

## Response to local authority consultation

**Authority:** Harrogate Borough Council

**Type of consultation:** Planning Application

**Full details of application/consultation:**

18/00912/OUTMAJ - Outline application for the erection of up to 65 dwellings with access considered. Consultation on the following revised plans and additional supporting documents received: Revised Site Plan with Enhanced Tree Planting and New Red Line Boundary (Rev D); Site Plan - Affordable Housing; Site Access Arrangement (Rev E); Preliminary Ecological Appraisal (August 2018); Heritage Impact Assessment Appendix I; Indicative Design Guide (Rev A); Response to Arrowsmith Comments on Transport Assessment; Response to Consultation Comments; Response to Residents Comments; Response to Landscape Officer Comments.

At land at Almsford Bank Stables, Leeds Road, Harrogate HG2 8AA

All responses or queries relating to this submission should be addressed to  
The Chair,  
The North Yorkshire Branch of the Campaign to Protect Rural England  
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The charity will be referred to as CPRENorthYorkshire throughout this document

All CPRENorthYorkshire 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.

**Type of response:** Objection

**Date of Submission:** 9<sup>th</sup> October 2018

Planning consultant used in relation to this application



KVA Planning Consultancy  
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The North Yorkshire Branch of the Campaign to Protect Rural England CIO operates with the help of planning wardens in the different local authority administrative districts reporting directly to the branch following a recent restructure. All correspondence should therefore be directed to the 'Chair of CPRENorthYorkshire'. CPRENorthYorkshire is the only authorised body to represent CPRENorthYorkshire issues within the local area.

### Comment

CPRENorthYorkshire welcomes the opportunity to comment on the amended application having originally responded to this outline application in March 2018.

The clarification by the Council that all previous representations made to the original application remain valid is welcomed. With that in mind, comments made in this response should be read alongside the CPRE representation of March 2018.

CPRENorthYorkshire acknowledges the additional information and responses to consultation provided by the applicant. However, the objection made on behalf of the charity is not lessened by the provision of this additional information.

Since the submission of the previous response, the revised National Planning Policy Framework ('NPPF') was published in July 2018. This supersedes the 2012 version when determining planning applications. The revised NPPF is therefore a material consideration which should be used to aid the determination of this planning application.

The NPPF requires that housing applications are considered in the context of a presumption in favour of sustainable development. A footnote to paragraph 11d (above) sets out that the term 'out-of-date' includes situations where the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites (with appropriate buffer).

In August 2018, HBC published its 'Harrogate District Local Plan: Housing Background Paper Submission Update', providing an up to date assessment of housing need throughout the Borough. It remains a fact that the Council cannot demonstrate a five-year housing land supply (currently 4.5 years as set out in the original CPRE response in March 2018), which should be given due consideration in the planning balance. However, the Housing Background Update paper concurs with the original January 2018 document that by the time the Council reaches the 'adoption' stage of the plan-making process (aiming for 1st April 2019), they will be able to demonstrate a 9.7 year housing land supply. Therefore, the fact that the Council are actively addressing the current undersupply and are somewhat towards delivering this should be weighed heavily in the planning balance when determining this application.

Paragraph 48 of the NPPF also sets out that decision-takers may also give weight to relevant policies in emerging plans according to (inter alia) "*the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given) and the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework (the closer the policies in the emerging plan to the policies in the framework, the greater the weight that may be given)*". The Council have submitted their emerging Local Plan to the Secretary of State for Independent Examination and are currently waiting for the Inspector's proposed timetable, therefore, because of the late stage in preparation, due weight can be afforded to these policies in the planning balance when determining applications as a material consideration.

Through the emerging Local Plan for the Harrogate District, the Council chose not to allocate this site for development having assessed it against their sustainability appraisal,

preferring to retain the current development limit for the settlement as defined in the existing Local Plan at this location.

Policy GS3 of the emerging Local Plan deals with Development Limits. The Development Limit at this location mirrors that of the existing Local Plan, therefore, considerable weight should be attached to this fact by the decision-taker. The Policy sets out that proposals for new development on sites outside the development limits of a settlement will be supported only where it is consistent with the role of the settlement in the growth hierarchy set out in Policy GS2 and does not result in a disproportionate level of development compared to the existing settlement and meets a number of criteria, including that there is no suitable or available land for the proposed use within the settlement or a site allocated under policies DM1; would not have an adverse impact on the character and appearance of the countryside or heritage assets (amongst others). The proposals are therefore, contrary to this policy as there are several allocations for housing within the development limits of Harrogate.

CPRENorthYorkshire remain of the opinion that despite the amended scheme and additional tree planting and revised access arrangements, the site remains outwith the proposed development limits of the settlement (supported by the emerging Local Plan) and thus should not be approved. The Council have been actively engaged with developers to include sites within their emerging Local Plan in order to address the proposed housing needs of the district. The Council purposefully did not allocate this site despite not having a five-year housing land supply. The Council did, however, support other locations within the vicinity and on the outskirts of Harrogate in order to reach a figure of 9.7years supply. This should weigh heavily against the application in the planning balance.

CPRENorthYorkshire believe that the approval of this site would not be in conformity with the strategic direction of the Council and would impose development into an area where it is not actually required.

Furthermore, the application is within an area designated for its special landscape the 'Crimple Valley Special Landscape Area' (SLA). Emerging Local Plan Policy NE4 deals specifically for Landscape Character and states under the heading 'Locally Valued Landscapes' (the Crimple Valley is listed) that these areas are valued locally for their *"high quality landscape and their importance to the settings of Harrogate, Knaresborough and Ripon. The designation reinforces the importance of these landscapes and their high sensitivity to inappropriate development which would adversely impact on the quality of the area designated"*. It goes on to set criteria which any proposal would be required to meet in these areas. CPRENorthYorkshire, therefore, considers that a development proposal for 65 new dwellings on a site which would require the loss of several trees would be detrimental to the setting of Harrogate within this locally valued area. The strategic direction of the Council is to preserve this area of the SLA, otherwise it would have allocated the site for development when the opportunity was presented as part of the previous call for sites exercise in the plan-making process. The proposal is, ergo, considered not to be in conformity with the policies relating to the protection of landscape character and quality within the current and emerging development plan.

Of minor note, it is recognised that the information submitted by the Council and the description of the application sets out that the application is for 'up to 65 dwellings', however, the proposed layout submitted to the council shows 66 dwellings upon the map. CPRENorthYorkshire assume that the documentation should read 'up to 66'.

## **Conclusion**

CPRENorthYorkshire welcomes the opportunity to comment on this revised application.

It is recognised that Harrogate Borough Council cannot currently demonstrate an up to date 5-year housing land supply, therefore, the titled balance is triggered, and this becomes a Paragraph 11 application. This must be weighed accordingly in the planning balance when determining this application.

It is also acknowledged that the very fact that this is a Paragraph 11 application does not render all planning policies out of date as the weight to be attached to the restrictive policies of the development plan are a matter of judgement for the decision maker as explained in the original response made by CPRENorthYorkshire in March 2018. The fact that the Council are actively seeking to address their current lack of supply and purport that they will be able to demonstrate a 9.7-year supply on adoption of the emerging Local Plan should also be weighed heavily in the planning balance as it appears this site is not required to meet the current undersupply.

CPRENorthYorkshire consider that significant and demonstrable harm would occur to the locally valued landscape character of this location and to heritage assets (commented upon in the previous response) within the vicinity of the site should this proposal be approved, which would outweigh the benefits of providing additional dwellings. This is also supported by the fact that the Council chose not to allocate this site in their emerging Local Plan but preferred to maintain the development limits of the existing Local Plan at this location.

It is therefore respectfully asked again that the application be refused.

CPRENorthYorkshire reserve the right to comment further at the appropriate time should this outline application receive planning permission or further information be submitted to the Council in support of the application.