

## HARROGATE BOROUGH COUNCIL

### PLANNING AREA2 DC COMMITTEE – AGENDA ITEM 5: LIST OF PLANS.

**DATE: 9 March 2004**

<b>PLAN:</b> 15	<b>CASE NUMBER:</b> 03/05081/FULMAJ
<b>APPLICATION NO.</b> 6.100.2309.FULMAJ	<b>GRID REF: EAST</b> 436266 <b>NORTH</b> 457685
	<b>DATE MADE VALID:</b> 21.10.2003
	<b>TARGET DATE:</b> 16.12.2003
	<b>WARD:</b> Knaresborough Scriven

Park

**APPLICANT:** Halfpenny Lane

**AGENT:** John R Paley Associates

**PROPOSAL:** Formation of 2 no sports pitches, 40 no car park spaces, new vehicular access and cycle route.

**LOCATION:** Land Comprising OS Field No 2769 & At GR 435833/457570 Hay-a-Park Lane Knaresborough

## REPORT

### SITE AND PROPOSAL

Members deferred consideration of this application at the meeting in January 2004 to enable it to be considered concurrently with the application for residential development at Halfpenny Lane.

This is an application for two sports pitches to the north of Hay-a-Park Lane together with a car park, vehicular access and cycle route.

Amended plans have been received defining the boundary with Manse Windows

The application site is on the edge of Hay-a-Park SSSI and is currently used for grazing. The site adjoins the sports pitches to the south of Hay-a-Park Lane and is allocated for the provision of youth and adult facilities under Policy R3(h) of the Harrogate District Local Plan.

This application is inextricably linked to the application for residential development on Halfpenny Lane. The residential development generates the need for youth and adult facilities, which if provided on-site would reduce the size of the site for residential purposes which would then subsequently reduce the need for such facilities.

This proposal therefore seeks to provide sports facilities generated by the residential development. It is also proposed to provide a footpath link from Breary Flat Lane to Hay-a-Park Lane through the SSSI without having to take the 'long route' under the railway bridges.

There is a public footpath which cuts diagonally across the site which would have to be the subject of a separate formal diversion order. The applicants have now stated that they would be willing to explore and if possible pursue the option of diverting the footpath outside the boundaries of the sports pitches.

## **MAIN ISSUES**

1. Land Use/Need

## **RELEVANT SITE HISTORY**

Allocated for recreational use in the Harrogate District Local Plan

## **CONSULTATIONS/NOTIFICATIONS**

### **Parish Council**

Knaresborough

### **Chief Engineer (H and T)**

Considers that the diversion should include the diversion of the footpath should also include the formal diversion of the footpath around the lakes (part of the definitive route is currently under water).

### **Ramblers Association**

Request the diversion of the footpath around the sports pitches

### **The British Horse Society**

No objection

### **H.B.C Land Drainage**

Advises consultations with Claro IDB

### **Sports Council (Yorks and Humberside)**

Supports the proposal

### **DLAS - Recreation**

Supports the proposal and provides detailed advice

### **Environment Agency**

Recommends conditions

### **Minerals & Waste Planning, NYCC**

No comments received

### **English Nature**

Are concerned about the route and access to the SSSI

### **Network Rail**

No comments received

## **Environmental Health**

No observations

## **Claro Internal Drainage Board**

Advise there must be no connection to Frogmire Dyke

## APPLICATION PUBLICITY

**SITE NOTICE EXPIRY:** 21.11.2003

**PRESS NOTICE EXPIRY:** 21.11.2003

## REPRESENTATIONS

**KNARESBOROUGH TOWN COUNCIL** - The Town Council welcome and support the application but would comment that if the footpath could be diverted to the exterior of the sports pitches this would be of greater benefit to users and requests that the fence on the footpath from Breary Flat Lane to Hay-a-Park Lane be no higher than 4 feet in the interests of user safety.

**OTHER REPRESENTATIONS** - No other representations received.

**VOLUNTARY NEIGHBOUR NOTIFICATION** - None.

## RELEVANT PLANNING POLICY

PPG1 Planning Policy Guidance 1: General Policy and Principles

PPG17 Planning Policy Guidance 17: Planning for open space, sport and recreation

PPG19 Planning Policy Guidance 19: Outdoor Advertisement Control

LPR04 Harrogate District Local Plan Policy R4: Open Space Requirements for New Residential Development

LPNC02 Harrogate District Local Plan Policy NC2: Sites of national importance for nature conservation

LPR03 Harrogate District Local Plan Proposal R3: Additional Recreation Open Space

## **ASSESSMENT OF MAIN ISSUES**

**1. LAND USE/NEED** - The application site is allocated for recreation purposes under Policy R3(h) of the Harrogate District Local Plan and therefore there are no objections in principle to the development of the site for recreation purposes.

The release of this site is however, inextricably linked to the development of the site on Halfpenny Lane for recreation purposes. It is considered essential that the two developments are tied by a S106 Agreement to ensure that the implementation of the residential permission also secures the delivery of the recreation facility. The early implementation of the recreation development is essential to ensure that it is available for use before 50% (90 dwellings) are completed for occupation. This is because the sports pitches require 2 seasons to establish before being available for play.

Policy NC2 resists development which has an adverse impact on the SSSI. Further work is

required to establish the most appropriate alignment of the footpath and the SSSI to avoid unnecessary harm and possible unwarranted access which may adversely affect birdlife and flora. It is considered such detail could be addressed by condition.

The issue of the diversion of the footpath requires separate authority but on the basis of consultation comments to this application it would be desirable to divert outside the site. The comments of the Chief Engineer are noted and the legal position in respect of the diversion of the footpath not affected by the development is being investigated. Members will be updated at the meeting

**CONCLUSION** - Subject to the conclusion of legal agreements in respect of the timing and availability of the development approval is recommended.

**CASE OFFICER:** Mr R N Watson

## RECOMMENDATION

That the application be DEFERRED and HOPS be authorised to APPROVE the application subject to the following conditions and such other conditions HOPS considers to be necessary and following the completion of a S106 Agreement requiring:

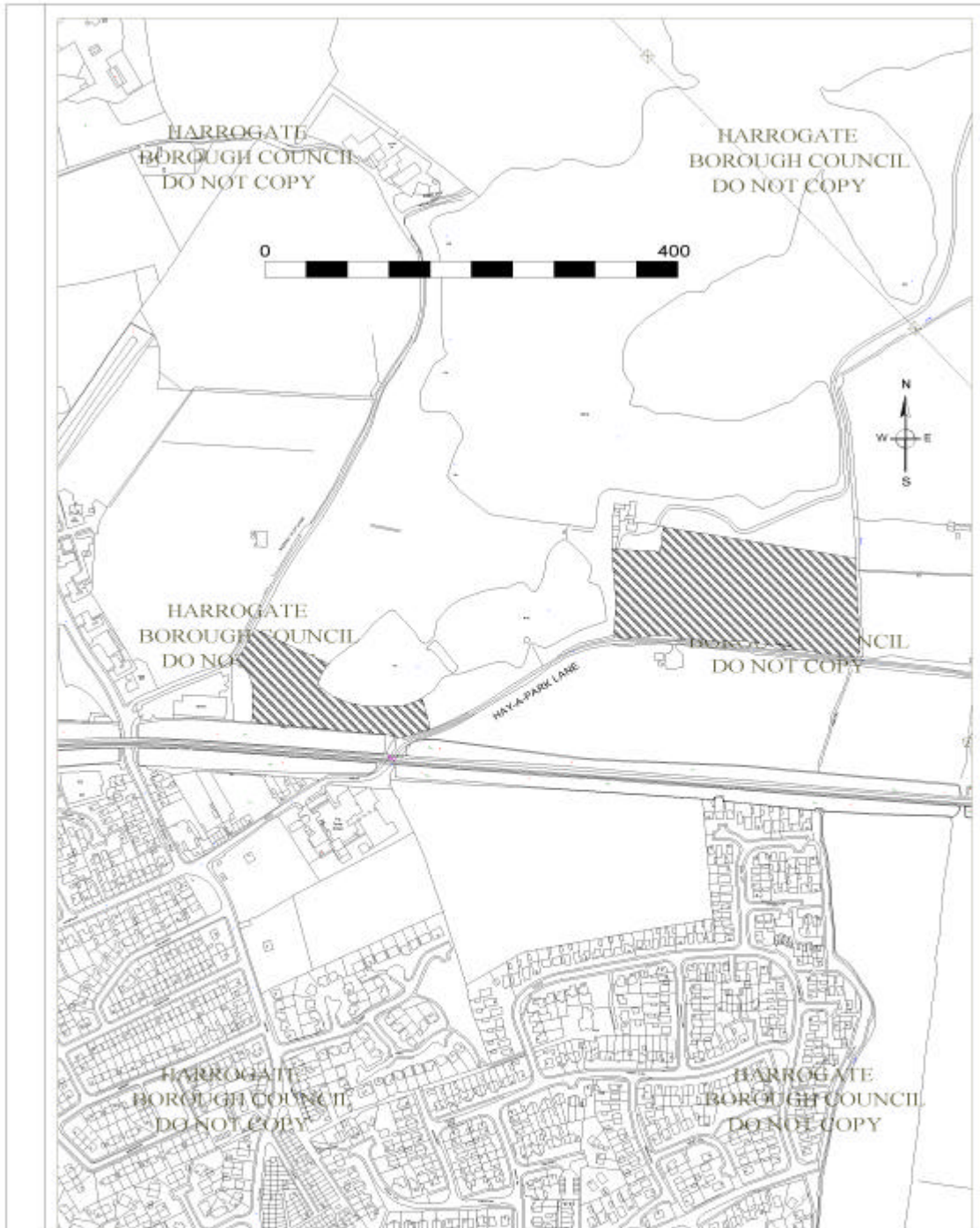
- 0 To secure the provision of the facility simultaneously with the residential development 6.100.1685.G.FUL and the provision of commuted sums for maintenance.

### PROPOSED CONDITIONS:

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 11.02.2004
- 3 Details of the alignment and construction of the new footpath through the Site of Special Scientific Interest shall be submitted for the written approval of the Local Planning Authority and thereafter provided in accordance with the approved details.
- 4 Prior to being discharged to any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas or hardstanding shall be passed through trapped gullies installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority.


### Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC01R ACCORDANCE WITH DRAWINGS
- 3 To provide a safe route which does not adversely affect the SSSI.
- 4 To prevent pollution of the water environment.



**Harrogate**  
 BOROUGH COUNCIL

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<b>Area 2DC Committee</b>		<b>09/03/04</b>
App No.: 6.100.2309.FULMAJ	Case No.: 03/05081/FULMAJ	Site 
Scale: 1:5000 (at A4 size)	Item No.: 15	
Drawn by: J Brown	Site Area.: 3.12 hectares in total	
Produced for Development Control Area Planning Committee for site identification purposes only.		