



The countryside charity  
North Yorkshire

PO Box 189  
York  
YO7 9BL

[www.cprenorthyorkshire.co.uk](http://www.cprenorthyorkshire.co.uk)

Tel: 07983 088120  
Email: [info@cprenorthyorkshire.co.uk](mailto:info@cprenorthyorkshire.co.uk)

Branch Chair  
Mrs J Arger

**Authority:** Richmondshire District Council

**Type of consultation:** Planning Application

**Full details of application/consultation:** 21/00133/OUT - Outline Application with Some Matters Reserved for up to 50 Dwellings and Associated Works

**At land at:** Rose Villa Farm, Wells Lane, Barton, Richmond, North Yorkshire, DL10 6LU

**Type of response:** Objection

**Date of Submission:** 19<sup>th</sup> March 2021

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.

External planning consultant used in this response:



KVA Planning Consultancy  
Katie Atkinson, BA (Hons), Dip TP, MA  
MRTPI  
[www.kvaplaning.co.uk](http://www.kvaplaning.co.uk)

## Comment

The North Yorkshire county branch of CPRE 'The Countryside Charity' ('CPRENY') welcomes the opportunity to comment on this outline planning application having previously commented upon an application for 35 dwellings in 2018 (17/00829/OUT) at the same site. CPRENY objected to the proposals at that time as it was considered to be introducing residential development into a new location which had previously resisted development to the east of the Wells Lane and thus extending the village into the surrounding countryside.

It is acknowledged that the Council chose to grant planning permission for the original outline proposal in February 2020 and as such the principle of residential development at this location is established. The original application was submitted in 2017 for 50 dwellings, however, because of Council opinion at that time, the applicant reduced the scheme to 35 dwellings and following a lengthy consultation period and subsequent signing of s106 agreement between the Council and the applicant it was agreed that the applicant would submit a scheme offering the delivery of 30% affordable housing on the site (amongst other things) at Reserved Matters stage. The applicant has not sought to apply for reserved matters as yet but has submitted this new outline scheme returning to the original '50' dwellings on site.

The Council has historically under-delivered against its housing targets in the current Local Plan, however, it is understood that the Council's most up to date 5 year housing land supply document (Dec 2019) sets out that the Council currently has an 8.83 year supply of deliverable sites. As such, it is understood that there is not a need for an additional 15 dwellings at this location especially when considered against the fact that the Council would only grant approval for 35 dwellings at one site within the village of Barton. Therefore, CPRENY maintains its objection to 50 dwellings at this site.

## Planning Context

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-date<sup>7</sup>, 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 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 to be published for consultation in May/June 2020, however, with the current ongoing situation regarding COVID-19, there has been some slippage. 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.

Policy SP2 of the Core Strategy determines that Barton is classified as a 'Primary Service Village' within the settlement hierarchy for Richmondshire, within the North Richmondshire Subarea – which is described in Core Policy SP1 as *"North Richmondshire is an area of more modest growth, reflecting its largely rural nature..."* it goes on to state that *"The strategy in this area will be to limit the scale of new housing development, in order to resist further in-migration from these adjacent parts and decrease pressures for cross-boundary commuting."*

This is supported by paragraph 3.1.29 which sets out that *"The Primary and Secondary Service Villages require an appropriate scale of development to meet local needs and support the continued delivery of local services, like primary schools and shops, in the most rural areas"*. Core Policy SP4 provides the detail for the distribution of new housing across the District over the plan period as a whole, stating that 9% of all new housing development will be directed to North Richmondshire, with the Primary Villages expected to deliver 13% of this new growth. Table 3 demonstrates that all the primary villages within North Richmondshire would be expected to deliver only 3% of this new growth over the plan period (approximately 105 dwellings spread throughout them). It is considered that permitting 50 dwellings at this location would lessen opportunities at other primary villages to sustain existing services by approving small scale development within them without leading to over delivery within this tier of the settlement hierarchy.

The proposed development site is located to the east of Barton village, adjacent to Wells Lane. It is currently within agricultural use forming part of a farmstead consisting of the farm-house and agricultural buildings associated with the operations of a dairy farm, extending to 2.42Ha although as stated above, it does benefit from an outline planning permission for 35 dwellings.

It is recognised that the applicant has sought to introduce a landscape-led approach to the delivery on site and this approach is supported. However, as this is an outline scheme, any information which has been submitted (including potential layout plan) should be considered indicative and liable to change.

## **Conclusion**

CPRENY welcomes the opportunity to comment on this revised outline application for 50 dwellings. CPRENY reserves the right to comment at the appropriate time should the Council be so minded to approve this application and a detailed application be forthcoming.

CPRENY maintains its strong concerns regarding the development of this site in a location which currently has no residential development although recognises that residential development at this site has been established in principle.

CPRENY object to the current proposal for 50 dwellings at Rose Villa Farm, Barton and respectfully ask that the Council refuse this application, allowing the applicant to develop out their approved 35 dwelling scheme.