

**REPRESENTATIONS ON
BEHALF OF
HALTON HOMES LTD
AND BALLAN LIMITED**

MATTER STATEMENT

**CRAVEN LOCAL PLAN
EXAMINATION**

MATTER 15

SEPTEMBER 2018

Ballan Ltd and Halton Homes Ltd

Land at Hellifield

Examination of the Craven Local Plan

Matters Statement

Matter 15 – Rural Economy and Tourism (Policies EC3, EC4 and EC4a)

Summary

Ballan Ltd and Halton Homes Ltd object to the manner in which draft Policy EC4 deals with the tourism allocation for the site to the west of Hellifield, known as Hellifield Flashes (HE-LGS1) ("the Site"). This Matters Statement should be read together with our Matters Statement on Matter 21, as the issues overlap.

Before addressing the detail of the specific issues, we make the following summary points:

- The area west of Hellifield is an area that the Council has long held aspirations for tourism related development. The Council has a long history of granting planning permission for tourism-related development in this area, and the 1999 adopted Local Plan identified the whole area as a Tourism Development Site.
- In principle, at least, the Council continues to recognise that the area is appropriate for tourism development. Indeed draft Policy EC4 supports the principle of proposals for tourism development around the Hellifield railway station area.
- The Council has advanced no cogent reasons as to why the designation of the Site as a Tourism Development Site in the 1999 Local Plan is to be deleted and replaced only with two small areas west of Hellifield called 'Tourism Development Commitments', which already benefit from planning permission.
- The only reason for the deletion of the previous tourism allocation *appears to be* that the land to the west of Hellifield has been the subject of an application for allocation as a Local Green Space. For the reasons set out in reason to Matter 21, the proposed designation of most of the Site as LGS - and therefore the subsequent deletion of the Tourism Development Site allocation - is fundamentally flawed.
- It would be unsound to adopt the plan without the whole Site being allocated for Tourism development. This is because:
 - There has been no suggestion from the Council that the appropriateness of the area for tourism –related development has

changed since its allocation in the 1999 Local Plan. Indeed, draft Policy EC4: Tourism expressly recognises that the railway station area of Hellifield is suitable for tourism development, due to 'synergies of co-location', as well as easy access to public transport services. This self-evidently applies to the Site, which is directly to the south of Hellifield Train Station and which is in close proximity to existing tourist developments. However, the LGS designation provides a barrier between the Tourism Development Commitments and Hellifield Station;

- The use of the Site for tourism purposes has found support not only in the saved policy, but also in the grant of a regeneration budget, the purpose of which was to open up the Site and resulted in the construction of the "road to nowhere"
- The whole Site already benefits from extant and implemented planning permission for "Construction Of Hellifield Rural Environmental Centre"
- Furthermore, in the basis that the principle of redeveloping the Site for tourism purposes had been settled, an outline application was submitted in October 2016 for the comprehensive development of the (most of) the Site for tourism purposes. This is still to be determined.

Issue 2 – Tourism – Policy EC4

1. Question 1 – Are the key locations for tourism development under Policy EC4 identified on the Policies Map? Is it clear to decision-makers, developers and local communities which areas Policy EC4 relates to.

1.1 The Hellifield Railway Station area is identified as a "key location" for tourism. Key locations are described as "offering particularly good opportunities for sustainable tourism and for harnessing synergies of co-location." The identification of west of Hellifield as a Key Location is supported however, this is not illustrated on the policy map for the Hellifield area (policy map 13) or Diagram EC4. The Policies Maps and relevant Diagrams should be amended to illustrate the Key Location in this area.

2. Question 6 – What is the justification for identifying land to the west of Hellifield under Policy EC4, but not other commitments, including for alternative uses?

2.1 We do not consider that there is any justification for only allocating a small part of the Site west of Hellifield for tourism under Policy EC4.

2.2 The whole Site to the west of Hellifield (proposed tourism allocation and Local Green Space designation) is currently allocated for tourism under 'saved' policy EMP11 of the current Craven Local Plan which was adopted in July 1999. The Site's allocation was rightly 'saved' under Policy EMP11 in 2007 when the Craven Local Plan 1999 was reviewed and a large number of its policies were deleted.

- 2.3 The whole Site was allocated and 'saved' for good reason, to facilitate tourism development related to the renovation and regeneration of Hellifield railway station and as a basis for stimulating the economic regeneration of the village itself. The Council received some £425,000 for the regeneration project over four years under the Single Regeneration Budget. The purpose of the grant was to open up the Site, pursuant to which an extensive highway has been constructed at public expense but remains unfinished and still in private ownership. This "road to nowhere" (as it is known locally) must not be allowed to be left on the shelf.
- 2.4 The whole of the Site to the west of Hellifield also has extant outline planning permission for the construction of Hellifield Rural Environmental Centre (comprising tourism, exhibition, training, equestrian and livestock buildings) on approximately 51 hectares of land to the West of Hellifield (ref: 42/2082/2763) and the reserved matters approval relating to the outline permission (ref: 42/2005/5092)(Outline and Reserved matter approval at Appendix 1). When considering the Reserved Matters application the officer's report acknowledged that the outline permission established the principle of development of a highly sustainable location with the renovation of the Hellifield railway station.
- 2.5 However, the Council have chosen to only allocate, under Policy EC4, the areas of the Site upon which built development had been authorised by the extant outline permission. The remainder of the land has been designated as Local Green Space within the draft Local Plan.
- 2.6 This is entirely flawed. The Council cannot seek to carve out areas of the outline application Site benefiting from a lawfully implemented permission solely on the basis that the approved plans do not propose any built development in those areas. It is unreasonable for the Council to conclude that all future uses of the area will not be incompatible with a Local Green Space designation.
- 2.7 The approval of the outline planning permission, and its lawful implementation, means that the rights that flow with the grant of planning permission, including the use rights ancillary/incidental to the grant of permission for the Rural Environment Centre apply across the entirety of the planning unit.
- 2.8 Therefore, the whole Site covered by the outline permissions red line should be allocated for tourism under Policy EC4. The current allocation of only part of the Site is entirely at odds with the extant planning permission and prejudices the ability of the landowner/developer to develop the Site fully in accordance with their lawful rights.

3. Question 7 – What uses does the Local Plan permit on land at Hellifield? Is it clear to decision-makers, developers and local communities?

- 3.1 The Local Plan, through Policy EC4 should permit all tourism related uses on the whole of the land to the west of Hellifield.

- 3.2 An application for planning permission for development on the Site of a leisure centre including a swimming pool, hotel, visitor accommodation and up to 300 lodges, a park & ride facility, pedestrian access to Hellifield Station, parking areas, bus and coach drop off point, landscaping including ground modelling and water features was submitted to the Council in October 2016 (planning reference: 42/2016/17496). The application was made on the understanding that the principle of developing the Site for tourism had long been accepted by the Council, and was articulated within its adopted Local Plan.
- 3.3 This application is being considered by the Council and is awaiting determination. We request that the relevant planning application documents are included in the Examination Library so that the Inspector can see the proposals.
- 3.4 This proposal constitutes the most sustainable option to develop the tourism industry in the area, whilst minimising negative impacts on the environment. The proposal is for tourism use in a sustainable location making use of the Hellifield railway station.
- 3.5 The Yorkshire Dales National Park is supportive of this application and recognise the economic benefits of the proposal. The proposal will improve the use of Hellifield Station and will encourage tourists to visit the National Park (letter for National Park Appendix 2)
- 3.5 The RSPB are also supportive of the application subject to proposed mitigation measures (Appendix 3)
- 3.6 Although the economy in Craven has traditionally been based upon agriculture, it has diversified in recent years and has shifted towards the tourism industry. The Economic Development Strategy for Craven District notes that more jobs are required within the area together with appropriate levels of growth within sustainable tourism.
- 3.7 The development of the Site as proposed in the current application will create additional employment opportunities through its construction and operation. These jobs will improve the local economy and encourage young people to stay in the area. Visitors could also contribute to the local economy by using shops and services within the area.
- 3.8 The Government Tourism Policy (2011) outlines the UK Governments approach to the tourism economy as a whole. Paragraph 2.1 of the Policy provides:

"Tourism is an often underestimated but tremendously important sector of the UK's economy. It's already one of our six biggest industries and our third largest export earner. It accounts for almost £90billion direct spend per year, contains over 200,000 businesses and provided 4.4% of our nations jobs. Equally importantly, it creates

wealth and employment in all parts of the country, not just the south-east, and it's a cost effective way to regenerate run-down communities. A thriving tourism industry creates beautiful places to visit all round the country, which also improves the quality of life for everyone who lives near them as well."

3.9 Paragraph 2.2 of the Policy goes on to provide:

"The Government will work to ensure that we harness the full potential of this industry, building on the strengths we have while also addressing the weaknesses in the sector.

Our aims are to:...

- ...increase the proportion of UK residents who holiday in the UK to match those who holiday abroad each year. For longer stays (4 nights or more) this would mean 29% of travellers holidaying in Britain rather than just 20% today (creating 4.5million extra domestic trips each year, £1.3bn more spend and 26,000 new jobs). And if we can replicate this scale of improvement for shorter stays as well we will create a further £750million of spend and 11,000 new jobs."*

3.10 The Yorkshire Dales National Park Management Plan 2013-2018 (revised March 2016) sets out the vision and ambitions for the area over the next five to ten years. Policy E4 states:

"Improve the quality, variety and marketing of the tourism "offer" within the National Park to extend the season and get more visitors to stay overnight so as to increase the value of tourism by 20% in real terms by 2020."

3.11 The Economic Delivery Strategy for Craven District 2010-2016 (2010) outlines the key themes and objectives to support local economic growth, as well as the intended actions to deliver social and economic well-being for Craven District. The Strategy will assist Craven District Council in setting its plans, as well as providing a framework for partnership working, supporting and influencing the strategies, priorities and resource allocation of other organisations/agencies operating in the field of economic development.

3.12 The vision for Craven District is as follows:

"To create a more vibrant and prosperous local economy which provides for the social and economic needs of the people of Craven whilst sustaining its unique heritage, beauty and character."

3.13 A key opportunity outlined within the Strategy is to "grow the value of the tourism sector, particularly overnight stays". The strategy also suggests that a weakness to the local economy is the "low inward investment profile."

3.14 In order to achieve the vision for Craven the Strategy contains the following objective; "encouraging levels of sustainable tourism." A key priority for action

is to; "investigate options for the future management and operation of Hellifield Railway Station."

- 3.15 The proposed development of the Site represents an investment of circa £100million and is estimated to generate circa 500 permanent employment opportunities.
- 3.16 Tourism related development of this whole Site will also increase utilisation of Hellifield train station which is adjacent to the Site.
- 3.17 The proposed use of the Site for tourism has the potential to inject a large amount of employment and income in to the economy of Craven which will be significant and beneficial; and will further support and increase the economic prosperity of the area, including the housing market, shops, services and local facilities.
- 3.18 The proposed development has focused on an area that is in need of additional employment opportunities and sustainable growth in tourism.
- 3.19 Craven has a significant tourist population through the year, drawing visitors from a broad rural hinterland and surrounding towns. Skipton is a tourist destination in its own right with visitors attracted by the offer of the market town, opportunities for outdoor pursuits and the potential to access the Yorkshire Dales National Park. The tourist draw of Skipton and the other centres within the District bring additional retail and leisure spending power.
- 3.20 Visit Britain published the latest tourism statistics in early 2017, the figures released showed a record breaking number of people visiting Yorkshire. Yorkshire saw a 12% increase in inbound visits and a 21% increase in overnight stays from July to September 2016. An increase in events held in Yorkshire and domestic tourism have both resulted in an increase in the number of overnight stays in Yorkshire.
- 3.21 There is an increasing demand for tourism facilities in Craven and the Yorkshire Dales National Park and in particular serviced accommodation to facilitate short breaks.
- 3.22 The reason for allocating the whole Site for tourism in the 1999 Local Plan has not changed, on the contrary the reasons which underpinned the original allocation have been strengthened. The sustainability credentials of the Site located adjacent to the railway station remain completely unaltered.

4. Question 8 – How has the extent of the Site area been defined? What is it based on and is it justified?

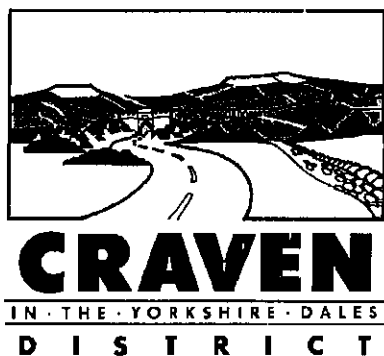
- 4.1 As per our answer to question 6 above it is our understanding that the Council have defined the extent of the Site for tourism based on the areas of built development pursuant to the outline consent.
- 4.2 For the reasons set out in response to question 6 above this is not justified.

- 4.3 The current allocation of only part of the Site is entirely at odds with the extant planning permission and prejudices the ability of the landowner/developer to develop the Site fully in accordance with their lawful rights. We consider that the whole of the Site (tourism allocation and Local Green Space designation) should be allocated as a tourism Site.

5. Question 9 – What is the justification for including an area of Local Green Space wrapping round the existing commitment? What effect will this have on the deliverability of the Site for tourism related uses?

- 5.1 There is no justification for including the area of Local Green Space around the proposed tourism allocation.
- 5.2 For the reasons outlined above, the area of Local Green Space does not wrap around the existing commitment. When properly considered, the existing commitment (namely outline permission ref: 42/2082/2763) covers the whole of the Site including all the land shown as Local Green Space.
- 5.3 The approval of the outline permission, and its lawful implementation, means that the rights that flow with the grant of planning permission, including the use rights ancillary/incidental to the grant of permission for the Rural Environment Centre apply across the entirety of the planning unit.
- 5.4 The Local Green Space covers the existing commitment and this would prejudice the ability of the landowner/developer to develop the Site fully in accordance with their lawful rights. This is wholly unacceptable.
- 5.5 In any event, there would be no justification for the LGS wrapping around the existing commitment: not only will this adversely affect the deliverability of the small area for tourism related uses, it would prejudice the development of the wider Site for tourism.
- 5.6 The delivery of this Site for tourism related uses is key to the local economy as set out in our response to question 7 above. Tourism is a key driver for boosting the economy within the District and nothing should prevent the deliverability of the whole of this sustainable Site for tourism uses.
- 5.7 The reason for allocating the whole Site for tourism in the 1999 Local Plan has not changed. On the contrary the reasons which underpinned the original allocation have been strengthened. The sustainability credentials of the Site, located next to the railway station remain completely unaltered. The de-allocation of the whole Site and replacement with a smaller tourist allocation and large Local Green Space designation is therefore completely unsound and without any evidence in support the conclusion that the tourism need for the whole Site has diminished. Indeed the evidence is to the contrary, the need for tourism development in the area is increasing.
- 5.8 The whole Site should therefore be allocated for tourism uses.

Appendix 1



Council Offices
Granville Street
Skipton
North Yorkshire
BD23 1PS

Telephone: 01756 706465
Fax: 01756 700658

TOWN AND COUNTRY PLANNING ACT 1990

NOTICE OF CONDITIONAL APPROVAL OF PERMISSION BY CRAVEN DISTRICT COUNCIL TO CARRY OUT DEVELOPMENT

Hellifield Rural Environmental Centre Ltd
C/O Agent

C/o
David Hill Chartered Surveyors
The New Ship
Mill Bridge
Skipton
North Yorkshire
BD23 1NJ

Date of Valid Application: 16 December 2002

Date Decision Issued: 10 February 2003

Proposal: Construction Of Hellifield Rural Environmental Centre (Comprising Tourism, Exhibition, Training, Equestrian And Livestock Buildings) On Approximately 51 Hectares Of Land To West Of Hellifield (Renewal Of Planning Permission Ref No. 5/42/149/C)

Location: Land To West Of Hellifield, Hellifield, Skipton

Craven District Council has considered your application and GRANTS permission for the renewal of a permission subject to the following conditions:

1. Approval of the details of the design and external appearance of the buildings, the landscaping of the site and the siting of the manager's house, (hereinafter called "the reserved matters") shall be obtained from the District Planning Authority in writing before any development is commenced.
 2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the design and external appearance of the buildings to be erected, the landscaping of the site and the siting of the manager's house, shall be submitted in writing to the District Planning Authority and shall be carried out as approved.
- Reason: This is a grant of outline planning permission and such matters are reserved for subsequent approval by the District Planning Authority in accordance with section 92 of the Town and Country Planning Act 1990.
3. Application for approval of the reserved matters shall be made to the District Planning Authority before the expiration of 3 years from the date of this permission.
 4. The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To ensure compliance with Sections 91-96 of the Town and Country Planning Act 1990.

D.A. Hartley B.Sc.(Hons), M.A., Dip.TP, MRTPI
Head of Planning Services
Date: 10th February 2003

FOR RIGHTS OF APPEAL PLEASE READ NOTES OVERLEAF

Date: 10th February 2003

5. The details of the landscaping of the site required to be submitted shall include details of a scheme for the preservation or enhancement of that part of the application site shown on the approved plan as a nature conservation area. The scheme shall include a nature conservation area management plan, including long term conservation objectives, management responsibilities and a programme of implementation and maintenance.

Reason: The site has nature conservation interest, particularly as a wetland habitat for birds.

6. No development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the District Planning Authority.

Reason: The site has archaeological interest, including evidence of former field systems and their boundaries.

7. No development other than the building work expressly authorised by this permission shall be carried out on the application site unless express authorisation is given by a further grant of permission.

Reason: To avoid harm to the nature conservation and archaeological interest of the site.

8. No development shall take place until details of pedestrian, wheelchair and vehicular links within the application site and with the adjacent Hellifield Station site have been submitted to and approved in writing by the District Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that access arrangements are satisfactory and, in particular, provide visitors with a choice of means of transport to the site.

9. No development shall take place until details of foul and surface water drainage works have been submitted to and approved in writing by the District Planning Authority. There shall be no discharge of foul or contaminated drainage from the site into either ground water or any surface waters, whether direct or via soakaways. Development shall be carried out in accordance with the approved details.

Reason: To avoid pollution of the water environment.

10. The occupation of each dwelling hereby permitted shall be limited to a person solely or mainly employed or last employed in the business occupying each plot edged red on the approved plan, or a widow or widower of such a person, or any resident dependants.

Reason: The dwellings have been permitted only in recognition of the need for staff accommodation in connection with the business operating from the site. Dwellings in this countryside location would not otherwise have been permitted.

11. There shall be no means of vehicular or pedestrian access to or from the application site other than from the existing A65(T) access.

12. Prior to commencement of the development hereby permitted visibility splays providing clear visibility of 9m x 160m shall be provided at the junction of the access road with the A65(T). Once created, these visibility areas shall be maintained clear of any obstructions.

Reason: In the interests of the safe and free flow of traffic using the A65 trunk road.

Informatives:

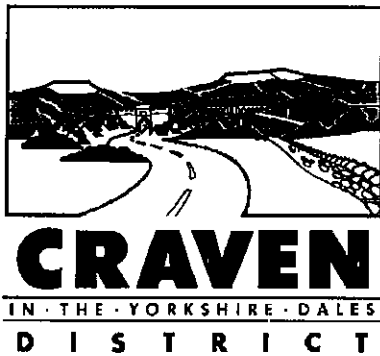
a) Design and appearance of buildings. The District Planning Authority wishes to encourage good design, which may be innovative but should respect and reinforce local distinctiveness, and will reject an obviously poor design which fails to meet design objectives in the development plan. In formulating detailed proposals, applicants are advised to consider the design principles behind local building traditions and to allow those principles to guide their proposals. Applicants should be able to provide illustrative material which demonstrates that their design reflects the local character in terms of: the scale, density, height, massing and layout of buildings; the appearance and treatment of spaces between and around buildings; the layout and surface treatment of roads; the choice of building materials; and the types of boundary treatment. Applicants are encouraged to produce draft illustrations as a basis for consultation with the District Planning Authority, before the design is finalised and submitted for approval.

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Continuation of Decision Notice No. 42/2002/2763

Date: 10th February 2003

b) Public rights of way. Public footpaths no.1,2&23 (Hellifield Parish) and 18&19 (Long Preston Parish) pass through the site and any person wishing to carry out the development hereby permitted should ensure that the public rights of way are preserved in a manner which allows easy and safe passage by the public during and after implementation of the development. Further advice may be obtained from the Public Rights of Way Officer, North Yorkshire County Council, Environmental Services, Croft House, Carleton Road, Skipton, BD23 2BG (telephone 01756 793344).



Council Offices
Granville Street
Skipton
North Yorkshire
BD23 1PS

Telephone: 01756 706465

Fax: 01756 700658

TOWN AND COUNTRY PLANNING ACT 1990

NOTICE OF GRANT OF RESERVED MATTERS BY CRAVEN DISTRICT COUNCIL

M L Evans
Tower Farm
Steeton
Keighley
BD20 6LY

C/o
David Hill Chartered Surveyors
The New Ship
Mill Bridge
Skipton
North Yorkshire
BD23 1NJ

Date of Valid Application: 09 February 2005

Date Decision Issued: 20 September 2005

Proposal: Construction Of Hellifield Rural Environmental Centre (Comprising Tourism, Exhibition, Training, Equestrian And Livestock Buildings) On Approximately 51 Hectares Of Land To West Of Hellifield. (Reserved Matters Following Outline Planning Permission No. 42/2002/2763 Granted On 10th February 2003).

Location: Land To West Of Hellifield, Hellifield, Skipton .

Craven District Council has considered your application (being matters reserved in outline consent granted under decision number 42/2002/2763) and GRANTS permission regarding the said details subject to the following conditions:

(1) The development hereby permitted shall be completed strictly in accordance with the approved plans (comprising GP25/011B, GP25/001a, GP25/002a, GP25/003a, GP25/004a, GP25/005a, GP25/006a, and GP25/007a received on the 26 May 2005, and; GP25/008, GP25/009, 4103/01, 4103/02, 4103/03, 4103/04, 4103/05, and 4103/06 received on the 3 February 2005).

Reason: To ensure a satisfactory standard of development and for the avoidance of doubt.

(2) Prior to the commencement of the construction of the hotel building full detailed design drawings shall be produced, submitted to the Local Planning Authority, and approved in writing by the Council. These drawings shall clarify the design and materials to be used for; all masonry to the external elevations of the building; the window and external door designs; the conservatories; the balcony, the treatment to the eaves and method of fixing rainwater goods; and other architectural detailing such as stone tabling at the roof verges, kneelers, quoin stones, window and door surrounds, and rooflights. Thereafter the development shall be implemented in accordance with the approved plans.

Mrs Sian Watson, B.A.(Hons)
Head of Planning and Building Control Services
Date: 20th September 2005

FOR RIGHTS OF APPEAL PLEASE READ NOTES OVERLEAF

TOWN AND COUNTRY PLANNING ACT 1990
Continuation of Decision No.42/2005/5082

(3) No work shall commence on the external walling of any of the buildings hereby approved until a sample panel of not less than 2 sq. m showing the type of stone to be used and method of walling and pointing for that building has been created, inspected and approved in writing by the Local Planning Authority. The external walling for that building shall then be constructed to match the approved sample.

(4) No work shall commence on the roofing to any of the buildings hereby approved until details / samples of the materials to be used for that building has been submitted to and approved in writing by the Local Planning Authority. The roofing for that building shall then be constructed in accordance with the approved details.

(5) Unless otherwise agreed in writing with the Local Planning Authority, all soil stacks to the hotel building shall be internal.

(6) Details of all hard surfacing materials shall be submitted to and approved in writing by the local planning authority prior to their first use. The development shall thereafter be implemented in accordance with the agreed details.

(7) Details of the surfacing material to be used for the horse ménage area shall be submitted to and approved in writing by the local planning authority prior to its first use. The development shall thereafter be implemented in accordance with the agreed details.

(8) Prior to the erection of any new boundary structures or enclosures to the site or within it, details of such boundary treatments shall first be submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the agreed details.

Reason (for 2 to 8) : To ensure the use of appropriate materials and design in the interests of protecting the character and appearance of the open countryside, special landscape area, and conservation area.

(9) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the interceptor.

(10) Prior to the commencement of any works on site, a settlement facility for the removal of suspended solids from surface water run-off during construction works shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained throughout the construction period.

Reason (for 9 to 10) : To prevent pollution of the water environment.

(11) The development shall not begin until plans of the site showing details of the existing and proposed ground levels, proposed floor levels, levels of any paths, roads and parking areas have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the details so approved and shall be so retained thereafter.

Reason: To ensure that the works are carried out at suitable levels in the interests of nature conservation and protecting the character and appearance of the open countryside, special landscape area, and conservation area.

(12) The development shall not begin until the full environmental management plan for the site (as originally required by condition 5 of the outline planning permission 42/2002/2763) has been submitted to and approved in writing by the Local Planning Authority (in consultation with English Nature and the Environment Agency). The details of the management plan should be broadly in accordance with the outline management plan submitted by David Hill and received by the Local Planning Authority on the 30 June 2005. Thereafter the provisions of the approved management plan shall be carried out and no building occupied unless the provisions within the management plan are still undertaken. Any subsequent variation to the management plan, must first be approved in writing by the Local Planning Authority.

Reason: Planning permission has been given for a Rural Environment Centre with the conservation of the Rural Environment being an essential component part of the development. The Hellifield Flash site is of nature conservation value, particularly as a habitat for wading birds, and the management plan will help to maintain and enhance this facility.

TOWN AND COUNTRY PLANNING ACT 1990
Continuation of Decision No.42/2005/5082

(13) The development shall not begin until a scheme of landscaping the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all existing trees and hedges on the land and details of any to be retained, together with details on the timing for implementation of the landscaping. Thereafter the scheme shall be implemented in accordance with the agreed details.

Reason: To achieve a satisfactory standard of landscaping on the site in the interests of nature conservation and protecting the character and appearance of the open countryside, special landscape area, and conservation area.

(14) Prior to the commencement of development full details of the pedestrian environment to be provided within the application site shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the agreed details.

Reason: In the interests of pedestrian and highway safety.

(15) Prior to the commencement of development permitted to the south of the A65, further details on the layout of the pedestrian and vehicular environment for this area shall be submitted to and approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt, in the interests of highway safety and to protect the character and appearance of the open countryside, special landscape area, and conservation area.

(16) No external lighting shall be fixed to any of the buildings hereby permitted or within the site unless details have first been submitted to and approved in writing by the Local Planning Authority. Any lighting so approved shall thereafter be implemented in accordance with the agreed details.

Reason: To help minimise light pollution in the interests of protecting the character and appearance of the open countryside, special landscape area, and conservation area.

It is recommended that it would be prudent for any developer of the site to undertake a Flood Risk Assessment prior to the commencement of development. The assessment should:

- Provide an assessment of whether any proposed development is likely to be affected by flooding and whether it will increase flood risk elsewhere and of the measures proposed to deal with these effects and risks; and
- Identify measures to ensure that any flood risk to the development or additional risk arising from the proposal will be successfully managed with the minimum environmental effect, to ensure that the site can be developed and occupied safely.

Appendix 2



YORKSHIRE DALES
National Park Authority

Mr M Moore
Principal Planning Officer (Development Control Team)
Craven District Council
1 Belle Vue Square
Broughton Road
Skipton
North Yorkshire
BD23 1FJ

Your Ref. 42/2016/17496

9 April 2018

BY EMAIL

Dear Mr Moore,

Planning Application ref. 42/2016/17496

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

LAND TO THE WEST OF HELLIFIELD, SKIPTON

Thank you for consulting the Yorkshire Dales National Park Authority on this planning application. On behalf of the National Park Authority I wish to make the following comments:

The amendments to the landscaping proposals are considered to be an improvement to the development proposal as a whole. Weighted against this is the significant impact a development of this scale would have on the local footpath and cycle network. It is therefore advised that the Authority **withdraws its objection**, on the basis that any planning permission should include a significant financial contribution to maintain and improve this network. The National Park Authority would welcome the opportunity for engagement in these discussions.

As previously advised, given the local and potentially regional importance of Hellifield Flash for birds, the development could have a significant impact on the breeding, wintering and migratory species that currently utilise the site. Given the scale and proximity of the development to the Flash and associated disturbance, it is not clear how this will be mitigated. In considering how to mitigate the impact on the Flash the applicants could consider opportunities for creating a similar or better area of habitat in the immediate area either in or outside of the National Park to avoid a significant biodiversity loss.

Yoredale, Bainbridge,
Leyburn, North Yorkshire, DL8 3EL
Tel: 0300 456 0030 or 01969 652300
Fax: 01969 652399
Website: www.yorkshiredales.org.uk
E-mail: info@yorkshiredales.org.uk

Chief Executive: David Butterworth

Yours sincerely



Emma Heron
Principal Planning Officer

Appendix 3

Mr Mark Moore
Development Control Manager
Craven District Council
Development Control Services
1 Belle Vue Square
Broughton Road
Skipton
BD23 1FJ

19 June 2018

Dear Mr Moore

Re: 42/2016/17496 - Outline Application For The Development Of A Leisure Centre, Including Swimming Pool, Hotel And Visitor Accommodation, Including Up To 300 Lodges, A Park & Ride Facility, Pedestrian Access To Hellifield Station, Parking Areas, Bus And Coach Drop Off Point. Landscaping Including Ground Modelling And Water Features.

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

As you know the RSPB has had an objection in relation to the proposed development at Hellifield in place since November 2016.

On the 4th of October 2017, I emailed Neville Watson the following paragraph in regard to our ongoing work on the scheme:

"RSPB and Ribble Rivers Trust are working with the Long Preston Floodplain Project, the agent and developers of the proposed Hellifield Leisure development to provide suitable mitigation and enhancement for the ecological impacts of the proposals on wildlife using the Hellifield Flashes. We are at a reasonably advanced stage with discussions which should see the ecological consultancy JBA produce a Habitat creation enhancement and management strategy which the developer will fund. I wish you also to be aware that satisfactory completion of the discussions will be likely to result in the removal of our objections to the proposal".

Following an intensive period of discussion with the applicant and other stakeholders we are now in a position to **remove our objection**.

Our objection was based on 6 points, as outlined below;

1. **A proposal contrary to the Current and New (Draft) Local Plan 2016**
2. **Permanent Loss of Priority and Functionally Linked Habitat – Flashes & Grassland**
3. **Absence of an assessment of Ecological Impacts on the River Ribble (Long Preston Deeps) SSSI**
4. **Inadequate provision of Ecological information**
5. **Potential Impact on Overwintering and Passage Birds**
6. **Potential Impacts on Breeding Birds**

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The RSPB is part of BirdLife International,
a partnership of conservation organisations
working to give nature a home around the world

To take these in order:

1. A proposal contrary to the Current and New (Draft) Local Plan 2016

The RSPB was previously of the opinion that the applicant had failed to demonstrate that the development adequately minimises the adverse effects of the proposed development on the wildlife of the Hellifield site, which must be seen as the entire site and not just the largest flash, (Flash 1) Gallaber Pond, The Long Preston Wetlands and the Region within which it is a key resource for migratory birds particularly wildfowl and waders.

The applicant in response to this point has instructed their consultant's JBA to undertake to produce further documentation – Ecological Appraisal – Avian Addendum (March 2017), this document accepted the points raised in our objection and the “new” report referred to enhanced management of Gallaber Pond and creation of additional wetlands.

2. Permanent Loss of Priority and Functionally Linked Habitat – Flashes & Grassland

The applicant has accepted that this development will result in permanent loss of Priority and Functionally Linked Habitat.

Working with The Long Preston Wet Grassland Project and Ribble River's Trust the applicant has identified and agreed purchase of land in the Long Preston Floodplain (and Long Preston Deeps SSSI) totalling some 77 acres in two contiguous blocks. Both fields are currently managed for silage production and have shooting rights which are exercised.

It is the applicant's intention that following consent for the above application a block referred to in a document shared with us on the 29th of May (Heads of Terms – signed by the developer and Ribble Rivers Trust (RRT)) to transfer a block of 55 acres to RRT to be managed as compensatory habitat for the losses on the Hellifield site. In addition RRT is to be given a lease (with an option to buy) over the adjoining 22 acres to be managed for ecological enhancement. It is the intention that shooting rights will also be transferred to RRT and our understanding that any shooting over this land will cease.

Although there is not a detailed management plan in place for the compensatory land JBA Consulting on behalf of the applicant have produced a “Briefing Note – Off-site Compensatory Habitat Management” which states;

“Within this parcel of land the main management proposal is to block the existing herringbone drainage. It is expected that the low-lying areas will then hold water for most of the year, mimicking the Hellifield Flashes. This will provide suitable habitat for wintering wildfowl and foraging and will attract breeding waders in the Spring and Summer” (section 1.3)

And beyond the compensatory works;

“RRT will have full control of the site and final habitat management proposals will be supplied by them on completion of the land transfer. The following are therefore indicative of potential future management proposals to bring [this unit] of the SSSI back into Recovering condition. It is likely that the River Ribble will be reconnected to its floodplain throughout this section. Land management will depend upon the underlying substrate, with water levels subject to better control and vegetation management carried out by means of an agricultural tenancy agreement. Grazing and Rush control will bring the habitats into better condition for breeding birds.

The land has shooting rights and it is known that wildfowling activities on this land can directly affect bird populations at Hellifield Flashes. Appropriate management of the shooting rights will be agreed between RRT and the RSPB and is likely to reduce the pressure on Gallaber Pond". (section 1.4)

The RSPB is content that the applicant has sought to address our concerns (and those of other stakeholders) with provision of this compensatory habitat, together with suitable management of Gallaber Pond¹ adjoin the development site.

3. Absence of an assessment of Ecological Impacts on the River Ribble (Long Preston Deeps) SSSI

The RSPB is satisfied that these impacts were acknowledged and addressed within the Avian Addendum (March 2017) and has contributed to the acquisition of compensatory land within the Long Preston Floodplain.

4. Inadequate provision of Ecological information

The RSPB is satisfied that this information gap was acknowledged and addressed within the Avian Addendum (March 2017).

5. Potential Impact on Overwintering and Passage Birds

The RSPB is satisfied that this impact was acknowledged and addressed within the Avian Addendum (March 2017) and has contributed to both the acquisition of and management proposals for the compensatory land with the Long Preston Floodplain and the management proposals for Gallaber Pond.

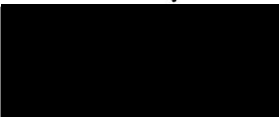
6. Potential Impacts on Breeding Birds

The RSPB is satisfied that these impacts were acknowledged and addressed within the Avian Addendum (March 2017) and has contributed to both the acquisition of and management proposals for the compensatory land with the Long Preston Floodplain and the management proposals for Gallaber Pond.

Conclusion

Taking the above into account in the context of discussions with the applicant, his advisers and stakeholders the RSPB is now in a position to **remove our objection** to the above proposed development, and if consent is granted by Craven Planning Committee, we are in a position to confirm our willingness to be part of a Habitat Management Group for both the on-site mitigation around Gallaber Pond and the off-site compensatory habitat in the Long Preston Floodplain.

Yours Sincerely



Jeremy Sutton
Conservation Officer, North West England

¹ Hellifield Flashes Habitat Management Plan – JBA Consulting, June 2018