

From: [REDACTED]
To: [Local Dev. Framework](#)
Subject: Publication Draft - Craven Local Plan - Consultation Response
Date: 13 February 2018 14:48:08
Attachments: [3071-08 LPA 13_02_18.pdf](#)
[Response 1.pdf](#)
[Response 2.pdf](#)
[Response 3.pdf](#)
[Response 4 and Attachments.pdf](#)
[Response 5 and Attachments.pdf](#)

Dear Sirs

With reference to the above please find attached, for your kind attention, a letter from [REDACTED] together with the 5 response forms referred to therein.

Kindly acknowledge safe receipt.

Yours faithfully

[REDACTED]
Steven Abbott Associates LLP | Chartered Town Planners
130 Highgate | Kendal | Cumbria | LA9 4HE
Tel: [REDACTED] | **Fax:** [REDACTED]

Broadsword House | 2 Stonecrop | North Quarry Business Park | Appley Bridge | Wigan | Lancashire | WN6 9DL
Tel: [REDACTED] | **Fax:** [REDACTED]

Web: www.abbott-associates.co.uk

Email Disclaimer - Steven Abbott Associates LLPs' email disclaimer is now provided through a web link - [Our Disclaimer](#)



AT/LWJ/3071-08/PPT-LPA

13 February, 2018

Please reply to our office in: **Kendal**

Transmission by email only to: [REDACTED]

Planning Policy Team,
Craven District Council
1 Belle Vue Square
Skipton
BD23 1FJ

Dear Sirs

**Publication Draft – Craven District Council
Consultation response re site HB028, Bentham**

Please find attached representations in relation to my clients' site at Bentham.

The site was originally included in the Plan but it is of great concern to my clients that it has now been removed and the representations reflect this.

The suggested site has been reduced to address heritage concerns from the Church to the south and it is considered that it can contribute to the housing land supply in Craven going forward, without detriment to the interests that the Plan seeks to protect.

[REDACTED]

Encs: 5 x response form.

Partners

Broadsword House, 2 Stonecrop, North Quarry Business Park, Appley Bridge, Wigan, Lancashire WN6 9DL [REDACTED]

130 Highgate, Kendal, Cumbria LA9 4HE [REDACTED]

Peter House, Oxford Street, Manchester M1 5AN [REDACTED]

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

Publication Stage Representation Form

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

Please note each representation must be signed and dated

Part A

Section 1: Personal Details

Title :	
First Name:	
Last Name:	
Job Title (where relevant):	
Organisation (where relevant):	C/O RICHARD TURNER & SONS
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Address 4:	LANCASHIRE
Postcode:	BB7 4LH
Telephone:	C/O AGENT
Email:	C/O AGENT

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

Agent name:	██████████ of STEVEN ABBOTT ASSOCIATES LLP
Address:	130 HIGHGATE KENDAL CUMBRIA LA9 4HA
Telephone number:	██████████
Email:	██

Part B

Please fill in a separate form for each representation

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

Section 3

Name or Organisation:	
To which part of the Local Plan does this representation relate?	
Section and Paragraph	Key Issues, paragraph 2.41 and Plan Objectives 4, 5 and 6 P.27
Policy	
Policies Map	

Section 4: Legal Compliance & Duty to Cooperate

Do you consider the Local Plan is: (tick as appropriate)		
	Yes	No
1. Legally Compliant	<input checked="" type="checkbox"/>	
2. Sound		<input checked="" type="checkbox"/>
3. In Compliance with the Duty to Cooperate	<input checked="" type="checkbox"/>	

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

Section 5: Details of Representation

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My client owns part of site HB028 identified in the draft Local Plan and is concerned that it has now been removed whereas earlier versions of the plan indicated that it could be allocated for housing.

This response is written as a result of the removal of that site and also in relation to the numbers and nature of the housing requirement. With regard to the Key Issues section of the Plan, under paragraph 2.41, a number of issues have been identified for the plan to address. The points identified are intrinsically linked but there is a very strong relationship between the first key issue of a falling resident workforce and affordable housing needs, where house prices are high relative to local incomes. This results in a considerable affordable housing need. However, I would comment that the purpose of the Plan is to provide the objectively assessed needs for housing, and not just affordable housing. The supply of open market as well as affordable should be identified as one of these key issues given the scenarios and options that have been set out in the Plan.

The Plan objectives are set out at page 27 of the Plan with planning objective 4 relating to maintaining a continuous supply of housing land to meet housing needs throughout the plan period, with the further of objective emphasising choice in terms of house type, size, tenure, price and location.

Planning objective 6 specifically looks at enhancing the vitality of market towns and larger village centres, and also looks at improving the provision of local community services and facilities in smaller settlements.

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

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Supply open market and affordable housing to be identified as a key issue under paragraph 2.41.

Allocate reduced site HB028 for residential development to fulfil plan objectives 4, 5 and 6 (Page 27).

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

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Section 7: Participation at the Examination

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To ensure that my client's site is fully considered as part of the examination process.	

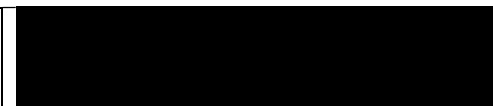
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Section 8: Being Kept Informed

Would you like to be kept informed of the progress of the Craven Local Plan through to adoption? (please select one answer with a tick)	
Yes, I want to be informed	<input checked="" type="checkbox"/>
No, I don't want to be informed	

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

Section 9: Signature & Date of Representation

Please sign and date below:	
Signature	
Date	12.02.18

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

If you wish your personal details to be treated in confidence and not published please tick the box below:

I wish to request that the personal details submitted with this representation are treated in confidence and not published.	<input type="checkbox"/>
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First Name:	
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Job Title (where relevant):	
Organisation (where relevant):	C/O RICHARD TURNER & SONS
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Agent name:	██████████ of STEVEN ABBOTT ASSOCIATES LLP
Address:	130 HIGHGATE KENDAL CUMBRIA LA9 4HA
Telephone number:	██████████
Email:	██

Part B

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Section 3

Name or Organisation:	
To which part of the Local Plan does this representation relate?	
Section and Paragraph	Section 4, Paragraph 4.18
Policy	SPI
Policies Map	

Section 4: Legal Compliance & Duty to Cooperate

Do you consider the Local Plan is: (tick as appropriate)		
	Yes	No
1. Legally Compliant	<input checked="" type="checkbox"/>	
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3. In Compliance with the Duty to Cooperate	<input checked="" type="checkbox"/>	

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Paragraph 4.18 of the Plan accepts the delivery of an annual average of 230 dwellings per annum over the plan period will be a challenge. The Plan goes on to note that with its allocation of land for housing to meet 94% of the 4,600 dwelling requirement with no proposed phasing for the development of these sites that there is good reason to be optimistic on delivery. However, I would comment that this level of completions is challenging and difficult to meet given the lack of phasing and the number of sites that need to be brought forward in the five year period. It is also noted that the requirement of policy SP1, meeting housing need, is a minimum provision and is ambitious in the light of the housing monitoring data showing that 768 dwellings have been completed between 1 April, 2012 and 30 September, 2017. This track record is well below the 230 requirement set out by policy SP1.

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

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Allocate reduced site HB028 (plan attached) to provide maximum flexibility and additional capacity of the plan period to 2032.

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

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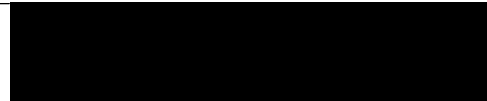
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Date	12.02.2018

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I wish to request that the personal details submitted with this representation are treated in confidence and not published.	<input type="checkbox"/>
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Planning Policy Team | 01756 706472 | localplan@cravencd.gov.uk



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Last Name:	
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Organisation (where relevant):	C/O RICHARD TURNER & SONS
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To which part of the Local Plan does this representation relate?	
Section and Paragraph	Section 4, Paragraph 4.49
Policy	
Policies Map	

Section 4: Legal Compliance & Duty to Cooperate

Do you consider the Local Plan is: (tick as appropriate)		
	Yes	No
1. Legally Compliant	<input checked="" type="checkbox"/>	
2. Sound		<input checked="" type="checkbox"/>
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It is noted that paragraph 4.49 of the plan recognises that it will still be appropriate to support the release of land for housing in addition to the Plan's land allocations and previously developed land within the main built up areas. The paragraph notes that, for example, circumstances may change in relation to the availability of land allocations. In these circumstances where allocated land may not come forward during the plan period and the planned growth for a settlement is clearly not being delivered, then other sustainable housing development within that settlement will be supported.

We take this to mean that in principle site HB028 in its reduced form that was put forward could be considered within this category. As noted in our representation in relation to policy SP1, the number of dwellings required appears to be ambitious but we also note in Table 5 on page 57 of the Plan that the estimated yield from sites within High and Low Bentham is very high at 494, set against a low record of net completions at 13 between 2012 and 2017. This suggests that there may be difficulties with some sites being brought forward, so we see no reason why site HB028 in its reduced form could not be allocated to provide greater flexibility in meeting this ambitious target.

The site could be made available relatively quickly.

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

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In the light of the ambitious targets both as a whole and for Bentham in particular it is key that as much flexibility is retained for allocations within the area. It appears that paragraph 4.49 appears to be saying this but with site HB028 in its reduced form being specifically put forward, we consider that this is a site that could qualify under this paragraph and therefore could also be allocated for residential development.

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

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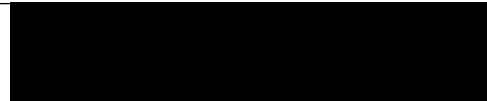
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Section 3

Name or Organisation:	
To which part of the Local Plan does this representation relate?	
Section and Paragraph	Section 4, Paragraph 4.57
Policy	
Policies Map	

Section 4: Legal Compliance & Duty to Cooperate

Do you consider the Local Plan is: (tick as appropriate)		
	Yes	No
1. Legally Compliant	<input checked="" type="checkbox"/>	
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Because of the positive preference of the site based upon the attached analysis from JMP Architects the site is considered to meet the sustainability objectives of the Plan.

A number of sustainability objectives were devised by the Council which each site within Bentham, including HB028, were tested against.

The main issues from the consultation on the 2016 pool of sites considered that site HB028 did not perform to an adequate standard in the sustainability analysis and the site was not deemed suitable in order to enter the pool of sites going forward. The reason for this was that the site was considered to result in a negative heritage impact with further concerns about location, access, agriculture and landscape, which were considered determining impediments to selection.

This effectively has resulted in a change being made to the plan with the site not being identified as a preferred housing site within the pre-publication draft and neither does it remain within the pool of sites for High and Low Bentham.

This is very disappointing for my client, who had put forward the site in good faith as part of the original consultation on the Plan. However, we have further considered the site including the points made and also the other sites within Bentham to see how they compare with HB028.

In total 20 sustainability objectives have been set out by the Council and my colleagues at JMP Architects, in agreement with my client, have amended the scale of the site and feel that this, together with an analysis of those sustainability objectives against the reduced site (see attachment A) produces a much more favourable conclusion for site HB028.

Some concern was raised by the Council around agricultural business issues but the Auction Mart and the fields immediately surrounding it have been retained for their current use on the attached plan and are no longer put forward for allocation at this time.

You will see that the site location plan attached indicates a reduced site. Crucially, this takes the site away from one of the major concerns, which related to the potential expansion of the Conservation Area and the potential for negative impact from development on the fields closest to the village. This in our view in itself puts the site in a different light in relation to the sustainability objectives and by

comparison some of the other sites that have been allocated in the plan.

JMP Architects provided an analysis of HB028 (attachment B) against the 20 objectives devised by the Council. There is also a footpath which runs through the site which provides access to the railway station and in our view this is something that has not been fully appreciated in the original appraisal of the site. South of the railway line the path runs over land in my client's ownership.

In relation to heritage, and also already mentioned, the site no longer adjoins the recommended Conservation Area and neither does it result in any significant conflict with the heritage asset at St Margaret's Church. The document from JMP sets out the current scores for the site HB028 but you will note from this document that reducing the size, as detailed on JMP drawing L3489-01 (attachment C), would result in very different sustainability objective results and these are set out in the attached document. This results, in our view, in objective 8 turning from a minus into a plus.

Objective 12 relates to the historic environment, including heritage assets, and it is understood that this is a key reason why the site has been removed as a housing site from the Local Plan. However, the new reduced size of the site results in objective 12 becoming a plus rather than a neutral score.

It is also the case with regard to objective 13 because, as can be seen from the sketch layout attached, the site does not include the more sensitive areas but does offer the ability to enhance a section of the site in landscape and ecological terms that is nearest to an area that the Council have identified as sensitive.

With regard to objective 14 the reduction in the size of the proposed site allows a large area of open land to be maintained, which assists in protecting and enhancing the open countryside and wider landscape character. While the layout sketch is purely indicative dwellings are set in a position to limit the views of the development from St Margaret's Church. The access is designed so that anyone entering the site could have a direct view towards the Church. When viewed from the Church the worst case scenario is that 2 or 3 dwellings may be visible.

Strategic objective 17 is given as a zero score but it must be recognised that this would be something that could be dealt with through the planning application process. However, in basic terms it must be noted that the site is on a generally south facing slope and this provides advantages that some other sites do not. Consequently, strategic objective 17 could have a plus score.

Overall we are of the view that JMP's assessment changes the performance of the site in relation to the Council's own sustainability objectives and serious consideration must be given to the allocation of the reduced area given that even if the housing number requirements set out above are accepted these are recognised as minimum requirements. Flexibility must be paramount given the number of sites that are anticipated to be delivered within the first five years of the plan period. Flexibility is also important if a higher number of open market house can help to deliver much needed affordable housing.

What this means is that the site does not perform in a dissimilar way to other sites put forward in the plan but, for instance, while the location of site HB044 would appear to be similar in distance from the centre, the connectivity of site HB028 for occupiers is much better. Crucially HB044 appears to rely on development on other sites being realised before a suitable access could be achieved. Consequently, it is difficult to see why site HB044 is allocated with a short term delivery time period within 1 – 5 years. Of the sites allocated HB044 is the second largest and because of the above mentioned issues questions must be asked of its deliverability within the 1 to 5 year period given its importance in terms of numbers to housing provision in Bentham.

Similarly site HB052 is considered as being deliverable within the 1 – 5 year period. However, it is further away from the settlement than HB028 so, in our view, scores no better in terms of the sustainability objectives and is indicated as coming forward within the 1 – 5 year period which, in our view, is perhaps optimistic.

In our view, and as can be seen from the sketch that I have provided by JMP, site HB028 could provide something in the order of 40 units in the 1 – 5 year period or the medium term period that the plan covers. It is certainly our view that it would be easier to bring this site forward within the 1 – 5 year period than some of the sites that have been shown as allocated for housing.

It is noted that a footpath traverses part of the site and provides access to the opposite side of the railway and to the railway station which gives the site good connectivity and its location in relation to the settlement would, in our view, encourage future residents at the site to take this footpath as an option to the railway station as opposed to driving through Bentham itself. A development of the site could also provide improvements to the footpath.

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

Section 6: Proposed Modifications to the local plan

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

The site is considered to be sustainable when measured against the Council's sustainability objectives.

The reduced size of the site addresses any concerns about heritage impacts. Consequently it is suggested that site HB028 is allocated for housing.

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

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Yes, I wish to participate at the oral examination	<input checked="" type="checkbox"/>
No, I do not wish to participate at the oral examination	
If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:	
To ensure that my client's site is fully considered as part of the examination process.	

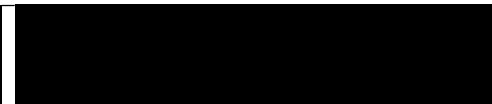
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Section 8: Being Kept Informed

Would you like to be kept informed of the progress of the Craven Local Plan through to adoption? (please select one answer with a tick)	
Yes, I want to be informed	<input checked="" type="checkbox"/>
No, I don't want to be informed	

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

Section 9: Signature & Date of Representation

Please sign and date below:	
Signature	
Date	12.02.2018

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

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

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

If you wish your personal details to be treated in confidence and not published please tick the box below:

I wish to request that the personal details submitted with this representation are treated in confidence and not published.	<input type="checkbox"/>
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Please explain below, why you have made this request:

Craven District Council | 1 Belle Vue Square | Skipton | BD23 1FJ |
www.cravenc.gov.uk

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



INVESTOR IN PEOPLE

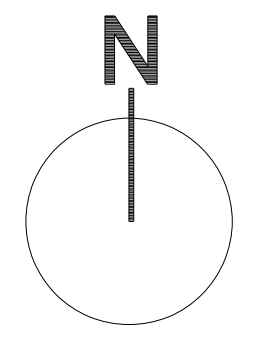


If you would like to have this information in a way that's better for you, please telephone 01756 700600.

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Rev Date Description
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 Tel: [REDACTED] Fax: [REDACTED]
 e-mail: [REDACTED]
 www: jmp-architects.com

Contract
 LAND AT BENTHAM
 HB26

Client
 [REDACTED]

Title
 SITE AREA PLAN

Date JUL 17 Scale @ A1 1:1000 By JP

Job L3489 Number 01 Rev

Our Ref: L3489/JP

18 July 2018

L3489 . [REDACTED]

Allocation of Land for Housing, Craven District Council Site Ref: HB028 (part) – Land South West of Pye Busk, High Bentham.

The site for allocation (HB028) has been reduced to only include the land South West of Pye Busk Close, as shown on drawing L3489 . 01.

This revised site allocation has direct access onto the existing highway network and has an existing footpath crossing the site. Due to the sites proximity to the main B6480 and Pye Busk Close service and utility connections will not be an issue. The site no longer adjoins the recommended conservation area as outlined in the conservation area appraisal and the reduction in site area significantly reduces any conflicts with the existing heritage asset to the South West, St. Margaret's Church.

Craven District Council Local Plan Sustainability Objectives for the current HB028 site are as follows:

- SO1 . 0
- SO2 . 0
- SO3 . minus
- SO4 . minus
- SO5 . plus
- SO6 . plus
- SO7 . 0
- SO8 . minus
- SO9 . plus
- S10 . minus
- S11 . minus
- S12 . minus
- S13 . 0
- S14 . minus
- S15 . plus
- S16 . minus
- S17 . minus
- S18 . 0
- S19 . plus
- S20 . plus

Reducing the site as detailed on drawing L3489 . 01 would in our opinion result in the following Sustainability Objective results:

- SO1 . 0
- SO2 . 0
- SO3 . minus

SO4 . PLUS, the site has an existing access point off Pye Busk Close and an existing footpath crosses the site which would be integrated into any future design proposal. This footpath links the site to Cowslip Hill to the south east and on to the railway line and connected footpaths to the train station beyond.

SO5 . plus

SO6 . plus

SO7 . 0

SO8 . 0, as mentioned above the site has an existing footpath which crosses the site which links into footpaths connected to the railway line and train station beyond. The vehicle access off Pye Busk Close would also provide pedestrian access directly onto the B6480. When assessed against sites a similar distance from the town centre, for example HB024, HB025 and HB52, this site is at least on par in terms of connectivity.

SO9 . plus

SO10 . minus

SO11 . minus

SO12 . PLUS, the allocation site no longer adjoins the conservation area as recommended in the conservation area appraisal. The reduction in the allocation site also maintains the area of land between the existing heritage asset (St. Margaret's Church) and the recommended conservation area. In terms of location to the recommended conservation area the proposed site now performs similar to allocated sites HB025 and HB026.

SO13 . PLUS, any proposal would look to significantly enhance the biodiversity and ecology of the site. This would include detailed landscape proposals and arboricultural, wildlife habitat and species enhancements.

SO14 . 0, the reduction in the proposed site allows a large area of open land to be retained which aids in maintaining and protecting the open countryside and wider landscape character.

SO15 . plus

SO16 . minus

SO17 . 0, this is an item which could be dealt with during the detailed planning stage and in our opinion, is easily justifiable. The inclusion of renewable energies (solar PV, ground source etc.) and highly energy efficient buildings (Passivhaus Standard) could all be considered.

SO18 . 0

SO19 . plus

SO20 . plus

Reduced site HB028 in comparison to other allocated sites:

HB024

- Same classification of land as HB028 . grade 3 agricultural.
- Both HB024 and HB028 have a direct access onto the existing highway network.
- Both HB024 and HB028 have a public footpath crossing them.
- Location / distance from the settlement is very similar.
- Neither site adjoins the recommended conservation area.

HB025

- No current access onto existing highway network. Highways authority recommends access only off Butts Lane which limits the site to the north.
- No existing footpaths on site.
- Neither HB025 or HB028 adjoin the recommended conservation area.
- Location / distance from the settlement is very similar.

HB044

- Same classification of land as HB028 . grade 3 agricultural.

- HB044 has no direct access to the existing highway network and would rely on the development of other sites nearby been realized before a suitable access could be achieved. Question how this can be deliverable in the 1 to 5-year time frame as the current local plan states.
- New footpath proposed on site HB044, site HB028 has an existing footpath which links into the railway line and train station beyond.
- Location / distance from the settlement is very similar, however connectivity from HB028 for the public would appear to be much better.
- Neither site adjoins the recommended conservation area.

HB052

- Same classification of land as HB028 . grade 3 agricultural.
- Both sites have a direct access onto the existing highway network.
- Public footpaths cross both HB028 and HB052.
- HB052 is further away from the settlement that HB028.
- Neither site adjoins the recommended conservation area.

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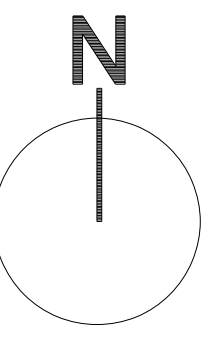
NEIGHBOURING SITE PREVIOUSLY INCLUDED IN ALLOCATION SITE HB028 SUBMISSION

APPROXIMATE LINE OF EXISTING CONTOUR ON SITE WHERE GROUND STEADILY SLOPES AWAY TOWARDS EXISTING BECK
 ALL LAND BEYOND THIS LINE TO BE UTILISED FOR ECOLOGICAL /BIODIVERSITY / WILDLIFE HABITAT ENHANCEMENT AREA (approx. 35 percent)

ECOLOGICAL /BIODIVERSITY / WILDLIFE HABITAT ENHANCEMENT AREA

EXISTING PUBLIC FOOTPATH RETAINED AND ENHANCED

SITE LINE FROM B6480 WHEN ENTERING HIGH BENTHAM FROM THE WEST



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Rev Date Description
 jmp architects ltd
 China Street, Lancaster LA1 1EX
 Tel: [REDACTED] Fax: [REDACTED]
 www.jmp-architects.com

Contract
 LAND AT BENTHAM
 HB028
 Client
 [REDACTED]

Title
 PROPOSED SITE PLAN
 HB028

Date	Scale @ A1	By
JUL 17	1:1000	JP
Job Number	Rev	
L3489	03	

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

Publication Stage Representation Form

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

Regulation 19-Town and Country Planning (Local Planning) (England) Regulations 2012

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

Please return completed forms to:

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

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

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

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

Please note each representation must be signed and dated

Part A

Section 1: Personal Details

Title :	
First Name:	
Last Name:	
Job Title (where relevant):	
Organisation (where relevant):	C/O RICHARD TURNER & SONS
Address 1:	OLD SAWLEY GRANGE
Address 2:	SAWLEY
Address 3:	CLITHEROE

Address 4:	LANCASHIRE
Postcode:	BB7 4LH
Telephone:	C/O AGENT
Email:	C/O AGENT

Section 2: Agent Details

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

Agent name:	██████████ of STEVEN ABBOTT ASSOCIATES LLP
Address:	130 HIGHGATE KENDAL CUMBRIA LA9 4HA
Telephone number:	██████████
Email:	██

Part B

Please fill in a separate form for each representation

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

Section 3

Name or Organisation:	
To which part of the Local Plan does this representation relate?	
Section and Paragraph	Section 4
Policy	Policy SP7 – Strategy for Bentham
Policies Map	Inset Map No. 5

Section 4: Legal Compliance & Duty to Cooperate

Do you consider the Local Plan is: (tick as appropriate)		
	Yes	No
1. Legally Compliant	<input checked="" type="checkbox"/>	
2. Sound		<input checked="" type="checkbox"/>
3. In Compliance with the Duty to Cooperate	<input checked="" type="checkbox"/>	

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

Section 5: Details of Representation

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

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

The fact that the Plan indicates Bentham as a Tier 2 settlement is welcomed. However, in the light of what has been said at paragraph 4.49 in the Plan in relation to the change of availability of allocations, this reference should be included within the box and may benefit in relation to being added to some of the other settlements to indicate that alternative sites could be brought forward if the strategy for a particular settlement is not being delivered. However, in the light of the comments made within this representation and our previous one, which I attach in full, it is considered that the reduced site HB028 should be allocated for residential development given the high anticipated yield from Bentham and the fact that the figures produced are regarded as a minimum. Allocating the site would not break with the overall strategy for housing numbers in the area.

In addition, as has been explained in our other representations in relation to the site, it is not less sustainable than some of the other sites that have been allocated.

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

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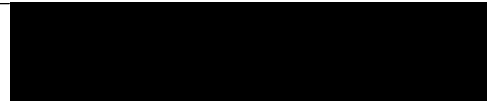
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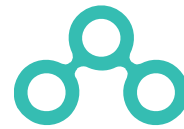
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Craven District Council | 1 Belle Vue Square | Skipton | BD23 1FJ | www.cravencd.gov.uk

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



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



AT/LWJ/3071-04/PPT-LPA

26 July, 2017

Please reply to our office in: **Kendal**

Transmission by email only to: localplan@cravendc.gov.uk

Planning Policy Team,
Craven District Council
1 Belle Vue Square
Skipton
BD23 1FJ

Dear Sirs

**Craven Local Plan – Pre-publication Consultation Draft
Consultation response re site HB028, Bentham**

I am writing on behalf of my client, Richard Turner & Son, in relation to the above consultation document and the current consultation deadline of 31 July, 2017.

My client owns part of site HB028 identified in the draft Local Plan and is concerned that it has now been removed whereas earlier versions of the plan indicated that it could be allocated for housing.

This response is written as a result of the removal of that site and also in relation to the numbers and nature of the housing requirement. With regard to the Key Issues section of the Plan, under paragraph 2.40, a number of issues have been identified for the plan to address. The points identified are intrinsically linked but there is a very strong relationship between the first key issue of a falling resident workforce and affordable housing needs, where house prices are high relative to local incomes. This results in a considerable affordable housing need. However, I would comment that the purpose of the Plan is to provide the objectively assessed needs for housing, and not just affordable housing. The supply of open market as well as affordable should be identified as one of these key issues given the scenarios and options that have been set out in the Plan.

The Plan objectives are set out at page 26 of the Report with planning objective 4 relating to maintaining a continuous supply of housing land to meet housing needs throughout the plan period, with the further of objective emphasising choice in terms of house type, size, tenure, price and location.

Planning objective 6 specifically looks at enhancing the vitality of market towns and larger village centres, and also looks at improving the provision of local community services and facilities in smaller settlements.

Planning objective 8 considers mitigation of flood risk and responding to climate change.

Draft policy SD1, the presumption in favour of sustainable development, is welcomed and it is noted that the Council emphasise a proactive approach towards people and organisations wishing

Partners

- ██████████ BSc (Hons) MRTPI
- ██████████ BSc (Hons) DipTP MRTPI
- ██████████ BSc (Hons) MRTPI

Broadsword House, 2 Stonecrop, North Quarry Business Park, Appley Bridge, Wigan, Lancashire WN6 9DL T ██████████ F ██████████

130 Highgate, Kendal, Cumbria LA9 4HE T ██████████ F ██████████

Peter House, Oxford Street, Manchester M1 5AN T ██████████ F ██████████

to carry out development. The highlighted change in the text to emphasise a solution finding approach is also welcomed.

Section 4 of the document considers meeting the housing need for the area and in total 4 options are put forward with:

- Housing Growth Option A: 135 dwellings per annum from 2012-2032 (2,900 dwellings).
- Housing Growth Option B: 182 dwellings per annum from 2012-2032 (3,640 dwellings).
- Housing Growth Option C: 214 dwellings per annum from 2012-2032 (4,280 dwellings).
- Housing Growth Option D: 350-400 dwellings per annum from 2012-2032 (7,000 to 8,000 dwellings).

Of the above Growth Option C is the preferred direction for the plan, setting the target at 214 dwellings per annum from 2012 to 2032. In the analysis for accepting this option it is considered that any higher growth than 214 dwellings per annum (in effect Option D) presents the following risks:

- Undermining the stability of the Yorkshire Dales National Park's (YDNPA) population by encouraging more people to move into the Craven District, in particular young adults and people of working age;
- Adversely impacting on sensitive environmental designations; and
- Unnecessarily increasing the lengths of travel to work through the lack of jobs within the Craven District for the resident population.

Ultimately, the plan considers that accepting higher Housing Growth Option D would realise some of the risks set out above. However, the need for affordable housing is recognised as a key issue within the Local Plan and while it may be the case that a higher target would result in potential harm, this must be seen against the more site specific harm that particular sites would cause by being brought forward. Consequently there is potential for an option (or a higher ceiling) between C and D given that the scale of the jump between C and D is greater than that between any other options. This brings us to my client's site HB028.

Site HB028 was the largest and most significant that was put forward in earlier versions of the Plan for Bentham and was contained within the draft Local Plan in 2016.

A number of sustainability objectives were devised by the Council which each site within Bentham, including HB028, were tested against.

The main issues from the consultation on the 2016 pool of sites considered that site HB028 did not perform to an adequate standard in the sustainability analysis and the site was not deemed suitable in order to enter the pool of sites going forward. The reason for this was that the site was considered to result in a negative heritage impact with further concerns about location, access, agriculture and landscape, which were considered determining impediments to selection.

This effectively has resulted in a change being made to the plan with the site not being identified as a preferred housing site within the pre-publication draft and neither does it remain within the pool of sites for High and Low Bentham.

This is very disappointing for my client, who had put forward the site in good faith as part of the original consultation on the Plan. However, we have further considered the site including the points made and also the other sites within Bentham to see how they compare with HB028.

In total 20 sustainability objectives have been set out by the Council and my colleagues at JMP Architects, in agreement with my client, have amended the scale of the site and feel that this, together with an analysis of those sustainability objectives against the reduced site (see attachment A) produces a much more favourable conclusion for site HB028.

Some concern was raised by the Council around agricultural issues but the Auction Mart and the fields immediately surrounding it have been retained for their current use on the attached plan and are no longer put forward for allocation at this time.

You will see from the site location plan attached indicates a reduced site. Crucially, this takes the site away from one of the major concerns, which related to the potential expansion of the Conservation Area and the potential for negative impact from development on the fields closest to the village. This in our view in itself puts the site in a different light in relation to the sustainability objectives and by comparison some of the other sites that have been allocated in the plan.

It is noted that draft policy SP1, meeting housing needs, states that to meet the housing needs of Craven provision is made for 4,280 net additional dwellings in the plan area from 1 April, 2012 to 31 March, 2032. The policy regards this as a **minimum** provision and equates to an annual average housing requirement of 214 additional dwellings per annum. This to us indicates that, as set out above, the ceiling of Option C could be higher and this should be explicitly stated in the Plan.

The table below paragraph 4.24 sets out the net figure to be delivered within the plan period. However, as noted above this can be regarded as a minimum and because of this sites should be allocated to provide maximum flexibility given that there is the possibility that some may not come forward, or may not come forward within the expected timescale.

It is noted that with regard to Bentham the vast majority of the sites are indicated to be brought forward within the first part of the plan period, leaving the question of what happens for the remainder of the plan period. The purpose of the Plan is to set the policy environment up to 2032 but the number of sites to be brought forward in years 1-5 indicate that the Plan is playing 'catch-up' on a backlog.

Draft policy SP7, strategy for Bentham, identifies in total 12 sites of varying size. The total yield from the sites is 444 dwellings with a short, medium and long term timescale for delivery. However, all but 18 of the dwellings are anticipated to come forward in the short term and in our view this is unrealistic in terms of the likely pace and pattern of development coming forward. Indeed the question must be asked whether this is a realistic approach to providing a 5 year housing land supply. Greater flexibility throughout the plan period should be provided. Such a high level of early provision (should it unexpectedly happen) raises questions for the remainder of the plan period. Because of this, in our view, the plan for Bentham must include a wider range of options

and given the nature of my client's site, with ready access on to the B6480 the site could be brought forward within the short or medium term.

To return to the sustainability objectives, JMP Architects have now provided an analysis of HB028 (attachment B) against the 20 objectives devised by the Council. There is also a footpath which runs through the site which provides access to the railway station and in our view this is something that has not been fully appreciated in the original appraisal of the site. South of the railway line the path runs over land in my client's ownership.

In relation to heritage, and also already mentioned, the site no longer adjoins the recommended Conservation Area and neither does it result in any significant conflict with the heritage asset at St Margaret's Church. The document from JMP sets out the current scores for the site HB028 but you will note from this document that reducing the size, as detailed on JMP drawing L3489-01 (attachment C), would result in very different sustainability objective results and these are set out in the attached document. This results, in our view, in objective 8 turning from a minus into a plus.

Objective 12 relates to the historic environment, including heritage assets, and it is understood that this is a key reason why the site has been removed as a housing site from the Local Plan. However, the new reduced size of the site results in objective 12 becoming a plus rather than a neutral score.

It is also the case with regard to objective 13 because, as can be seen from the sketch layout attached, the site does not include the more sensitive areas but does offer the ability to enhance a section of the site in landscape and ecological terms that is nearest to an area that the Council have identified as sensitive.

With regard to objective 14 the reduction in the size of the proposed site allows a large area of open land to be maintained, which assists in protecting and enhancing the open countryside and wider landscape character. While the layout sketch is purely indicative dwellings are set in a position to limit the views of the development from St Margaret's Church. The access is designed so that anyone entering the site could have a direct view towards the Church. When viewed from the Church the worst case scenario is that 2 or 3 dwellings may be visible.

Strategic objective 17 is given as a zero score but it must be recognised that this would be something that could be dealt with through the planning application process. However, in basic terms it must be noted that the site is on a generally south facing slope and this provides advantages that some other sites do not. Consequently, strategic objective 17 could have a plus score.

Overall we are of the view that JMP's assessment changes the performance of the site in relation to the Council's own sustainability objectives and serious consideration must be given to the allocation of the reduced area given that even if the housing number requirements set out above are accepted these are recognised as minimum requirements. Flexibility must be paramount given the number of sites that have been put forward to be delivered within the first five years of the plan period. Flexibility is also important if a higher number of open market house can help to deliver much needed affordable housing.

What this means is that the site does not perform in a dissimilar way to other sites put forward in the plan but, for instance, while the location of site HB044 would appear to be similar in distance from the centre, the connectivity of site HB028 for occupiers is much better. Crucially HB044

appears to rely on development on other sites being realised before a suitable access could be achieved. Consequently, it is difficult to see why site HB044 is allocated with a short term delivery time period within 1 – 5 years. Of the sites allocated HB044 is the second largest and because of the above mentioned issues questions must be asked of its deliverability within the 1 to 5 year period given its importance in terms of numbers to housing provision in Bentham.

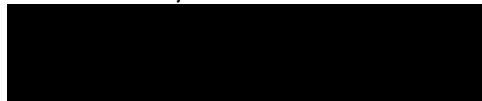
Similarly site HB052 is considered as being deliverable within the 1 – 5 year period. However, it is further away from the settlement than HB028 so, in our view, scores no better in terms of the sustainability objectives and is indicated as coming forward within the 1 – 5 year period which, in our view, is perhaps optimistic.

In our view, and as can be seen from the sketch that I have provided by JMP, site HB028 could provide something in the order of 40 units in the 1 – 5 year period or the medium term period that the plan covers. It is certainly our view that it would be easier to bring this site forward within the 1 – 5 year period than some of the sites that have been shown as allocated for housing.

It is noted that a footpath traverses part of the site and provides access to the opposite side of the railway and to the railway station which gives the site good connectivity and its location in relation to the settlement would, in our view, encourage future residents at the site to take this footpath as an option to the railway station as opposed to driving through Bentham itself. A development of the site could also provide improvements to the footpath.

In conclusion it is suggested that serious consideration is given to inclusion of site HB028 in the amended form put forward by this letter, as it would provide further flexibility of options for Bentham when so much development is programmed for the early part of the Plan. In our view it is not practicable that this number of houses will come forward in the first part of the Plan so it is important to ensure that sites are available and that options are available throughout the Plan period, and this is what the allocation of site HB028 provides for the Council.

Yours faithfully



- BA (Hons) MA MRTPI

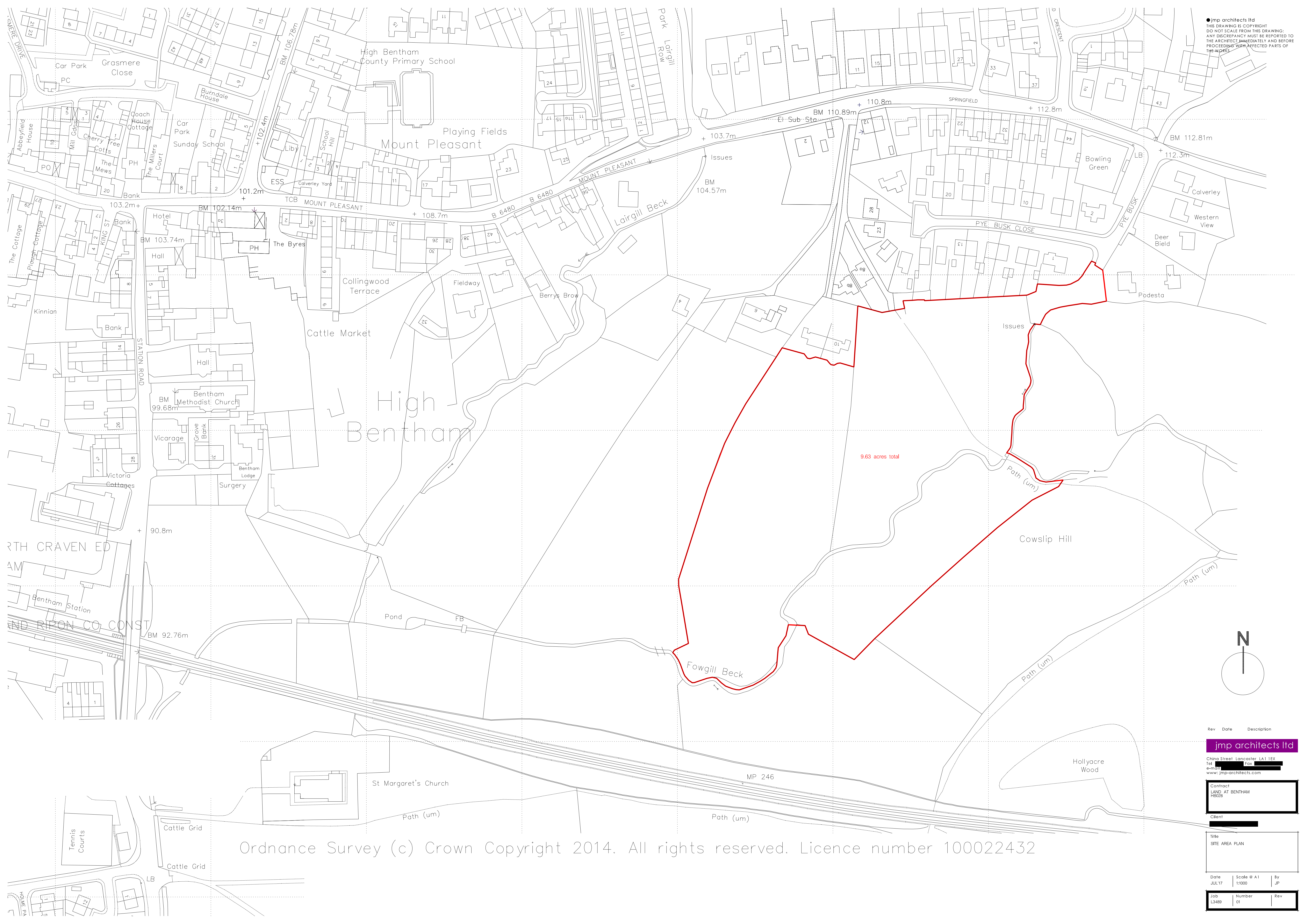
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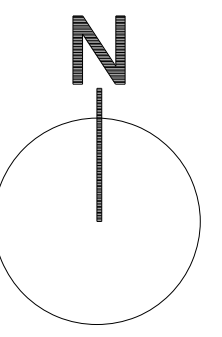
Enc:

- A: Site Location Plan.
- B: JMP Architects' Analysis.
- C: JMP drawing L3489-01.

• jmp architects ltd
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Rev Date Description
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Contract
LAND AT BENTHAM
 RB026
 Client [redacted]

Title
SITE AREA PLAN

Date	Scale @ A1	By
JUL 17	1:1000	JP
Job	Number	Rev
L3489	01	

Our Ref: L3489/JP

18 July 2018

L3489 . [REDACTED]

Allocation of Land for Housing, Craven District Council Site Ref: HB028 (part) – Land South West of Pye Busk, High Bentham.

The site for allocation (HB028) has been reduced to only include the land South West of Pye Busk Close, as shown on drawing L3489 . 01.

This revised site allocation has direct access onto the existing highway network and has an existing footpath crossing the site. Due to the sites proximity to the main B6480 and Pye Busk Close service and utility connections will not be an issue. The site no longer adjoins the recommended conservation area as outlined in the conservation area appraisal and the reduction in site area significantly reduces any conflicts with the existing heritage asset to the South West, St. Margaret's Church.

Craven District Council Local Plan Sustainability Objectives for the current HB028 site are as follows:

- SO1 . 0
- SO2 . 0
- SO3 . minus
- SO4 . minus
- SO5 . plus
- SO6 . plus
- SO7 . 0
- SO8 . minus
- SO9 . plus
- S10 . minus
- S11 . minus
- S12 . minus
- S13 . 0
- S14 . minus
- S15 . plus
- S16 . minus
- S17 . minus
- S18 . 0
- S19 . plus
- S20 . plus

Reducing the site as detailed on drawing L3489 . 01 would in our opinion result in the following Sustainability Objective results:

- SO1 . 0
- SO2 . 0
- SO3 . minus

SO4 . PLUS, the site has an existing access point off Pye Busk Close and an existing footpath crosses the site which would be integrated into any future design proposal. This footpath links the site to Cowslip Hill to the south east and on to the railway line and connected footpaths to the train station beyond.

SO5 . plus

SO6 . plus

SO7 . 0

SO8 . 0, as mentioned above the site has an existing footpath which crosses the site which links into footpaths connected to the railway line and train station beyond. The vehicle access off Pye Busk Close would also provide pedestrian access directly onto the B6480. When assessed against sites a similar distance from the town centre, for example HB024, HB025 and HB52, this site is at least on par in terms of connectivity.

SO9 . plus

SO10 . minus

SO11 . minus

SO12 . PLUS, the allocation site no longer adjoins the conservation area as recommended in the conservation area appraisal. The reduction in the allocation site also maintains the area of land between the existing heritage asset (St. Margaret's Church) and the recommended conservation area. In terms of location to the recommended conservation area the proposed site now performs similar to allocated sites HB025 and HB026.

SO13 . PLUS, any proposal would look to significantly enhance the biodiversity and ecology of the site. This would include detailed landscape proposals and arboricultural, wildlife habitat and species enhancements.

SO14 . 0, the reduction in the proposed site allows a large area of open land to be retained which aids in maintaining and protecting the open countryside and wider landscape character.

SO15 . plus

SO16 . minus

SO17 . 0, this is an item which could be dealt with during the detailed planning stage and in our opinion, is easily justifiable. The inclusion of renewable energies (solar PV, ground source etc.) and highly energy efficient buildings (Passivhaus Standard) could all be considered.

SO18 . 0

SO19 . plus

SO20 . plus

Reduced site HB028 in comparison to other allocated sites:

HB024

- Same classification of land as HB028 . grade 3 agricultural.
- Both HB024 and HB028 have a direct access onto the existing highway network.
- Both HB024 and HB028 have a public footpath crossing them.
- Location / distance from the settlement is very similar.
- Neither site adjoins the recommended conservation area.

HB025

- No current access onto existing highway network. Highways authority recommends access only off Butts Lane which limits the site to the north.
- No existing footpaths on site.
- Neither HB025 or HB028 adjoin the recommended conservation area.
- Location / distance from the settlement is very similar.

HB044

- Same classification of land as HB028 . grade 3 agricultural.

- HB044 has no direct access to the existing highway network and would rely on the development of other sites nearby been realized before a suitable access could be achieved. Question how this can be deliverable in the 1 to 5-year time frame as the current local plan states.
- New footpath proposed on site HB044, site HB028 has an existing footpath which links into the railway line and train station beyond.
- Location / distance from the settlement is very similar, however connectivity from HB028 for the public would appear to be much better.
- Neither site adjoins the recommended conservation area.

HB052

- Same classification of land as HB028 . grade 3 agricultural.
- Both sites have a direct access onto the existing highway network.
- Public footpaths cross both HB028 and HB052.
- HB052 is further away from the settlement that HB028.
- Neither site adjoins the recommended conservation area.

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NEIGHBOURING SITE PREVIOUSLY INCLUDED IN ALLOCATION SITE HB028 SUBMISSION

APPROXIMATE LINE OF EXISTING CONTOUR ON SITE WHERE GROUND STEADILY SLOPES AWAY TOWARDS EXISTING BECK
 ALL LAND BEYOND THIS LINE TO BE UTILISED FOR ECOLOGICAL/BIODIVERSITY/WILDLIFE HABITAT ENHANCEMENT AREA (approx. 35 percent)

Rev Date Description
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Contract
 LAND AT BENTHAM
 HB028

Client

Title
 PROPOSED SITE PLAN
 HB028

Date JUL 17 Scale @ A1 1:1000 By JP

Job L3489 Number 03 Rev

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