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# Craven Local Plan Examination

# Matter 1

## Statement by Craven District Council

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**Matter 1** – Compliance with the Act and Regulations, the Habitat Regulations and the Strategic Flood Risk Assessment

**Hearing Day 1** – Tuesday 9th October 2018 (Week 1)

September 2018

## Issue 1- Duty to Cooperate

**Q1. What strategic, cross border matters have arisen through the preparation of the Local Plan and what cooperation took place to resolve them? Has the cooperation between neighbouring authorities been constructive and proactive?**

### Council's Response

1. The strategic, cross border matters with neighbouring authorities that have arisen through the preparation of the Local Plan and the cooperation that took place to resolve them are set out in Section 5 of the Duty to Cooperate Statement Update 2018 (Ref SD006) , specifically :-

- paragraphs 5.2 to 5.7 for the Yorkshire Dales National Park Authority;
- paragraphs 5.8 to 5.10 for Bradford Metropolitan District Council;
- paragraphs 5.11 to 5.14 for Pendle Borough Council;
- paragraphs 5.15 to 5.16 for Lancaster City Council;
- paragraph 5.17 for Ribble Valley Borough Council

and in Section 6 Table 2 – Key Cross Boundary Issues Summary, which for ease of reference is set out below.

Issue	Bodies engaged with	Significance (1-4, 1 = high, 4 = low)
Housing strategy and approach to housing delivery.	Yorkshire Dales National Park Authority North Yorkshire County Council Local Enterprise Partnerships Homes and Communities Agency (Homes England)	1
Alignment of approaches to settlement strategies including treatment of those split by Yorkshire Dales National Park Boundary.	Yorkshire Dales National Park Authority North Yorkshire County Council	1
Landscape relationship between Craven and Yorkshire Dales National Park, including consideration of National Park setting.	Yorkshire Dales National Park Authority Natural England	1

<b>Issue</b>	<b>Bodies engaged with</b>	<b>Significance (1-4, 1 = high, 4 = low)</b>
Meeting housing and employment needs in the Housing Market Area and the Functional Economic Market Area	Yorkshire Dales National Park Authority North Yorkshire County Council (NYCC)	1
Flood risk, flood resilience and taking account of climate change	Environment Agency, NYCC	1
Housing strategy, market area, migration patterns and, commuting patterns.	Bradford Council	2
Housing market area, strategy, commuting patterns, relationship between the Lancaster market, Bentham, and Ingleton	Lancaster City Council	2
Strategic transport linkages, including with West Yorkshire and Lancashire, the A56 and A629 corridors	Pendle Council, Bradford Council, Highways England, Lancashire County Council. North Yorkshire County Council	2
Consideration of the Forest of Bowland AONB and associated planning policy approaches.	Pendle Council, Lancaster Council, Ribble Valley Council, Natural England. Forest of Bowland Funders Group.	2

2. Section 5 of the Duty to Cooperate Statement (SD006) and specifically paragraphs 5.1 to 5.56 (pages 11 to 23) provide details on the cooperation that has taken place with all Duty to Cooperate partners, including neighbouring authorities and a Duty to Cooperate Engagement Log at Appendix A of SD006 presents details of meetings and correspondence with the Yorkshire Dales National Park Authority (YDNPA), and the neighbouring authorities of Bradford, Lancaster, Pendle and Ribble Valley.

3. The nature of engagement with neighbouring authorities has varied, and this is to account for:

- The nature and significance of the cross boundary issue identified jointly between the Council and the relevant neighbouring authority; and
  - Whether there is an established governance mechanism in place for duty to cooperate matters.
4. In particular, the nature and significance of the cross boundary issues identified by the Council and the YDNPA through the preparation of the Local Plan in respect of its spatial strategy and the level and distribution of growth to meet objectively assessed housing and employment needs, has meant that engagement with the YDNPA has been extensive, by means of numerous meetings, correspondence and sharing of evidence. The cooperation between Craven District Council and the YDNPA has been constructive and proactive, resulting in both authorities entering into a Memorandum of Understanding (MOU) with regard to these issues of mutual significance to both authorities. Further detail is provided in paragraphs 5.2 to 5.7 of the Duty to Cooperate Statement Update 2018 (SD006) and the full MOU between Craven District Council and the YDNPA is included at Appendix 1 of SD006. (NB: *It should be noted that Appendix 1 (the MOU) follows immediately after Appendix A of SD006*)
  5. Whilst similar cross boundary issues were identified with the neighbouring authorities of Bradford and Lancaster and dialogue with them took place through meetings and correspondence, the significance of the cross boundary effects in respect of the Local Plan's spatial strategy on these neighbouring authorities was more localised/limited. Cooperation between the Council, Bradford Council and Lancaster Council was constructive. Further detail is provided in paragraphs 5.8 to 5.10 and 5.15 and 5.16 respectively of the Duty to Cooperate Statement Update (SD006) and Appendix A of SD006.
  6. The designated area of the Forest of Bowland AONB extends across parts of several local authority areas, including Craven District Council, Pendle Council, Ribbles Valley Council, and Lancaster City Council. An established joint working group (known as the AONB Funders Group) which includes all the above local authorities meets on a regular basis to consider matters related to the AONB, including cooperation on planning policy approaches affecting the AONB.
  7. Where there are established mechanisms for interaction with neighbouring authorities and meeting the Duty to Cooperate, these have also been utilised. A key example is the Council's interaction with the West Yorkshire Combined Authority (including the Leeds City Region). There are established governance mechanisms in place to capture and record cross-boundary engagement. Paragraphs 5.37-5.39 of the Duty to Cooperate Statement Update (SD006) refers.
  8. Overall, ongoing engagement with neighbouring authorities has been considerable, proportionate and reflective of the issue concerned. A variety of engagement mechanisms have been employed and in respect of the cross –

boundary issues identified, cooperation has been constructive and proactive resulting in there being no outstanding issues between duty to cooperate partners.

### **Yorkshire Dales National Park Authority**

9. From a review of cross boundary issues, a key partner with regard to the duty to cooperate is the Yorkshire Dales National Park Authority where the following issues were identified as being particularly relevant:

- alignment of housing market areas,
- approaches to economic development,
- the treatment of settlements split by the national park boundary, and
- the landscape relationship between the national park and associated setting

10. This has have given rise to a specific set of circumstances pertinent to both planning authorities. These are identified as having the highest priority in terms of significance (value 1)

11. As a result of interactions with the national park authority and in recognition of the significance of the issues raised, the Council and YDNPA entered into a Memorandum of Understanding (MOU) to cover identified issues arising.

The MOU covers the following areas:

- Objectively assessed housing need;
- Objectively assessed employment need
- Apportionment between the YDNPA and CDC; and
- Strategy alignment

12. A first MOU was entered into in August 2017. Following a revision of housing and employment needs calculation in late 2017, the MOU was revised and updated to reflect changes to OAHN and OAEN arising from updates to the SHMA in December 2017. The revised MOU is presented at Appendix 1 to the duty to cooperate statement.

### **Other matters**

13. With regard to other matters, on-going engagement with the Environment Agency resulted in an update to the Strategic Flood Risk Assessment which has been used to inform site allocations presented in the plan. Paragraph 5.29 along with references to tables 2 and 3 of the Duty to Cooperate statement update refer.

14. In addition to the YDNPA, housing strategy and market areas were considered with both Lancaster City Council, Bradford Council and subsequently the West Yorkshire Combined Authority. No outstanding issues were identified. Paragraphs 5.8-5.10, 5.15, 5.16, 5.37-5.39 of the Duty to Cooperate statement refer.

15. With regard to strategic transport linkages interactions with Pendle Council, Bradford Council, Highways England, Lancashire County Council, and North Yorkshire County Council have confirmed that the plan takes account of cross-boundary transport linkages, in particular the reinstatement of the Skipton to Colne rail line, and linkages between Craven and Lancashire are also relevant. Table 3 of the Duty to Cooperate statement , paragraphs 5.8 – 5.14, 5.18-5.2 of the duty to cooperate statement refer. In addition, submission plan paragraphs 2.13 – 2.21 and policy SP2 refer and include references.
16. With regard to the Forest of Bowland AONB, consideration of the Forest of Bowland AONB is a consistent plan thread considered at sections 2.26-2.28 of the plan, objective PO3, policy SP7, ENV1, and ENV9. Please see Duty to Cooperate statement paragraph 5.43, plan objective PO3, paras 5.3-5.10, and policy ENV1.
17. Overall, the assessment above and Duty to Cooperate statement update has identified the strategic and cross-border matters that have arisen through preparation iterations of the Local Plan. The statement also sets out the cooperation that has taken place to resolve the issues identified. The mechanisms used are varied, diverse and tailored to the issue at hand. The cooperation between neighbouring authorities been constructive and proactive, resulting in there being no known outstanding issues between duty to cooperate partners.

## **Q2. What actions were identified as a result of dialogue with neighbouring authorities? What were the outcomes and how did they shape the preparation of the Plan?**

### **Council's Response**

1. Ongoing dialogue and interactions with neighbouring planning authorities/duty to cooperate partners revealed a number of actions and outcomes. These are presented at section 7, paragraphs 7.1 - 7.3, and table 3 of the duty to cooperate statement update. These have had a bearing upon the shaping of the plan policies and proposals.
2. As an example, In addition to Conservation Area assessments completed for Skipton, Settle and Giggleswick in 2008, joint commissioning evidence with Historic England has been provided in the form of Conservation Area Assessments for Burton-in-Lonsdale; Carleton; Cononley; Cowling; Eastby; Embsay; Farnhill; Gargrave; Ingleton; Kildwick; Kildwick Grange; Lothersdale; Low Bradley; Settle-Carlisle Railway (the area falling within the planning jurisdiction of Craven District Council); Sutton-in-Craven and Thornton-in-Craven as background evidence to inform planning policy making. There has also been joint commissioning of evidence with Historic England in the form of assessments to consider the designation of Conservation Areas in High

Bentham, Low Bentham and Glusburn. Policy ENV2 considers heritage and the conservation of heritage assets, and the policy was amended arising from engagement with partners, whilst the assessment work forms part of the evidence base to the local plan

3. As a further example of constructive engagement, as part of the South Pennine Authorities, the Council entered into a Memorandum of Understanding on Renewable technologies. In terms of outcomes, Policies SD2 and ENV9 of the Local Plan deal with the issue of Climate Change and Renewable Energy whilst the MOU also considers potential cross-boundary effects arising from some forms of renewable energy development. See appendix 5 of the duty to cooperate statement update.
4. The actions and outcomes identified are set out in the duty to cooperate statement update. Table 3 of the duty to cooperate statement update document SD 006 sets out the issues identified, and the bodies engaged with. The table also presents a summary of outcomes arising from discussions under the duty to cooperate. This has also shown how the plan has taken into account cross-boundary matters and issues in the formation of plan policies and proposals.

**Q3. Is the *Memorandum of Understanding between Craven District Council and the Yorkshire Dales National Park Authority (Appendix 1 to the Duty to Cooperate Statement Update<sup>1</sup>)* the most up-to-date position on cross boundary issues relating to housing? Does it reflect the latest evidence on housing needs?**

**Council's Response**

1. Yes. The MOU between Craven District Council and the YDNPA in Appendix 1 of the Duty to Cooperate Statement Update (SD006) is the most up to date position on cross boundary issues relating to housing and reflects the latest evidence on housing needs as set out in the SHMA Update 2017 (Ref Ho013)

**Q4. How were the levels of 'significance' determined in Chapter 6 of the *Duty to Cooperate Statement Update*? How have they been reflected in the preparation of the Local Plan and dialogue with neighbouring authorities?**

**Council's Response**

1. The levels of significance were determined through interactions with the relevant neighbouring authorities and reflected consensus reached in discussions about the potential cross boundary effects the Local Plan's emerging strategy and policies may have on neighbouring authority areas and their plans and strategies for those areas.

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<sup>1</sup> Document SD006

2. As an example, interactions where the YDNPA has been involved have been categorised as level 1. The outcome of this is that a memorandum of understanding has been entered into with the YDNPA to that includes the issues raised.
3. The plan has been shaped by these interactions including Policies SP1, SP2 and SP4 of the Local Plan to cover the issues of housing and employment need and the spatial distribution of land to meet this need. The alignment of settlement strategies split by Yorkshire Dales National Park Boundary in respective spatial strategies. There is also broad alignment of respective planning strategies and approach to settlements split by the National Park boundary as shown in the YDNPA and Craven Local Plans. The position was confirmed via entering into MOU with YDNPA which broadly aligns plan strategies regarding split settlements. The landscape relationship between Craven and Yorkshire Dales National Park, is a further consideration. The setting of National Park accounted for in the forming of plan strategy and site allocations. Objective PO3, para 2.26, 5.7 – 5.10, policies ENV1, ENV9, and site development principles on sites allocated in the local plan
4. These matters are reflected in the local plan, and are set out specifically at table 3 of the duty to cooperate statement update, see pages 27-34 of the duty to cooperate statement update, which sets out issue identified, the bodies engaged with, and the outcomes summary showing how the emerging plan has taken into account cross-boundary matters in the formation of policies and proposals.

**Q5. How were issues surrounding economic growth considered with neighbouring authorities? What actions were identified as necessary as a result of dialogue and what were the outcomes?**

**Council's Response**

1. Issues surrounding economic growth were considered through the sharing and inputting of evidence in both iterations of the Employment Land Review (Ec002 March 2017 and Ec003 November 2017) with neighbouring authorities. In particular, evidence from the ELR was shared with the YDNPA as a key duty to cooperate partner. Evidence was also shared with North Yorkshire County Council, the Leeds City Region LEP and York and North Yorkshire LEP. These bodies, also had interactions in the preparation of underpinning evidence contained in the Employment Land Review.
2. As a key outcome, the memorandum of understanding that was entered into between CDC and YDNPA is evidence of ongoing engagement with duty partners, as ongoing cooperation in this regard.
3. Actions identified are set out at section 6 of the duty to cooperate statement update, whilst section 7 and Table 3 shows how actions were identified and



taken into account in plan preparation. In particular, draft policies SP1, SP2 and SP4 of the plan relate.

**Q6. Has the Duty to Cooperate under sections 22(5)(c) and 33A of the 2004 Act and Regulation 4 of the 2012 Regulations been complied with, having regard to the advice contained in the National Planning Policy Framework (the 'Framework') and the National Planning Practice Guidance ('the PPG')**

**Council's Response**

1. Yes, the Council submits that the Duty to Cooperate under sections 22(5)(c) and 33A of the 2004 Act and Regulation 4 of the 2012 Regulations has been complied with, having regard to advice in the 'Framework' and the 'PPG'.
2. There are no outstanding Duty to Cooperate issues raised by Duty partners. In addition, no Regulation 19 representations have been made by Duty partners that the Duty to Cooperate requirements have not been met. Letters received from Duty Partners and the MOUs presented at Appendices 1, 2, 3, 4 and 5 of the Duty to Cooperate statement update confirm this point..

## **Issue 2 – Public Consultation**

**Q1. Has public consultation been carried out in accordance with the Council's Statement of Community Involvement, the Framework and the PPG, and the requirements of the 2004 Act and 2012 Regulations?**

**Council's Response**

1. Yes, consultation on the Local Plan has been carried out in accordance with the Council's Statement of Community Involvement (SCI) (Ref: SD002), the Framework and the PPG, and the requirements of the 2004 Act and 2012 Local Planning Regulations.
2. The Council's SCI was adopted on 20<sup>th</sup> March 2018 and sets out the Council's approach as to how and when it will consult with the community, and key stakeholders, in the preparation of the Local Plan and planning applications. This is in line with section 18 & 19 (3) of the Planning and Compulsory Purchase Act 2004.
3. In accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012, two key consultations have been undertaken as part of the Local Plan preparation:
  - Regulation 18 – Preparation of a Local Plan
  - Regulation 19 – Publication of a Local Plan

4. The Council's Statement of Consultation (Ref:PD008), Section 4, relating to Regulation 18 (from page 7) and section 5, relating to Regulation 19 (from page 24) sets out how these consultations were prepared in accordance with the 2012 Regulations and the SCI.

## **Q2. Were adequate opportunities made available for participants to access and make comments on the Local Plan, and other relevant documents, in different locations?**

### **Council's Response**

1. Yes. Throughout each engagement/consultation period, the Council consistently implemented a range of methods of consultation and engagement as set out in paragraph 4.3 on page 12 of the Council's SCI March 2018 (Ref: SD002) and paragraph 3.11 on pages 6 & 7 of the Statement of Consultation March 2018 (Ref: PD008). These methods are summarised below:
  - Consultations were advertised and promoted on the Council's website.
  - Consultation letters and emails were sent to all those who have registered on the Local Plan consultation database. The Council maintains a consultation database which is used as the basis for all consultations related to planning policy documents. The database includes the specific consultation bodies, general consultation bodies, and the details of any resident in the District who is interested in the production of policy documents.
  - Press notices on forthcoming consultations were issued to the Craven Herald and other local newspapers as appropriate.
  - Consultation documents were made available for inspection at the main Council Offices, libraries within the plan area and on the council's website.
  - Evidence base documents were available to view on the council's website with paper copies available upon request.
  - Consultation meetings/engagement workshops were organised with statutory bodies, Parish/Town councils and key stakeholders as appropriate.
  - Public exhibitions/public drop in events/public meetings were organised and held as appropriate.
  - Twitter & Facebook were also used to publicise consultations.
2. Full details of the opportunities made available for participants to access and make comments on the Local Plan under Regulation 18, in different locations are set out in section 4 of the Statement of Consultation March 2018 (Ref: PD008) at paragraphs 4.2 to 4.5; paragraphs 4.16 to 4.21; paragraphs 4.26 to 4.30; paragraphs 4.39 to 4.44 and paragraphs 4.50 to 4.54.

3. In addition to the consultations on the draft Local Plan consultation and engagement has been carried out in relation to the Local Plan evidence base, under Regulation 18. Following the acceptance of each piece of evidence base by Craven Spatial Planning Sub Committee, they have been published on the Council's Planning Policy Facts and Figures webpage and made available to stakeholders. Comments have also been submitted on the evidence base to the Planning Policy Team during periods of public consultation on the draft Local Plan. Details of stakeholder engagement and consultation carried out on the evidence base is set out at paragraphs 4.60 to 4.75 of the Council's Statement of Consultation March 2018 (Ref:PD008).
4. Details of the opportunities made available for participants to access and make representations on the Publication Draft Local Plan under Regulation 19, in different locations are set out in Section 5 of the Statement of Consultation March 2018 (Ref: PD008) at paragraphs 5.1 to 5.3.

### **Q3. Were representations adequately taken into account?**

#### **Council's Response**

1. Yes. In the Council's Statement of Consultation (PD008) Section 4 (from page 7), relates to Regulation 18 engagement/consultation and sets out a summary of the main issues raised pursuant to Regulation 18 and how representations have been taken into account. Section 4 of PD008 includes links to a separate webpage to view Response papers prepared by Section/Policy/Sites for each draft of the Local Plan, however, for ease of reference these have been added to the examination library on the examination webpage with the following references:-
  - EL.005 – Response Paper to representations on first draft Local Plan (September 2014)
  - EL1.005a - Policy Response Paper to representations on second draft Local Plan (April 2016)
  - EL1.005b – Site Response Paper to representations on second draft Local Plan (April 2016)
  - EL1.005c – Policy Response Paper to representations on third draft Local Plan (June 2017)
  - E11.005d –Site Response Paper to representations on third draft Local Plan (June 2017)
2. The Response papers included a summary of the main issues raised, the Council's response to each issue raised, an indication as to whether there is likely to be a change required for the next version of the draft local plan, and if a change is required, the details of the proposed change.

## Issue 3 – Local Development Scheme ('LDS')

### Q1. Has the Local Plan been prepared in accordance with the LDS?

#### Council's Response

1. Yes, the Local Plan has been prepared in accordance with the LDS (document SD001), as set out in the following table, which compares the LDS and actual Local Plan preparation.

Local Development Scheme	Local Plan Preparation
Preparation and consultation 2016/17	Pre-publication drafts of the Local Plan were prepared and consulted upon in 2016 (document Ot003) and 2017 (document Ot002)
Publication and submission Jan and Mar 2018	The Local Plan (document PD001) was published on 2 <sup>nd</sup> January 2018 and submitted on 27 <sup>th</sup> March 2018
Adoption Mar 2019	---

## Issue 4 – Sustainability Appraisal

### Q1. Have the likely environmental, social and economic effects of the Local Plan been adequately assessed in the Sustainability Appraisal<sup>2</sup> ('SA')?

#### Council's Response

1. Yes, in the sustainability appraisal, the likely environmental, social and economic effects of the local plan been adequately assessed. The sustainability appraisal has been applied as an iterative process informing and assisting the development of the Craven Local Plan. The twenty sustainability objectives in the appraisal have been constructed to adequately and equally cover environmental, social and economic interests, and also the inter-relationships between those interests. There are four sustainability appraisals to adequately assess the likely environmental, social and economic effects of the local plan. These sustainability appraisals assess (1.) the spatial strategy (SA002); (2.) housing growth options (SA002); (3.) plan policies (SA003) and (4.) site selection (SA004). In terms of spatial strategy, for example, the sustainability appraisal's objectives are aimed at ensuring that the most appropriate spatial strategy is selected given the alternatives available.

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<sup>2</sup> Document PD007

## Q2. Does the SA test the Plan against all reasonable alternatives, such as different options for the distribution of housing and/or employment growth?

### Council's Response

1. Yes, the sustainability appraisal tests the plan against all reasonable alternatives. In terms of the chosen spatial strategy, there are four options for spatial distribution (SA002). There is an emphasis on the likely timescale of impact (short, medium or long term) and the location of impact (urban, rural and/or transboundary). The chosen spatial strategy incorporates some of the merits of each alternative into the chosen option. There is a sustainability appraisal displaying four different spatial growth options for housing and employment growth. The first option examined growth focused on main settlements. The second approach looked at dispersing the growth through the towns and villages of the local plan area. The third option looked at growth focused on Skipton, and the fourth option focused on Skipton and the southeast of the local plan area. The preferred option took the most positive aspects from each of the four options. The preferred option focused on directing most growth towards main settlements, with a lower but proportionate level of growth directed towards villages and rural areas.
2. With the housing growth options (SA002), eight options for housing growth figures have been assessed, with the most suitable growth figure chosen in terms of dwellings per annum. There is also an emphasis here on the likely timescale of impact (short or long term) and the location of impact (urban, rural and/or transboundary).
3. In terms of residential sites, there were many available sites to be reviewed from the Strategic Housing Land Availability Assessment (SHLAA). Therefore there has been a two stage process to produce the most suitable sites for residential development from each settlement where SHLAA sites were available. The first stage was the sustainability appraisal itself for the sites (SA004), where sites were examined within the framework of the sustainability objectives, to produce a list of suitable sites for each settlement. The second stage is the residential site selection process (SA005) which looks at District level criteria in order to produce the more appropriate list of sites from the list.
4. Within the settlements, housing and employment growth options are chosen from a list of housing and employment sites for each settlement. The employment growth options first went through an assessment undertaken by external consultants, within the document of the Employment Land Review (Ec002). This assessment produced a list of suitable site employment options, which were examined in the sustainability appraisal to confirm suitability (SA004). In comparison to residential sites, the reasonable employment site alternatives were limited, as the majority of the sites which reached the

sustainability appraisal after the ELR assessment were chosen as allocated sites. Allocated employment sites are required to be chosen in larger settlements across the local plan area to be responsive to the allocation of residential sites in these towns.

5. Finally, in terms of the sustainability appraisal of the plan policies (SA003), it has been frequently the case that there is no realistic alternative approach to each individual policy because of the provisions contained in the National Planning Policy Framework (NPPF). An alternative policy wording was examined where it is realistic. Policy ENV9 – Renewable and Low Carbon Energy is such an example.

**Q3. What is the justification for the number of dwellings used in the Housing Growth Options A to D as set out in the SA? Does the SA test a reasonable range of alternative growth scenarios?**

**Council's Response**

1. The justification for the number of dwellings used in Housing Growth Options A to D of the SA is given below. Firstly, reference to the Housing Growth Options Paper (June 2017) (Ho005) and its Addendum (Nov 2017) (Ho004) is considered helpful in answering these two questions.
2. In combination, the above two papers considered 8 alternative housing growth scenarios. The June 2017 paper considered Options A to D, and the Nov 2017 paper considered Options B1, C1, E, and F. The assessment of Options A to D supported the Regulation 18 Pre-Publication Draft Plan during the summer of 2017. In response to consultation comments which suggested additional growth options should be assessed and in order to reflect the most up to date estimates of objectively assessed need for housing (OAN), the addendum paper considered four more growth options. All 8 alternative housing growth options were the subject of a sustainability appraisal. These are provided in the Annex/Appendix to each Housing Growth Options paper. Each of these sustainability appraisals has been copied into the 'SA of Strategies and Growth Options' (SA002) within the plan's Environmental Report.
3. The following table provides more detail on the growth options considered and why they were chosen for assessment.

Option	Growth	Justification
A	145dpa*	Based on the average annual number of dwellings (net) over the past 9 years. This figure broadly reflects the number of dwellings required to support the latest employment growth forecast for the district**
B	182dpa	Reflected the, at the time (2016 SHMA) (Ho012), OAN for the Craven Local Plan Area.
B1	206dpa	Reflects the most up to date OAN (2017 SHMA)(Ho013) for the Craven Local Plan Area.
C	214dpa	Reflected the, at the time (2016 SHMA) (Ho012), OAN for the whole of Craven District (including part of the National Park)
C1	242dpa	Reflects the most up to date OAN (2017 SHMA)(Ho013) for the whole of Craven District (including part of the National Park)
D	350 to 400dpa	Reflected a range which could potentially meet all the need for affordable housing in the plan area.
E	280dpa	Reflects number of dwellings required to support the most optimistic of the jobs led growth scenario from the Regional Econometric Model (REM) in 2014***
F	230dpa	A growth option resulting from the rejection of all the above options and one which can accommodate housing in the plan area in accordance with the plan's preferred spatial strategy (PD007) and more than meet the OAN for the plan area.

\*dpa = dwellings per annum from 2012 to 2032

\*\* This growth forecast uses the economic assumptions from the Regional Econometric Model (REM) (Updating the Demographic Forecasting (De001) Paragraph 4.13)

\*\*\* Dwelling growth estimated using assumptions from the 2008-based household projection model, which assumed higher rates of household formation than the latest 2014-based household model (the lower rates of household formation in the latest 2014 –based household model would result in an average annual dwelling growth of +238 dpa). Note that the latest demographic evidence (De001) estimates household and dwelling growth using assumptions from the 2014-based household projection model

4. The above table provides the summary justifications for the generation of each alternative growth option. Full details of how and why these options were

generated can be found in Ho004 and Ho005. The range of growth assessed, by 8 sustainability appraisals, is therefore between 145 to 350/400 dwellings per annum. This represents what the Council considers to be a realistic range of alternative growth options within the upper and lower limits of the options that were assessed during plan preparation in the SA (SA002), recognising that each option should preferably be sufficiently distinct from the other options so as to be capable of meaningful assessment. Options outside of the range were not considered to be reasonable alternatives, having regard to the objectives of the Local Plan in terms of addressing needs, deliverability and sustainability.

**Q4. The March 2018 SA states that further work on potential visual and ecological impacts are required in respect of site Ref SG064 and would be addressed in an expanded, stand- alone SA? Has this been carried out? How does the SA consider the Yorkshire Dales National Park and the River Ribble (Long Preston Deeps) SSSI?**

**Council's Response**

1. Yes, this has been carried out and the SA with supporting text is appended to this Matters statement at Appendix 1. The statutory body Natural England have sent a representation to Craven District Council regarding the current planning application (Ref 62/2017/18064) on SG064. In this representation, Natural England states it now has no objection regarding ecological impacts. They state they are satisfied that sufficient information has now been provided to demonstrate that the proposal will not have a significant impact on the interest features of the River Ribble (Long Preston Deeps) SSSI. In terms of visual and landscape impacts, Natural England acknowledges that the proposal has incorporated changes to the site plan, including the removal of the car showroom and additional screening. However, Natural England maintains its previous objection to the proposal.
2. In terms of residential sites, the sustainability appraisal considers the Yorkshire Dales National Park and the River Ribble (Long Preston Deeps) SSSI in the context of the residential site selection process (SA005). The residential site selection process considers factors at a district level, as opposed to settlement level, in that it looks at a residential site's proximity to and likely influence on designated landscape and natural environment features such as the Yorkshire Dales National Park and the River Ribble (Long Preston Deeps) SSSI. For example, the proximity of a proposed site in a settlement to the national park boundary, and in particular the Special Areas of Conservation and the Special Protection Areas within the park, is examined as one consideration in choosing the best sites where a selection of suitable sites in a settlement is available.
3. There is not a district level analysis for the employment sites, because as discussed under Q2, the choice of suitable employment sites was comparatively



limited. Instead the employment sites chosen for allocation are examined in terms of what effective mitigation measures can be utilised to sufficiently reduce any negative impacts on such landscape and ecological impacts such as the national park and the SSSI. In this case, due to the limited employment choice, there is a requirement to balance economic requirements and environmental safeguarding. This is exemplified through the site reference SG064 in Settle, where suitable design landscape and ecological mitigation measures are required to include the site for allocation. Other potential employment site options in Settle were not considered sustainable in the Employment Site Review assessment (Ec002) or the Sustainability Appraisal (SA004).

## **Issue 5 – Habitats Regulations**

**Q1. How have the potential impacts of recreational disturbance (arising from policies and allocations in the Local Plan) on the North and South Pennine Moors SPA and SACs been considered?**

### **Council's Response**

1. The potential impacts of recreational disturbance arising from policies and allocations in the local plan are considered in the Habitat Regulations Assessment documents (HR001, HR002 & HR003). Regarding the North Pennine Moors SPA & SAC, a large consideration regarding potential recreational impact has been given to Skipton. The town is the second closest settlement in the local plan's settlement hierarchy to this SAC, and it is by far the largest settlement in the local plan area, receiving the highest residential allocation. The closest settlement is Embsay which receives no allocations in the local plan. Particular focus was attached to Policy SP5 (Skipton) and the allocated sites in the town in terms of Public Rights of Way linkages, green infrastructure provision on the sites, and local green space designations to complement the recreational facilities available (displayed on Inset Map 1). Together, they are seen to offer viable recreational alternatives to the North Pennine Moors SPA & SAC, in order to sufficiently reduce the recreational pressures on the SPA & SAC.
2. The South Pennine Moors SAC & Phase 2 SPA is located close to the Bradford urban area. It is hence recognised that there are notable recreational pressures on this SAC from existing urban development in Bradford, and into the future with expected new housing provisions referred to in Bradford's Core Strategy. Partially due to the existing recreational pressures on the South Pennine Moors SPA, this local plan has carefully considered the percentage of residential sites allocated to hierarchy settlements in the southeast area of Craven. The resulting allocations in the southeast have resulted in one residential allocation within

2.5km of the South Pennine Moors SAC & SPA boundary, and this allocation has extensive recreational space incorporated into its design. The number of allocations in the southeast is considered sufficiently low so that the recreational impact will be minimal on the South Pennine Moors SAC & SPA.

3. In terms of the settlements which can influence the North and South Pennine Moors SPAs and SACs with recreational pressures, Appendix VII of the HRA assessment (HR003) features a table which sets out clearly the mitigation measures for each preferred site allocation within the settlement, alongside a description of the site, and the designated European sites potentially affected by the individual site. The mitigation measures include green infrastructure allocations on site, improvements to Public Rights of Way adjacent to sites, local green space designations in the settlements, and biodiversity appraisals for many of the sites allocated.

**Q2. The *Habitats Regulations Assessment*<sup>3</sup> (Iteration II) ('HRA') states that the screening distances of 7km and 2.5km from the boundary of designated sites has been derived from visitor surveys undertaken in 2013 by Bradford Metropolitan District Council. What is the justification for using the same distances in Craven? Are they robust?**

#### **Council's Response**

1. Craven DC was advised by Natural England during the progress of the local plan to utilise the screening distances of Bradford Metropolitan District Council's survey. This was done and the Council was satisfied that the survey information provided a suitable basis for determining the likely distances that local people would travel to access outdoor recreational resources such as the SACs and SPAs. Yes, they are thought to be appropriate and robust for the Craven area because they reflect local people's travel habits and the likely distances they are willing to travel to use SACs and SPAs.

**Q3. Has the Council produced a composite list of all sites identified for development in the Local Plan that fall within 7km of the North Pennine Moors SPA and SAC and/or the South Pennine Moors SPA and SAC?**

#### **Council's Response**

1. All of the sites identified for development in the local plan fall within 7km of the North Pennine Moors SPA and SAC and/or the South Pennine Moors SPA and SAC as shown in the table at Appendix 2 to this 'Matters' paper.

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<sup>3</sup> Document HR003

**Q4. Does the Local Plan refer to the buffer zones of 7km and 2.5km in the HRA? Is it necessary when considering the potential for recreational disturbance?**

**Council's Response**

1. The local plan does refer to the 2.5km buffer zone of the South Pennine Moors SPA & SAC within the development principles for Site ref SC085 Land at Malsis, Glusburn. This development principle highlights that in order to relieve pressure on the SPA/SAC (and protect the parkland setting of the Grade II listed Malsis Hall) the site design should include extensive green infrastructure provision and the creation of a Public Right of Way through the site to link to existing Public Rights of Way.
2. Otherwise the local plan does not refer to the buffer zones of 7km or 2.5km. It is not considered necessary to do this as the primary influence of the buffer zones has been on the shaping of the spatial strategy and distribution of growth. All allocated sites for housing in the plan and indeed all settlements in the spatial strategy are within 7km of at least one SPA or SAC and all allocated sites (and any future windfall sites) above the threshold for infrastructure contributions will be required to accord with Policy INF3 with respect to the provision for sport and open space, and larger allocated sites are also required to provide green infrastructure to provide local recreational opportunities both for residents living on the site and the wider community.

**Q5. In response to the Inspector's Initial Questions<sup>4</sup> the Council confirmed that the overall aim is to ensure that there are sufficient amounts of usable, public green space to appropriately meet the increased recreational demand resulting from new development within 7km of SPAs and SACs. How does the Local Plan ensure that this will be achieved as part of proposals for new development?**

**Council's Response**

1. The main mechanism for ensuring that there are sufficient amounts of usable, public green space is through the Policy INF3. In part (b) of this policy, it states that the provision or contribution towards new or improved sport, open space, and built sports facilities is required in particular circumstances.
2. All the settlements with site allocations in the plan's spatial strategy are within 7km of at least one SPA or SAC. There was analysis of the settlements as a whole in terms of the site allocations and their potential cumulative recreational impact through Sustainability Appraisal of the Spatial Strategy (SA002) and the Sites (SA004) and the Residential Site Selection Process (SA005). Within the

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<sup>4</sup> Document EL1.001a

larger individual site allocations, development principles for green infrastructure provision and the provision of new and attractive linkages to continue the Public Right of Way network are included. Within settlements, these provisions are allied to the protection of existing, and provision of new, recreational facilities (Policy INF3), green wedges (ENV13) and the creation of local green spaces (Policy ENV10) where appropriate to form what is thought to be a sufficient and suitable amount of usable recreational space relative to the housing numbers provided in each settlement.

**Q6. Is it clear to decisions makers, developers and local communities what is required of relevant proposals for development falling within the 7km and 2.5km buffer zones?**

**Council's Response**

1. Yes. All sites are within 7km of at least one SPA or SAC, so specific requirements for green infrastructure provision are regularly set out in development principles. The development principles for each site also require proposals to accord with Policy INF3.
2. The only site in the Craven Local Plan area which falls within 2.5km of the South Pennine Moors SPA and SAC is SC085, Land at Malsis. This designated European area has been viewed by Natural England as the most sensitive in terms of the provisions of the Craven Local Plan relating to recreational pressure, given also the significant likely site allocations within 2.5km of the South Pennine Moors SPA and SAC under the forthcoming Sites Development Plan Document of Bradford Metropolitan District Council. Within the development principles for this allocated site at Malsis, there is reference to the site being within 2.5km buffer zone of the South Pennine Moors SPA/SAC. The development principle states that to relieve pressure on the SPA/SAC (and in this case to also protect the parkland setting of the Grade II Listed Building), the site will include extensive areas of green infrastructure. It is also stated that a Public Right of Way will be created through the site to link to existing Public Rights of Way on Malsis Lane to the south and High Corn Mill to the northeast. An additional development principle states that an ecological impact assessment will be carried out and the proposed development will be to the satisfaction of Natural England, and any necessary biodiversity mitigation is to be designed into the scheme.
3. The allocated sites in Ingleton also fall 2.5km of a SAC or SPA, in this case the Ingleborough Complex SAC. These site references are IN006, IN010, IN028, IN029 and IN049. These Ingleton sites are located in what is deemed to be (resulting from discussions with Natural England) an area of relatively low recreational pressure due to the relatively low population density in this part of

the local plan area. Hence, there is no particular recreational requirements for the allocated sites in Ingleton other than those that are required for all sites that fall within 7km of a SPA or SAC.

**Q7. Is land at Malsis, Glusburn (site Ref SC085) the only allocated site to fall within 2.5km of a SPA or SAC?**

**Council's Response**

1. No, However, the site at Malsis, referenced SC085, is the only allocated site to fall within 2.5km of the South Pennine Moors SAC & (Phase 2) SPA. This designated European area has been viewed by Natural England as the most sensitive in terms of the provisions of the Craven Local Plan relating to recreational pressure, given also the likely site allocations under the forthcoming local plan of Bradford Metropolitan District Council.
2. The five allocated sites in Ingleton are the other sites in the Craven Local Plan within 2.5km of a SAC or SPA, in this case the Ingleborough Complex SAC. These site references are IN006, IN010, IN028, IN029 and IN049. These Ingleton sites are located in what is deemed to be (resulting from discussions with Natural England) an area of relatively low recreational pressure due to the relatively low population density in this part of the local plan area.

**Q8. How does the Local Plan ensure that new residential development on site Ref SC085 will not adversely affect the integrity of the South Pennine Moors SPA and SAC?**

**Council's Response**

1. Within the development principles for this allocated site at Malsis, referenced SC085 (page 98 of the local plan), there is reference to the site being within 2.5km buffer zone of the South Pennine Moors SPA/SAC. The development principle states that to relieve pressure on the SPA/SAC (and in this case to also protect the parkland setting of the Grade II Listed Building), the site will include extensive areas of green infrastructure. It is also stated that a Public Right of Way will be created through the site to link to existing Public Rights of Way on Malsis Lane to the south and High Corn Mill to the northeast. An additional development principle states that an ecological impact assessment will be carried out and the proposed development will be to the satisfaction of Natural England, and any necessary biodiversity mitigation is to be designed into the scheme.

**Q9. How would a decision-maker respond to a windfall proposal within 2.5km of a SPA/SAC. Is it clear what would be required?**

**Council's Response**

1. Decision makers will expect windfall proposals to accord with Policy INF3 regardless of whether they were within 7km or 2.5km of an SPA or SAC.

**Air Quality and Transport**

**Q10. The HRA confirms that the A59 from Skipton briefly runs within 200m of the North Pennine Moors SPA and SAC to the east of the plan boundary, and therefore the in-combination effects need to be analysed further. In response to the Inspector's Initial Questions<sup>5</sup> the Council confirmed that Harrogate Borough Council is currently compiling their estimate of HGV flows to Craven along this route. Has this data now been completed, and if so, what does it demonstrate?**

**Council's Response**

1. Harrogate Borough Council has not sent the data on HGV flows along the A59 route to Craven at the point of writing. An enquiry was made to the relevant representative of Harrogate Borough Council in June who responded on 22 August 2018 to state that they have contacted North Yorkshire County Council to ascertain whether they have any traffic survey data that would lead to an understanding of the level of HGVs in that area. This is because Harrogate's traffic models do not provide much detail on HGV flows. Craven District Council will continue to keep in contact with Harrogate Borough Council to obtain an answer for this query.

**Q11. Will the in-combination threshold figure of 1,000 AADT be reached on the A59 as a result of proposed plans and projects in Craven and Harrogate?**

**Council's Response**

1. No, the in-combination threshold figure of 1,000 AADT will not be reached on the A59 as a result of proposed plans and projects in Craven and Harrogate. The evidence and data to support this is available in Section 8.5 of the Habitat Regulations Assessment document (HR003).

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<sup>5</sup> Document EL1.001a

**Q12. In response to the Inspector's Initial Questions the Council also advised that contact had been made with Bradford Metropolitan District Council to establish future traffic flows on the A6068. Is this data now available, and if so, what does it demonstrate?**

**Council's Response**

1. This data is not available from Bradford Metropolitan District Council at the point of writing.

**Q13. Is an assessment of traffic flows on the A6068 necessary given the distance of the A6068 from the South Pennine Moors SPA and SAC?**

**Council's Response**

1. No, the assessment of traffic flows on the A6068 is not necessary as the A6068 is over 200m from the South Pennine Moors SPA and SAC. This assessment was originally to be included as additional information when there was a possibility that the data may be made available prior to now. This data will now not be pursued.

**Loss of supporting feeding sites to development**

**Q14. What criteria have been used to assess the likely impacts of proposed development on feeding sites associated with the North and South Pennine Moors SPA and SAC?**

**Council Response**

1. The most important criterion to establish is if the allocated sites on existing green field locations are replacing feeding sites for protected bird species associated with the North and South Pennine Moors SPA and SAC. Potential feeding sites for protected bird species are in general within 2.5 kilometres of a SPA boundary.
2. During the consultation process for publication version of the Craven Local Plan, and concurrently the first iteration of the Habitat Regulations Assessment (HR002), Natural England identified proposed sites in northern Skipton as potential feeding sites for SPA bird species. These sites are a little further than 2.5km from the North Pennine Moors boundary but it is still useful to assess potential impacts. These sites are SK087, SK088, SK089 and SK090 to the northeast of Skipton, and SK080a, SK081, SK082 and SK108 to the northwest of the town. Natural England requested that these sites be assessed in terms of a field survey to establish the scale of human disturbance, and hence the likelihood of protected bird species utilising them as feeding sites. Field and boundary surveys of these sites were undertaken in February 2018.

3. Firstly, the southern, western, northern and eastern perimeters of the sites SK080a, SK081, SK082 and SK108 were examined (sites to the northwest of the town centre). The southern perimeter of these sites consists of street lighting and houses, with additional street lights supporting a business complex on the western perimeter. The sites are bordered to the north by the A65 road, with existing housing developments, street lighting and new housing construction bordering the sites to the east. Within the sites themselves, there is clear evidence of farming disturbance, with existing sheep feeding facilities supporting the flock of sheep in these fields at the time of the survey. These elements of human and livestock disturbance, street lighting bordering the site, the A65 roadway, and business and houses in evidence, implies that it is very unlikely that golden plovers would forage in these fields in any significant numbers, if at all.
4. An inspection was also made of the adjoining greenfield sites SK087, SK088, SK089 and SK090 to the northeast of the town centre. To the western perimeter, these sites have both existing housing estates with extensive street lighting adjoining them. The A59 road is located to the north of SK087, with the A6131 road between the two sites of SK087 and SK088. Immediately to the south of the site SK088 is Otley Road, and a recently constructed section of houses adjacent to the sites SK089 and SK090 further to the south. Within the sites, there is again evidence of human disturbance, for example in terms of facilities to feed livestock on site on SK088. It is again very unlikely that the golden plover species forages in any significant numbers on these sites, if at all, given the numerous indicators of urban and farming disturbance and influences in evidence.
5. One particular bird species in which Natural England representatives referenced for their possible presence in northern Skipton's aforementioned greenfield sites is the European Golden Plover, which is a qualifying feature of the North Pennines Moors SPA, as detailed in Chapter 4. In response, there was e-mail consultation in September 2017 with the Group Leader of the Skipton RSPB Group. This group is based in the town of Skipton and the group covers the areas of Craven in Yorkshire and Pendle in Lancashire. This encompasses significant areas of the Yorkshire Dales National Park including the North Pennine Moors SAC & SPA. The group was consulted to establish if their members hold any records of the bird species Golden Plover in northern Skipton, specifically in the aforementioned sites. The Group Leader consulted with some of the RSPB's relevant members for this query, who do not recall in their surveys having witnessed any Golden Plovers foraging close to the north of Skipton on these sites. This finding may be seen as unsurprising in that all of the Craven District Council Local Plan Appropriate Assessment (Iteration II, HR003) aforementioned sites adjoin existing built up areas in the town, and no greenfield



site was chosen as a preferred site which does not adjoin the existing built up area.

6. There is one more site which requires analysis, and that is the site SC085 in the settlement of Glusburn and Crosshills, as it is located within 2.5km of the South Pennine Moors SPA (Phase 2). There are no records of protected bird species associated with the SPA foraging on this site. In any case, this site is to include extensive areas of green infrastructure in its design.

### **Q15. What impacts will policies and allocations in the Local Plan have on feeding sites?**

#### **Council Response**

1. The policies and allocations are expected to have minimal to no impact on feeding sites, as no known feeding sites for protected bird species associated with the North Pennine Moors SPA or South Pennine Moors SPA have been utilised when choosing the preferred residential and employment sites in the local plan. Many of the policies have been designed to concentrate preferred residential sites within and adjacent existing built up areas, thus significantly reducing residential pressure on feeding sites. Policies SD1 and SP4 which focus on the presumption in favour of sustainable development, and spatial strategy and housing growth respectively, are such examples of focusing residential development in and around built up areas, in terms of a settlement hierarchy.

### **Other Conservation Interests**

#### **Q16. What effects will the policies and allocations in the Local Plan have on the :**

- **Ingleborough Complex SAC;**
- **Craven Limestone Complex SAC;**
- **North Pennine Dales Meadows SAC; and**
- **The Bowland Fells SPA.**

#### **Council's Response**

- **Ingleborough Complex SAC**
1. The policies and allocations in the local plan are not likely to have significant effects on the Ingleborough Complex SAC. This SAC is situated to the north and east of the north-western section of the local plan area. The north-western section of the local plan area has currently the lowest population density in the plan area, and the preferred site allocations in this geographical area are comparatively low compared to other areas. The two settlement allocations likely

to potentially influence the Ingleborough Complex SAC in terms of, for example, recreational impact and loss of supporting feeding sites are in the settlements of Ingleton and Burton-in-Lonsdale. The residential allocations in Ingleton and Burton-in-Lonsdale are stated at 103 and 15 units respectively (Policies SP9 and SP11), which represents a total of six sites between the two settlement allocations. Three of these sites are brownfield developments. As the Ingleborough Complex SAC is not also considered to be a SPA, there are no protected bird species that would utilise the remaining three greenfield sites to be allocated. With 118 dwellings allocated between the two settlements, and their range of current and planned open space and sport and recreation facilities, the recreational impact from these preferred sites on the SAC is expected to be acceptably low. Many policies in the local plan are expected to assist in safeguarding the conservation interests of the Ingleborough Complex SAC. Such examples are policies ENV1 (Countryside and Landscape), ENV4 (Biodiversity) and ENV7 (Land and Air Quality).

- **Craven Limestone Complex SAC**

2. The policies and allocations in the local plan are not likely to have significant effects on the Craven Limestone Complex SAC. The nearest settlements in the local plan area to this SAC are Settle and Giggleswick, which are situated approximately 9-10 kilometres from the western boundary of this SAC. There are eight site allocations for Settle, with a total of 359 dwellings, and one site allocation for Giggleswick, with 35 dwellings. The larger proposed sites in Settle have extensive areas of green infrastructure proposed. There are also large areas of current and planned open space, civic space, sport and recreation areas in Settle and Giggleswick. As the SAC is situated at a distance from these settlements, the SAC is not directly affected for any recreational usage outside of the settlements themselves, as current and new residents have numerous other recreational options in the Yorkshire Dales National Park and also in the Forest of Bowland Area of Outstanding Natural Beauty. As the Ingleborough Complex SAC is not also considered to be a SPA, there are no protected bird species from this designated area that would utilise the remaining three greenfield sites to be allocated. The allocated sites in the local plan are considered too far from this designated area to act as feeding sites in any case. Many policies in the local plan are expected to assist in safeguarding the conservation interests of the Craven Limestone Complex SAC. Such examples are policies ENV1 (Countryside and Landscape), ENV4 (Biodiversity), ENV5 (Green Infrastructure), and ENV7 (Land and Air Quality).

- **North Pennine Dales Meadows SAC**

3. The policies and allocations in the local plan are not likely to have significant effects on the North Pennine Dales Meadows SAC. This SAC is small in area, and is situated at a relatively large distance away from site allocations. The

nearest settlement which has site allocations is Ingleton, which is approximately 19 kilometres from the SAC. The settlements which are the next closest are those of Settle and Giggleswick which are approximately 20-21 kilometres from the SAC. Therefore recreational disturbance from allocated sites is likely to be negligible, as these named settlements have existing and planned green infrastructure and open space facilities, and also there are a wide variety of recreational opportunities in the Yorkshire Dales National Park and the Forest of Bowland Area of Outstanding Natural Beauty for future residents of preferred allocated sites. As the Ingleborough Complex SAC is not also considered to be a SPA, there are no protected bird species from this designated area that would utilise the remaining three greenfield sites to be allocated. The allocated sites in the local plan are considered too far from this designated area to act as feeding sites in any case. Many policies in the local plan are expected to assist in safeguarding the conservation interests of the Craven Limestone Complex SAC. Such examples are policies ENV1 (Countryside and Landscape), ENV4 (Biodiversity), ENV5 (Green Infrastructure), and ENV7 (Land and Air Quality).

- **The Bowland Fells SPA.**

4. The policies and allocations in the local plan are not likely to have significant effects on the Bowland Fells SPA. Bowland Fells SPA is situated to the southwest of the western section of the local plan area. The north-western section of the local plan area has currently the lowest population density in the plan area, and the preferred site allocations in this geographical area are comparatively low compared to other areas. The nearest settlement with site allocations in the local plan is Bentham, which is situated approximately 7-8 kilometres from the northern boundary of the SPA. Bentham has ten allocation sites for residential development with a total of 494 dwelling units. The separate settlements of High and Low Bentham have large areas of current and proposed open space and recreational facilities surrounding the settlements, in addition to a stretch of green wedge separating the two settlements. The distance between Bentham and this SPA means that the SPA is not directly exposed to the recreational impact of the site allocations as there are other possible recreational possibilities in the vicinity, including in the Yorkshire Dales National Park. There are two bird species which act as qualifying features of this SPA – the hen harrier (*Circus cyaneus*) and merlin (*Falco columbarius*). The distance between the site allocations in Bentham and the SPA means that it is highly unlikely that the sites are used as feeding sites by these bird species, and there is no evidence that this is the case. Many policies in the local plan are expected to assist in safeguarding the conservation interests of the Craven Limestone Complex SAC. Such examples are policies ENV1 (Countryside and Landscape), ENV4 (Biodiversity), ENV5 (Green Infrastructure), and ENV7 (Land and Air Quality).

## Issue 6- Strategic Flood Risk Assessment ('SFRA')

**Q1. The Craven District Council Level 1 Strategic Flood Risk Assessment<sup>6</sup> states that "...it has not been possible to assess the impact on flood risk that the Skipton Flood Alleviation Scheme (FAS) will have, as the scheme is currently under construction. The FAS is accompanied by a modelling study which will produce revised model outputs and information following completion of the scheme." What is the current status regarding this scheme and what effects will its completion have on policies and allocations in the Local Plan?**

### **Council's Response**

1. Recent discussions with the Environment Agency have confirmed that construction of the Skipton Flood Alleviation Scheme (FAS) is almost complete. The Environment Agency's (EA) Flood Risk Management – Data and Evidence Team has scheduled to model the resulting impact of the FAS during the Autumn of 2018 and will be used to update the EA Flood Maps. The operation of the FAS is expected to have a positive effect on future potential allocations in the southwest of Skipton, and increasing the developable area of the employment site SK049 for delivery in the later part of the plan period. The FAS is also expected to assist some allocated sites in the town centre of Skipton, such as SK139 and SK140 which are listed under Policy SP5, in terms of viability. When the flood mapping is updated, there will be a review of the allocated sites in Skipton in terms of checking flood risk boundaries, which may help to refine development principles and net developable areas for sites.

**Q2. How has the SFRA taken into account the work carried out by North Yorkshire County Council ('NYCC') which has recorded flooding incidents?**

### **Council's Response**

1. The information was not made available at the time of preparation of the SFRA. The information on recorded flooding incidents was received from North Yorkshire County Council during the stage for representations for the publication version of the Craven Local Plan, on 9<sup>th</sup> February 2018. The recorded flooding incidents relate to a Section 19 Investigation for South Craven following flooding in December 2015. The SFRA document (FI001) was completed in January 2017, and hence the flood incident information was received over one year too late. The flood incident information was checked to ensure that no allocated residential site was adversely affected. However, such flood event information is most appropriate to check within the framework of a SFRA, and the next preparation of an updated SFRA can consider this in line with the review of the local plan.

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<sup>6</sup> Document FI001

**Q3. The SFRA includes a list of sites recommended for withdrawal from the Local Plan. This includes any site within the functional floodplain where 10% or more is within Flood Zone 3b, or, the scale of surface water risk is considered significant enough that possible mitigation is deemed unlikely to be achievable. The sites include:**

- **Site Ref SC037 – Land at Ashfield Farm, Crosshills**
- **Site Ref SK049 – Land east of Skipton Bypass, Skipton**
- **Site Ref SG084 – Land east of A65, Giggleswick**

**Based on the findings of the SFRA, what is the justification for the inclusion of sites SC037 and SK049 in the Local Plan?**

#### **Council's response**

1. **Site SC037** - The original SHLAA site area for site reference SC037 is far larger in area than the site allocation size selected. The original allocation area is 13.06 hectares of which 44.34% is within Flood Zone 3b, and there is a surface water risk on parts of the site. The net developable area of the allocation site is 0.79 hectares, on a part of the site in Flood Zone 1 and not affected by surface water risk.
2. **Site SK049** –The justification for including site reference SK049 in the local plan is that in accordance with paragraph 100 and 101 of the Framework, the Sequential Test in the SFRA was applied to all available sites suitable for employment development in Skipton, including SK049. However, following the application of the Sequential Test, it was not possible for all the employment land identified as being required over the plan period to meet objectively assessed employment needs (commensurate with the plan's spatial strategy and level of housing growth in Skipton) to be located in zones with a lower probability of flooding. It was appropriate therefore for the Council in accordance with paragraph 102 of the Framework to apply the Exception Test in the case of SK049. Taking account of the proposed use of the site for B1, B2 & B8 uses (which are less vulnerable uses) the Council considers the Exception Test is met because the provision of employment development on the site provides wider sustainability benefits to the community that outweigh the flood risk.
3. Furthermore, the construction of the Skipton Flood Alleviation Scheme (FAS) is almost complete and has been designed to reduce the risk from Eller Beck and Waller Hill Beck. The FAS involves the creation of two upstream storage areas to impound the water from the surrounding hills, and release it slowly to reduce the risk of Eller Beck and Waller Hill Beck from overtopping through the town centre. The Environment Agency's (EA) Flood Risk Management – Data and Evidence Team has scheduled to model the resulting impact of the FAS during the Autumn of 2018 and will be used to update the EA Flood Maps. The Skipton FAS is expected to significantly reduce the flood risk on the site together with the

proposed works to reduce the risk from Ings Beck (titled the Ings Beck and Gallow Syke Water Management Project), which is projected to have a significant impact on reducing the risk of flooding within the Ings Lane area, including draft site, SK049. The pre-modelling report for the Project, prepared by the Flood Risk Consultancy on behalf of Craven District Council, dated 6<sup>th</sup> July 2018, shows that the likely effect will be to reduce the extent of the area where flooding occurs. It is anticipated that the reduction in flooding will enable land currently in Flood Zone 3b to be moved to Flood Zone 3a, thereby increasing the amount of the developable land available.

**Q4. Are the allocations and policies 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 and manage any residual risk, taking account of the impacts of climate change? How has the Council taken a sequential approach to identifying sites for new housing and employment?**

#### **Council's Response**

1. Yes, the allocations and policies are consistent with paragraph 100 of the NPPF. A sequential, risk-based approach to the location of development has been applied. Craven District Council has taken a sequential approach to identifying sites for new housing and employment, by adhering to the planning principle that seeks to identify, allocate or develop certain types or locations of land before others. In the selection of the most appropriate sites in each settlement, brownfield housing sites were chosen where available before greenfield sites. Sites in completely flood zone 1 areas were chosen before sites with areas of flood zones 2 and 3. Sites in the centres of towns and villages were picked before sites on the edge of the settlement.

**Q5. If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for a development to be located in zones with a lower probability of flooding, paragraph 102 of the framework confirms that the Exception Test can be applied if appropriate. How do the allocations meet the tests set out in national planning policy ?**

#### **Council's Response**

1. The only allocations following application of the Sequential Test where the Exception Test was considered appropriate to apply are:-
  - Site SK049 which is allocated for employment uses B1,B2 and B8 (see response to Q3 above), and
  - Site SK044 which is allocated for residential development (see response

to Q2 under Issue 2 in the Council's Hearing Statement on Matter 5).

2. In all other respects site allocations were achieved in compliance with the Sequential Test.

## **Issue 7 – Presumption in Favour of Sustainable Development**

**Q1. What is the rationale for the inclusion of Policy SD1? Is it necessary and justified given that it broadly repeats paragraph 14 of the Framework?**

### **Council's Response**

1. The rationale for the inclusion of Policy SD1 in the Local Plan is that it is an appropriate means to articulate the Council's clear commitment to promote and deliver a strategy for plan-led sustainable growth in Craven, which is compliant with national policy. It is also necessary, in the interests of clarity for decision makers, developers and local communities to establish within the Local Plan that the Council's commitment to deliver sustainable development extends not only to its plan making role, but also for making decisions on planning applications. It is considered therefore that to embed these principles within the Local Plan is justified.

## **Issue 8 – Public Sector Equality Duty ('PSED')**

**Q1. In what way does the plan seek to ensure that due regard is had to the three aims expressed in s149 of the Equality Act 2010 in relation to those who have a relevant protected characteristic?**

### **Council's Response**

1. The plan seeks to ensure that due regard is had to the Public Sector Equality Duty (PSED) by following a formal process of Equality Impact Assessment. All plan policies have been subjected to individual assessment and, where necessary, adjustment, in order to better promote equality. Document SD005 – 'Craven Local Plan Equality Impact Assessment (March 2018)' sets out the full process and outcomes in detail. Table 2, on page 6 of that document, describes how the plan will make positive contributions towards achieving the three aims of the PSED.

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