

NOTE TO FILE

JBA Project Code - 2016s4587 - NTF v3 Final
Contract - Aire Valley Park, Hellifield Leisure Development
Client - Aire Valley Park Ltd
Day, Date and Time - Wednesday 02/01/2019
Author - Matthew Thirsk
Reviewer / Sign-off - Steve Maslen
Subject - Local Green Space Sites HE-LGS7, 8 & 9

1 Introduction

1.1 Background

Further to the response from the Planning Inspectorate, dated 13th November 2018, regarding the Craven Local Plan and the proposed Local Green Space designations for the land west of Hellifield (Ref HE-LGS1), Craven District Council (The Council) has proposed modifying the plan further to designate smaller areas of Local Green Space within HE-LGS1.

1.2 Craven District Council Modifications

The Council are proposing to replace HE-LGS1 with three smaller areas that reflect the 'Flashes' on the site, referenced as:

- HE-LGS7 - Gallaber Pond
- HE-LGS8 - Dunbars Flash
- HE-LGS9 - Little Dunbars Flash

The Council has assessed these proposed sites purportedly using their methodology to show how they 'meet the relevant tests of the Framework'. This note considers the evidence base on which the Council relies to justify the proposed approach. It also makes brief reference to the extant planning application to explain how the Flashes, and the interests they support, have been taken into account.

1.3 Assessment Methodology

The Council's reference to the 'Framework' means the National Planning Policy Framework (NPPF) and the 'relevant tests' will be the criteria listed in the NPPF, Chapter 8 'Promoting healthy communities', paragraph 77.

1.3.1 NPPF Chapter 8 (2012)

The full extract of paragraph 77, Chapter 8 'Promoting healthy communities' of the 2012 NPPF document (updated to paragraph 100, Chapter 8 'Promoting healthy and safe communities' in the 2018 NPPF) is provided below:

77. The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- *Where the green space is in reasonably close proximity to the community it serves;*
- *Where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- *Where the green area concerned is local in character and is not an extensive tract of land.*

All 3 criteria need to be met in order to designate Local Green Space, however it is not stated that any of the above need to be achieved in any order or that one has any greater influence than any of the others.

1.3.2 The Council's Methodology

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For each of the proposed smaller Local Green Space areas, the Council have used a qualifying approach, whereby each area has to pass the first 2 'tests' before it can then be considered against the third 'test'.

'Test 1' is the same as the first criteria as shown in Section 1.3.1

'Test 2' is the same as the third criteria as shown in Section 1.3.1

'Test 3' is the same as the second criteria as shown in Section 1.3.1 but an additional 'Test' is included at this stage to confirm if the site has 'evidence of local support'

All 3 areas have been assessed by the Council as meeting these 'Tests'.

2 Local Green Space Sites

2.1 Test 3

'Test 3' assesses the areas in greater detail than 'Tests 1 and 2', using several sources of information. The table shown below is adapted from the one used in the Council's assessment against 'Test 3':

Test 3a Yes or No					Test 3b
Historic Significance	Richness of Wildlife	Recreation Value	Beauty	Tranquillity	Evidence of local support
<i>Sources:</i>					
<i>The Settle-Carlisle Conservation Area Appraisal 2016</i>	<i>Ecological Data Centre</i>	<i>Existing PROW on the site</i>	<i>(none)</i>	<i>CPRE Tranquillity maps</i>	<i>Previous public consultation</i>

2.1.1 Test 3a

The sources, where identified in the table above, have been used to support a positive outcome against the criteria of 'Test 3a'. The criteria are presented in turn below, together with commentary on the Council's assessment:

Historic Significance:

The Council has referenced the fact that the Settle-Carlisle Conservation Area Appraisal 2016 identifies the northern part of the Hellifield site as a whole makes a strong contribution to the character and appearance of the conservation area. The Council's assessment makes no reference to the historic significance of the flashes themselves.

The Settle-Carlisle Conservation Area Appraisal 2016 applies a Methodology which uses a colour coded scheme to denote areas in, or adjacent to, the Settle-Carlisle Conservation Area that contribute to character / appearance.

Methodology definitions:

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- Purple: Open space that makes a strong contribution to the character and appearance of the Conservation Area
- Yellow: Open space that makes some contribution to the character and appearance of the Conservation Area
- Brown: Open space that makes no or negligible contribution to character and appearance of the Conservation Area

Figure 1 shows a map of the Hellifield area and how the methodology has been applied. The Settle-Carlisle Conservation Area is shown on the map bounded by a red line.



Figure 1, Settle-Carlisle Conservation Area Appraisal - Hellifield area map

Only Gallaber Pond is shown on this plan. Dunbars Flash and Little Dunbars Flash are not shown. The Settle-Carlisle Conservation Area Appraisal 2016 does not reference any of the flashes in the report. The areas identified for the Local Green Space designation only partially overlap with the purple coloured areas, and there is no indication in the Conservation Area Appraisal that the flashes contribute to the historic significance of the conservation area in any manner.

Commenting on the Conservation Area Appraisal (above)- It is not obvious upon what basis the areas set out in Figure 1 have been delineated and coloured. For example, it appears unusual that the area in and around Hellifield Station that sits within the Conservation Area is defined as making only 'some contribution' to the character and appearance of the conservation area. It depicts areas within the conservation area as making 'some contribution' whilst areas identified as making a 'strong' contribution' are outside of the Conservation Area.

Similarly the extent of the purple areas does not appear to reflect the supporting text in the report which specifically refers to important views being those out of the conservation area to

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'the unspoilt upland landscape' 'which make a strong contribution to the character and appearance of the Conservation Area'(Section 2.3 Open Space Assessment). These are distant views. The text of the Appraisal does not mention the contribution of the immediate adjacent fields. It does report that "To the south and east the fringes of the railway and its backdrop contain elements of Hellifield which are of no interest and make no contribution to the character and appearance of the Conservation Area." (p.13).

Richness of Wildlife:

The Council have referenced the fact that 'information obtained from the Ecological Data Centre indicates that this site is rich in wildlife'. No further detail is given about this information, and no evidence is provided in relation to the wildlife value of the flashes themselves.

The submitted planning application contain detailed ecological surveys that identify the status of the biodiversity interests across the site. In preparing the current development proposals for the site, ecological surveys were undertaken across the site. These built upon the data already recorded for the site held in the Ecological Data Centre (NEYEDC). The data built upon included records for the site and the surroundings. It is notable that the NEYEDC plans of 'non statutory sites of nature conservation' and 'areas of notable habitat listed in the habitat inventories' does not identify any of the flashes

The current development proposals acknowledges the nature conservation value of the site, as well as the particular ecological interests associated with the flashes. It is classified of County importance in the submitted Environmental Statement and as such measures to address these interests have been built into the proposals.

Recreational Value:

The Council referenced the fact that the Hellifield site has a public right of way when concluding that the site is valued for its recreational value. No reference is made specifically to the recreation value of the flashes themselves.

The North Yorkshire County Council Rights of way maps identifies two footpaths within the site; Path 05.30/18/1 runs from Kendal Road in a north-westerly direction and through the woodland to the south west of Gallaber Pond before exiting on to the pedestrian footpath adjacent to the A65. Path 05.25/2 splits off from 05.30/18/1 east of Kell Well Beck and heads in a north-westerly direction cutting underneath the railway line. These are shown on figure 2 below

There are no other means of public access into, or across, the site.

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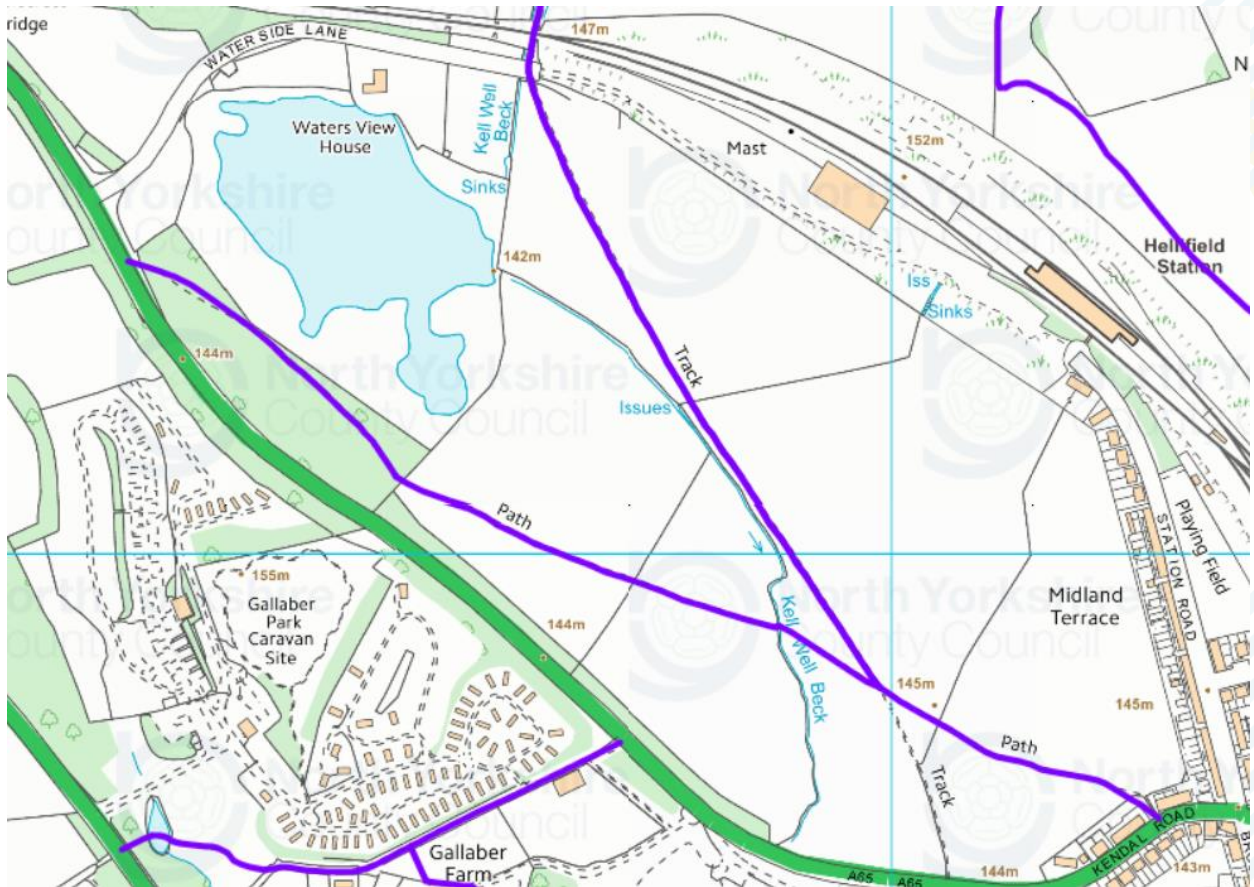


Figure 2, Hellifield site with public footpaths taken from North Yorkshire County Council Rights of way maps (© Crown Copyright. All rights reserved North Yorkshire County Council 100017946 2019)

The submitted planning application for the site retains the Public Rights of Way and as such the recreational value will be maintained.

Beauty:

No means of assessing objectively and quantifying this criterion has been provided. We have exercised our professional judgement as Landscape Architects in the comments below.

Tranquillity:

The Council refer to the CPRE Tranquillity maps identifying the Hellifield site as being identified as yellow in colour. They take from this the fact that the site can be considered tranquil. The Council's assessment does not distinguish between the Hellifield site as a whole and the flashes themselves. Furthermore, as far as we are aware, the Council have not published the CPRE Tranquillity maps on which they (they are not publicly available).

The Campaign for the Protection of Rural England (CPRE) published a map in 2008 showing the tranquillity value of England. Although this information has not been supplied by the

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Council for us to review, we are aware the map uses a 500m x 500m grid system with each individual grid colour coded by the value it has scored. The colour range runs from red for low tranquillity to green for high tranquillity with nearly 300 shades of colour between.

Locally we are aware that Clapham High Mark within the Yorkshire Dales, approximately 12.5km north-east from the site, has a high tranquillity value and Settle Town Centre 7km north-west from the site has a low tranquillity rating.

We understand that the site as a whole is characterised as being Medium-Low or Medium tranquillity. We might speculate (without the benefit of the data being supplied) that the proximity to Hellifield, the adjacent Main Road and the proximity of the railway all lower the value in comparison to land to the north in the National Park. The proposed sites have a similar value to areas around Hellifield which are not being proposed as Local Green Space.

2.2 Gallaber Pond

This proposed area, HE-LGS7, will not actually be affected by the proposed development, however upon review the following observations are noted:

- Historic Significance - Gallaber Pond does not sit within the Conservation Area and there is no direct reference to it within the Appraisal. It is only in part within the purple area.
- Richness of Wildlife - as recorded above
- Recreation Value - as recorded above, views from footpaths only
- Beauty - The level of water in Gallaber Pond is seasonally variable and for periods of time it is entirely a dark area of dried, cracked mud which is less than attractive.
- Tranquillity - Tranquillity in this area of the site is medium-low.

The proposed Local Green Space boundary for HE-LGS 7 defined by the Council follows clearly discernible features including dry-stone walls and woodland which create an area outside of the gently graded land sloping down to the median water levels.

2.3 Dunbars Flash

This proposed area, HE-LGS8, does sit within the proposed development site, although the proposed masterplan shows some physical development proposed in this area, and two ponds (Ponds 4 and 5) are proposed either within the area itself or its immediate vicinity

The following observations are noted:

- Historic Significance - Dunbars Flash does not sit within the Conservation Area and there is no direct reference to it within the Appraisal. It is only in part within the purple area.
- Richness of Wildlife - as recorded above
- Recreation Value - as recorded above, footpath along one boundary
- Beauty - The level of water in Dunbars Flash is seasonally variable. For most of the year it appears dry and is part of a grazed field and as such is indistinct from other grassland locally and as such is no more or less attractive than any other area in this part of the site.
- Tranquillity - Tranquillity in this area of the site is medium.

The proposed Local Green Space boundary is drawn within a discernible field which is demarcated by dry-stone walls, post and rail fencing, hedge line and the railway. However it is not the entire field and its boundary aligns with only 3 short sections of the field boundaries.

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Furthermore, the south-eastern edge of the proposed LGS includes an embankment that rises up by 3m from the lower lying ground with the overall shape of the space, as shown in Figure 3. Thus the proposed LGS is not confined to a clearly discernible parcel of land.

2.4 Little Dunbars Flash

This proposed area, HE-LGS9, although sitting within the proposed development site, will largely be retained by the proposed development. However upon review the following observations are noted:

- Historic Significance - Little Dunbars Flash does not sit within the Conservation Area and there is no direct reference to it within the Appraisal. It only in part is within the purple area.
- Richness of Wildlife - as recorded above
- Recreation Value - as recorded above, no footpaths in close proximity
- Beauty - The level of water in Little Dunbars Flash Pond is seasonally variable and for periods of time it is entirely a dark area of dried, cracked soils which is less than attractive.
- Tranquillity - Tranquillity in this area of the site is medium.

The proposed Local Green Space boundary defined by the Council abuts a small section of the railway boundary but there are no other clear boundaries. The north-west and eastern edge of the Council's boundary have steep slopes that rise up from the lower lying ground by between 2 and 3 metres, as shown in Figure 3. Thus the proposed LGS is not confined to a clearly discernible parcel of land.

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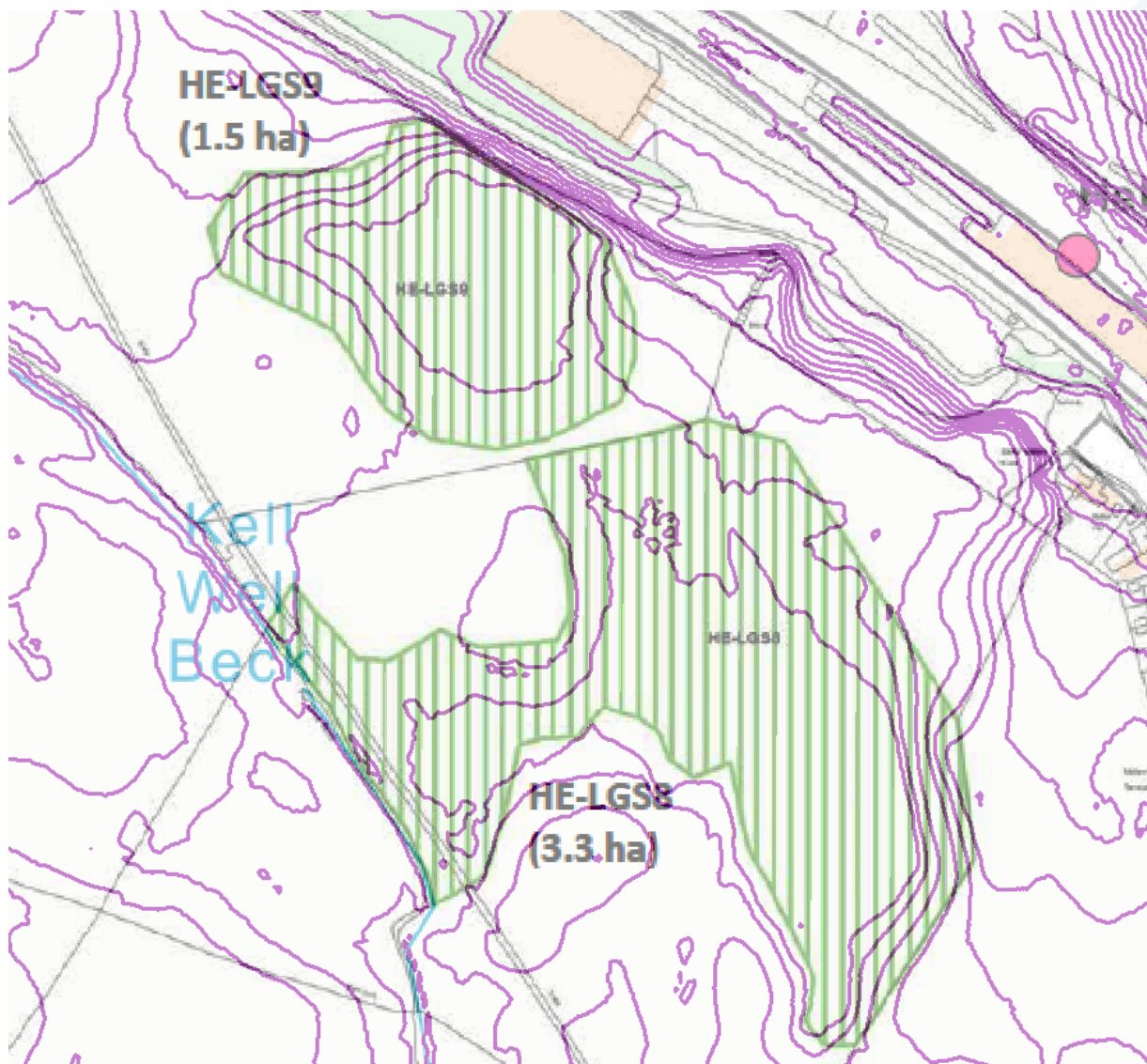


Figure 3, Existing contours and boundaries of proposed Local Green Spaces HE-LGS8 & 9

3 Development Proposals

The smaller proposed area HE-LGS7, Gallaber Pond, sits outside of the proposed development site and HE-LGS9, Little Dunbars Flash, will only in part be affected by the proposed development.

The area HE-LGS8, Dunbars Flash will be affected by the proposed development, however the area denoted by the Council seems to follow an area that incorporates ground higher than the extent of the flash.

Mitigation has been included in the design proposal to address the limited loss of these area and to adequately address any disturbance to wildlife interests across the site. It is notable in this regard that there is no objection to the proposal from (amongst others) RSPB or Natural England.