

Response to local authority consultation

Authority: **Craven District Council**

Type of consultation (insert DF/planning application/appraisal etc: **Local Plan**)

Full details of application/consultation:
Response to Council's Letter to the Inspector dated 17.12.18 on Further Main Modifications to the Craven Local Plan re: Local Green Space Site Ref HE-LGS1

Type of response (insert comment/support/object **COMMENT**)

Date of submission **11 January 2019**

All responses or queries relating to this submission should be addressed to
The Chair,
The North Yorkshire Branch of the Campaign to Protect Rural England
CIO number 1174989

www.cprenorthyorkshire.co.uk

The charity will be referred to as CPRENorthYorkshire throughout this document

All CPRENorthYorkshire comments are prepared by the charity using professional planners whose research and recommendations form the basis of this response in line with national CPRE policies.

external planning consultant:



KVA Planning Consultancy
Katie Atkinson MRTPI
www.kvaplaning.co.uk

The North Yorkshire Branch of the Campaign to Protect Rural England CIO operates with the help of planning wardens in the different local authority administrative districts reporting directly to the branch following a recent restructure. All correspondence should therefore be directed to the 'Chair of CPRENorthYorkshire'.

CPRENorthYorkshire is the only authorised body to represent CPRENorthYorkshire issues within the local area.

Comment

This note has been prepared in response to the Council's letter dated 17th December 2018 regarding further main modifications to the Craven Local Plan with specific reference to Local Green Space Designations SK-LGS64 and HE-LGS1.

CPRENorthYorkshire have no comment to make in relation to SK-LGS64.

Having participated fully in the Examination in Public and Local Plan preparation stages to date regarding the site known as the Hellifield Flashes (designated as HE-LGS1 in the draft Local Plan), CPRENorthYorkshire would like to offer the following comments regarding the Council's proposed main modifications:

It is understood that the Inspector considered that the proposed designation in the Draft Local Plan amounts to an extensive tract of land measuring over 35.5Ha and thus would not comply with the criteria set out in national planning policy. In response, the Council has sought to rectify this by proposing three separate designations for Local Green Space (LGS) across the area to reflect the wetland areas or 'Flashes'.

CPRENorthYorkshire believe that the proposed three individual areas would be appropriate for inclusion as LGS designations within the draft Local Plan 'as a minimum' and concur with the reasons set out in the Council's assessment against the criteria contained in the Framework.

If the Council's proposals were to be adopted, large parts of the original designated area would be rendered 'white land' on the Local Plan diagram accompanying this policy (currently shown as Diagram EC4 in the draft Local Plan). This would presumably mean that the current Draft Policy EC4 Tourism would be triggered should an application be made in this part of the area which currently states that:

"Proposals that include the development of non-designated land (shown in white on Diagram EC4) for the purposes of sustainable tourism will be supported, in principle, provided that the land adjoins the designated Tourism Development Commitment and the proposals are sensible in scale and meet the requirements of i) to v) above..."

It is acknowledged, however, that there are suggested changes to be made to the wording of this policy.

With this in mind, given the fact that the development of this site represents 25 years of controversial applications and is a much valued and well-used area of open space by local communities, CPRENorthYorkshire feel that the proposed modifications made to the designations by the Council would allow a much larger development to occur on this site than originally intended as set out by Mr Pinner in evidence presented orally to the Inspector and in written evidence by CPRENorthYorkshire.

The Council set out in their evidence to the Examination very clearly that they are not supportive of the much larger application which is currently before the Council (42/2016/17496), instead the Plan continues to support the less extensive Tourism

Development Commitment (TDC). The approved scheme for a Rural Environmental Centre is very different to that proposed by the current application which is for large-scale tourism development and park and ride facility (with no reference to the originally approved educational facility), which would in our opinion, impact detrimentally upon the Flashes.

Furthermore, CPRENorthYorkshire, believe that the suggested modification of the Council's proposals to create 2 areas of LGS, put forward by the original authors of the November 2015 LGS application on behalf of the local community - Roger Haffield and Dave Pinner, would be preferable to the Council's 3 independent proposals given the unique nature of the Flashes as an area of open space for the community and the rich biodiversity it supports.

CPRENorthYorkshire alongside Mr Haffield and Mr Pinner remain fully supportive of the Council's proposal for HE-LGS7 (Gallaber Pond) totalling 6.8Ha.

Mr Haffield and Mr Pinner have suggested 1 larger (but not considered to be extensive in its own right) area of land as appropriate for LGS designation. This would incorporate the Council's 2 smaller proposed areas shown as HE-LGS9 and HE-LGS8 on their map. They have proposed 2 possible boundaries for this area in their submission. The preferred option proposes an area of LGS totalling 21.2Ha. The proposal suggests a clearly defined area bounded by the railway area to the North East, Midland Terrace and Peel Terrace to the East & South and the Kell Well Beck to the West, as shown in Figure 1 of their submission. (The second option proposes a slightly different boundary by utilising the track running centrally across the site as the Western boundary and would thus reduce in size to 17.25Ha - highlighted in Figure 2 of their submission).

CPRENorthYorkshire believe that 21Ha should not be considered 'extensive' when assessed against the Framework. Whilst it is larger than the other areas of LGS proposed within the Plan document, this in itself is not against policy criteria and merely illustrates the unique nature of this area of land. Other Local Planning Authorities in North Yorkshire have also proposed LGS designations on broadly the same size area of land. Hambleton District Council published their LGS Methodology within their LGS Recommendations Report (August 2016) setting out that:

"Whether a site is 'extensive' or not relates to two key factors - is the site in proportion to the scale of the surrounding landscape units (such as the size of neighbouring fields) or is it below 20 ha?"

This size guideline (20 ha) is taken from the 'Accessible Natural Greenspace standards' for a site within a 'local' (2km) distance from a community."

The 20Ha figure taken from the above-mentioned document sets out that 20Ha is a guideline, therefore, in justifiable situations 21Ha should not be considered inappropriate.

Mr Haffield and Mr Pinner have presented detailed evidence as to why they believe the 21Ha site is justified as LGS in relation to the criteria found in the Framework which we shall not attempt to duplicate here, however, we fully support their findings. (copy of Mr Pinner and Mr Haffield's report attached).

The overall effect of allocating the land in such a way would ensure that the area of the extant permission for the rural environmental centre is not washed over or fully surrounded by LGS to allow for appropriate flexibility. However, CPRENorthYorkshire remain fully supportive of the need to highlight the area of permitted built development in grey as shown on current draft Local Plan Diagram EC4. This would ensure that all readers of the plan fully comprehend the extent of the proposed development and would avoid confusion.

CPRENorthYorkshire 11 Jan 2019

Suggested Green Space modifications to the Craven District Council modification proposal on the Hellifield Flashes.

Doc Ref:-EL5.008b

Following the examination of the Craven District Local Plan, undertaken by Mr Birkinshaw, and the decision that the proposed Green Space site, HE-LGS1, was deemed to be “an extensive tract of land” therefore failing the final test for designation, and following the subsequent submission of a suggested modified Green space plan, by Craven District Council, suggesting Three separated areas referenced as HE-LGS 7. LGS 8 and LGS9.

On behalf of the local community, we would like to present our thoughts and suggestions for possible modifications to the CDC modification submission.

Following the call for suggested Green space sites within Craven in 2015 by CDC, an application, was submitted on behalf of the local community, for consideration of an area of Hellifield Parish know locally as the Hellifield Flashes.

Although the area submitted was potentially a large tract of land, for the purposes of the framework, the plan was considered to be worthy of submission due to the extensive evidence base with regard to the remaining criteria as required by Paragraph 77 of the Framework and paragraph 100 of the Guidance notes.

In view of the Inspector’s comments released to the CDC local plan examination webpage, under Doc ref-EL5.003, and without prejudice to the CDC proposed modification suggestion. Doc ref-EL5.008b, We would like to suggest a possible alternative modification.

In order to ensure that decision makers are able to clearly identify the boundaries of Green Space areas, we believe that having clearly identified, prominent, landscape features as boundaries reduces the possibility of decision making conflict during the life span of the Local Plan

The actual size of “extensive” tracts of land is undefined in the framework which leaves it open to decision makers to interpret, and in the case of the Flashes, the original application totalling some 40 Hectares has been deemed as extensive.

In order to reduce the area whilst retaining the criteria required by the framework we would suggest that a clearly defined area bounded by the railway area to the North East, Midland Terrace and Peel Terrace to the East & South and the Kell Well Beck to the West, as shown in *Fig 1*, could be considered.

This would reduce the area of the site to 21.2 Hectares and include the areas HE-LGS8 and LGS9 identified in the CDC suggested modification.



Fig 1

The area size could, if required, be further reduced to 17.25 Hectares by utilising the track running centrally across the site as the Western boundary. *Ref Fig 2.*



Fig 2

Site HE-LGS7 (Gallaber Flash) sits within the Long Preston conservation area and is subject to planning conditions and management plans attached to the extant planning permission. Ref:- CDC 42/2005/5082. Which respect the landscape and wildlife conservation values .We would propose that this site is identified as a separate LGS, as suggested by CDC. We are not aware of any issues within the framework or the PPG, which prevents LGS sites being in close proximity.

The reasons for these suggestion are based on the required criteria of the framework and we believe will-

- a) Retain the direct connection with the village, and access into the Green Space by means of the public right of way from Peel Terrace. Retaining the sense of belonging to the village, and facilitating direct access for recreational purposes. Including facilitating direct access to the Yorkshire Dales National Park by means of the Public Right of Way crossing the site.
- b) Respect the areas of potential archaeological interest identified by a 2016 archaeological survey, (*West Yorkshire Archaeological Services*), and the historic significance of the Marl Pit field. (*Fig1A*)



Fig 1A

- Point A - Possible Prehistoric Ring Ditch*
- Point B - Possible settlement buildings*
- Point C - Possible collection of anomalies*
- Point D – Possible former settlement*

- c) Respect the setting of the grade II listed railway building, and the Settle-Carlisle railway conservation area,

The Northern and Eastern areas on the site make a strong contribution to the character and appearance of the conservation area, as described in the 2016 conservation area appraisal.

Ref:-Fig 3.

Fig 3. Settle /Carlisle Conservation Area Appraisal

- d) Retain the tranquillity aspect of the site, confirmed by being graded in the “Yellow” band in the CPRE tranquillity mapping system, which adds to the high community value placed on the site.

The importance of the site in relation to personal wellbeing cannot be underestimated. When encountering other users of the site there is always time for a conversation. Locals or strangers, views can be exchanged, and on occasions, problems discussed and hopefully helped. The effect and benefit of the site on the ‘Feel Good’ factor is evident.



e) The setting of the site, extensively overlooked by the Yorkshire Dales National Park and its quiet ambiance enhance the beauty of the site.

f) Richness of wildlife.

The extensive biodiversity supported by the site, regarded as one of the few exceptional biodiverse sites within Craven District. Respects the requirement for the site to be, rich in wildlife. Itemised below.

1) Amphibians.

Pond areas, referenced in the CDC suggested modification as HE-LGS8 and LGS 9, are known as the breeding ponds for the highly protected Great Crested Newt.

Whilst requiring breeding ponds, the GKN also require refuge and hibernation areas. and unrestricted access to these.

The Great Crested Newts are known, by the community and through surveys, to utilise the former railway land, the gardens of Midland Terrace. the Kell Well Beck environment, and drystone walls as refuge and hibernation habitat.

Common Frogs, Toads and Smooth newts also utilise this habitat in variable numbers.

Great Crested newts and common frog are priority species under Section 41 of the 2006 NERC act.

2) Avian species.

Extensive evidence of the avian utilisation of the site has been assembled ,including a Five year study (2011-2016) undertaken for the RSPB by the East Lincs Ornithologist Club (ELOC), Monthly wetland bird surveys (Webs) for the British Trust for Ornithology (BTO), Local community members, and conservation officers.

Collating these records together reveals a total of 158 Avian species recorded as utilising the site.

Of these, 23 “Priority” Species appear on the Section 41 list.

35 species are on the “Birds of Conservation Concern” Red List. A further 55 species appear on the Amber list.

Evidence suggesting the site is an “intrinsic” component of the nearby Long Preston wetland SSSI site is also available.

3) Mammals

Badgers, Hedgehogs and Deer species-- Red, Sika, and Roe , have been observed on the site along with priority species Brown Hare and Hedgehogs.

Bats are recorded foraging over the ponds and roosting in the trees and hawthorn along the Kell Well Beck including- Pipistrelle, Soprano Pipistrelle, and Daubenton's Bats.

Soprano Pipistrelle's appear on the S41 Priority species list.

4) Eels

Due to the exceptionally dry conditions of the summer (2018) Eels were discovered floundering in the mud of the largest Flash (LGS7). Whilst Eels have not been recorded previously, they appear to have gained access to the flashes from the River Ribble by means of the Kell Well beck.

European eels are Priority Species, also listed on the IUCN (International Union for Conservation of Nature) as Critically Endangered.

g) Summary comment.

We believe that the total of 29 "Priority" Species recorded on the site adds significant weight to a Green Space designation.

It should be noted that all the currently retained water in the flashes area is released slowly and naturally via the Kell Well beck into the SSSI site of Pan Beck Fen, located 600m to the South of the site.

By suggesting a modification to reduce the Green Space designation area, whilst retaining the remaining criteria for Green Space, we feel it may be deemed justifiable in terms of the framework.

For clarity, jpeg images Fig 1 to Fig 7, are attached to the covering email letter.

Fig 1. Proposed modification suggestion. 1

Fig 1A. Archaeological areas locations

Fig 2. Proposed modification suggestion, 2

Fig 3 Settle/Carlisle conservation area appraisal

Fig 4 Water retention levels CDC modification areas HE-LGS 8 / HE-LGS 9

Fig 5 Marl pit field water levels

Fig 6 Extract from 1898 conveyance document confirming Marl Pit field location.

Fig 7 CDC proposed modification plan.

Compiled and submitted by -

Roger Haffield.

David Pinner.

Appendix 2

Photographic images as supplied in the DPinner/RHaffield report:



1

ALL those six messuages & dwellinghouses with the gardens
outbuildings and appurtenances thereto belonging situate on
the Northerly side of the Main Road at Hellifield in the said
West Riding called or known as Peel Terrace and which said
dwellinghouses were erected on a piece of land containing an
area of 890 and 2/3rds square yards or thereabouts portion of
a field called "Marlpits" at Hellifield aforesaid comprised
in a certain Conveyance dated the 23rd day of May 1898 and
...3...

