



## CPRE Craven Standing up for our countryside

November 11, 2014

Madge Bank Cononley

21/2014/14630

Consultation period ends 12 November 2014

**REFUSED**  
**Appeal DISMISSED 11 FEB 2016**

Dear Sir

CPRE Craven objects strongly to the above **major development** application, **outside development limits, within the Cononley Conservation area**. We fully endorse the objection of the Parish Council. We welcome the objection by English Heritage. We request that this application be refused for the following key reasons:

- 1 Adverse impact on the Cononley conservation area
- 2 Outside development limits
- 3 Loss of valued open space
- 4 Traffic, including parking
- 5 Increased noise pollution
- 6 Housing need
- 7 The development is not sustainable
- 8 Grazing land
- 9 Landscape Character
- 10 Adverse impact on amenity

The attached document qualifies the points above in detail. We have also included relevant Planning application information, historical information and an overview of Cononley


CPRE Craven have conducted several site visits. Our comments are based upon local knowledge, in depth research and discussion with residents of Cononley.

Perhaps the key point to consider though is the level of local feeling. The local community do not want development in this location, they are supported by their parish council and democratically elected District Councillor. Should you have any questions regarding our objection please do not hesitate to contact the Campaign to Protect Rural England Craven District at [cprecraven@me.com](mailto:cprecraven@me.com)

Yours Sincerely

The Chairman & Committee of CPRE Craven

Image 1 Planning site notice.

<h2>Planning Site Notice</h2>		
<p>Notice under Article 13 of the Town &amp; Country Planning (Development Management Procedure) Order 2010, Section 67 &amp; 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Regulation 5 and 5A of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.</p>		
Application Number:	21/2014/14630	
Application Type:	(OUT) Outline Application.	
Proposal:	<i>Re-Submission Of Previous Planning Application Ref: 21/2013/13960 For The Proposed Erection Of Up To 10 Dwellings, With Community Open Space, Vehicular And Pedestrian Access, Highway Safety Improvements, Local Residents Off Street Parking And Landscaping</i>	
Location:	CROSSHILLS ROAD, CONONLEY, KEIGHLEY, BD20.	

Notice is given of the aforementioned application received by Craven District Council that: -

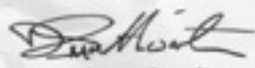
- affects the character and appearance of a conservation area.
- does not accord with the provisions of the development plan in force in the area in which the land to which the application relates is situated.
- is a Major Development proposal.

The application, plans, Environmental Statement (where applicable) and associated documents are available for inspection online at [www.planning.cravendc.gov.uk/fastweb](http://www.planning.cravendc.gov.uk/fastweb) and at the offices of Craven District Council (at the address provided below) . Where applicable copies of the Environmental Statement can be obtained on a disc from the Council at a charge of £10.

Any representations about the application should be made in writing within 21 days of the date of this notice and quoting the reference number. Representations can be sent to [planningcomments@cravendc.gov.uk](mailto:planningcomments@cravendc.gov.uk) or Planning Services, Craven District Council, 1 Belle Vue Square, Broughton Road, Skipton, BD23 1FJ.

In the event of an appeal against a refusal of planning permission for a householder application, that is considered on the basis of representations in writing, any representations made will be sent to the Secretary of State and there will be no further opportunity to comment at the appeal stage.

**23 May 2014**

  
David Smurthwaite  
Strategic Manager, Planning and Regeneration

# 1 Adverse impact on the Cononley Conservation Area Heritage Asset



Image 2 Madge Bank and setting.

Red arrow points to Madge Bank application site.

1.1 The impact on heritage assets such as Grade II listed buildings and conservation areas **IS A MATERIAL PLANNING CONSIDERATION.**

1.2 The setting of a heritage asset is an important contributory factor to the 'significance' of the asset. THE SETTING IS UNFIXED as it represents the surroundings in which the asset is experienced. Immediate surroundings may provide the context in which an asset is understood.

## 1.3 The Cononley Conservation Area

The Cononley Conservation Area (CCA) is mainly characterised by its open countryside setting and vernacular stone architecture dating from the 17th century. Whilst most of the listed buildings originate from this period, some later 19th century additions are also listed, most notably six buildings associated with the Cononley Lead Mine. A significant number of terraced dwellings were also constructed around this time which includes a long, articulated terrace located near to the site.

▲

1.4 The open countryside element of the CCA comprises pastures that are still in productive use to the east and south of the settlement which are characterised by dry stone walls and scattered trees. As these areas would have been worked by the previous occupants of some of the remaining 17th century farmhouses, they provide an important context to the CCA. They also contribute to a cohesive landscape setting which differentiates the settled land from the wilder, partially wooded backdrop of Gib Side.

1.5 Conservation areas can be defined as "Areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance". Conservation Areas are designated by the Local Authority in order to protect these important areas and ensure they retain their unique characteristics.

1.6 Heritage assets are an irreplaceable resource and effective conservation delivers wider social, cultural, economic and environmental benefits.

1.7 Craven District Council themselves conferred Conservation Area status on this area therefore they have a duty to protect, preserve and enhance the character and appearance of the Cononley Conservation area and retain its unique characteristics.

1.8 The conservation of heritage assets in a manner appropriate to their significance is a core planning principle.

1.9 Conservation is an active process of maintenance and managing change. It requires a flexible and thoughtful approach to get the best out of assets as diverse as listed buildings in every day use to as yet undiscovered, undesignated buried remains of archaeological interest.

1.10 Part of the public value of heritage assets is the contribution that they can make to understanding and interpreting our past.

1.11 The site is a valued open space within Cononley village. It is important to the amenity of the local people.

1.12 Craven district is renowned for its many attractive villages which contribute so much to the area's interest and character. In order to ensure that the character and/or appearance of these areas is protected and enhanced, settlements such as Cononley have designated conservation areas.

1.13 Whilst we accept that conservation area status does not prohibit development we submit that it should be sustainable and there should be a clearly proven need before further degradation of our heritage assets is carried out. (see Housing Need)

1.14 CPRE Craven does not consider that the development of the Madge Bank site will make any positive contribution to the local vernacular of Cononley village and the immediate Madge Bank environment and that it will, on the contrary, be harmful to Cononley Conservation area.

1.15 The national policy regarding the management of the historic environment is included in the national planning policy framework (NPPF). It is relevant to the determination of this application in the Cononley Conservation Area. Local policies relating to the historic environment have not been saved by Craven District Council and are, therefore, no longer applicable.

1.16 We refute the constant referral to twentieth century development in the close vicinity of the application site as justifiable reason to approve this application and further degrade the conservation area. The developments in the main pre-date the current local plan and date to a time when heritage and conservation was not under such a threat as today. The Conservation Area status was granted to protect the area from further degradation.

1.17 The NPPF defines the historic environment as:  
*all aspects of the environment resulting from the interaction between people.*  
More history and folklore is known of 'Madge Bank' than almost any other field in Cononley. *Source David Gulliver*

1.18 Protecting and enhancing the historic environment is an important component of the National Planning Policy Framework's drive to achieve sustainable development (as defined in Paragraphs 6-10). The appropriate conservation of heritage assets forms one of the 'Core Planning Principles' (Paragraph 17 bullet 10) that underpin the planning system. This is expanded upon principally in Paragraphs 126-141 but policies giving effect to this objective appear elsewhere in the National Planning Policy Framework.

1.19 NPPF para 128 requires applications for development relating to heritage assets to provide a description of the asset's significance so that the impact of the development can be assessed.

1.20 NPPF para 129 illustrates that local planning authorities should identify and assess the particular significance of any heritage asset affected by a proposal, using this available evidence when considering the impact of a proposal on a heritage asset to avoid or minimise any conflict between conservation of the asset and any element of the proposal.

1.21 NPPF para 131 then indicates how local planning authorities should assess applications involving heritage assets:

*'in determining planning applications, local planning authorities should take account of:*

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation*
- *the positive contribution that conservation of heritage assets can make to sustainable communities, including their economic vitality the desirability of new development making a positive contribution to local character and distinctiveness'.*

1.22 When considering this application the CDC Planners and Planning Committee members should note the recent refusal of Application 21/2014/14542 The Barn, Crag View, Cononley and the Planning Inspector's comments in the resulting appeal which was dismissed.

1.23 The two applications are within a short distance of each other and the findings in relation to the heritage assets must be taken into account when considering Madge Bank.

1.24 Whilst English Heritage were not given the opportunity to comment, the Planning Officer with delegated authority chose to refuse this application on the following relevant grounds which also apply in the case of 21/2014/14630 Madge Bank

1.25 *'Reasons for Refusal: (14542) 1. It is considered that development of the application **site would result in the loss of an important open space that is a key element to the character of the settlement of Cononley and***

**contributes to the significance of the heritage asset of the Cononley Conservation Area.**

*As such the proposal is not considered to represent good design and fails to improve the character and quality of the area and the way it functions contrary to both Saved Policy ENV1 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan and the NPPF. 2.*

*The overall design and layout of the proposed housing scheme is considered to be visually at odds with other development in the immediate vicinity of the site and of insufficient visual interest and thereby unsuitable for development in a **prominent location within the Cononley Conservation Area.***

*The NPPF advises that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. For these reasons the proposals are not considered to represent good design and are therefore contrary to the requirements of the NPPF. 3. .... and the development is therefore considered to be contrary to planning policy within the NPPF and Saved Local Plan Policies ENV2 and T2.*

1.26 It should be noted that the application site is LESS PROMINENT than the Madge Bank site.

1.27 The application 21/2014/14542 was subsequently appealed and that appeal dismissed by the planning inspectorate.

1.28 In the Planning Inspector's summation he clearly states the following which applies to the Madge Bank site:

*'Whilst the harm to the significance of the CCA is less than substantial, I have no evidence before me to suggest that any public benefit would outweigh that harm. I therefore conclude that the development would fail to preserve the character and appearance of the local area, contrary to policies ENV1 and ENV2 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan 1999 (LP) that seek, among other things, to ensure that development in the open countryside helps to maintain or enhance landscape character and avoid unacceptable impacts'.*

1.29 The Inspector goes on to state:

*Whilst the proposal would make a clear contribution towards the supply of affordable housing and would be located within easy reach of local services, paragraph 8 of the Framework indicates that sustainable development can only be achieved where economic, social and environmental aims are sought jointly and simultaneously. **Furthermore, paragraph 9 goes on to indicate that sustainable development involves seeking positive improvements, not only to the quality of people's lives but also the built, natural and historic environments. In this respect I have found that the proposal would cause significant harm to both the built and historic environments. In my judgement, having had regard to the policies of the Framework as a whole, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits.*** Consequently, it would not amount to a sustainable form of development and the proposal is thereby inconsistent with paragraph 14 of the Framework.

1.30 The Inspector concludes:

*I have found that the proposal would not cause significant harm to highway safety. However, having regard to the information before me and my own observations on site, I conclude that, on balance, the proposal would be unacceptable due to its impact on the character and appearance of the local area and that the appeal should therefore be dismissed.*

1.31 Planning Guidance in the NPPF in relation to Heritage Assets

*What is the setting of a heritage asset and how should it be taken into account?*

*The "setting of a heritage asset" is defined in the Glossary of the National Planning Policy Framework.*

*A thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which **proposed changes enhance or detract from that significance and the ability to appreciate it.***

*Setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not.*

***The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and***



***vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places.*** For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

*The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance.*

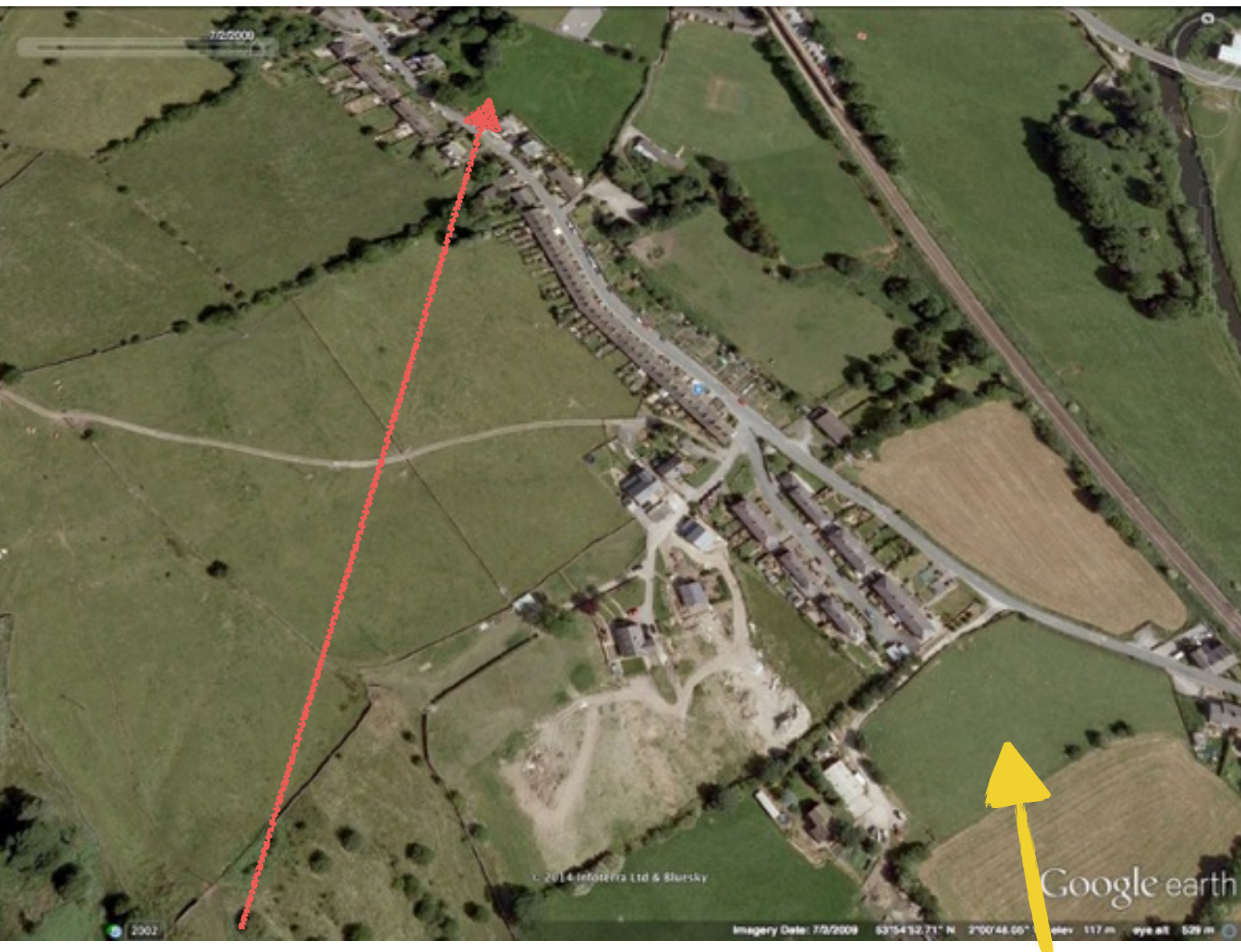
*When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation.*

1.32 Turner's Cote or Boggart's Barn\* There has been a barn in the top corner of the field since, at least, the 18th century and it appears on Samuel Swire's map of 1813. John William Moorhouse (1878-1959) told a story that: 'Madge Bank was undoubtedly one of the earliest plots to be cultivated (in Cononley). (see history) CPRE have such concern regarding the protection of this building that they request an Article 4 Direction be placed upon the structure.

1.32 Conclusion Heritage Assets

**CPRE CRAVEN REQUESTS THAT THE APPLICATION BE REFUSED ON THE GROUNDS THAT IT WILL IMPACT ADVERSELY ON THE CHARACTER AND APPEARANCE AND SETTING OF THE CONONLEY CONSERVATION AREA**

Image three illustrating proximity of two sites.



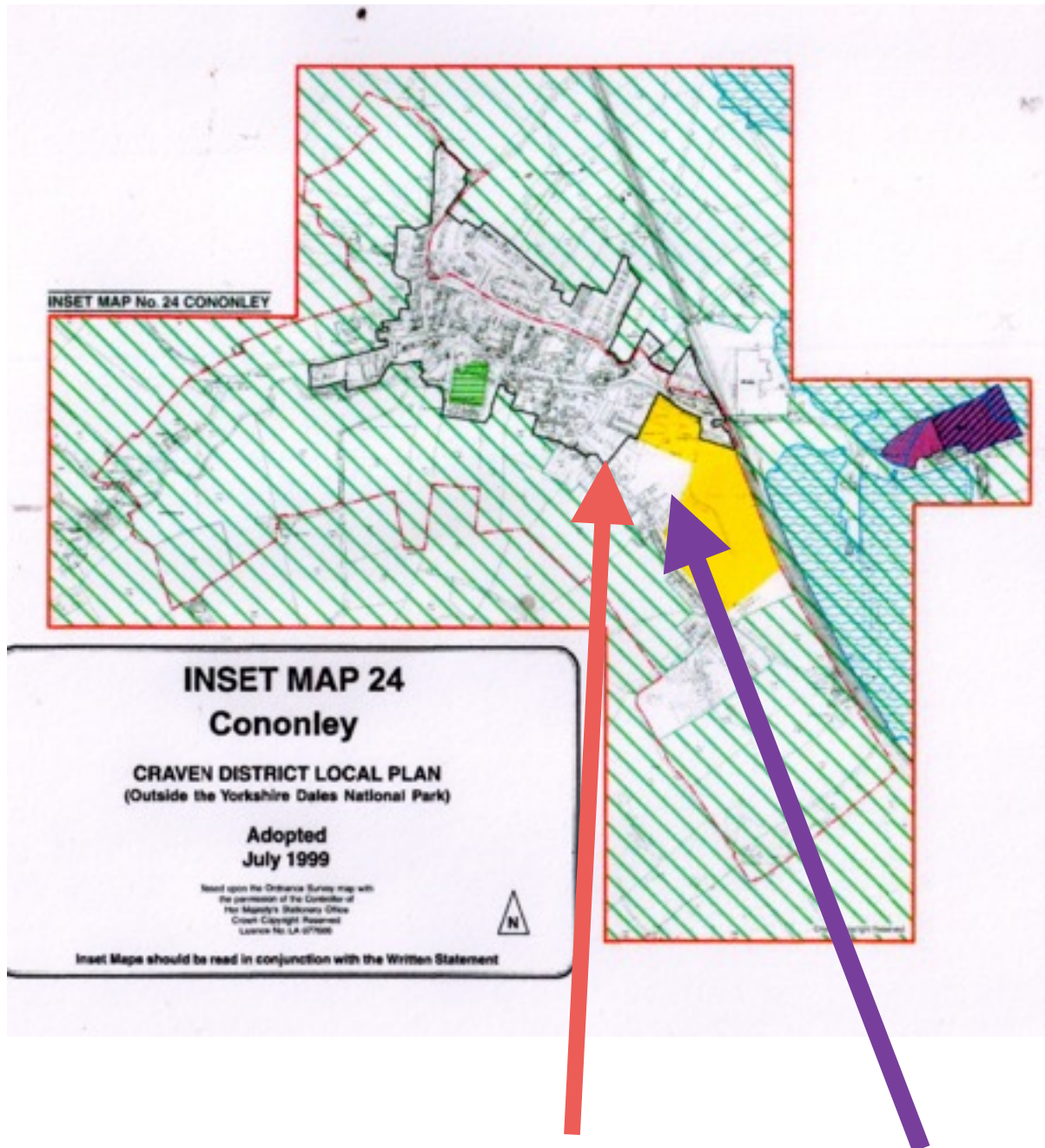
Madge Bank site red arrow

Crag View Yellow arrow

## 2 Outside village development limits

2.1 The application site falls outside the defined development limits according the current local plan.

Image 5 illustrating the development limits



Purple arrow illustrates Madge Bank  
Red Arrow illustrates development limit

2.2 The NPPF clearly states that one of the 'core land-use planning principles that should underpin both plan making and decision taking' is to 'take account of the different roles and character of different areas, promote vitality of our main urban areas, (protecting the Green belts around them) **recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it**'.

2.3 The green belt does not apply to Craven as the district does not have any green belt designation. There was a special landscape status that applied to the area but this policy was not 'saved' by CDC. In our opinion the lack of special landscape status merely enhances the importance of conservation areas and development limits within the district.

2.4 **Local Plan Policy ENV1 – Development in Open Countryside states that the Council will protect the character and quality of the open countryside from being spoilt by sporadic development by defining settlement limits** and that small scale development having a rural character will only be permitted where it clearly benefits the rural economy, helps to maintain or enhance landscape character, is essential to the efficient operation of agriculture or forestry, or is essential to the needs of the rural community. This development will not maintain landscape character, it will remove agricultural grazing land and in our opinion is not essential to the needs of the local rural community therefore it fails ENV1

## 2.5 CONCLUSION

**CPRE Craven submits that this application site is outside Cononley development limits. It would fail to preserve the character and appearance of the local area contrary to policies ENV1 and ENV2 of the Craven District (Outside the Yorkshire Dales National Park) Local Plan 1999 that seek among other things to ensure that development in the open countryside helps to maintain or enhance landscape character and avoid unacceptable impacts.**



### 3.0 Loss of valued open space

3.1 The field at Madge Bank has been described by the Parish Council, the first tier of Local Government, as:

*"probably the single most important undeveloped field in the village as it helps to preserve the open rural aspect which makes Cononley unique".*

3.2 Open space should be taken into account in planning for new development and considering proposals that may affect existing open space (see National Planning Policy Framework paragraphs 73-74).

3.3 **Open space, which includes all open space of public value**, can take many forms, from formal sports pitches to open areas within a development, linear corridors and country parks.

3.4 It can provide health and recreation benefits to people living and working nearby; have an ecological value and contribute to green infrastructure (see National Planning Policy Framework paragraph 114), **as well as being an important part of the landscape and setting of built development**, and an important component in the achievement of sustainable development (see National Planning Policy Framework paragraphs 6-10).

3.5 It is for local planning authorities to assess the need for open space and opportunities for new provision in their areas. In carrying out this work, they should have regard to the duty to cooperate where open space serves a wider area.

image 6 historical village use of the application site



3.6 The spaces between buildings and particular landscape features often create a significant part of an area's character. They often form the setting or backdrop to settlements and important buildings, as well as very often having an important functional role in themselves. It is essential that such open spaces are offered protection from development.

**3.7 CPRE Craven submits that the application site forms a significant part of the the area's character. The open space is highly valued by the local community, this value being endorsed by the Parish Council. The application should be refused.**

image 7 showing the open nature of the application site



## 4.0 Highways and access

4.1 The Crosshills Road is narrow congested and used frequently by locals and those wishing to avoid the level crossing in Cononley.

4.2 Cars park on the road side, there is no alternative parking available. Access requires purchase of a small strip of land currently used to park cars to improve traffic movement. The removal of this parking space will further aggravate parking in an already congested area.

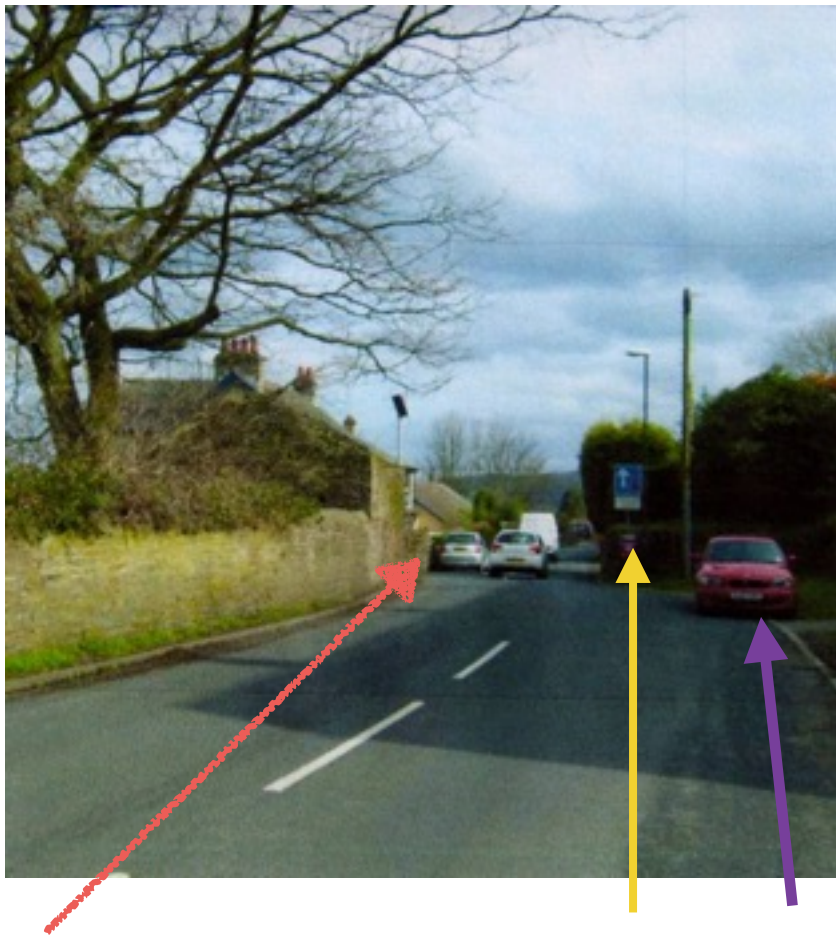


image 8

- a) illustrating the narrowing and congestion at the proposed entrance to the site red line.
- b) car partly parked on the road side and the land needed to improve access to the site (purple line)
- c) one directional traffic flow already in place at the proposed entrance to application site yellow line.

4.3 Given the lack of pavement (illustrated in image 8) any increase in traffic that would result from the proposal and the impact this would have on pedestrians and other road users, particularly during peak periods of



movement, there are increased road safety concerns. Note, we understand that the developers propose a new pavement from the site towards Cononley but the road from the proposed development towards Crosshills remains without pavement

*image 9 illustrating lack of pavement and existing congestion (2009)*



*courtesy of Google Earth*

4.4 We submit that this development has the potential to cause significant harm to highway safety and that is contrary to policies ENV2 and T2 that seek (amongst other things) to ensure that development is appropriately related to the highway network and that rural roads **can accommodate the traffic.**

4.5 Inadequate road width: The width of Crosshills Road at the proposed junction, where there is an existing wall corner and an increased kink in the road is insufficient to enable two vehicles to pass. It should be borne in mind **that this is a bus route** and it is also frequently used by agricultural and delivery vehicles. It will present a hazard and ultimately jeopardise highway safety if such vehicles need to reverse or squeeze through as a consequence of this scheme.

4.6 Cononley village is already congested. Vehicles use street parking thus creating two directional traffic passing problems. The applicant's agents themselves confirm this in their D&A statement which clearly reports '*many cars can be seen parked on street or in small pull off areas*' (however, the



application proposes to remove one such pull off area to provide improved access to the new development site, see image 8b).

4.7 The D& A statement waxes lyrical about providing a safe vehicular and pedestrian access with a new footway, speed reduction measures and off street parking for the benefit of existing residents yet the suggestion to relocate two parking spaces and reduce the available parking spaces shows little consideration for existing residents.

4.8 Further more the D&A statement fails to clearly illustrate that the pavement will **reduce the width** of the road increasing the length of the bottle neck with passing of cars difficult and passing of large vehicles such as farm, delivery or caravans and buses impossible.

4.9 The installation of speed reducing humps creates its own problem in that there is an increase in vehicular noise which becomes intensified when large vehicles, farm vehicles or vehicles towing negotiate them (see Noise pollution). This will again impact adversely on existing residents.

4.10 Peak traffic flow danger: The Road safety audit report only considers the **average** impact on **average** traffic volumes and concluded that it is insignificant.

4.11 However, following discussion with experts and residents we submit that the traffic issues on Crosshills Road arise not from the average, but from the daily peak flows that occur as a result of the level crossing being down for 10-15 minutes at a time during peak times.

4.12 Research proves that the barriers are down for 40 minutes in an hour during the day.

4.13 When the barriers are raised, up to 10-20 vehicles attempt to drive up Crosshills Road from the village centre. The first 100m of Crosshills Road, is not wide enough for 2 vehicles to pass, the second 100m is single file due to an awkward kink and parked cars. The only relief for cars approaching from Crosshills is to reverse into, or queue in, the two lane section in front of Prospect House (see below). The first 100m of Crosshills Road, during peak hours regularly requires buses, trucks and cars to reverse and manoeuvre on a road being used by families to walk to school (and there is no footpath).

4.14 Road safety resulting from parking issues: the number of parking spaces currently available on the roadside is approximately 11-12, and the revised parking bays provide only 8 spaces.

4.14 These spaces are used by residents and visitors to the Prospect House row of houses. As with the whole length of Crosshills Road within Cononley, all spaces are full each evening and weekend.

4.15 There is no justifiable reason to reduce the parking availability for existing residents to accommodate new development.

4.16 This application if approved, would potentially result in the road outside Prospect House becoming single track and vehicles emerging from the new development and turning left will need to cross onto the wrong side of the road BEFORE they can see if it is safe to do so.

4.17 We at CPRE have grave concerns regarding the gradient of the access road. We submit that the access will be steep and potentially hazardous to negotiate for some drivers.

4.18 Further more, the access will require the construction of enormous earth banks across the field further degrading the Cononley Conservation area.

## **Conclusion**

**It appears to CPRE Craven that to accommodate this application for new homes, existing residents and road users have to suffer increased noise pollution, reduced parking, congestion and highway hazards. The application should be refused on the grounds of access and proposals for access being unacceptable.**

## 5.0 Noise Pollution

### 5.1 NPPF Para 109

*The planning system should contribute to and enhance the natural and local environment by:*

- *protecting and enhancing valued landscapes, geological conservation interests and soils;*
- *recognising the wider benefits of ecosystem services;*
- *minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
- **preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and**
- *remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

5.2 Any noise on site during development would present a temporary problem and is not being addressed in the objection. However, the measures used to create improved access will permanently increase the levels of noise pollution, specifically to the existing residents.

5.3 One of the measures to reduce traffic speed is directly outside St. John's House.

The slowing of traffic, followed by acceleration is more impactful than a constant noise.

Therefore the impact of large vehicles negotiating traffic slowing measures will be increased and will impact adversely on existing residents, in particular those in close proximity to the traffic calming measures.

Note in this area the range of motor vehicles frequently using the road includes tractors and trailers, larger delivery vehicles, buses and refuse vehicles}.

5.4 Various traffic calming schemes have been introduced by local authorities to slow traffic but the most effective usually involve some form of vertical deflection, normally in the form of a road hump or speed cushion. Although, vertical deflections are effective at reducing traffic speed there has

been concern raised by some local authorities about disturbance to residents from vehicle noise and ground vibrations as well as discomfort to road users.

5.6 Larger vehicles are known to be prone to generate above average levels of suspension related noise and body rattles when driven over uneven road surfaces.

*source Abbott, P, Tyler, J, Layfield*

Research indicates that empty trailers and goods vehicles produce increased noise.

5.7 Increased noise from new development within the conservation area.

In addition to the potential for increased noise levels in relation to the speed reduction measures, there is the potential for increased noise levels from the new homes. The amount of parking for vehicles proposed on the site gives a good idea of likely traffic flows to and from the site.

5.8 The creation and location of parking sites is significant to tranquillity as **the starting and manoeuvring of cars is a relatively noisy operation and can produce more in the way of fumes than cars passing on the road.** In the case of the properties at Madge Bank and St John's House, this increases the impact on their amenity on three sides in the case of Madge Bank and two sides at St John's House.

## **Conclusion**

**CPRE submits that increased noise levels will impact adversely on the existing residents of Cononley. That the measures to reduce road width to accommodate the new development will exacerbate congestion and ultimately vehicular noise levels in an already congested village and this should be taken in consideration when debating this application.**

## 6.0 Housing need

6.1 Madge Bank is referred to as CN004 in the SHLAA and **was not taken forward** as a preferred site.

6.2 Cononley has a requirement of 3 houses per annum or 15 over five years in the draft plan out for consultation September 22-November 3 2014)

6.3 CN006 Station Works north of Cononley Lane 45 houses is the preferred site recommended for development in the emerging local plan which fulfils the quota for Cononley.

6.4 Far from failing to have a five year supply, Craven has sufficient land identified for development to satisfy a 20 year requirement.

6.5 There has been no Housing Position Statement published since November 2013. At that time a five year supply had been exceeded by 29. This despite adding 20% to the number of units required (5% for choice and a further 15% for shortfall) and subtracting a further 20% for slippage. Consequently, to achieve a surplus of 29 over a five year period, based on a target of 160 p.a., required identification of 1235 potential units.

6.6 There have been more approvals over the past year (including 34 units at Embsay, 45 at Raikes Road Skipton and few completions. CDC has also identified a 15 year housing land supply in its Draft Local Plan, having dismissed this site in assessing their preferred options.

6.7 NPPF Para 49 states that in circumstances such as this, relevant policies for the supply of housing should not be considered up to date. Meaning that where relevant policies are out of date, there is a presumption in favour of sustainable development unless the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.

6.8 The above illustrates that there is land and are existing permissions for 1235 properties in Craven as at Nov 2013 to satisfy an initial target of 800.. Whilst the Council grant the permissions to develop they have little impact on the successful delivery of these sites.

6.9 Approval of this application would perhaps make a clear contribution to the number of affordable houses and would be located within easy reach of local services. However:

NPPF Para 8 states clearly that sustainable development can only be achieved where economic, social and environmental aims are sought JOINTLY AND SIMULTANEOUSLY (see sustainability)

6.10 The required and identified need for Cononley can be provided from the site known as CN006 which also reduces the impact of traffic on the village settlement side of the railway line and therefore reduces congestion.

## **Conclusion**

**When considering the current local plan, the emerging local plan and the NPPF against this application, there are sufficient grounds to refuse this application on housing need.**

**Craven District Council, as illustrated, has in excess of a five year supply and therefore the application should be refused.**

**The harm outweighs the benefits of the application and it is not sustainable.**

## 7. The proposal is not sustainable

Presumption in favour of sustainable developments.

7.1 CPRE Craven submits that this development is not sustainable. It should be remembered that sustainability is three fold in terms of development:

Environmental, Economic and Social. This development fails to meet these criteria.

7.2 Whilst emphasising the economic and social benefits of development including new housing, the NPPF makes it clear that the planning system also has an environmental role. To achieve sustainable development, the economic, social and environmental roles of the planning system should not be undertaken in isolation, as they are mutually dependent. NPPF Para 8 illustrates that sustainable development can only be achieved where economic, social and environmental aims are sought JOINTLY AND SIMULTANEOUSLY

7.3 Craven District Council's own saved policy states:

*'Sustainable Development*

2.1 *All development must take full account of the need to protect the environment so that present day demands do not compromise the ability of future generations to meet their own needs or enjoy a high quality environment. **All development must therefore reflect the needs and the quality of life of residents, conserve resources and protect the plan area's essential character and environmental assets such as:***

***The character and quality of the landscape***

*The undeveloped nature of the countryside*

*The area's recognised nature conservation value*

*High quality agricultural land (see loss of grazing)*

*The quality of air and water supplies*

***The open spaces within, between and surrounding settlements.***

***The buildings and areas of important townscape, historic and architectural interest***

***Land of recreation and amenity value'***

7.4 The application fails to reflect the needs of the quality of life of residents

7.5 The application fails to recognise and protect the character and appearance of the landscape

7.6 The application fails to recognise the undeveloped nature of the open space within Cononley village and entirely within the Cononley conservation area.

7.7 The application would present a loss of valuable grazing land. (see loss of grazing)

7.8 The application fails to address and recognise the importance of open spaces within the Cononley conservation area and the village.

7.9 We all too often hear the cry that Craven desperately needs young families moving INTO the area and that we are a rapidly ageing population area. Cononley is a balanced mix of young families and retirees. Both move here because of the rural aspect and setting. This application would further degrade the rural character of the village and thus discourage the young families the area so desperately needs from moving or worse, remaining in the village.

## **Conclusion**

**The application is unsustainable and should be refused.**



## **8 Loss of agricultural land**

8.1 Craven's grazing land is the key element of our agricultural industry. The farms produce the back drop and the unique Dales setting that attracts the tourists. Our grazing land cannot be dismissed as low value.

8.2 There is a proven need to increase food production in the United Kingdom. Complacency is a genuine risk to future UK food security. If we want our food production and supply systems to be secure, government and food producers must plan to meet the impacts of climate change, population growth and increasing global demand for food.

Craven contributes considerably in the production of cattle and sheep for 'finishing'. It was pointed out to the Spatial Planning Sub Committee and planners at a meeting on the 19th of August that Farming is woefully neglected in the draft local plan. The Chairman and committee agreed and advised Craven District Council planners to consider measures to correct this. Food production is scarcely mentioned at all in the Draft Local Plan.

8.3 Farming contributes significantly to the tourism that provides substantial income and generates employment in Craven. It is farming that maintains hedgerows, dry stone walls and the character of the Craven countryside. The agricultural industry of the Yorkshire Dales area contributes significantly to food and milk production.

8.4 It is therefore essential to protect farm land, as in the case of Madge Bank, from development.

8.5 English Heritage recognise and publish information on the importance of and maintenance of historic field patterns in English Countryside. [www.english-heritage.org.uk](http://www.english-heritage.org.uk).

8.6 Villages in Craven frequently illustrate mill industry and farming side by side. It is an important part of the history of the district and should not be overlooked.

8.7 Each granted permission for the development of green fields pushes up the value of grazing land squeezing those who wish to pursue agriculture out of the market.

8.8 We need to protect and encourage our farming community and enable their continued use of the land to contribute positively to the food chain and tourism.

**CPRE recommends that the application on this site be refused because the land is good quality grazing land of great value to farming and food production and our rural heritage.**



Image 10 illustrating sheep grazing n.b. sheep have been taken off the field since the start of the applications to obtain planning permission  
image 11 below recent evidence of hay making on field



## 9.0 Landscape

Craven District is recognised for its outstanding landscape quality.

9.1 The quality of Craven District's landscape outside the Yorkshire Dales National Park and the Forest of Bowland AONB was previously recognised as an "Area of Great Landscape Value" under the West Riding County Development Plan. In 1991 North Yorkshire County Council's Conservation Strategy identified areas of the County where the landscape quality is high and worthy of recognition in a regional or county context. This document indicated a Special Landscape Area or SLA across the whole of Craven District outside the National Park and the AONB. This was not saved by CDC. Harrogate Borough Council apparently did save SLA landscape status.

### 9.2

Craven District Outside The Yorkshire Dales National Park And Forest Of Bowland AONB; Landscape Appraisal: Final Draft, October 2002

Craven District Council produced a more detailed Landscape Character Assessment in 2002 which drew on the findings of the study above and defines the character of the rural areas outside the Yorkshire Dales National Park And Forest Of Bowland AONB, in more detail at a local scale by subdividing the District into 22 Landscape Character Types on the basis of their overall characteristics and the recurring pattern of landscape elements within them.

9.3 The site is in the Landscape Character Type of Semi-enclosed Intermediate Landscapes.

9.4 There are three semi-enclosed intermediate landscape character types that lie between the lowland and upland areas, and display characteristics of both; there is no strongly defined boundary between this type and the lowland and upland landscapes. The intermediate landscapes are generally more sheltered and less exposed than higher areas, within predominantly gently rolling grazed hills, and a combination of hedgerows, dry-stone walls and fences as field boundaries. Narrow roads wind throughout the area, often bounded by stone walls, giving a sense of enclosure and obscuring views.

9.5 The site is part of local type 10: Pasture with Wooded Gills and Woodland; is described as:

Key Characteristics:

- Rolling pastoral landscape generally within the lower slopes and along valleys;
- Small-medium scale fields enclosed by a network of dry-stone walls;
- Medium vegetation cover with some scattered vegetation and concentrations of vegetation within wooded gills;
- Small linear settlements and villages situated within valleys.

9.6 Description:

This rolling, pastoral landscape of medium sized fields is enclosed by an intact network of dry-stone walls, which impose a strong pattern on the landscape making a significant contribution to landscape character. Deciduous woodland along becks follows the topography of steep sided gills, creating a distinctive element within the landscape. Small linear settlements and villages situated within the valleys are common within this landscape character type. Narrow roads wind throughout the area, often bounded by dry-stone walls, giving a sense of enclosure and obscuring views.

9.7 Character: STRONG

- Rolling pastoral landscape with distinctive pockets of woodland and wooded gills following the topography;
- Distinctive settled character containing a number of linear settlements, villages and hamlets in valleys.

9.8 Condition: GOOD - DECLINING

Generally good landscape condition with signs of localised decline in some areas, for example sections of dry-stone walls.

Built Development:

The area includes many settlements within the valleys, and the landscape could be vulnerable to development pressures from these settlements.

9.9 Sensitivity to Change:

- With a setting confined mainly to valley sides, these areas are highly visible from large areas of the surrounding landscape;
- Sites of nature conservation value such as Ancient Woodlands are particularly sensitive to change.

9.10 Landscape Quality Category 2 - Conservation / Reinforcement:

- Conserve the existing field boundary pattern through conservation of dry-stone walls;
- Conserve and manage areas of Ancient Woodland/ wooded gills/ woodland pockets;
- Restore disused quarry sites sensitively;
- Conserve and manage existing SSSI.

**Conclusion The impact of development on the landscape character of this area is potentially a significant issue.**

**The existing development along the Crosshills road is linear in the main. Further development would degrade the linear character part of the key characteristics of the landscape character assessment.**

**The condition of the landscape character is described as good to declining, thus identifying the need to prevent further decline. The area includes many settlements within the valleys, and the landscape could be vulnerable to development pressures from these settlements. This application presents development pressure that does not benefit the landscape character. This application should be refused**



Image 12 looking down on linear development

## 10. Adverse impact on the amenity of local residents of Cononley

- Adverse effect on the residential amenity of neighbours, by reason of (among other factors) noise\*, disturbance\*, overlooking, loss of privacy, overshadowing, etc. [\*but note that this does not include noise or disturbance arising from the actual execution of the works, which will not be taken into account]
- 'Amenity' is a broad concept and not formally defined in the legislation or procedural guidance, i.e. it is a matter of fact and degree and, certainly **common sense**.

10.1 The proposal would create an adverse effect on the residents in close proximity to the site. Increased noise, including vehicular noise. In the case of Madge Bank, it will create noise on two sides of the property and increase road noise on a third side, i.e. Crosshills road. See noise pollution.

10.2 The application fails to reflect the needs of the quality of life of existing residents of Cononley.

10.3 The development will not only increase noise pollution of the area it will impact on light pollution and create light where there was previously no light pollution.

10.4 The proposal will increase road traffic in the area, remove parking spaces for existing residents, add to the congestion in the village and reduce the quality of life of existing residents of Cononley.

The common sense aspect of the government guidance on what constitutes amenity should apply here and the needs of existing residents of Cononley should be given precedence - they should be permitted to live in peace and enjoyment of their surroundings.

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## **11. RECOMMENDATION**

**Taking all the matters raised into account, the impact of granting permission would significantly outweigh the benefits of the proposed development when assessed against the policies of the NPPF as a whole and the saved CDC policies.**

**A suitable site that would meet the needs of Cononley for the next fifteen years has been identified.**

**We request the application be refused.**

## 10 History & Archaeological Potential

The settlement of Cononley dates back to medieval times when much of the cultivated land formed part of the estate of Bolton Priory.

Most dwellings in Cononley date back to the 17th century; the oldest surviving building (Milton House) dates from 1635. It is rumoured that 'The Old Hall' part of Cononley Hall, which was thought to have been a Jacobite safe house in the 18th century (escape tunnel in the fireplace), could be much older. It has a stone in the loft dated 1436, whilst the other half of the house mostly dates back to the first half of the 19th century, which was when the village was a centre for handloom weaving and lead mining.

Local Historian, Mr David Gulliver has provided the following background about the proposed development site. In light of this research, it would be tragic to destroy such valuable historical assets, namely "Turner Cote" and "Madge Bank" which are visible on a map of Cononley dating back to 1813.

*'Before their dissolution in 1540 it evidently formed part of the estates of the Knights Hospitallers of St. John of Jerusalem, a fact which was still recorded locally in 1791. **The twisting western boundary of the field (with St. John's House) has the character of a medieval land division and its natural history might be worthy of further study.***

*Although one might imagine that 'Madge' referred to a person named 'Margaret', it probably is a reference to it being a home of the magpie (a name itself derived from 'Margaret Pie[d]') or to barn owls. The name of this sloping field is sometimes spelt as one word and sometimes as two in old documents.*

*I was mixed up in a matter which concerned the boundaries of that field – besides myself, Mr. Broster and Mr. T.W. Chambers were in it. The latter gentleman was much interested in ancient history and traced the thing back in his documents to an act passed in 1382'. Thomas Washington Chambers was the solicitor to Mrs Edith Bryer Hinde, owner of the land now occupied by Cononley Village Playing Field and Cononley Sports Club. John Willie Moorhouse also told the story of the*



boggart which Trevor Hodgson and I recounted in our 'History of Cononley'.

On Cross Hills Road a 'boggart' haunted Turner Cote, the small barn between St. John's House and Madge Bank. This character was said to attack unaccompanied ladies. However a man or even a male baby was enough to scare it off. The flirtatious girls living on Aire View persuaded their mothers that it was essential that they were accompanied by a young man to remove this risk. Some young ladies who thought that even this course of action might have its risks were reputed to give boys a halfpenny to accompany them past 't' boggart 'oil'. The erection of a gas lamp opposite Turner's Cote in 1900 reduced the risk from boggarts, real or imagined.

Although John Willie Moorhouse's imagination and memory often got the better of him, he was right in thinking that Madge Bank had been part of the Tillotson family's Cononley farm for many centuries. On the 10th January 1756 Hugh Tillotson let to William Lee of Cononley a 'House, Garden, Orchard, Turfhouse, Swine Coat & Coalhouse at Cononley with Madge bank, Madgebank Barn (and two other fields) for One year' at a rent of £12.10s. The land was to be occupied from Candlemas (2nd February – a traditional day for agricultural tenancies to commence and one used for nearly a century by Cononley Parish Council for its allotment tenancies). Just over twenty years later, in July 1777, the whole farm, including 'the Madgebank with a Barn standing therein' was sold to Roger Swire. During much of the 19th century the Swire's tenant of Tillotsons Farm and of 'Madgebank' was Joseph Turner after whom the little barn acquired the name 'Turner Cote'.

In 1906 John Holdsworth, headmaster successively of two Cononley schools from 1895 until his death in 1923, had 'Madge Bank' built on Cross Hills Road. It was a contemporary house which was widely admired.

David Gulliver 11.2013

## Planning History - relevant applications

### **21/2013/13960**

Application received 3 October 2013

Consultation Period ended 14 January 2014

- **English Heritage was not consulted**
- Application was withdrawn
- Agents were Windle Beech Winthrop
- No mention of whether the site was within or outside development limits
- Landscape appraisal Intermediate 10 Pasture with wooded gills and woodland
- Valley pasture landscapes 1 - Flat open floodplain

Application **21/2014/14542** The Barn, Crag View refused

Appeal **C/2708/A/14/2222889** Dismissed

# Cononley

## A thriving, sustainable Craven village



By 1851 the population of Cononley had grown to 1,272. In the late 19th century most people in Cononley were employed in one of the two village textile mills. Today, with a population of 1,080 (2001 Census), farming is **still significant**, and there are still a few local businesses.

The current population is comprised of a wide ranging demographic with a healthy number of young families and children. Cononley has an active community spirit and a Parish Council fully representing the needs of its residents. The village is alive, thriving and an attractive, healthy place to live and become part of a rural community.



We campaign for a beautiful and living countryside. We work to protect, promote and enhance our towns and countryside to make them better places to live, work and enjoy, and to ensure the countryside is protected for now and future generations.

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