



North York Moors National Park Authority

23 May 2019

Our Ref: 19/4764

Dear Sir / Madam

North York Moors National Park: Pre-Submission Regulation 19 consultation

We have been instructed by Brierley Homes Ltd, one of North Yorkshire's leading housebuilders, to submit written representation as part of the National Park Authority's consultation on its Pre-Submission (Regulation 19) draft Plan.

The purpose of this written representation is twofold; to support the Authority's proposed housing strategy outlined in its emerging Local Plan, particularly Policy CO7 and, subsequently, endorse a former school site that falls under the control of Brierley Homes Ltd and seek its recognition as a proposed 'housing allocation' in the National Park's development plan.

Brierley Homes Ltd

Brierley Homes Ltd is a private limited company founded and wholly owned by North Yorkshire County Council. They have ambitious plans to deliver new housing across North Yorkshire and their aim is to deliver high-quality bespoke homes that will meet local and borough wide aspirations. Any surplus income from development is given back to the County Council to support essential services.

Policy Context

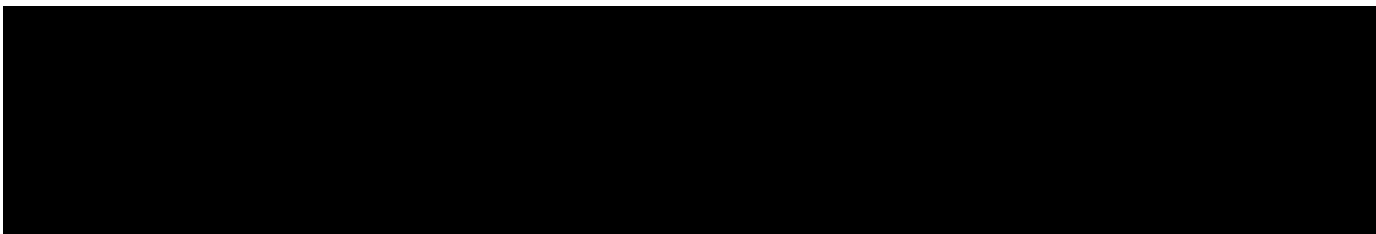
Emerging Policy CO7 'Housing in Larger Villages' of the Local Plan allows for small-scale development in or adjacent to Larger Villages to meet housing, employment and community needs, including 'principal residence' housing on suitable sites. No development boundaries or limits are defined and the suitability of a site for development will be defined on a case-by-case basis.

The emerging Plan states that sites must be within the main built up area and have satisfactory access to the existing public highway. Development proposals must be well related to the form and grain of the existing surrounding residential development and should make efficient use of the available space.

Emerging Policy M states that, in order to meet the needs of local communities, a minimum of 551 new homes will be required. In terms of supply, it is anticipated that these homes will be delivered in a number of ways, including through both windfall sites and 'suitable smaller sites in listed settlements'. This former school site falls within both of these classifications.

Policy M goes on to state that all new homes should contribute to the provision of a range of tenures, types and sizes of dwellings within the National Park, whilst the Policy continues to place the utmost importance on high quality design. Brierley Homes Ltd has a strong track record in delivering sensitively designed schemes.

Overall, we agree with the thrust of policy and National Park Authority's approach to housing, particularly the flexibility in the policies mentioned above. We believe the site in Swainby complies with this flexibility and request its suitability is recognised following this consultation period.



Site Context

Site: Former Swainby & Potto primary school, Claver Close, Swainby, North Allerton DL6 3DH

The site is a former primary school within the built form of Swainby, a village located in the Hambleton District of North Yorkshire. However, responsibility for planning rests with the National Park Authority. The village is defined as a 'Larger Village' in the emerging Plan's settlement hierarchy. This site is 'available', 'suitable' and 'achievable' for development.

The site, which is brownfield, totals 0.53ha in size and comprises former school buildings and ancillary land (school fields). The site is accessed via Claver Close, to north of the site. The site is bound by to the north and west by housing (Claver Close) while a working farm is located south of the site.

The plot is located directly on to Claver Close and is directly connected to High Street, which runs through the heart of the village.

Importantly, it forms part of an existing settlement and represents a natural infill.

Suitable, available and achievable

Suitable

The site is brownfield in nature, where development is directed to, in accordance with national and local policy.

- The site, which is well contained, benefits from durable boundaries with development having no perceived impact on wider rural and countryside setting. Bound by development on three sides and screened by established trees, development would not compromise the wider setting of the rural area.
- The site is not located within a Conservation Area nor are there any listed buildings and / or ancient monuments within the site or in the immediate vicinity which would be impacted on by development at this site. The site is close to the boundary of the Swainby Conservation Area and the applicant would ensure that proposals would preserve and enhance the character, appearance, and setting of the area.
- There are no protected trees on site, but the trees on the site's southern boundary provide natural screening meaning Brierley Homes Ltd would be able to propose an unobtrusive development.
- The site is located entirely within Flood Zone 1, where residential development is sequentially preferable.
- Given the site was once home to a school, a phase 1 report will be undertaken. However, the landowners are confident that any issue raised can be dealt with via mitigation measures.
- Access to the development would be via the existing access point off Claver Close. A safe and suitable access arrangement can be achieved given the existing traffic flow, scale of proposals and suitable visibility splays can be achieved.

Available

The availability of the development plot is as assessed in terms of site ownership. The site is in the single ownership of North Yorkshire County Council, who are keen to promote the site and progress with an application seeking residential development that would provide market and affordable housing. They would not sell the site if an application was approved and would develop it themselves.

Achievable

We note that the NPPF definition of sustainable development requires the planning system to ensure that sufficient land of the right type is available in the right places and at the right time to support growth and innovation. This would be achieved through

the allocation of the site, which would enable housing to meet the needs of local residents. It is considered that the plot of land promoted is suitable, available and deliverable for residential development and economic growth. An initial review of the site indicates that it could accommodate circa ten dwellings. Brierley Homes Ltd are mindful of emerging Policy CO7, which allows up to five dwellings on suitable small sites within 'Larger Villages'. Looking specifically at the site's surroundings and orientation, it does lend itself to infill development.

Development on this plot of land would contribute towards the Plan's housing strategy and sustain Swainby's vibrant and healthy community, by providing a mixture of properties including affordable dwellings. Furthermore, the site's relationship with land to the north, west and east which existing housing means that the proposed allocation would tie in and 'complete' the residential site north of the farm.

Strong track record

In January 2018, an application (app ref: 2017/0820/FULM) seeking 17 homes in Thorpe Willoughby, near Selby was approved by Selby District Council. The applicant worked closely with the LPA and the local community to ensure a sensitive development in line with local housing needs. This site is close to construction completion and, at the time of writing over two thirds of the homes are already sold 'off plan'.

In November 2018, an application (app ref: 18/00335/FULMAJ) seeking 20 homes, including 40% affordable provision, in Marton cum Grafton, a small village between Harrogate and York was unanimously approved by Harrogate Borough Council. Located within a Conservation Area in close proximity to a listed church, the applicant worked closely with the LPA and the local community, including two consultation events, to ensure that the proposed development was the right fit for the local community. The same proactive and transparent approach would be implemented if development on this site progressed.

Overall

Whilst we recognise that Helmsley has been identified as the sole location in the LPA's development plan where land is allocated for housing, the Plan states that just over a third of the anticipated level of new housing identified in this plan will be built there. We do not disagree with this approach, but would like to request that the former school site is identified as one that can accommodate up to ten dwellings in the submitted version of the Local Plan and therefore supporting the Plan's strategy for housing, which seeks to implement a 'flexible approach', encouraging proposals that 'make efficient use of available space'.

Yours faithfully

A large black rectangular redaction box covers the signature and name of the sender. A small portion of a pen nib is visible at the top edge of the redaction.

Planning Potential

Harrogate

PART A – Personal Contact Details

Title:	█
First Name:	█████
Surname:	█████
Job Title (where relevant)	██████████████
Address:	████████████████ ██████
Organisation or Group:	Planning Potential
Postcode:	██████
Telephone no:	██████████
Email Address:	███████████████ █

PART B – Your representation(s)

Please use a separate sheet for each representation

3. To which part of the Local Plan does this representation relate?

Paragraph?	<input type="text" value="Click here to enter text."/>	Policy?	<input type="text" value="Policy CO7 & Policy M"/>	Policies Map?	<input type="text" value="Proposed allocation in Swainby."/>
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4. Do you consider the Local Plan is:

a) Legally compliant?	Yes	<input type="text" value="Yes"/>	No	<input type="text" value="Click here to enter text."/>
b) Sound?	Yes	<input type="text" value="Yes"/>	No	<input type="text" value="Click here to enter text."/>
c) Complies with the Duty to Co-operate?	Yes	<input type="text" value="Yes"/>	No	<input type="text" value="Click here to enter text."/>

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance, soundness of the Local Plan or its compliance with the duty to co-operate, please use this box to set out your comments.

Please see attached cover letter.

(Continue on a separate sheet / expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to soundness. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

Please see attached cover letter.

(Continue on a separate sheet / expand box if necessary)

Please Note: Your representation should cover succinctly all the information, evidence and supporting information necessary to support / justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he / she identifies for the Examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the Examination?

No, I do not wish to participate at the oral Examination

Yes, I wish to participate at the oral Examination

8. If you wish to participate at the oral part of the Examination, please outline why you consider this to be necessary.

To support our written reps.

Please Note: The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the Examination.

Signature

[REDACTED]

Date

24/05/2019