

HARROGATE BOROUGH COUNCIL

PLANNING COMMITTEE – AGENDA ITEM 6: LIST OF PLANS.

DATE: 1 March 2011

PLAN: 11	CASE NUMBER: 10/05112/FUL
	GRID REF: EAST 409411
	NORTH 473451
APPLICATION NO. 6.500.22.E.FUL	DATE MADE VALID: 03.12.2010
	TARGET DATE: 28.01.2011
CASE OFFICER: Mr M A Warden	WARD: Pateley Bridge

VIEW PLANS AT: <http://tinyurl.com/6722n5b>

APPLICANT: How Stean Gorge

AGENT: Mr Chris Robinson

PROPOSAL: Replace existing bridge with new bridge with 800mm extensions on each side on same concrete foundations to form a footpath to either side.

LOCATION: How Stean Gorge Stean Harrogate North Yorkshire HG3 5SF

REPORT

INTRODUCTION

This application is made by a councillor, who is also a member of the Planning Committee, and therefore the application falls to be determined by the Planning Committee.

SITE AND PROPOSAL

The proposal is to remove an existing bridge and replace it with a wider bridge with a footpath on either side across How Stean Gorge. In the centre of either side parapet an access gate will be formed to facilitate the outdoor pursuit activity of abseiling from the bridge into the gorge without having to climb over the parapet of the bridge.

MAIN ISSUES

1. Impact on conservation interest
2. Design

RELEVANT SITE HISTORY

81/10800/FUL Demolition of existing toilets, store and kitchen and building new, plus extension to kitchen: Permission 03/04/1981

88/02179/FUL Extension to café to form sales area and store and ladies and gents toilets: Permission 02/08/1988

10/04278/CLEUD Certificate of Lawfulness for existing use of field as camp site: Permission 22/12/2010

10/01291/FUL Erection of detached building for store, changing rooms, toilet, shower and laundry facilities and installation of package treatment plant: pending consideration

CONSULTATIONS/NOTIFICATIONS

AONB - Joint Advisory Committee

Support the objective of improving facilities at How Stean.

Rural Strategy Officer

See Assessment of Main Issues

STONEBECK DOWN PARISH COUNCIL (28)

Stonebeck Down

STONEBECK UP PARISH COUNCIL (16)

Stonebeck Up

Environmental Health

No objections

Natural England

No major issues in respect of the bridge, but see assessment of main issues.

Environment Agency

See Assessment of Main Issues

RELEVANT PLANNING POLICY

PPS1 Planning Policy Statement 1: Delivering Sustainable Development

CSEQ2 Core Strategy Policy EQ2: The natural and built environment and green belt

CSSG3 Core Strategy Policy SG3 Settlement Growth: Conservation of the countryside, including Green Belt

LPC01 Harrogate District Local Plan (2001, as altered 2004) Policy C1, Conservation of Nidderdale A.O.N.B

LPC02 Harrogate District Local Plan (2001, as altered 2004) Policy C2, Landscape Character

LPNC03 Harrogate District Local Plan (2001, as altered 2004) Policy NC3, Local Wildlife Sites

LPNC04 Harrogate District Local Plan (2001, as altered 2004) Policy NC4, Semi-Natural Habitats

LPHD13 Harrogate District Local Plan (2001, as altered 2004) Policy HD13,
Trees and Woodlands
LPHD20 Harrogate District Local Plan (2001, as altered 2004) Policy HD20,
Design of New Development and Redevelopment
PPS09 Planning Policy Statement 9, Biodiversity & Geological Conservation

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 07.01.2011

PRESS NOTICE EXPIRY:

REPRESENTATIONS

STONEBECK DOWN PARISH COUNCIL - No objections

STONEBECK UP PARISH COUNCIL - Reply awaited

OTHER REPRESENTATIONS - None.

VOLUNTARY NEIGHBOUR NOTIFICATION - None

ASSESSMENT OF MAIN ISSUES

1. IMPACT ON CONSERVATION INTEREST - How Stean Gorge is part of the Upper Nidderdale SSSI which was designated a SSSI due to the interaction between the hydrology and geology. The aim of the SSSI is to allow this interaction to continue so geological features form naturally and are not interrupted. Natural England need to be assured that this proposal, and a development proposal the subject of a separate application, would not have a major impact on the caves on the northern side of the gorge as well as being assured that the development would not impact on landscape and wildlife. The onus is on the applicant to prove that proposals would not damage, be of low impact on the SSSI. To that end an ecological assessment was submitted confirming that the area is of ecological value, that bats were present at the site in good numbers; that trees within the surrounding woodland would undoubtedly provide further potential roosting locations for bats, as would crevices and caves within the gorge walls and to a lesser extent the building associated with the visitor centre; and that there is much nesting habitat associated with the trees and steep cliffs within the application site.

The report concluded that the wider How Stean Gorge is of very high ecological value, on the basis of its interesting topography and geology which in turn supports a distinctive assemblage of species. While the site's value is somewhat limited by the disturbance caused by visitors and the site's use, this use is established historically and any disturbance is likely to be off-set by the benefits of those visiting the site.

Latterly, a draft Hydrological and Hydrogeological Appraisal was submitted. The report was written on the basis that the existing bridge would be replaced and concluded that a replacement bridge would not have an adverse impact on either the hydrogeological or hydrological regimes in the immediate vicinity.

Natural England have concluded that, in respect of the bridge and effects on the features of the SSSI (hydrologically) they do not believe there to be any major

issues. However, Natural England, in order to be absolutely clear and understand all the activities, require a Construction Management Plan, which must provide clear, detailed robust information to understand how the bridge will be taken out, what fixtures are proposed for the new bridge, whether there would be any drilling, digging etc. Natural England consider that the details that have been provided to date leave consultees guessing or surmising how, when, and where. The council's Rural Strategy Officer comments that the hydrogeological report is still only a draft version, and the council should receive the final version. He considers that Natural England's response gives sufficient comfort to enable the authority to determine the bridge application subject to a condition for the production of a Construction Management Plan as a condition precedent, ie before any other works are carried out. Such a condition is included in this recommendation.

Because of the prolific number of bats, nesting birds and crevices and caves, the Construction Management Plan must include detailed information not only as to how the work will be carried out, but also when and for how long the works will take place.

2. DESIGN - There is at present a bridge across the gorge built by the army in the 1970s, a single span bridge with steel joists supporting a cast iron and steel braced frame with a sleeper road bed. The bridge is sound but not wide enough for cars and pedestrians to pass. A wider bridge with sides to form footways should improve safety for pedestrians, particularly children. The proposed bridge with pedestrian walkways on either side is an acceptable design and would not harm the natural beauty of the AONB or the area generally.

3. FLOOD - Because there was no information with the application on soffit levels or flood risk, the Environment Agency objected to the proposed development because they required soffit levels to be a minimum of 600mm above the maximum know flood level in order to allow floating debris to pass freely under the bridge.

Recent information from the agent advising that the bridge will be 12m above maximum flood level has been forwarded to the Environment Agency. This report is written on the assumption that, based on the information recently submitted, the agency will reverse their objection to the proposed development.

CONCLUSION

Subject to the Environment Agency withdrawing their objection on the basis of additional information to show the structure will be 12m above maximum flood level and therefore should allow flooding debris to pass freely under the bridge, the siting and design of the side extensions are acceptable, would not harm the natural beauty of the AONB or the character of the area, and, subject to the receipt of a Construction Management Plan detailing exactly how the works will be done, when the works will be done and the duration of the works, the proposal need not harm the ecology, geology or hydrological interest of the SSSI, and consequently the development would comply with planning policies.

CASE OFFICER:

Mr M A Warden

RECOMMENDATION

That the application be APPROVED subject to the following conditions:-

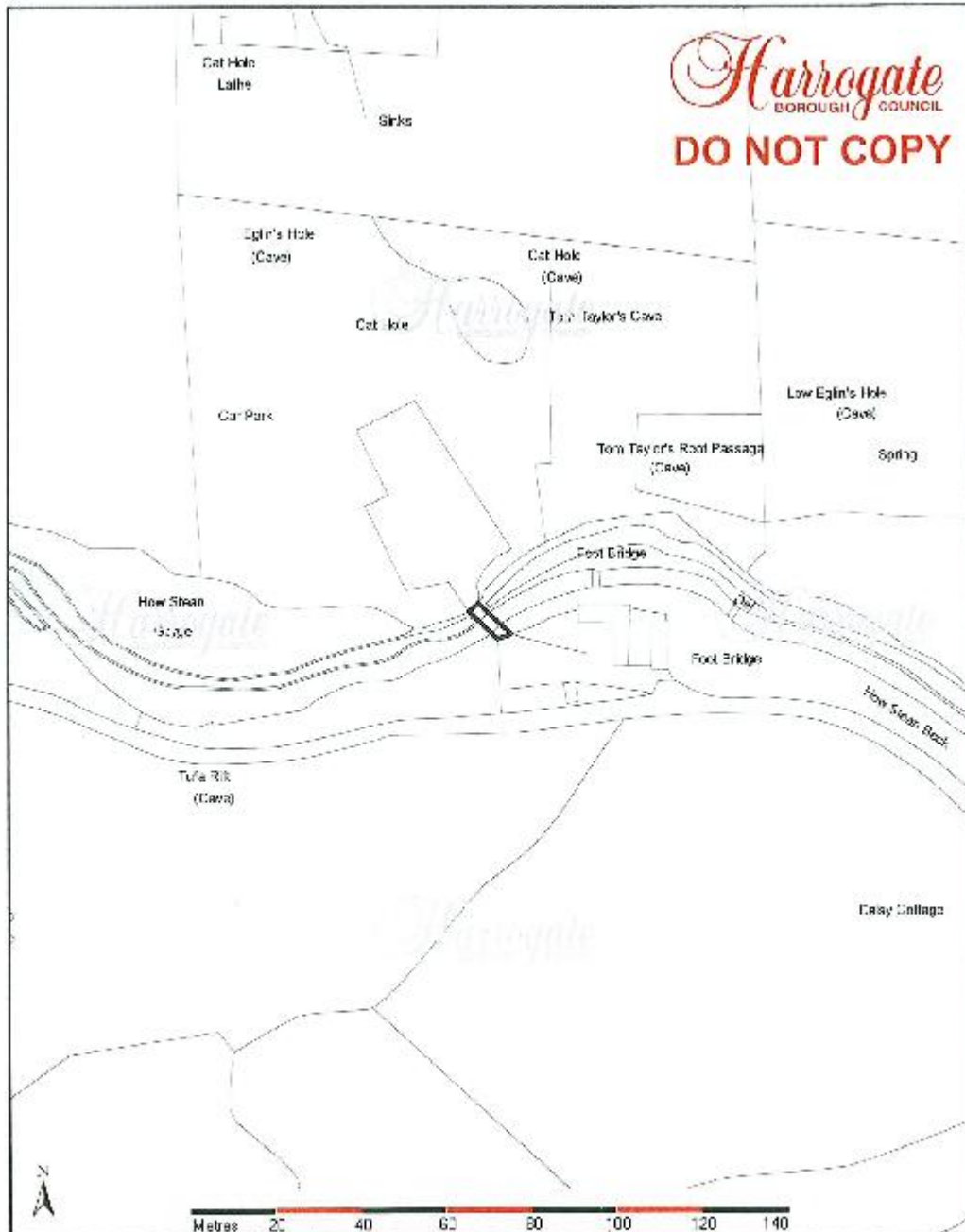
- 1 The development hereby permitted shall be begun on or before .
- 2 The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details, as amended by letter and or drawings received by the Council of the Borough of Harrogate on the 12.12.2010 and as modified by the conditions of this consent.
- 3 Prior to the commencement of any part of the development, a Construction Management Plan shall be submitted to the Local Planning Authority for approval: the plan shall include details of exactly what works will be undertaken, how the works will be undertaken, when the works will be undertaken and the duration of the works. No development shall commence until the Local Planning Authority have given written approval for the Construction Management Plan; and thereafter the works shall be carried out strictly in accordance with the details of the approved Construction Management Plan.

Reasons for Conditions:-

- 1 To ensure compliance with Sections 91-94 of the Town and Country Planning Act 1990.
- 2 In order to ensure that the development is carried out in accordance with the approved drawings.
- 3 To ensure the development and works will not cause harm directly or indirectly to the hydrology, geology, or ecology of the SSSI.

INFORMATIVES

- 1 The planning permission hereby granted does not absolve the applicant from obtaining any other consent, specifically consent from Natural England for any operations likely to damage the SSSI.



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Harrogate Borough Council 1000 19878 2008

PLANNING COMMITTEE

Item No. 11

App No./Case No.	10/05112/FUL 6.500.22.E.FUL		
Scale (at A4 size)	1:1250	Site area	N/A
Drawn	MDJT	Date	01.03.2011
		Site boundary	<input type="checkbox"/>