

HARROGATE BOROUGH COUNCIL

DISTRICT DEVELOPMENT SUB - COMMITTEE – AGENDA ITEM 6: LIST OF PLANS.

DATE: 26 January 2006

PLAN:	CASE NUMBER:	05/05910/OUTMAJ
	GRID REF: EAST	430441 NORTH 470300
APPLICATION NO. 6.31.767.N.OUTMAJ	DATE MADE VALID:	22.11.2005
	TARGET DATE:	21.02.2006
	WARD:	Ripon Moorside

VIEW PLANS AT:

APPLICANT: Ripon Cathedral Choir School

AGENT: Wildblood MacDonald

PROPOSAL: Outline Application for the redevelopment of school buildings and erection of 8 dwellings with access considered.(Revised Scheme) (Site Area 1.718 ha)

LOCATION: Ripon Cathedral Choir School Whitcliffe Lane Ripon North Yorkshire HG4 2LA

REPORT

This application was considered by the Planning Committee on 17 January 2006, when Members were minded to grant planning permission contrary to the planning officers' recommendation. As this decision was contrary to an objective policy in the Local Plan (Policy H6), consideration was referred up to the District Development Sub-Committee.

Members of the Planning Committee gave the following reasons for going against officer recommendation:

1. Proposal is considered to be mixed development which complies with Local Plan Policy CF9.
2. Housing would be on previously developed land.
3. Development would benefit Choir School and local community, and these advantages are considered to outweigh the harm to Policy.

SITE AND PROPOSAL

Ripon Cathedral Choir School is situated off Whitcliffe Lane to the west of the town. Access to the site is gained via Red Bank Lane, an adopted cul-de-sac off Whitcliffe Lane. The area around the school is primarily residential, but the school itself sits on the edge of the town, with its playing fields extending to the west of the school buildings.

The main school building is set back from Red Bank Lane. This was originally built as the grandstand for the first racecourse in Ripon, the school relocating here in the 1960s. Despite its history, the building is not listed. There are classroom blocks to the rear of the

main building, including a block of temporary classrooms. There is a sports hall against the east boundary of the site.

The school provides boarding, half-boarding and day accommodation for children between the ages of 4-13. There are currently 83 day pupils, 19 boarders and 7 weekly boarders. The Choristers at Ripon Cathedral are all full boarders. There are 24 staff members.

Outline planning permission for the new nursery and pre-prep schools was granted in November 2005 (Ref 6.31.767.L.OUT). Members requested that any reserved matters application be considered by the Planning Committee.

It is proposed to redevelop the school to provide new nursery (30 places) and pre-prep facilities (45 places), together with a new assembly hall and new sports hall. The original school building would remain, with the new buildings extending to the rear in a north-south alignment. The proposed development now includes the erection 8 three-bedroomed houses, which would be built in two terraces to the east of the school building. The existing playing fields would be re-arranged, with the tennis court relocated to the triangle of land adjacent to Whitcliffe Lane.

It is intended that the proposed assembly hall and the surrounding suite of rooms would also function as a community Arts Centre, offering performance and rehearsal space for local arts and music groups. Similarly, it is intended that new sports hall be made available to the local community out of school hours. The buildings would be designed such that these facilities could be used independently of the school and boarding facilities.

65 parking spaces would be provided as part of the redevelopment to serve the school and visitors to the assembly and sports halls. Overflow parking would be provided on the hockey pitch at the end of Red Bank Lane.

The application is in outline, with only access for consideration at this stage.

Further details of the use of the proposed buildings are included in a Business Plan. Extracts of which are provided as a confidential appendix for Committee Members, together with an update enclosed with a letter from the agent dated 12 January 2006.

MAIN ISSUES

1. Policy
2. Recreation Open Space
3. Community Facility
4. Traffic/Parking
5. Trees
6. Land to south of Red Bank Lane

RELEVANT SITE HISTORY

6.31.767.B.FUL - Siting of a temporary purpose-built triple classroom block with toilets, for school use. Temporary permission granted 28.08.1992

6.31.767.C.RENEW - Renewal of planning permission 6.31.767.B.FUL. Temporary permission granted 18.09.1997

6.31.767.G.EXTP - Extension of temporary permission 6.31.767.C.RENEW. Granted 16.11.2000

6.31.767.H.OUT - Outline application for residential development. Refused 09.01.2001. Appeal dismissed 04.09.2001.

6.31.767.J.EXTP - Extension of temporary permission 6.31.767.G.EXTP. Granted 29.07.2003

6.31.767.L.OUTMAJ - Outline construction of new classrooms to form new nursery and pre-prep departments, with access considered. Granted 17.11.2005

6.31.767.M.OUTMAJ - Outline application for re-development of school buildings and erection of 10 dwellings with access considered. Withdrawn 30.09.2005

CONSULTATIONS/NOTIFICATIONS

Parish Council

Ripon

DCS Arboricultural Officer

See assessment of main issues

Minerals & Waste Planning, NYCC

No comments. Sand and gravel extraction at the former Whitcliffe Quarry, which is directly adjacent to the eastern edge of the site, ceased some years ago and has now been restored.

Environment Agency

Recommends conditions re surface water drainage.

Environmental Health

A Phase I survey will be required, which may identify the need for a Phase II survey. Recommends gas mitigation measures.

H.B.C Land Drainage

No comments

Economic Development Officer

See **Appendix 1**

NYCC Highway Authority

Red Bank Lane is adopted. Plan (SK) 07B shows changes to Red Bank Lane including a new turning head. The applicant should be made aware that construction of any new road will be to NYCC Specification, and that a Section 278 Agreement will be required along with a Stopping -up Order. There are no highway objections subject to the following conditions being included:

1. HW01

Detailed Plans of Road and Footway Layout

2. HW02 Occupation	Construction of Roads and Footways Prior to
3. HW03	Highway to be Built (Non-Residential)
4. HW04	Initial Site Access
5. HW05	Detailed Plans of Access Arrangements
6. HW18 Turning	Provision of Approved Parking, Manoeuvring _
7. HW07	Private Access/Verge Crossings
8. HW11	Pedestrian Visibility Splays
9. HW19 Parking	Parking Spaces to Remain Available for Vehicle

Highway Authority

Not yet received

Housing Department

Proposals exceed the threshold of 9 dwellings or 0.3ha, at which exceptional, substantial planning benefits are required under Policy HX - if there are no other such benefits, a minimum of 60% affordable housing is required.

However, if the site is greenfield, Policy HX does not allow for market housing at all (other than enabling development), although it is permissive towards 100% affordable housing development. If the market housing development is to be considered as 'enabling development', then I consider that it will be necessary for the applicant to submit a full financial appraisal in order to address and justify the enabling requirement and lack of affordable housing proposed.

N.B. These comments have been superseded by the amended plans, which bring the number of dwellings below the 9 unit threshold set by Policy HX.

Police Architectural Liaison Officer

Asks that Secured by Design be a condition of any outline permission granted. Issues to consider: - boundary treatment/pupil safety/street lighting/use of laminated glass.

Under 8's Development

Not yet received

Yorkshire Water

Recommends conditions re foul and surface water drainage

Ripon Civic Society

The earlier application (now withdrawn) had several features unacceptable to local residents and the developer has accordingly made substantial changes to the earlier scheme.

The Choir School makes a significant contribution to developing children's musical and other skills, with facilities that would hardly be acceptable in the State sector. The Civic Society supports the revised application which will greatly benefit the school, without impairing neighbours' enjoyment of their environment.

Countryside Officer Dan McAndrew

The bat survey found no evidence of a bat roost in any of the buildings. Nevertheless the survey did find suitable potential roosting places on site. If outline permission is granted and not implemented for a number of years, there is a potential for bats to occupy these sites. A further bat survey should therefore be required prior to demolition.

Any demolition work should take place outside the nesting season.

The loss of rank grassland in the triangle of land could be mitigated by the production of a nature conservation management plan for the school grounds.

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 30.12.2005

PRESS NOTICE EXPIRY: 30.12.2005

REPRESENTATIONS

RIPON CITY COUNCIL - Strongly objects for the following reasons:

This application is in serious breach of HBC Local Plan Policies.

1. Serious breach of HBC Local Plan Policies H6 & H7
2. Contrary to HBC Local Plan Policy HX & loss of amenity Local Plan Policy R1.

OTHER REPRESENTATIONS - 35 letters received objecting to development.

Grounds of objection:

- increased traffic
- lack of parking
- loss of green field
- outside development limit
- loss of playing field
- noise
- loss of residential amenity
- light pollution
- disruption during construction
- restrictive covenant on part of site

24 letters of support received, including letter on behalf of the Chapter of Ripon Cathedral.

Grounds of support:

- Choir School is a major asset to Ripon
- school is necessary for survival of Cathedral Choir
- contribution to cultural life _ reputation of City
- need for school to remain competitive
- improved music and arts facilities for community
- no harm to residential amenities of neighbours

VOLUNTARY NEIGHBOUR NOTIFICATION - None undertaken.

RELEVANT PLANNING POLICY

- PPS1 Planning Policy Statement 1: Delivering Sustainable Communities
- PPG3 Planning Policy Guidance 3: Housing
- LPHX Harrogate District Local Plan (2001, as altered 2004) Policy HX: Managed Housing Site Release
- LPH05 Harrogate District Local Plan (2001, as altered 2004) Policy H5: Affordable Housing
- LPH06 Harrogate District Local Plan (2001, as altered 2004) Policy H6: Housing developments in the main settlements and villages
- LPR01 Harrogate District Local Plan (2001, as altered 2004) Policy R1: Existing Recreation Open Space
- LPCF09 Harrogate District Local Plan (2001, as altered 2004) Policy CF9: Other New Community Facilities
- LPHD20 Harrogate District Local Plan (2001, as altered 2004) Policy HD20: Design of New Development and Redevelopment
- LPA01 Harrogate District Local Plan (2001, as altered 2004) Policy A1: Impact on the Environment and Amenity
- LPA07 Harrogate District Local Plan (2001, as altered 2004) Policy A7: Unstable Land
- PPG13 Planning Policy Guidance 13: Transport
- PPG17 Planning Policy Guidance 17: Planning for open space, sport and recreation
- LPH07 Harrogate District Local Plan (2001, as altered 2004) Policy H7: Housing development in the countryside
- LPC15 Harrogate District Local Plan (2001, as altered 2004) Policy C15: Conservation of Rural Areas not in Green Belt
- LPHD13 Harrogate District Local Plan (2001, as altered 2004) Policy HD13: Trees and Woodlands
- LPR04 Harrogate District Local Plan (2001, as altered 2004) Policy R4: Open Space Requirements for New Residential Development

ASSESSMENT OF MAIN ISSUES

1. POLICY - Local Plan Policy H6 restricts housing development within the main settlements and villages, as defined by the development limits. The application site lies outside the development limit for Ripon, and so housing development would be contrary to this policy. Local Plan Policy H7 states that the erection of new dwellings outside those settlements listed in Policy H6 will only be permitted where they are essential to the needs of agriculture or forestry or where there is special justification.

The applicants have argued that the proposed housing element represents 'enabling development'. This concept relates primarily to listed buildings, where the profits from such development can help to fund the upkeep of a listed building. However, while the Business Plan indicates that the sale of land would contribute to the costs of redevelopment, it is by no means the largest projected contributor, and is being relied upon to reduce the burden on individuals, companies and fundraising events. It is considered that there is no compelling evidence that the erection of these dwellings is essential for the redevelopment to proceed.

Local Plan Policy R1 states that developments which involve the loss of existing public and private recreational open space will not be permitted except in certain circumstances. This issue is considered below.

Local Plan Policy CF9 states that proposals for new community facilities, including schools, will be expected to be provided within the development limits of the main settlements and larger villages. Such developments should meet the certain requirements, and these are considered below.

Local Plan Policy C15 states that outside the development limits of those settlements listed in Policy H6, existing land uses are expected to remain for the most part undisturbed. One of the exceptions is where development fulfils a local need which cannot be met elsewhere and it complies with Policy CF9.

If acceptable the proposed housing would generate a payment of the provision of off-site public open space. As this is an outline application this would be dealt with by means of a condition to comply with Local Plan Policy R4.

2. RECREATION OPEN SPACE - The whole school site, including the buildings and playing fields, is identified as Recreation Open Space under Local Plan Policy R1. This states that developments which involve the loss of existing public and private recreational open space will not be permitted unless:

- A) there is a surplus of recreation open space in the area and its loss would not adversely affect the existing and potential recreational needs of the local population; or
- B) a satisfactory replacement facility is provided in the catchment area; or
- C) the land by virtue of its size, location and physical conditions, is incapable of appropriate recreational use; or
- D) in the case of playing fields, where sports and recreation facilities can best be retained and enhanced through the development of a small part of the site.

The proposed new school building and sports hall would be built on playing fields to the north of the existing school building, extending up to the site boundary. The existing tennis court would be relocated to the triangle of land south of Red Bank Lane, which is currently rough grassland.

The applicants argue that the pitches will be arranged to make more efficient use of the land available. Together with the provision of improved indoor facilities, it is argued that the proposed development would not result in a significant loss of recreation space.

With the deletion of the two proposed dwellings at the end of Red Bank Drive, it is now considered that the proposed development would not result in a loss of significant recreation open space, and that there is no objection under Local Plan Policy R1.

3. COMMUNITY FACILITY - Local Plan Policy CF9 states that proposals for new community facilities, including schools, will be expected to be provided within the development limits of the main settlements and larger villages. Such developments should meet the following requirements:

- A) the site should be easily accessible of the community to be served,
- B) there should be no adverse impact on residential amenity
- C) there should be no significant loss of industrial, business or housing land or buildings, recreational land or important amenity open space

There is no doubt that the proposed development would bring about a significant improvement in community facilities in the area, in terms of increased pupil numbers and community use of the proposed Arts Centre and sports hall.

The proposed development is considered to be easily accessible to the community served. Notwithstanding the issue of traffic and parking, which are considered below, it is considered that the proposed development would not have an adverse impact on residential amenity. The proposed development would not result in the loss of recreational land, as discussed above.

The school site is outside the development limit of Ripon. However, this is an established school site next to the built confines of the town and, notwithstanding the objection to the proposed housing, it would be unreasonable to resist the redevelopment of the school itself because the site lies outside the development limit. The redevelopment of the school in accordance with the amended plans is considered to comply with Policy CF9.

4 TRAFFIC/PARKING - The application is accompanied by a Transport Assessment. This concludes that there are currently 26 parking spaces on site, and the school generates 48 trips in the morning peak hour. The local road network is lightly trafficked, with no heavy goods vehicles.

The proposed development would include 65 parking spaces; 44 adjacent to Red Bank Lane and 21 to the north of the site. The spaces on Red Bank Lane would cater mainly for school traffic, while those to the north would cater for the sports hall. Overflow parking would be provided on the hockey pitch. This would be used on speech days for instance, when the assembly hall would accommodate up to 300 people. The level of parking provision accords with County Council standards.

Many of the objections from local residents relate to the perceived lack of parking, and point to current problems with visitors to the school parking on local streets. However the Highway Authority is satisfied that adequate provision has been made for parking on site, and no objection can be made on this ground.

The Transport Assessment includes an analysis of trips generated by the proposed uses. It concludes that the traffic generated by the proposed development would cause only a marginal increase on traffic flows in the morning peak period, and that the local highway network has a significant spare capacity to cope with this slight increase.

5. TREES - The application is accompanied by a tree survey which recommends the felling of a sycamore tree on the south boundary and a Scots pine near the gable of the school building. These trees have recently been covered by a TPO (39/2005). The Arboricultural Officer considers that these trees do not pose a threat to the building as claimed, and that no evidence has been provided to justify their removal. The Arboricultural Officer recommends that these two trees be retained and protected during any works. Should planning permission be granted, a Method Statement will also be required detailing how all

trees within the site are to be protected.

However, as this is an outline application, with only access for consideration, this issue can be considered at the reserved matters stage.

6. LAND TO SOUTH OF RED BANK LANE - Many local residents have objected to the proposed development of the triangle of rough grassland to the south of Red Bank Lane and fronting Whitcliffe Lane. In 2001 an appeal was dismissed against residential development on this site (Ref 6.312.767.H.OUT) on the grounds that it would result in the loss of a distinctive open space. The previous application here (Ref 6.31.767.M.OUTMAJ) proposed siting the Arts Centre here, but this application was withdrawn. It is now proposed to relocate the tennis courts and play equipment to this area. This proposed use, together with the retention of trees along the boundaries, is considered to retain the essential openness of this site and there is no objection to this part of the proposed development. Some objectors understand that there is a covenant on this land, but this is a private matter and not a material planning consideration.

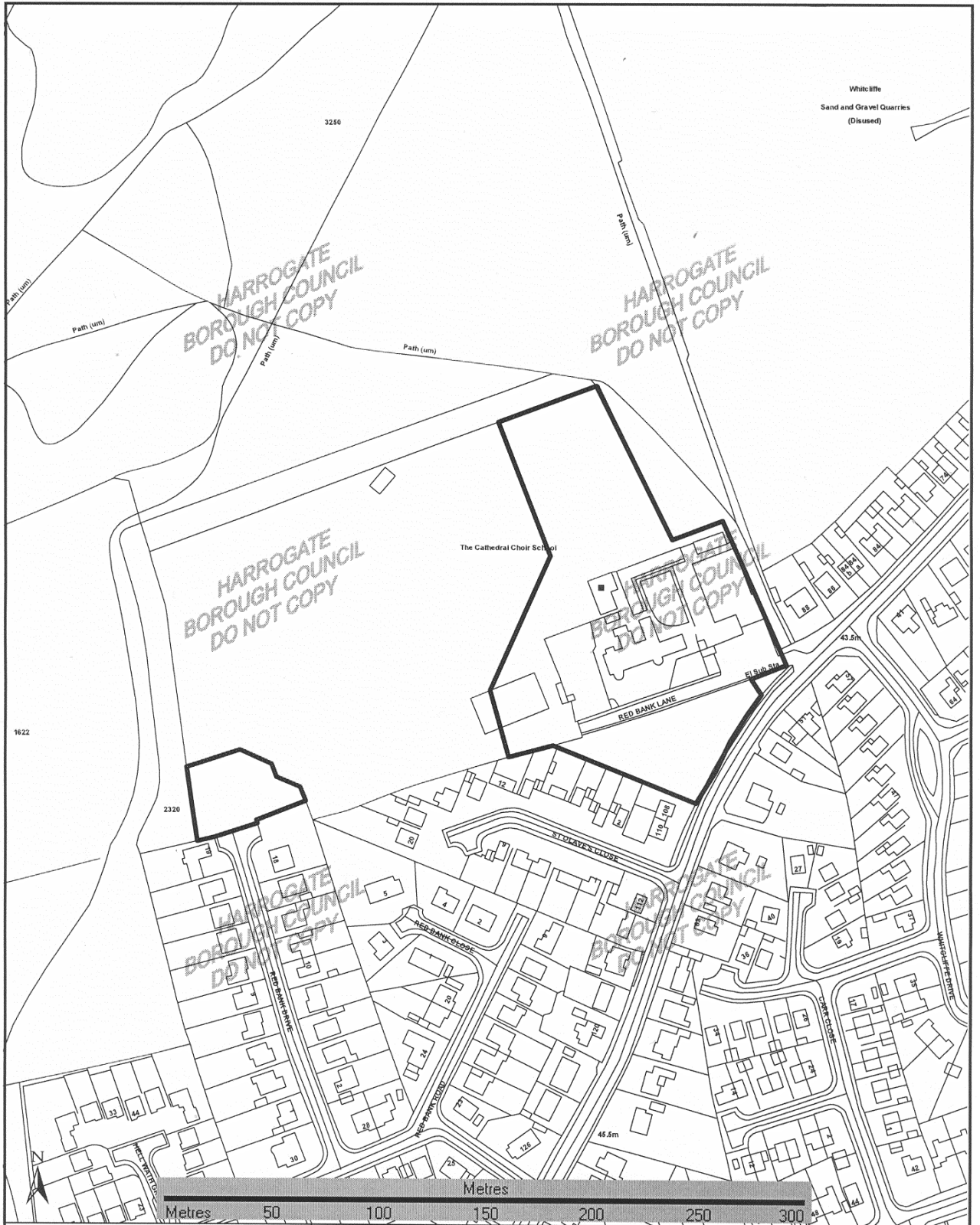
CONCLUSION - The proposed development involves the redevelopment of facilities at an existing school to provide improved educational and community facilities and which is considered to be acceptable in principle, and in accordance with Local Plan Policy CF9. However, the proposed development would involve the erection of houses outside the development limit of Ripon, contrary to Local Plan Policies H6 and H7, and thus refusal is recommended.

CASE OFFICER: Mr M Williams

RECOMMENDATION

That the application be REFUSED. Reason(s) for refusal:-

- 1 The proposed development would involve the erection of 8 dwellings outside the development limit of Ripon. The proposed dwellings are not for agricultural or forestry use, and as there is no other special justification, the proposed development would be contrary to Local Plan Policies H6 and H7.



Harrogate
BOROUGH COUNCIL

Department of Development Services

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Harrogate Borough Council 1000 19628 2005.

PLANNING COMMITTEE

Item No. **3**

App No./Case No. 6.31.767.N.OUTMAJ 05/05910/OUTMAJ

Scale (at A4 size)	1:2500	Site area	1.718ha	Site boundary	<input type="checkbox"/>
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Drawn	MDTT	Date	17.01.2006
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