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Branch Chair
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Authority: Richmondshire District Council

Type of consultation: Planning Consultation

Full details of application/consultation: 22/00063/FULL - Full Planning Permission (including Change of Use) for 12 Holiday Lodges, Installation of Package Treatment Plant and Amended Access

At land: Easby Park, Field Between Southern Junction of Easby Access Road and Easby, North Yorkshire

Type of response: Objection

Date of Submission: 31st 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:



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Comment

CPRE North and East Yorkshire ('CPRENEY') welcomes the opportunity to comment on this application for the change of use of open grassland land to allow the siting of 12 holiday lodges, installation of package treatment plant and amended access to the site. The site is accessed from a local road leading to the hamlet of Easby, (located approximately 200m to the west of the site) from the B6271 circa 1km southeast of Richmond and 0.5km from the River Swale. The application was submitted to Richmondshire District Council ('RDC' / 'the Council') on behalf of Leisure Parks Ltd ('the applicant').

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are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*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.'*

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

RDC has recently commenced a review of the Local Plan to update policies for new development. The Issues and Options Consultation was undertaken in 2018 and CPRENEY commented at that time. The Preferred Options Consultation was published in July 2021 to which CPRENEY responded in full. However, due to the early stages of plan preparation, no weight can be attached to this document as yet and as such full weight should be given to the saved Local Plan policies and other material considerations as necessary including the NPPF.

There is a long history of planning applications associated with the site, however, a previous owner was granted approval for a holiday development of 12 log cabins in 2010 with an implantation extension of time granted in 2013 and a further extension of time granted via an appeal in 2016. The current owner and applicant purchased the site in 2017 and to date, no development has occurred. Whilst the (now superseded) Swaledale Branch of CPRE objected to the proposals in 2010 and at subsequent stages, CPRENEY are therefore aware that whilst the original applications have lapsed, the overall principle of holiday accommodation on the site has been established. However, we do have a number of concerns which cumulatively amount to an

objection.

This new application proposes to reduce the red line boundary of the site considerably (since the original 2010 application), reduce the overall width of the proposed lodges, ensure they are all single-storey and proposes mobile, timber clad units (not permanent as original application). The applicant also proposes a new vehicular access which will allow for a one-way system for access and egressing the site. The site is surrounded on three sides by existing vegetation to the boundaries of the site and within the application area which is to be retained. CPRENEY welcomes the overall reduction in size of the site and the retention of existing vegetation which will help to screen the site, however, note that the existing tree cover appears to be mainly deciduous therefore, consideration should be given to the impact of the lodges in the winter months when trees are not in leaf.

The applicant has submitted an out-of-date ecological appraisal with the application, dated 2000. The NPPF was revised in 2001 and places greater weight on the provision of measurable net gains for biodiversity. In line with the Environment Act 2021 which requires a minimum of 10% net gain – over and above what already exists on the site, CPRENEY, consider that the proposal should not be determined without this report having been updated and the appropriate provision of Biodiversity Net Gain being demonstrated. This should be achieved using DEFRA's Metric 3.0 and reported accordingly.

CPRENEY are concerned about the applicant's statement that the lane to Easby (from which site access is taken) is '*extremely lightly trafficked*'. Members have reported that especially since the pandemic began, visitors to the area have risen sharply often parking along narrow lanes within and leading to the village and in the small church car park in their attempt to access the countryside for amenity and well-being purposes. The area is particularly busy on weekends, bank holidays and during school holidays. Use of the Public Rights of Way (PROW) to the north and south of the site have also increased in number.

The 'Easby Loop' is increasingly popular for those seeking to walk through the countryside and access the tranquillity and biodiversity of the area within easy reach of Richmond. The Landscape and Visual Impact Assessment states that there will be an adverse effect on the PROW to the south and north of the site. The statement goes on to state that the impacts will be lessened by the heavy screening to the existing site, however, as set out above, these are mainly deciduous trees and vegetation therefore the site will not always be screened. Figure 1 below shows an image through the trees in winter months to the site

Figure 1 taken from the approach into Easby near the site access



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Policy CP10 of the Core Strategy (CS) offers support for tourism related activities setting out that *‘particular priority will be given to supporting improvements to the range and quality of facilities and to redevelopment and conversion schemes rather than new buildings.’* It goes on to support accommodation of this offer, but categorically states that it *‘will only be supported in the countryside if it does not adversely affect the character and appearance of the area, taking account of the capacity of the site and local area to absorb the development’*. Whilst CPRENEY acknowledges the reduced size of the scheme within the site, it should also be noted that the access road will be set through the remaining site, rather than skirt the edge of the field, meaning that vehicular movements will be more noticeable in the countryside despite the applicant having placed the lodges within a sheltered location (depending on the season).

CS Policy CP12 is concerned with conserving and enhancing the environmental and historic assets of the district and sets out that *‘development will not be supported which has a detrimental impact upon the significance of a natural or man-made asset.’* This includes green infrastructure networks and as set out in policy point vii includes woodlands, scrubland, grassland and open land.

The policy also states that development will not be supported which is inconsistent with the principles of an asset’s proper management. It goes on to state at Point 1 that *‘those elements which contribute to the significance of the heritage assets across the Plan area will be conserved and, where appropriate, enhanced. Particular attention will be paid to those assets referred to in Paragraph 4.12.16 which make a particularly important contribution to the character and sense of place of Richmond.’* Paragraph 4.12.16 states that when considering matters affecting historic assets, particular regard will be given to the following list: (inter alia)

- *those elements which contribute to the special architectural or historic interest of Richmondshire’s Conservation Areas and their settings as identified in the respective Conservation Area Appraisal’*
- *historic public viewpoints from [...] Maison Dieu [...]*

Easby was designated as a Conservation Area in 1995 and the conservation area appraisal and management plan (CAA) adopted in 2007 as Supplementary Planning Guidance. The CAA sets out that Easby is a quiet residential village and is a pleasant destination for those walking from Richmond along the River Swale. It goes on to state A considerable proportion of the Conservation Area is landscape and open space. The site is located immediately adjacent to the Conservation Area and on its boundary is an ‘important wall’ and area of ‘other important trees’ as highlighted on Map 2 of the CAA. The site is very much within the setting of the Conservation Area which means the Council must ensure any development is carefully considered so as not to impact the actual asset. The CAA states that *‘the two building groups are separated by fields which have the character of parkland, with mature trees dotted around. It is a very pastoral setting.’* As such, CPRENEY consider that the open fields in this location are just as important to the open pastoral character and setting of the village and Conservation Area as those within it.

The B6271 adjoins Maison Dieu to the north and skirts the north-eastern edge of the site. Views toward Richmond Castle and looking south towards the site can be taken from this route and therefore the Council must ensure that no detrimental impacts are afforded to this viewpoints at all times of year.

CPRENEY are also very concerned about the impacts on the rural setting of this location and the capacity for the vehicular movements to be absorbed on the local road network around Easby safely. Members have reported damage to the narrow grass verges within the village and along the rural lane approaching Easby due to the parking of cars associated with increased visitor numbers.

The applicant has provided images of the lane in the Planning, Design and Access Statement which show stretches of typical narrow country lane with some verge. CPRENEY are especially concerned about the

highway safety of vulnerable users (pedestrians, cyclists and horse-riders) in this stretch of road. The NPPF seeks to ensure the provision of sustainable transport modes access (other than by private vehicles) is provided and gives priority to pedestrian and cycle movements. Currently there is not a footway to provide access to Easby and the applicant has not provided a specific route. Given the primacy afforded to such highway users in the newly revised Highway Code (including a safe 2m passing distance for cars overtaking cyclists) – CPRENEY are concerned that users will not have opportunities to ‘get out of the way’ safely. With cars parked partly on verges, this means pedestrians have no choice but to go around them further into the road, resulting in further risk of injury.

The NPPF sets out clearly at paragraph 110 that it should be ensured that *‘safe and suitable access to the suite can be achieved for all users’* and *‘any significant impacts from the development on the transport network (in terms of capacity and congestion) , or on highway safety, can be cost effectively mitigated to an acceptable degree.’* It goes on to say at paragraph 111 that *‘development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’*

Finally, paragraph 112 clearly sets out that *‘within this context’* (CPRENEY emphasis) applications for development should (inter alia):

- a) *‘Give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; [...];*
- c) *Create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter and responds to local character and design standards...’*

As such CPRENEY consider the proposal should be refused on the grounds of highway safety concerns to vulnerable users on the typically rural local road network in particular.

Conclusion

CPRENEY welcomes the opportunity to comment on this detailed planning application for 12 holiday lodges near to Easby. Despite the lapsed planning permission on the site for a larger scheme, CPRENEY has several concerns relating to the impact of the proposals on the important open countryside and pastoral setting to the Easby Conservation Area, lack of measurable biodiversity net gain, and the impact on highway safety of vulnerable users from an increased number of vehicular movements associated with the proposal on the local rural road network. As such the proposed development appears to be contrary to several local and national planning policies as set out above and therefore, CPRENEY respectfully ask that this proposal be refused.

CPRENEY reserves the right to comment further should any additional information be submitted in support of the proposal.