



The countryside charity
North Yorkshire

Chair: Jan Agar

CPRE North Yorkshire CIO
PO Box 189
York
YO7 9BL

www.cprenorthyorkshire.co.uk

Tel: 07983 088120

Email: info@cprenorthyorkshire.co.uk

Authority: North York Moors National Park Authority

Type of consultation: planning application

Full details of application/consultation: NYM/2021/0923/OU – Application for outline construction of 9 no. dwellings with associated accesses, parking and amenity spaces together with public carpark and mixed-use industrial units

At land at: North East and East of High Street, Egton

Type of response: Object

Date of Submission: 15th December 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

Comment

CPRE North Yorkshire ('CPRENY') welcomes the opportunity to comment on the outline proposal for mixed use development of 9 dwellings, car park and industrial units at Egton.

CPRENY understands the proposed development forms an initial outline application with all matters reserved except for access. In support of the applicant, the submitted plans illustrate an indicative layout for the site, showing the proposed scale of the development, however, being an 'outline' application, this could change at the detailed application stage.

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) (2021) 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are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*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 219 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 North York Moors Local Plan (July 2020). Having recently been through independent examination and found sound, the Local Plan ('LP') should be considered up to date and thus full weight should be attributed to its policies. The NPPF is therefore to be given due weight as a relevant material consideration.

The LP considers that Egton is a 'larger village' in accordance with the settlement hierarchy. Strategic Policy B sets out that within larger villages *'development should support the service function of larger villages by providing additional housing (principal residence and affordable housing), employment and training premises and new facilities and services for the immediate locality only.'* Paragraph 3.12 goes on to explain that the LP *'allows for small-scale development in the main built-up area of these villages to meet housing, employment and community needs, including 'principal residence' housing on suitable sites ([in line with] policy CO7). No development limits are defined and the suitability of site for development will be defined on a case-by-case basis.'*

Policy CO7 sets clear advice as to when support would be given to housing in larger villages. Support will be given to proposals for principal residence and affordable housing will only be permitted *'1. on suitable small sites within the main built-up area of the village only [...]; 2. as a conversion of an existing building which lies within the main built-up area and makes a positive contribution to the character of the settlement...'* It also provides that *'proposals will be expected to meet the need for smaller dwellings'*. The indicative design submitted in support of the application shows all 9 dwellings being 2-storey, 3x bed properties. The

supporting text sets out clearly that this will generally be sites of no more than five dwellings. Any large sites which do not meet the guidance would only be considered for housing development as an exception to policy and proposals would be assessed under Policy CO11 which determines that to meet specifically identified local affordable housing needs, the development of 100% affordable dwellings will be permitted as an exception not policy on appropriate sites – the second criteria of the policy sets out that an appropriate site could be adjacent to the main built up area of a larger village.

The proposed site is located adjacent to the main built-up area of the linear settlement of Egton. The planning statement submitted in support of the proposals does not refer to any locally identified need nor the fact that this should be considered an 100% affordable exception site. It goes as far as setting out that the proposed dwelling will be for ‘principal dwellings’ at paragraph 4.2. Further, paragraph 7.2 sets out that the proposal for 9 new dwellings will provide ‘opportunities for new residents to be able to access Egton’s local services and facilities...’ This suggests that the housing is for new residents to the village rather than existing residents who are in ‘need’ of local housing. As such CPRENY consider that the proposal is, therefore, fundamentally contrary to policy. It is acknowledged that all matters are reserved bar access, however, as this is about the principle of the development at this outline stage, CPRENY cannot support the proposal which would inevitably extend the village into the open countryside beyond the main built form and not, should the indicative drawings be proposed at later stages, provide any smaller dwellings.

0.4Ha of the site is proposed to be for light industry/offices and storage facilities – again, there appears to be no justification of local/community need (in line with strategic policy B) which is essential to determine the outline proposal in principle at this stage.

The final element of the proposal is the creation of a new village car park, accessed via the existing site access just north of the existing village garage site which currently allows access to the proposed site (currently an agricultural field used for grazing). A new access road is to be created from the existing highway access along the southern boundary of the application site to serve the car park and the industrial units beyond but also access to the agricultural field which the applicant has relocated. There is some support for new carparks in the LP via Policy CO3, however, it is not sufficient for the applicant to state that there are no known impacts of constructing a carpark on this site in terms of the natural environment or heritage without commissioning the appropriate studies to evidence this. Further, the Environment Act now requires all new proposals to deliver a minimum measurable net gain in biodiversity of 10% across the site. The Planning statement alludes to the fact it will be possible to deliver net gains but offers no information as to how this would be achieved, and no metrics have been demonstrated.

The submitted location plan shows the area which bounds the main site and dwellings to be an area of landscaping with trees. These already appear to exist and abut the lay-by currently used as a small private car park. It is assumed that in the interest of nature conservation, the applicant would not intend to remove this mature boundary? Fig. 1 below shows the layby/car park and boundary planting.

Fig. 1 (@google maps)



To the south of the layby is a small area of informal off-road parking adjacent to the existing garage and workshop, shown in Fig.2 below:

Fig.2 (@google maps)

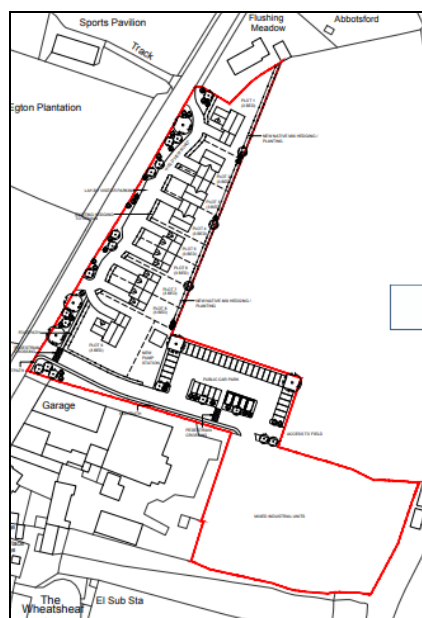


Fig. 3 below shows the extent of the greenfield site below where the actual development will take place with the layby and car park shown adjacent to boundary of the site.

Fig.3 (@google maps)



Fig 4. Extract from the applicants submitted block plan



CPRENY, therefore, assert that the proposed location cannot constitute previously developed land as intended by the definition set out in the NPPF. The actual built development on the site will be sited on agricultural land as seen in Fig. 4 above

In conclusion, CPRENY do not support the principle of a large-scale mixed use development on this greenfield site as it is contrary to policies contained within the NPA's adopted Local Plan, primarily that the dwellings are located beyond the main built up part of the village with no justification of local need or proposal for 100% affordable housing exception site. The applicant has not provided sufficient evidence to determine that the proposals will not harm the natural environment or heritage assets adjacent to this location.

CPRENY reserve the right to comment should further information be submitted in support of the proposal.