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Authority: Richmond District Council

Type of consultation: Planning Application

Full details of application/consultation: 20/00322/FULL - Full planning permission for residential development (150 dwellings) including access, parking, open space and associated infrastructure

At land at: East of Cookson Way, Brough with St Giles, North Yorkshire

Type of response: Comment with concern

Date of Submission: 11th June 2020

All responses or queries relating to this submission should be directed to the Secretary for the Trustees at the contact details shown above on this frontispiece.

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

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Comment

The North Yorkshire branch of Campaign to Protect Rural England
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CPRE North Yorkshire (CPRENY) welcomes the opportunity to comment on this application for a large new residential development to the east of Brough with St. Giles.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application should be determined in accordance with the development plan unless material planning considerations indicate otherwise. The planning system should contribute to achieving sustainable development. The National Planning Policy Framework (NPPF) (2019) aims to deliver sustainable development through the implementation of its policies. Paragraph 11 states that for decision making this means:

- c) *'approving development proposals that accord with an up-to-date development plan without delay; or*
- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:*
 - I. *The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - II. *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'*

Paragraph 213 of the NPPF clarifies that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. Weight should be given to them according to their consistency with the NPPF. (The closer the policies in the plan to the policies in the Framework, the greater the weight that should be attributed).

The Development Plan relevant to this application consists of:

- The Richmondshire Local Plan 2012-28 Core Strategy (2014); and
- Saved Policy 23 of the Richmondshire Local Plan 1999-2006.

Richmondshire District Council (RDC) have recently commenced a review of the Local Plan in order to update policies for new development. The Issues and Options Consultation was undertaken in 2018 and CPRENY commented at that time. The Preferred Options Consultation was due for consultation in May/June 2020, however, with the current situation regarding COVID-19, it is likely to be delayed. Due to the early stage of plan preparation, weight cannot be given to any themes or emerging policies in a new Local Plan at this time. Therefore, CPRENY believe that the proposals should be determined against the provisions of the saved local plan.

The proposed site has an area of 4.1Ha of greenfield land to the north east of Brough with St. Giles, circa 350m north of the centre of Colburn and to the east of Catterick Garrison.

The plans propose vehicular access from Churchill Drive to the west of the boundary into the existing Regents Park estate, which links via roundabout onto Cookson Way which links to Catterick Road (A6136). No public rights of way cross the site although an existing footpath links the north western boundary of the site with the outer edge of Regents Park.

The site is located out with the development limits of the village as shown on the Policies Map which has been retained by Saved Policy 23 of the Richmondshire Local Plan (adopted 1999). The textual justification for development limits sets out that development limits enable the District Council to prevent indiscriminate outward growth, which may impact detrimentally on the landscape setting of a settlement. Core Strategy

Policy CP4 modifies the saved policy and enables the assessment of development proposals both within and adjacent to the areas defined in Policy 23.

The Core Strategy identifies part of the Catterick garrison area as location as being within a strategic growth development area and shows this area clearly on the adopted (and retained) policy map. The site is clearly outwith this area so not in line with policy.

However, it is noted that the site benefits from outline planning permission, therefore the principle of development on the site has already been established. 17/00628/OUT was approved in 2018 and permitted in outline development for up to 107 dwellings with all matters reserved apart form access and public open space. The applicant has since submitted a reserved matters (REM) application (19/00757/AORM) in relation to this site, which is pending consideration.

The applicant has stated in the submitted Planning Statement that the developer believes that there is an opportunity to deliver an alternative proposal of 150 dwellings following discussions with the council regarding the REM application and the level of affordable housing. The applicant has thus twin tracked the application and states the new proposal will deliver additional benefits to the Local Authority, including an overall housing mix that is closer aligned to the housing needs in the Council's latest Strategic Housing Market Assessment (SHMA June 19), and increased section 106 contributions and commitments which should deliver more affordable homes to contribute to meeting need within this area of the district.

The Council's Strategic Housing Land Availability Assessment (SHLAA) (June 2019) published as part of the evidence base for the new Local Plan is considered 'up-to-date'. It includes the site as 'available and deliverable' and sets out that it is included as a potential housing land allocation in the first 5 years of the emerging plan period. It recognises the application site is adjacent to the existing development limits of Colburn (in Appendix 5 – Catterick Garrison) and would be suitable for residential development benefitting from outline permission.

In principle, CPRENY do not have an objection to this proposal given the direction of policy. However, it is paramount that the appropriate number and density of development is approved on the site. The published '5-year housing land supply update' (Dec 19), sets out that the Council can demonstrate an 8.83 supply of sites and includes the application site – for 107 dwellings. CPRENY consider that 150 dwellings on this greenfield site with only one access point is not at all suitable or needed. The indicative approved outline plan shown in the supporting Planning Statement for this proposal indicates a much larger area of green space throughout the development making it much more sympathetic to its countryside location. CPRENY believe that the developer has maximised every inch of space within the proposal to achieve more buildings, to presumably offset the requirement of the Council to deliver more affordable units on site and a financial contribution. The block design of the development is not particularly inspiring, nor does it sit well next to the adjacent estate which is much more fluid in design. It is considered that the applicant has simply drawn as many houses as possible on the site whilst positioning the required outdoor space and LEAP area to the furthest edges of the site and within a landscape buffer to enable the deliverable space.

Core Policy CP6 sets out that Central Richmond (which includes the application site) should provide 40% affordable housing on site to cater for the need in this area. For 150 dwellings this would mean 60 units. The applicant has proposed 34 which equates to only 23%. Whilst a further contribution has been offered. CPRENY do not consider that the proposal is in line with the requirements of the policy.

Across the county, CPRENY are aware of many proposals where developers gain outline planning permission stating they are willing to deliver affordable housing and then at REM stage suggest that a site is unviable should they need to deliver the amount required by the Council.

CPRENY are aware that surface water flooding is an issue on part of the site and is a concern to local residents. In liaison with the statutory consultee, the Council are required to be satisfied that the proposals will not cause flooding elsewhere as a result of the proposed development and that the relocated pumping station is appropriate.

Finally, CPRENY are concerned about local infrastructure and the requirement for 150 dwellings to use one point of access. CPRENY believe that the applicant should prove that the access is safe and suitable in line with the NPPF test for the likely number of traffic movements associated with the size of development. The outline permission was granted based on 107 units, the local authority should be satisfied that the vehicular movements associated with the increased number of dwellings is appropriate for this location prior to determination.

Conclusion

In summary, CPRENY do not object to the principle of development at this location given the direction of policy and the extant permission, however, note that it is contrary to adopted Local Policy.

However, CPRENY are concerned that the scale and massing of the proposal is not appropriate at this location. The uplift in the number of units proposed will, it is considered, overdevelop the site and the design is not particularly inspiring. Despite the increased number of units, the applicant has still not proposed the correct number of affordable units on site in accordance with Policy CP6.

Finally, CPRENY believe that the Council will require to be satisfied with matters of access and local infrastructure alongside surface water drainage issues prior to determination.

CPRENY reserve the right to comment further should additional information be submitted in support of this application.