



The countryside charity
North and East Yorkshire

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Branch Chair
Mrs Jan Arger

Authority: Harrogate Borough Council

Type of consultation: Planning Consultation

Full details of application/consultation: 20/02973/EIAMAJ - Outline application, with means of access (from Clotherholme Road and Kirkby Road) for consideration, for a mixed-use development comprising: up to 1300 dwellings (Use Class C3), up to 60 extra care accommodation units (Use Class C2), retail, food and drink (Use Classes E, F2 and sui generis), community facilities (Use Classes E, F1, F2 and sui generis), 2ha of employment land (Use Class E), Primary School (Use Class F1), sports pitches with ancillary facilities (Use Class F2), public open space, landscaping, demolition of existing buildings and structures, and associated works (amended scheme).

At land: 21 And 38 Engineers Claro Barracks, Chatham Road, Ripon, North Yorkshire, HG4 2RD

Type of response: Objection

Date of Submission: 21st March 2022

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 and East 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
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Comment

CPRE North and East Yorkshire ('CPRENEY') welcomes the opportunity to comment on this outline application for the redevelopment of the Claro Barracks to provide up to 1300 dwellings, up to 60 extra care accommodation units, retail, food and drink, community facilities, 2ha of employment land, Primary School, sports pitches with ancillary facilities, public open space, landscaping, demolition of existing buildings and structures, and associated works. The site is located to the north-western edge of the city of Ripon within the Borough of Harrogate in North Yorkshire. The site is located to the south of Kirkby Road, the north of Clothholme Road and the east of Green Lane. The River Laver runs through the southern section of the site (Laver Banks). The application site consists of three separate areas: Deverell Barracks, Claro Barracks and Laver Banks. The proposed site measures approximately 86.55Ha in total. The application was submitted to Harrogate Borough District Council ('HBC' / 'the Council') on behalf of the Secretary of State for Defence and Homes England ('the applicant'). The site is currently owned by the Ministry of Defence ('MoD') and is currently an operational military base. However, the barracks and associated military land are scheduled to be vacated by the MoD over the next few years.

The application was originally validated in September 2020 and because of consultee comments has been subject to requests for further information. Most recently (January 2022) the applicant has made a supplementary planning submission reflecting changes to various documents and plans in support of the proposal.

Site Context

The majority of the Site is located within Ripon City Parish, with a small amount of land to the north adjacent to Kirkby Road located within North Stainley with Sleningford Parish and a small amount of land to the south, north of Galphay Road, located within Studley Roger Parish.

There are two designated heritage assets in proximity to the site: Studley Royal Park (a Grade 1 registered park) is approximately 500m from the Site boundary; and Fountains Abbey UNESCO World Heritage Site (WHS) approximately 1.1km away.

The majority of the proposed site is located in Flood Zone 1. The land alongside the River Laver is shown as Flood Zone and Flood Zone 3. The applicant has submitted a Flood Risk Assessment for the whole site.

The site contains no designated statutory sites for ecological purposes; however, the North Pennine Moors Special Protection Area (SPA) and Special Area for Conservation (SAC) are within 10km of the Site. There are five designated sites located within 2km of the Site:

- Hell Wath Local Nature Reserve (LNR): 800m southeast of the Site;
- Cow Myers Site of Special Scientific Interest (SSSI): 1.5km southwest of the Site;
- Ripon Park SSSI: 1.6km northeast of the Site;
- Quarry Moor SSSI: 2km southeast of the Site; and
- Quarry Moor LNR: 2km southeast of the Site.

Furthermore, the site contains a large amount of open space, including trees which provide landscaped avenues within the main area of the site. Within Laver Banks, areas are included on the National Forestry Inventory and also on the Priority Habitat Inventory as deciduous woodland. There is a woodland Tree Preservation Order (TPO) protecting trees outside but immediately adjacent to the eastern boundary of the site.

The southern part of the site is located within the Skell and Laver Valley Special Landscape Area (SLA) and the Nidderdale Area of Outstanding Natural Beauty (AONB) is located approximately 1.5km to the west.

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') (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.'*

The Development Plan relevant to this application consists of:

- The Harrogate District Local Plan (2020); and
- The Ripon Neighbourhood Plan (2019).

Having recently been found sound through independent examination the document can be considered fully up to date and full weight should, therefore, be given to the policies contained within it for the purposes of determination.

CPRENEY recognise that the application site is allocated in the Harrogate Local Plan (LP) (allocation references R24, R25 and R27), and corresponds to the site shown as an aerial image in the Ripon Neighbourhood Plan (NP) and as such the principle of the development has been established.

Site R24 in the LP sets out that the allocated area could yield approximately 401 dwellings on 15.9Ha setting out requirements for the site in the development brief. Site R27 of the LP sets out that the allocated area could provide 63 dwellings on 2.8Ha and that the remaining site (24.1Ha) is of high ecological value and as such should be retained, enhanced and integrated with green/blue infrastructure to be included in a masterplan for sites R24 and R25. Site R25 is allocated within the LP for mixed use development encompassing 43.5Ha being split to provide 836 residential units on 22.95Ha of the site and 2Ha of employment land. Altogether, this equates to circa 86.3Ha and 1300 new dwellings.

The applicant has promoted a site of the same size and number of residential units as well as the required 2Ha of employment land. However, they have also gone beyond this to include a primary school, sports pitches and ancillary facilities, up to 60 extra care accommodation units, retail, food and drink, community facilities, public open space and landscaping set across the 3 sites. These 'extras' are set out as Community Action points in the NP and whilst not policy, have given a clear steer to the applicant.

CPRENEY object to the application in its current guise purely as it is considered that several key pieces of evidence are missing from the application which should be required prior to the determination to enable the Council to ensure that appropriate consideration and mitigation are in place to protect matters of the built and natural environment.

CPRENEY are aware that many members of the public have commented with particular concern regarding highways matters associated with the development, also in combination with developments already permitted in the area and those allocated in the city centre. From the additional information submitted it is clear that the applicant has tried to address concerns, however, CPRENEY do have concerns that these additional highway measures may not be sufficient. It is noted that the current application requests for 'up to 1300 dwellings', however, in a draft version of the LP CPRENEY are aware that the original allocation was for 799 dwellings with a larger proportion of employment land provision. Whilst the Council must determine the proposals with regard to the development plan, CPRENEY are concerned that the larger allocation with the extra proposals as set out above will exacerbate highway concerns at this location. It is therefore considered that to facilitate the extras as set out in the NP, the applicant should consider reducing the overall number of residential dwellings to help mitigate highway safety concerns and in particular the impact on vulnerable users on shared highway.

The Sustainability Statement (dated January 2022) sets out that the masterplan aims to deliver a net gain in biodiversity. This is required via the NPPF or LP policy NE3. However, it is now a requirement of the Environment Act 2021 that a mandatory net gain of 10% is delivered across new development. The net-gain offered via these proposals is only 4.9%. It is therefore, considered to be paramount that the developer use the DEFRA Biodiversity Metric 3.0 Guidance and ensure that biodiversity enhancement is delivered. Compensation should not be used instead of this deliverance, especially on such a site that is of high ecological importance and so close to various SSSIs and sites of nature conservation interest.

With reference to impacts on the significance of heritage assets both on the site and within close proximity, CPRENEY consider that the proposals should adequately assess all elements in careful detail, including those of special military importance which are not necessarily recognised as 'Listed'.

Furthermore, the Council should ensure that the impact on the adjacent UNESCO World Heritage Site of Studley Royal Park including the ruins of Fountains Abbey (WHS) has been adequately assessed. For example, Gillet Hill is a 'designed view' within the WHS and is one of the few high points within the site deliberately intended to take in the view of the surroundings, viewpoint 7 (figure 7.14) is identified as a 'representative viewpoint' within the LVIA submitted on behalf of the applicant and appears to be from mid-way up the Hill. The NPPF states that WHS's are heritage assets of the '*highest significance*' (para 184) and the NPPF advises an assessment of impacts of a proposal must be 'proportionate' to its significance. Furthermore, LP Policy HP2 contains specific protection for the World Heritage Site and its setting. As such CPRENEY believe the representative viewpoint should have been shown from the top of the Hill as 'views and vistas' are one of the key attributes of Outstanding Universal Value of the WHS in order to fully assess the impact on the significance. Furthermore, the application documents state that the building heights will vary but the maximum could be 12.65m to the ridge line. LP Policy HP2 also has a strong presumption against tall or very large buildings and as such this should be evaluated in terms of direct impact on the WHS.

Studley Royal Park is also registered as Grade I Listed. Only around 10% of registered parks and gardens are awarded this status, and as such these gardens are recognised as being of international importance. The two designations of international importance combine to such an extent that CPRENEY consider that the impacts of the proposal must be carefully assessed prior to determination to enable appropriate mitigation or reduction of height in buildings if required.

The allocated sites are also adjacent to the Skell and Laver Valley SLA and only 1.5km from the Nidderdale AONB. Both sites of national and local landscape importance are protected by policies in the LP (Policy NE4 and Policy GS6 respectively) which requires that all development within and in the setting of these areas should protect and enhance the character, appearance, tranquillity, biodiversity and special landscape and resist harm. CPRENEY would urge the Council to ensure that viewpoints within and towards the AONB are

accurate in their assessment prior to determination.

Conclusion

CPRENEY welcomes the opportunity to comment on this outline planning application for the redevelopment of the Claro Barracks to provide up to 1300 dwellings, up to 60 extra care accommodation units, retail, food and drink, community facilities, 2ha of employment land, Primary School, sports pitches with ancillary facilities, public open space, landscaping, demolition of existing buildings and structures, and associated works. The site is located to the north-western edge of the city of Ripon within the Borough of Harrogate.

CPRENEY recognise that the principle of development has been established via the development plan although has a number of concerns relating to the proposals in their current guise, specifically lack of provision of biodiversity net gain, insufficient assessment of potential impacts on heritage assets including the UNESCO World Heritage Site of Studley Royal Park and Fountains Abbey, potential impacts on highway safety – including on vulnerable users. CPRENEY would also urge the Council to be satisfied with the assessments regarding potential impacts on the Nidderdale AONB and the Skell and Laver Valley SLA. Without confidence in this evidence and appropriate provision of mitigation and a minimum 10% net gain in biodiversity the Council should refuse the proposals at this time as they would not be in conformity with the development plan or NPPF.

Should the Council be minded to approve the proposals, CPRENEY reserve the right to comment further at the detailed application stage.