

**EXAMINATION OF
CRAVEN LOCAL PLAN (CLP)**

**MATTER 5 – ISSUES 1 AND 2
POLICY SP5: SITE ALLOCATIONS
(SK089 AND SK090)**

ON BEHALF OF

MESSRS WILMAN: LAND AT ELSEY CROFT

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1.0 INTRODUCTION

This Hearing Statement is submitted by Carter Jonas LLP for and on behalf of the Wilman Family, owners of land and property, predominantly to the east of Skipton. The Family's interest in the Local Plan specifically relates to the two draft allocations SK089 and SK090, but also the relevant parts of the spatial strategy and policy framework. This Statement responds to selected questions set out in Matter 5 of the Inspectors' Matters and Issues. Other Statements are submitted in respect of: Matter 2 – OAN and the Requirement (Policy SP1); Matter 3 – Affordable Housing; Matter 6 - Housing Land Supply; and Matters 8 – Housing Mix.

Those Issues and Questions identified by the Inspectors are included in **bold** and *italic* for ease of reference. The following responses should be read in conjunction with our comments upon the submission version of , and should be read in conjunction with the representations submitted to the Pre-Submission Consultation (February 2018) and other Hearing Statements.

Carter Jonas is invited to attend and participate in the relevant Examination hearing sessions.

As a note part of the draft Allocation (the western most field) is in the ownership of Craven District Council. The Agent is aware of a joint venture between Craven District Council and Barnfield Construction to bring their site forward for residential development, and the availability of funding for enabling works to facilitate delivery. That funding is however time constrained. The agent and landowner have indicated that there is no objection in principle for the Council's site to come forward in isolation where it does not prejudice the delivery of the wider allocation and proposals within it. All parties have agreed to an ongoing dialogue. .

2.0 MATTER 5 – RESIDENTIAL ALLOCATIONS (SP5, SP6, SP7, SP8, SP9, SP10 and SP11)

Issue 1 – Methodology

Q1. How were different sites considered for inclusion as allocations? What process did the Council follow in deciding which sites to include?

Q2. How was the spatial distribution of allocations determined? How do they relate to the housing strategy and settlement hierarchy under Policy SP4?

Q3. How did the guidelines for housing growth between settlements in Policy SP4 determine the number and size of sites?

Q4. How were site areas and dwelling capacities determined? Are the assumptions justified and based on available evidence?

Q5. What is the justification for including a very specific, net site area for allocated sites? Is this sufficiently flexible to allow proposals for new development to be deliverable?

Q6. What contingency arrangements does the Plan include should some of the larger sites not come forward as expected?

Q7. Are there any factors which indicate that a site(s) should not have been allocated for development? Are all of the sites developable within the plan period?

Q8. Why do some allocations require a Landscape Visual Impact Assessment ('LVIA') to be carried out, but others do not, such as site Refs IN010, IN022, IN028, IN029 and IN035?

Q9. How has the effect of allocations on the availability of the best and most versatile agricultural land been assessed?

Q10. How has the effect of allocations on the local and strategic road network been assessed? Where specific mitigation has been identified as necessary is this set out in the relevant policies?

Q11. How has the effect of allocations on the natural and built environment been taken into account, including biodiversity, geodiversity and heritage assets?

Q12. Was the site selection process robust? Was an appropriate selection of potential sites assessed, and were appropriate criteria taken into account?

Q13. Are the allocations justified, effective and consistent with national policy?

Land at Elsey Croft has been proposed for mixed use development for housing and a primary school, along with open space and green infrastructure. The principle of such development is supported by the principal landowner, the Wilman family. Discussion is on-going with Craven Council as part owner, with the view that part of the site can come forward early given the availability of funding for highway infrastructure and enabling development at the western end of the allocation, on the Council's land.

There is a disagreement between the landowners' assessment of the ability of the site to deliver the number of dwellings proposed by the Local Plan, an issue which remains unresolved. This is discussed further under Issue 2. If the same considerations apply to the other draft allocations

around Skipton, then there are concerns that the proposed allocations will not deliver the housing requirement, nor any potential buffer should sites not come forward. In our view the Plan does not contain contingencies in the circumstances of non or under-delivery from the allocations. It is our contention and set out in representation that the Council should extend the draft allocation at Elsey Croft to the east; this land is within the same ownership and is available.

A transport and access assessment was prepared and submitted as part of the consultation response to the publication draft. This suggested that highways and access should not be an issue. A series of reports were proposed for preparation; however, there is currently uncertainty regarding elements of the draft allocation as discussed below.

Issue 2 – Strategy for Skipton – Tier 1 (Policy SP5)

SK089 and SK090 – Land north of Airedale Avenue and Elsey Croft and east of Railway Line

Q27. What is the justification for allocating part of the site for a new primary school? How will this be delivered, by whom and when?

Discussions took place with the Education Authority during the Publication consultation which established the need (in principle) for a school to serve the eastern side of the town. No further clarification has been provided.

At this stage the landowner has indicated support for reserving land for the provision of a primary school and nursery provision; it is for the education authority to confirm on delivery and timing. If the site does not come forward the landowner would seek to put the “education” site forward for housing.

Q28. Is it clear to decision-makers, developers and local communities where the proposed new primary school will be located?

No.

Further efforts have been made to engage with the Education Authority to establish the need for the school, its potential catchment and the consequences for Masterplanning the site, mitigating landscape and environmental effects, and in particular transport and access to the site.

A list of considerations was issued by the County Council which suggests that the best location for the proposed school would be to the immediate east to the current draft allocation.

Q29. What evidence has been produced to demonstrate that a new school and 218 dwellings can be delivered taking into account site constraints such as the topography, existing infrastructure and land ownerships?

As part of the Submission consultation, the landowner undertook some high level assessment which revealed the site is likely to have a nett development area of around 5.0has once wayleaves, slope/topography, green space and the school site have been taken into account. This is less than the 6.8ha suggested by the Local Plan. It is the landowner's position that the site would yield around 132 units as a consequence of this exercise.

Using the Education Authority's site assessment matrix consideration needs to be given to the suitability of the draft allocation, given slope, topography and constraints. A generally flat area would be preferred as this would reduce the cost to the public purse of site levelling and other engineering works which may be required to provide playing fields and an accessible facility.

There has been limited further dialogue on this basis. It is the landowners' position that if the school is required then the draft allocation needs to be amended.

Q30. Taking into account the land required for a new school, is the provision of 218 dwellings deliverable?

Clearly not. A brief exercise suggests that with the school and various site constraints it will deliver 132 units based on the 32dph. Without the school (i.e., removed) the nett developable area would amount to 6.8has, although we would suggest that the site would deliver around 180 units in accordance with a housing mix policy.

In order to deliver the Council's identified requirement the draft allocation would need to be amended.

Q31. What is the fluvial and/or surface water hazard identified in the supporting text to Policy SP5? Is the allocation consistent with paragraph 100 of the Framework, which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property?

Part of the western part of the site (in the Council's ownership) is at potential risk of a fluvial surface water hazard. This area is excluded in our calculations of the nett developable area.

3.0 CONCLUSION

In conclusion we maintain the Local Plan fails to:

- Identify sufficient land in Skipton to deliver the spatial strategy;
- Justify the need for a primary school and its location within the site SK089/SK090, or its deliverability; and
- Provide a realistic assessment of the capacity of the draft allocation.

Carter Jonas
25th September 2018