groups who share a common view on how they wish to see a plan modified, it would be helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases, the group should indicate how many people it is representing and how the representation has been authorised

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You are receiving this email because you are a statutory consultee to the planning process.

Our mailing address is:

Craven District Council
Craven District Council
1 Belle Vue Square, Broughton Road
Skipton, North Yorkshire BD23 1FJ
United Kingdom

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Date: 13 February 2018
Our ref: 234760



Planning Policy Team
Craven District Council
Council Offices
Belle Vue Square
Broughton Road
Skipton
North Yorkshire
BD23 1FJ
localplan@cravencd.gov.uk

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T [REDACTED]

BY EMAIL ONLY

Dear Planning Policy Team

Planning consultation: Publication Draft Craven Local Plan – Regulation 19 Draft Document for Publication, January 2018

Thank you for your consultation on the above dated 21 December 2017 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Soundness and Legal Compliance

Natural England welcome the progress made and updates to the draft plan and supporting Habitats Regulations Assessment, Sustainability Appraisal and evidence base. However we consider that there are a number of outstanding concerns, as set out below, which we consider need to be addressed in order for the plan to be both sound and legally compliant.

We have had ongoing dialogue with Craven District Council on the development of the plan and are hopeful that our outstanding concerns can be addressed prior to submission.

Habitats Regulations Assessment

Natural England is broadly content with the conclusions of the Habitats Regulations Assessment (HRA) however we consider that further clarification is required with regards to the assessment of air quality impacts, loss of functionally linked land for Special Protection Area (SPA) birds, recreational disturbance and hydrology.

Air quality

We broadly welcome the data and assessment provided, although we advise that you ensure that the traffic modelling methodology is in line with the industry standard, however we do not consider that sufficient certainty is provided that the plan will not lead to significant increases in traffic on roads in close proximity to European designated sites. Natural England notes that para 7.4 identifies that the A65 passes in close proximity to the Ingleborough Complex Special Area of Conservation (SAC), the A59 in close proximity to the North Pennine Moors SAC and SPA and the A6068 in close proximity to the South Pennine Moors SAC and South Pennine Moors Phase 2 SPA but data has not been provided to demonstrate that the plan will not lead to significant increases in traffic on these roads.

Natural England would expect the plan to follow the process and thresholds set out in the Design

Manual for Roads and Bridges 2007 (particularly Volume 11, Section 2, Part 1) this sets out criteria for assessment including the 200m distance threshold for impacts on designated sites from road traffic and the daily traffic flow change of 1000 Average Annual Daily Traffic (AADT) or Heavy Duty Vehicle flow of 200 AADT thresholds.

We would expect the HRA to determine which roads affected by the plan lie within 200m of designated sites (European Sites for the HRA and SSSIs for the Sustainability Appraisal) which we understand has been done and concludes that the A65, A59 and A6068 may be affected. We would then expect the Average Annual Daily Traffic (AADT) flow to be calculated to determine whether the plan will, either alone or in-combination with neighbouring plans or projects, lead to an increase of 1000 AADT or 200 Heavy Duty Vehicle AADT.

Should this analysis show any exceedance of the thresholds set out in the Design Manual for Roads and Bridges then detailed modelling of traffic emissions will need to be undertaken to determine the impact of increased traffic in the context of the existing background levels.

Link to Design Manual for Roads and Bridges:

<http://www.standardsforhighways.co.uk/ha/standards/dmrb/vol11/section3.htm>

Loss of supporting feeding sites to development

Natural England is broadly satisfied with the assessment undertaken but would welcome clarity on the distance criteria used, particularly in the context of the findings of the Habitats Regulations Assessment accompanying the neighbouring Bradford Core Strategy. Assuming that a 2.5km distance has been adopted in this case we note that the majority of allocations lie outwith this distance. The exception to this is SC085 which lies within 2.5km of the South Pennine Moors Phase 2 SPA. However we consider this site very unlikely to host SPA birds due to the nature of the habitats and constraints present.

We advise that you include a table of sites within or around 2.5km (or whatever distance is selected for this issue) and describe the habitats and constraints for SPA birds present. Should this analysis show that SPA birds may be using the site, in the context of the data collected from the local RSPB representatives, then bird surveys may be necessary to determine whether development of these sites will lead to an adverse effect on the integrity of the South Pennine Moors Phase 2 SPA or the North Pennine Moors SPA.

Recreational disturbance

Natural England is broadly content with the assessment undertaken however, as with the above issue regarding loss of supporting feeding sites, we consider that the assessment should include a table which clearly sets out the mitigation measures for each relevant allocation. In addition we advise that it is clarified as to what screening distance is being applied and thus which allocations are relevant. For instance, is Bradford's 7km being applied to all sites and is this considered proportionate?

Hydrology

Natural England notes para 8.6 and advise that the Local Authority satisfies themselves that this consultation with United Utilities and Yorkshire Water is sufficient to rule out impacts on designated sites from water abstraction and waste water treatment capacity issues.

Sustainability Appraisal

Notwithstanding the issues raised above with regards to the HRA, which should be updated in the Sustainability Appraisal (SA) when resolved, Natural England is broadly satisfied with the SA. However we have a number of specific concerns about the impact of allocations on nationally protected landscapes and Sites of Special Scientific Interest (SSSIs) where we consider further assessment is required to ensure that the appraisal is legally compliant.

Firstly Natural England advises that we have an outstanding objection in place with regards to allocation SG064 (planning application ref 62/2017/18064) for full details please see our letter dated 19 January 2018 (our ref 234204, attached for your ease of reference). Natural England considers

that development in this location and on this scale will have unacceptable impacts on the setting of the Yorkshire Dales National Park and that insufficient evidence has been provided to rule out impacts on River Ribble (Long Preston Deeps) SSSI.

We note that these issues do not appear to have been addressed in the Sustainability Appraisal, although some discussion regarding landscape impacts is provided in the evidence base. With regards to impacts on the setting of the National Park, based on the evidence provided with 62/2017/18064, we advise that the Appraisal will need to set out the overriding social or economic reasons for selecting this site and include an assessment of alternative sites and why this is the most sustainable alternative.

Concerning the SSSI we advise that evidence to satisfy our concerns regarding impacts on SSSI birds, water quality and recreational impacts (as set out in our letter dated 19 January 2018) should be provided and the necessary mitigation measures set out. Should mitigation prove impossible then damage to the features of the SSSI should be considered in the context of the sustainability of this option.

Publication Draft Craven Local Plan (December 2017)

Draft Policy EC4: Tourism

Natural England notes the support for tourism development at Hellifield railway station area and the supporting map in policy EC4. We advise that we also have an objection to planning application ref 42/2016/17496 on this site with regards to impacts on the setting and special qualities of the Yorkshire Dales National Park and damage to the interest features of both River Ribble (Long Preston Deeps) SSSI and Pan Beck Fen SSSI and impacts on Best and Most Versatile Agricultural Land (for more information please see our letter dated 20 October 2017, our ref 227014, attached for your ease of reference).

Natural England has worked closely with the developer and their consultants over the last year and, provided that the mitigation and compensation measures agreed can be secured, are now satisfied that the proposal can be implemented with no adverse effects on the environmental features set out in our letter dated 20 October 2017. We advise that the evidence collected by the applicant is included in the evidence base for policy EC4 and that the policy wording includes specific reference to the need for conservation, mitigation and compensation in relation to SSSIs.

Draft Policy EC4A Tourism Led Development at Bolton Abbey

Natural England welcomes the landscape capacity evidence provided in the Bolton Abbey Development Options Appraisal Study and advise that this evidence is included in the Local Plan evidence base in relation to this policy. We advise that the Sustainability Appraisal should make reference to the findings of this study, particularly in relation to the very constrained nature of the development options. We are broadly content with the policy text, which reflects the findings of the capacity studies, however we would like it to be clear that any development proposals will need to be accompanied by a detailed landscape and visual impact assessment in order to ensure that unacceptable impacts on the Yorkshire Dales National Park can be avoided or mitigated affectively.

Development Principles

Natural England notes and broadly welcomes the evidence base document titled Landscape Visual Impact Assessment, however we advise that the title is slightly misleading as the document is not carried out in line with the principles set out in the Landscape Institutes Guidelines for Landscape and Visual Impact Assessment version 3 (GLVIA3) 2013. We advise that you consider revising the name of the document to something along the lines of Landscape Study. Nevertheless we consider the evidence provided adequate at this stage. Although we disagree with the conclusions regarding site SG064.

One of the key conclusions of the report is to suggest the need for detailed LVIA at project stage for a number of sites. We note that this has been carried forward in the plan in some cases and welcome this but note that a number of sites do not have this requirement. We advise that following sites should also include the requirement for LVIA at the project stage in the development principles:

- GA009
- IN010
- IN022
- IN028
- IN029
- IN035

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter please contact [REDACTED] at [REDACTED] or on [REDACTED]. For any new consultations, or to provide further information on this consultation please send your correspondences to [REDACTED]

Yours faithfully

[REDACTED]
Yorkshire and Northern Lincolnshire Team
Natural England

Date: 19 January 2018
Our ref: 234204
Your ref: 62/2017/18064



██████████
Planning Services
Craven District Council
1 Belle Vue Square
Broughton Road
Skipton
North Yorkshire
BD23 1FJ

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T ██████████

BY EMAIL ONLY

Dear ██████████

Planning consultation: Additional information regarding outline application with some matters reserved the construction of a new Business Park, a car dealership and residential development
Location: Anley Crag Business Park Land To The West Of The B6480 (Skipton Road) Settle North Yorkshire

Thank you for your consultation on the above dated 15 December 2017 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

OBJECTION (Landscape)

Natural England objects to this proposal. As submitted we consider it will have a significant impact on the purposes of designation of Yorkshire Dales National Park.

FURTHER INFORMATION REQUIRED (Protected Sites)

As submitted, the application could have potential significant effects on River Ribble (Long Preston Deeps) Site of Special Scientific Interest (SSSI). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation:

Further information is required to determine whether:

- the land within both the red and blue line boundary is linked to the SSSI (i.e. do waders and waterfowl from the SSSI use this land for foraging or other behaviours);
- the development will cause noise and/or visual disturbance to birds using the SSSI or any linked land;
- the proposal will displace any birds using linked land;
- the proposal will have an impact on the water quality of the SSSI through increased hydrocarbons and heavy metals from the proposal;
- there will be any recreational impacts on the SSSI or any linked land;

- there will be any urban edge effects to the SSSI or any linked land (cat predation, vandalism etc.)

We have reached this view for the following reasons:

Yorkshire Dales National Park Protected Landscape

- The proposed development will have significant and adverse impact on the setting of the Yorkshire Dales National Park;
- The proposal is a greenfield site completely separate from Settle or any other settlement. The landscape character of the area is predominately one of farmland, woodland, farmsteads and individual barns. The proposal will create an urban form in a rural setting;
- The design and materials proposed are not in keeping with the landscape character nor with the local vernacular of the area;
- Settle is the one of the primary entry points into the Yorkshire Dales National Park and retains its character as a small Dales market town. The proposal would drastically alter the character of this entry point into the Park;
- The development sits on a raised embankment and is very prominent in the landscape;
- Views of the development looking towards the National Park would have considerable visual impact.

Comments regarding Addendum to Landscape and Visual Appraisal

Natural England welcomes the additional viewpoints, wireframe and photomontages provided, which we consider to be helpful for assessing the landscape and visual impact of the proposal on the Yorkshire Dales National Park. We also broadly welcome the additional assessment provided, however we disagree with the conclusions reached regarding the impact of the proposal, particularly with regards to impacts on the setting of the National Park.

Natural England does not consider that appropriate weight has been given to the importance of the setting of the national park. We do not agree that the lack of reference to the setting and importance of views into the National Park in the special qualities of the Yorkshire Dales National Park diminishes their importance. We consider that the setting and importance of views into National Parks should be given great weight in decision making regarding landscape impacts.

Further information request River Ribble (Long Preston Deeps) Site of Special Scientific Interest

Comments regarding Supplementary Ecological Assessment

Natural England does not consider that the further information provided regarding impacts on River Ribble (Long Preston Deeps) SSSI satisfies the concerns we raised regarding damage to the features for which the SSSI was designated in our letter dated 07 July 2017 (our ref 217309). We attach our previous response for your ease of reference.

We note that additional breeding bird survey work was undertaken but are unclear from the information provided what methodology was used. In addition we note that no reference is made to any desk study work or consultation with local ecological groups regarding functionally linked land for River Ribble (Long Preston Deeps) SSSI birds. We consider that it is key to understand the context for the survey. In particular we advise that consultation with the Long Preston Deeps Partnership is strongly recommended considering their knowledge and expertise on birds in this area. However we would also expect the assessment to consider any WeBS data or records from the North and East Yorkshire North & East Yorkshire Ecological Data Centre and advise that consultation with the RSPB and Yorkshire Wildlife Trust are considered.

Regarding the assessment of impacts on winter and passage assemblage bird species we note the second paragraph which states that a lack of shallow pools or open water is a criteria which rules out the use of the site by species listed in the SSSI citation. Natural England very strongly disagrees with this assertion. We advise that such species utilise water habitats on the SSSI itself and rely on arable and pasture outside the SSSI boundary as well as other wetlands. In addition to a desk study

and local consultation as described above, we advise that the potential of habitats present on the proposal site, for SSSI birds, should be carefully assessed by an experienced practitioner and that should this assessment suggest potential for winter and passage assemblage bird species from the SSSI then wintering bird surveys should be undertaken.

Natural England notes that the Supplementary Ecological Assessment makes no attempt to address our concerns regarding water quality, direct noise and visual disturbance on the SSSI itself or urban edge effects to the SSSI.

Finally we note the comments regarding recreational disturbance. Natural England does not consider that the constraints described in relation to the route via a waymarked footpath leading from the corner of the unmade farm track at the end of Runley Mill Lane appear to be significant enough to stop recreational users considering the attractiveness of the Ribble Way to users at this point. We advise that further information regarding access to the SSSI from the Ribble Way is gathered and what issues exist. In addition options for onsite natural greenspace and recreational routes should be expanded on and signposting and education around impacts on SSSI birds should be considered.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Should the developer wish to explore options for avoiding or mitigating the effects described above with Natural England, we advise they seek advice through our [Discretionary Advice Service](#).

Should the proposal change, please consult us again.

If you have any queries relating to the advice in this letter please contact [REDACTED] at [REDACTED] or on [REDACTED]

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

[REDACTED]
Yorkshire and Northern Lincolnshire Team
Natural England

Date: 20 October 2017
Our ref: 227014
Your ref: 42/2016/17496



[REDACTED]
Craven District Council
1 Belle Vue Square
Broughton Road
SKIPTON
North Yorkshire
BD23 1FJ
planning@cravenc.gov.uk

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T [REDACTED]

BY EMAIL ONLY

Dear [REDACTED]

Planning Consultation: Outline application for the development of a leisure centre, including swimming pool, hotel and visitor accommodation, including up to 300 lodges, a park & ride facility, pedestrian access to Hellifield Station, parking areas, bus and coach drop off point. Landscaping including ground modelling and water features.

Location: Land To The West Of, Hellifield, Skipton, North Yorkshire, BD23 4HJ

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in your consultation dated 25 September 2017 which we received on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England has commented previously on this application in our letter dated 01 December 2016 (our ref 201252) where we set out our concerns regarding the potential ecological impacts of the proposal on Pan Beck Fen Site of Special Scientific Interest (SSSI) and River Ribble (Long Preston Deeps) SSSI as well as landscape and visual impacts on the Yorkshire Dales National Park. This letter represents our additional advice in the light of the supplementary information provided in 2017 and should be read alongside our original response which we have attached with this letter for your ease of access. Natural England broadly welcomes the updates to the Ecological Appraisal in the Avian Addendum (dated March 2017) and the additional landscape information provided. However we still have outstanding concerns regarding the potential impact of the proposal on Pan Beck Fen SSSI, River Ribble (Long Preston Deeps) SSSI and the Yorkshire Dales National Park which we consider should be addressed before permission is granted.

WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

Request for further information

This application is in close proximity to Pan Beck Fen SSSI and River Ribble (Long Preston Deeps) SSSI. Natural England requires further information regarding this development on the grounds that the application, as submitted, makes it unclear as to whether it is likely to damage or destroy the interest features for which Pan Beck Fen SSSI and River Ribble (Long Preston Deeps) SSSI has been notified. Our concerns are set out below:

- Natural England is concerned about the potential for this proposal to impact upon birds connected to River Ribble (Long Preston Deeps) SSSI which are using Hellifield Flash. While we welcome the assessment provided by the updated Avian Addendum we do not consider that the mitigation set out is adequate to address the potential impacts identified in

the report. We consider that the proposal will require a specific and detailed mitigation and compensation scheme which clearly sets out at outline application stage how impacts on SSSI birds will be addressed. We do not consider that the measures set out in section 3.4.2 of the report provide sufficient detail nor certainty that impacts on River Ribble (Long Preston Deeps) SSSI birds will be avoided.

- The site has a hydrological link to Pan Beck Fen SSSI via Kell Well Beck and the updated information does not appear to address our concerns with regards to hydrological linkages.
- As stated previously, the application form states that it is 'unknown' how they will dispose of foul sewage, it should be demonstrated that this disposal should have no impact on the SSSI.
- The surface water strategy for the site primarily focuses water quantity, however, no consideration has been given to water quality. The development is likely to lead to an increase in pollutants (hydrocarbons, heavy metals etc.) entering the watercourse and potentially affecting Pan Beck Fen SSSI. We would like more information regarding how these impacts will be avoided or mitigated, particularly during 'first flush' events. If the applicant plans to use SuDS to mitigate for these effects, we recommend they use the CIRCA SuDS Manual 2015. It is likely that for a development of this size, a treatment train of at least 3 components would be required to adequately mitigate for any effects.
- Some of issues have not been fully explained or resolved (e.g. dewatering of the hotel and/or leisure complex area), therefore it is unclear whether the development will impact on the eco-hydrology of Pan Beck Fen SSSI. We require a higher level of certainty regarding potential changes to the hydrology (through changes in water volume, discharge rate and runoff frequency) of Pan Beck Fen SSSI.

The applicant should seek to make the argument (backed by appropriate levels of information) that it can be determined at this stage in the process and before the outline planning application is approved.

If your Authority is minded to grant consent for this application contrary to the advice relating to Pan Beck Fen SSSI and River Ribble (Long Preston Deeps) SSSI contained in this letter, we refer you to Section 281 (6) of the *Wildlife and Countryside Act 1981* (as amended), specifically the duty placed upon your authority, requiring that your Authority;

- Provide notice to Natural England of the permission, and of its terms, the notice to include a statement of how (if at all) your authority has taken account of Natural England's advice, and
- Shall not grant a permission which would allow the operations to start before the end of a period of 21 days beginning with the date of that notice.

Should the application change, or if the applicant submits further information relating to the impact of this proposal on the SSSI aimed at reducing the damage likely to be caused, Natural England will be happy to consider it, and amend our position as appropriate.

NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT 1949 THE COUNTRYSIDE AND RIGHTS OF WAY ACT 2000

Request for further information

Natural England welcomes the clarification provided by the Landscape and Visual Impact Assessment (LVIA) addendum and the inclusion of photomontages as requested. However we find it difficult to assess the impact of the proposal from the photomontages and viewpoints provided. Firstly this is due to the resolutions of the photomontages provided, we would welcome a large format version in order to assess the impact more easily.

In addition we note that neither of the photomontages show the hotel and leisure complex which is our major concern. We note that, to a certain extent, this may reflect the siting of the complex however we do not consider that it is screened from all angles. We note, for instance, that the first photomontage is cropped from viewpoint 4 of the original LVIA and that the full panoramic view may give a better impression of the impact of the proposal. Although we recognise that the station house

itself offers screening to the proposal. We advise that a photomontage location which shows the hotel and leisure complex is included with the application.

In addition we would like the assessment to include consideration of how the screening will appear during the winter months when there are no leaves on deciduous trees and what variations in the colour of the green roofs may be expected. The photomontages are all illustrated for the summer period and the green roofs are shown as exactly the same colour as the surrounding fields. We are concerned that this may not be representative of the visual impact of the proposal year round.

Conditions

As set out previously, if the outline planning application is approved, we recommend the following conditions are applied in order to protect the setting of the Yorkshire Dales National Park:

- The proposed screening needs to be at least as effective as that at Galloper Park. We recommend that a thorough screening plan and advanced planting is carried out prior to construction works.
- A substantial challenge for the development will be to demonstrate how the design and layout will be in keeping with the local character of the area (e.g. new houses in Hellifield have been built in local stone). We recommend this is resolved prior to construction.
- The development has the potential to impact upon the 'dark skies' of the Yorkshire Dales National Park. As stated in the mitigation section of the LVIA, a plan should be produced on how to minimise light pollution from the development.

Landscape advice

The proposed development is for a site close to a nationally designated landscape namely, the Yorkshire Dales National Park. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 115 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 116 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

The landscape advisor/planner for the National Park will be best placed to provide you with detailed advice about this development proposal. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the park's management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purposes of the National Park are to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm those statutory purposes. Relevant to this is the duty on public bodies to 'have regard' for those statutory purposes in carrying out their functions (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended)). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

**THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

Soils and Land Quality – request for further information

Please see our previous comments. This issue does not appear to have been addressed in the updated information.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter please contact [REDACTED] at [REDACTED] or on [REDACTED]. For any new consultations, or to provide further information on this consultation please send your correspondences to [REDACTED].

Yours sincerely

[REDACTED]
Yorkshire and Northern Lincolnshire Team
Natural England