

North Yorkshire County Council

Business and Environmental Services

Planning and Regulatory Functions Committee

6 February 2018

**C6/17/03835/CMA - PLANNING APPLICATION FOR THE PURPOSES OF THE DEMOLITION OF SIXTH FORM BUILDING (1186 SQ. METRES), REMOVAL OF 2 NO. TEMPORARY CLASSROOM UNITS (263 SQ. METRES), ERECTION OF TWO STOREY SIXTH FORM BUILDING (965 SQ. METRES), EXTERNAL WALL MOUNTED LIGHTING, 9 NO. 6 METRE HIGH LIGHTING COLUMNS, RE ARRANGEMENT OF CAR PARK FACILITY, CYCLE SHELTER, BIN STORE, 3 NO. PEDESTRIAN CROSSINGS, CREATION OF FOOTPATHS, 1.8 METRE HIGH ACCESS GATE, PAVING, HARD AND SOFT LANDSCAPING WORKS, REMOVAL OF 1 NO. EXISTING TREE ON LAND AT KING JAMES SCHOOL, KING JAMES ROAD, KNARESBOROUGH, HG5 8EB ON BEHALF OF THE CORPORATE DIRECTOR, CHILDREN AND YOUNG PEOPLE'S SERVICES
(HARROGATE DISTRICT) (KNARESBOROUGH ELECTORAL DIVISION)**

Report of the Corporate Director – Business and Environmental Services

1.0 Purpose of the report

- 1.1 To determine a planning application for the demolition of sixth form building (1186 sq. metres), removal of 2 No. Temporary Classroom Units (263 sq. metres), erection of two storey Sixth Form Building (965 sq. metres), external wall mounted lighting, 9 No. 6 metre high lighting columns, re arrangement of car park facility, cycle shelter, bin store, 3 No. pedestrian crossings, creation of footpaths, 1.8 metre high access gate, paving, hard and soft landscaping works, removal of 1 No. existing tree on land at King James School, King James Road, Knaresborough, HG5 8EB on behalf of the Corporate Director, Children and Young People's Services.
- 1.2 This application is subject to an objection from Harrogate District Council having been raised in respect of this proposal on the grounds of the demolition of a non-designated heritage asset and the heritage impact of this and is, therefore, reported to this Committee for determination.

2.0 Background

Site Description

- 2.1 King James' School is located 20 metres to the south of the A59, which is the main road that runs through the centre of Knaresborough. The school is located towards the north of the site and is set within approximately 9 hectares of land, as shown on Appendix A the Committee Plan attached to this report. King James' School is located within a residential area of Knaresborough. It is a non-denominational school and educates children between the ages of 11 to 18 years of age. It was founded in 1616 as King James Grammar School and became a comprehensive school in 1971. The school currently has a capacity of 1,692 children on the school roll. With 360 of these at the sixth form college, as shown on Appendix B the existing plan of the sixth form building.

- 2.2 The main school building comprises single and two storey sections and much of the school is constructed of red brick. The school has had multiple extensions modernising it including a new art block, due to the topography of the school site and the changing levels throughout this has meant expansion has occurred in terraces. There are a number of temporary classroom units located at the school and the school benefits from a large playing field which are located in the south of the site. Tennis courts south of the main school building and are located on a lower level to the main school building and are floodlit (planning permission C6/14/01556/CMA). The site also includes a The 'Multi-Use Games Area' or 'MUGA' incorporating a synthetic pitch and was granted planning permission in 2006 under the terms of planning permission C6/100/324/AW/CMA. The MUGA was further granted permission for 8 No. 15 metre high floodlight columns on 6 August 2013 in the south east of the site.
- 2.3 The north-eastern area of the School is predominantly constructed from red brick including the sixth form building to be demolished in this application, which is shown through site photos on Appendix C attached to this report. There is though also a modern building to which the first floor is an extension that was granted planning permission in 2007. This is constructed from an exposed steel column painted grey, with metallic silver panels. The flat metal roof is covered in a light grey cladding. This extension also includes an external walkway to gain access to the first floor. The prefabricated units this application relates to are located in the same north-west part of the schools site.
- 2.4 To the north-west of the school site is the main vehicular entrance and exit onto King James Road, and approximately 45 metres further north-west is Knaresborough Swimming Pool. Approximately 15 metres to the north east of the boundary of the school site are a number of semi-detached residential properties on York Road. These two storey dwellings are constructed from red brick, and the pitched roofs are covered with red clay roof tiles. The north eastern boundary treatment includes mature trees, a raised embankment and a two metre high wire mesh fence.
- 2.5 The only constraint relevant to the determination of this application is that it is within the Impact Risk Zones for SSSI's. The Knaresborough Conservation Area is 85 metres to the north however this application is not considered to impact upon this, this is shown on Appendix D the Heritage Assets Plan attached to this report. The site has been classed as a non-designated heritage asset in the 2017 Draft Knaresborough Neighbourhood Plan, however there is no specific mention of the building to be demolished. To the south east of the application site there is a public right of way outside the red line boundary, which would not be affected by the application.

Planning History

- 2.6 The planning history relating to the proposed development site relevant to the determination of this application is as follows: -
- C6/100/324/BR/CMA, 22 March 2016, erection of black tubular steel rail fencing and vehicular and pedestrian access gates (6 in total) ranging from 2 metres to 2.2 metres in height. Granted and implemented.
 - C6/100/324/BD/CMA, 5 March 2010, Retention of Elliot Unit 3305. Application finally disposed of and unit not renewed however not taken off site. This application was for one of the units to be removed in this application.
 - C6/100/324/AY/CMA, 16 January 2007, Erection of first floor accommodation. Granted and implemented.

3.0 The proposal

- 3.1 Planning permission is sought for the demolition of sixth form building (1186 sq. metres), removal of 2 No. Temporary Classroom Units (263 sq. metres), erection of two storey Sixth Form Building (965 sq. metres), external wall mounted lighting, 9 No. 6 metre high lighting columns, re arrangement of car park facility, cycle shelter, bin store, 3 No. pedestrian crossings, creation of footpaths, 1.8 metre high access gate, paving, hard and soft landscaping works, removal of 1 No. existing tree on land at King James School, King James Road, Knaresborough, HG5 8EB on behalf of the Corporate Director, Children and Young People's Services.
- 3.2 The proposed development includes the construction of a new two storey sixth form block 965 metres squared in size in the south east corner of the application site, as shown on Appendix E the Proposed Site Plan attached to this report. The building would comprise of on the ground floor a common room, study space, staff hub, staff offices, a kitchen, WC's and meeting rooms. On the first floor there would be three classrooms, three seminar rooms, a careers room and meeting room. The buildings new electrical room and plant room would only be accessible externally to the rear of the building in a basement which is made possible with the topography of the land. The building would serve exclusively for the sixth form with its own entrance and level access to the north elevation of the building.
- 3.3 The building would be a steel framed metal panel cladded structure coloured Goose Grey (RAL 080 70 05 or BS 10 A 05), with aluminium grey PPC windows. The agent states all spaces have been designed where possible to maximise full accessibility, natural ventilation and direct sunlight. The scale of the proposed building the agent states takes precedent from the existing school buildings to the rear, utilising the same vernacular of this building to make the proposal fit more harmoniously within the school setting, the windows and The proposed building would be 25.6 metres in width and 17.6 metres in length. The building would have a height of 8.8 metres to the top of the ridge of the pitched roof. The agent states the building is slightly higher than this existing building however the ridge of the pitched roof of the proposed building matches the height of the school buildings to the west of it. The agent states that the proposed building does not overlook any adjacent properties and the pitched roof with Grey metal profiled roofing covering, with 6 Velux roof lights helps to provide natural light to the building.
- 3.4 To accommodate this proposal the current sixth form building which is 1186 metres squared would be demolished, as shown in Appendix F in the demolition plan attached to this report. The agent states this building is not fit for purpose and this proposal would be a more cost effective solution. Further stating *'to re-roof the existing Sixth Form Building would be prohibitively costly and poor value for money. The overall age and condition as-well as layout is not suitable accommodation for its intended purpose as the current Sixth Form Accommodation.*
- 3.5 The agent states other previous proposals on site have been constructed under a piecemeal approach with many temporary classroom units across the site. The agent further asserting this proposal would also *'look to rationalise the existing school layout and simplify access, parking and thoroughfare of the site to the schools sixth form students'*. Furthermore it is noted there is currently no extant planning permission for the temporary classroom units to be removed from site as part of this application.

- 3.6 The location of the current sixth form building would be reconfigured to provide the school car parking. This would be a like for like replacement with a capacity of 58 spaces with no net loss or gain while also creating better access for buses into the school also creating three bus pull in bays and disabled parking provision. The agent states this would alleviate parking pressures and congestion along the main frontage of the school onto King James Road at peak times and improve the frontage of the school. The application also includes new car park lighting with nine six metre high lighting columns.
- 3.7 There would be other external works completed in regards to the development. Firstly the removal of the two existing TCU's (15.2 metres in length, 8.2 metres in width with a height of approximately 3 metres), the associated hand rails and steps, with further external works of a cycle store and bin store. Landscaping works for the application would also include the creation of footpaths, paving and crossing points, an access gate, a cantilever walkway with external seating and railings and landscaping to the perimeter of the Sixth form Centre. Tree works include some pruning of the trees along York Road and King James Road frontage, the removal of one Prunus to facilitate the demolition of the sixth form building, there would also be some soft landscaping.

4.0 Consultations

- 4.1 The consultees responses summarised within this section of the report relate to responses to the initial consultation on 24 August 2017 and the subsequent re-consultation (on 19 October 2017) following the receipt of further/amended information relating to Bats and again on 13 December 2017 also in regards to bats.
- 4.2 **Harrogate Borough Council (Planning)** – A response was received on 2 November 2017 stating objections with observations to the application. The Harrogate Planning Officer report for the application states an internal consultation had been completed with the districts Conservation and Design officers who strongly object to the proposal as it involves the demolition of one of two of the historic school buildings which dates back to 1901 of which the other has been extended is part of a range of other buildings. The Conservation Officer states this can be classed as a non-designated heritage asset when addressed against the districts criteria, due to having architectural interest and how it contributes to the street scene. The District Officer states policies SG4, EQ2 and HD20 as relevant to make sure development is appropriate to its context. The Officer also states the proposal would be in conflict with Policy HD3 as the development would have a significant adverse impact on the Conservation Area. Further stating the impact would be the most severe due to the demolition of a non-designated heritage asset therefore the application should be determined in regards to NPPF paragraph 135. The District Officer further states the districts Heritage Management SPD states that (chapter 7. Para 8.43); 'The re-use of buildings is encouraged because it is generally more sustainable to re-use than demolish and redevelop the site'. Additionally stating it enables the conservation of heritage assets.
- 4.2.1 The District Planning Officer states that for the reasons set out above, this building is considered to be one which is worthy of conservation, with no information having been provided to justify the demolition of the building due to major structural defects. The consultee states the building is currently in use and it is regarded that issues with it could be remedied through viable repairs. The District Planning Officer states that Knaresborough Town Council have drawn up a draft Neighbourhood Plan and the building is in there list of non-designated heritage assets.

- 4.2.2 The District Planning Department state the new buildings are located close to a house on York Road with windows proposed in the east facing elevation of the site which may give oblique views of the property and garden area, which is a concern. The Officer however states the mature trees along this boundary would significantly screen the new building, mitigate the overlooking and reduce the visual impact of the building. Stating some overshadowing may occur during certain times of the day due to the size of the building. It is stated the lighting columns from the proposed development are all but one located away from any adjacent roads or residential properties and it is considered the one along York road is obscured by the mature trees adjacent from the nearest residential property so should not cause glare or negatively affect amenity. The District state this application may slightly increase noise from the site however is unlikely to have a detrimental impact on the current levels of nearby properties.
- 4.2.3 The District Planning Department state in regards to tree works that the Districts Arboricultural Officer was consulted and it is considered the trees around the site are mature specimens which contribute to the amenity of the area. The district Arboricultural Officer states no objection to the proposed development as the proposed structure would be further from the tree canopies however conditions in regards to tree works should be added to any permission.
- 4.3 **Knaresborough Town Council** – A response was received on 26 September 2017 stating no objection to the application but would ask that the lighting used should be downwards facing not to spill onto nearby residents.
- 4.4 **Yorkshire Water Services Ltd** – A response was received on 8 December 2017 giving a conditional response to the application stating Yorkshire Water understand that surface water from the development would not drain via the public sewer and no water mains cross the site but a nearby mains could be adversely affected if heavy machinery is continually driven over this. Yorkshire Water request two conditions one in regards to no development commencing until details of protecting the water main laid within the site is submitted and another in regards to no piped discharge of surface water from the application should take place until works to complete a satisfactory outfall other than existing has been submitted and approved by the planning authority.
- 4.5 **Environmental Health Officer (Harrogate)** - A response was received on 20 September 2017 stating due to the proximity to residential properties the hours of construction should be limited to 0800 to 1800 Monday to Friday, 0800 to 1300 Saturday and no working on Sundays and Statutory Holidays, also requesting a dust mitigation plan for the construction phase. The EHO has no other concerns in regards to noise if the plant room equipment is all located inside as stated on the plans. The EHO states the Phase 2 land contamination report does not contain any information in regards to the previous use however their records show there is no historic contamination on this site and it is not in a waste consultation area. The author of this report has requested a watching brief be undertaken in case any material of concern is revealed in the development phase, therefore recommend a reporting of unexpected contamination condition be attached to any permission. Finally they request that in accordance with the times listed in the application that the floodlights should not be used after 22:00hrs.
- 4.6 **Highway Authority** - A response was received on 21 December giving a conditional response in regards to parking spaces to remain available at all times, precautions to prevent mud on the highway, a highways condition survey, onsite parking, storage and construction traffic during development and a travel plan.

- 4.7 **NYCC Arboricultural Officer** – A response was received on 20 September 2017 stating no objections to the proposed tree removal to facilitate the development and that tree protection measure detailed in the accompanying tree report are robust and the development should be conditioned to be implemented in accordance with these measures.
- 4.8 **NYCC Heritage - Principal Landscape Architect** – A response was received on 3 November 2017 stating the proposals on the proposed site plan were acceptable in principle however further information was required regarding a detailed planting plan and additional trees located on site as the B12 Sycamore may be compromised by the closeness of stem in relation to the car park. A further response was received on 9 November 2017 stating after conversations with the agent a condition should be added to any permission which includes planting in the car park for the application including the species, sizes and planting density.
- 4.9 **NYCC Heritage - Ecology** – A holding response was received on 29 August 2017 stating a further bat survey was required and the application could not be determined until this was completed. A further two bat survey reports were submitted on the 18 October 2017 and a response commenting on this was received on 8 November 2017. The Ecologist stated in regards to the Temporary Classroom Units these were identified as having low bat roost potential, with both surveys confirming that these are unlikely to support roosting bats. The ecologist confirmed the mitigation in regards to the demolition of these units to be satisfactory and the recommendations within the report should be adhered to.
- 4.9.1 The Ecologist though had issues with the reports in regards to the Sixth form block and outbuildings. The initial report on 25 January 2017 identified the buildings had high roost potential, therefore further survey work is required with three separate visits, with at least one dusk emergence and a separate dawn re-entry survey. Further stating these need to be completed between May and September, with at least two between May and August. However these buildings were recently surveyed on 15 and 27 September 2017. The Ecologist states there is insufficient evidence from the surveys to confirm the absence of bats from these buildings with a high number of potential roost features identified. Furthermore it is noted by the BL Ecology Report results of the dusk emergence survey undertaken on 6 September 2017 that common pipistrelles were recorded throughout the survey appearing from the direction of the sixth form block. With all this information the Ecologist states that the application could not at this point be determined in relation to bats.
- 4.9.2 The agent provided a further response on 13 December 2017 and the Ecologist responded to these on 18 December. The Ecologist states the outstanding concerns in regards to the Sixth Form building have been addressed in the report provided on 13 December 2017 with every potential roost feature having been accessed and documented in the report. The report also in summary demonstrates the buildings have minimal potential to support bat maternity or hibernation roosts, however does have some potential to support small, transient summer roosts. The building is not to be demolished until the end of the project and there is therefore an opportunity to further inspect those features to inform the demolition strategy and detail any mitigation.

4.9.3 The Ecologist further states that ideally it would have been useful to have the summer activity surveys however the information which has been provided is thorough and the Ecologist would agree with the assessment that the buildings have low potential to support maternity and/or hibernation roosts and some potential to support small transient roosts of common species, therefore does not conflict with Habitat Regulations. The Ecologist recommends the application can be determined subject to a condition requiring that a site specific mitigation plan is submitted in advance of the of the sixth form block and out building being demolished. The mitigation plan should include details of:

- timing of demolition
- pre demolition checks of PRFs – e.g. internal inspection, endoscope checks
- method of demolition
- compensation and enhancement measures
- sensitive lighting plans

4.10 **Natural England** – A response was received on 5 September 2017 stating no comments in regards to this application.

Notifications

4.11 **County Cllr. Zoe Metcalfe** – Was notified of the application on 24 August 2017.

5.0 Advertisement and representations

5.1 The proposal has been advertised by means of Site Notices posted on 5 September 2017 (responses to which expired on 26 September 2017). The Site Notices were posted in the following locations: one at the school reception north of the school on King James Road, another further east on the corner of King James Road and York Road and two on the public footpath running along the northern boundary of the application site.

5.2 Neighbour Notification letters were sent on 18 September 2017 and the period in which to make representations expired on 9 October 2017. The following properties received a neighbour notification letter:

- 1,3, 4, 5, 7, 9, 11 York Road, Knaresborough, North Yorkshire, HG5 0AF;
- Abbots Memorial Company, 2 York Road, Knaresborough, North Yorkshire, HG5 0AH;
- Knaresborough Swimming Pool, King James Road, Knaresborough, North Yorkshire, HG5 8EB;
- 33, 35, 37 York Place, Knaresborough, North Yorkshire, HG5 0AD.

5.3 No representations have been received in response to the abovementioned advertisement of the application.

6.0 Planning policy and guidance

National Planning Policy

6.1 The policy relevant to the determination of this particular planning application provided at the national level is contained within the following documents:

- National Planning Policy Framework (NPPF) (published March 2012)

National Planning Policy Framework (NPPF)

6.2 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied.

- 6.3 The overriding theme of Government policy in the NPPF is to apply a presumption in favour of sustainable development. For decision-making this means approving development proposals that accord with the development plan without delay (if plans are up-to-date and consistent with the NPPF). The Government has set down its intention with respect to sustainable development stating its approach as *“making the necessary decisions now to realise our vision of stimulating economic growth and tackling the deficit, maximising wellbeing and protecting our environment, without negatively impacting on the ability of future generations to do the same”*. The Government defines sustainable development as that which fulfils the following three roles:
- **An economic role** – development should contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation;
 - **A social role** – development supporting strong, vibrant and healthy communities; and,
 - **An environmental role** – development that contributes to protecting and enhancing the natural, built and historic environment and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution and mitigate and adapt to climate change including moving to a low carbon economy.
- 6.4 The NPPF advises that when making decisions, development proposals should be approved that accord with the Development Plan and when the Development Plan is absent, silent or relevant policies are out of date, permission should be granted unless:
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this framework indicate development should be restricted.
- 6.5 This national policy seeks to ensure that there are positive improvements in people’s quality of life including improving the conditions in which people live, work, travel and take leisure.
- 6.6 Within the NPPF, paragraph 14 of the Framework advises that when making decisions, development proposals that accord with the development plan should be approved without delay and when the development plan is absent, silent or relevant policies are out of date, permission should be granted unless:
- *‘any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole: or*
 - *specific policies in the Framework indicate development should be restricted’.*
- 6.7 Paragraph 17 within the Core Planning Principles of the NPPF states factors which should underpin planning decisions. The relevant policies for this proposed development include:
- *always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;*
 - *take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.*

- 6.8 Paragraph 32 within Section 4 (Promoting sustainable transport) of the NPPF states that plans and decisions should take account of whether opportunities for sustainable transport modes have been taken up depending on the nature and location of the site; safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 6.9 Paragraph 58 within Section 7 (Requiring Good Design) of the NPPF states that local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:
- *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - *establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;*
 - *optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;*
 - *respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;*
 - *create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion;*
 - *and are visually attractive as a result of good architecture and appropriate landscaping.*
- 6.10 However, paragraph 60 states that *'Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness'* and paragraph 61 also states that *'Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment'*.
- 6.11 Indeed paragraph 64 states that *'permission should be refused for development of poor design'*. However, paragraph 60 states that *'Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness'* and paragraph 61 states that *'Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment'*.

- 6.12 Paragraph 70 within Section 8 (Promoting healthy communities) of the NPPF states that planning policies and decisions should *“plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments”*.
- 6.13 Paragraph 72 within Section 8 (Promoting healthy communities) of the NPPF states that *“the government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities.”* Going on to specify planning authorities must take a *“proactive, positive and collaborative approach”* to meeting this requirement. They should:
- *give great weight to the need to create, expand or alter schools; and*
 - *work with school’s promoters to identify and resolve key planning issues before applications are submitted’.*
- 6.14 Paragraph 120 of the NPPF, advises that planning decisions should ensure that development is *‘appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account’*. The NPPF notes that planning decisions should *‘focus on whether the development itself is an acceptable use of the land and the impact of the use’*.
- 6.15 Within paragraph 123 of the Framework it is noted that planning decisions should *‘aim to:*
- *avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;*
 - *mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.;*
 - *recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and*
 - *identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason”*.
- 6.16 Within the NPPF, paragraph 125 notes that *‘By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*
- 6.17 Paragraph 131 within Section 12 (‘Conserving and enhancing the historic environment’) of the NPPF states that *“In determining planning applications, local planning authorities should take account of:*
- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - *the desirability of new development making a positive contribution to local character and distinctiveness”*.
- 6.18 Paragraph 135 states *“the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”*

National Planning Practice Guidance (PPG) (2014)

- 6.19 On 6 March 2014 the Department for Communities and Local Government (DCLG) launched the National Planning Practice Guidance (PPG) web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning practice guidance documents cancelled. The NPPG supports the national policy contained within the NPPF. The guidance relevant to the determination of this application is contained within the following sections: -

Design:

- 6.20 This states how good design is essential to sustainable development with reference to the importance of it being functional, in that it relates well to its surrounding environment, and is designed so that it delivers its intended purpose whilst maintaining a distinctive character. It though must also “*reflect an areas function, history, culture and its potential need for change*’. Ensuring a development can:
- deliver a wide range of planning objectives.
 - enhance the quality buildings and spaces, by considering amongst other things form and function; efficiency and effectiveness and their impact on wellbeing.
 - address the need for different uses sympathetically.

Conserving and Enhancing the Historic Environment:

- 6.21 This states authorities should set out their Local Plan with a positive strategy for the conservation and enjoyment of the historic environment. Heritage assets may be affected by direct physical change or by change in their setting; therefore it is important to assess the significance of a heritage asset and the contribution to its setting. Furthermore all heritage assets settings may have more significance than the extent of their curtilage. The guidance also requires authorities to consider the implications of cumulative change and whether a development materially detracts from the asset.

Light pollution:

- 6.22 Light intrusion occurs when the light ‘spills’ beyond the boundary of the area being lit. For example, light spill can impair sleeping, cause annoyance to people, compromise an existing dark landscape and/or affect natural systems (e.g. plants, animals, insects, aquatic life). It can usually be completely avoided with careful lamp design selection and positioning:
- Lighting near or above the horizontal is usually to be avoided to reduce glare and sky glow (the brightening of the night sky).
 - Good design, correct installation and ongoing maintenance are essential to the effectiveness of lighting schemes.
- 6.23 Lighting only when the light is required can have a number of benefits, including minimising light pollution, reducing harm to wildlife and improving people’s ability to enjoy the night-sky:
- Lighting schemes could be turned off when not needed (‘part-night lighting’) to reduce any potential adverse effects e.g. when a business is closed or, in outdoor areas, switching-off at quiet times between midnight and 5am or 6am. Planning conditions could potentially require this.
 - Impact on sensitive wildlife receptors throughout the year, or at particular times (e.g. on migration routes), may be mitigated by the design of the lighting or by turning it off or down at sensitive times.

Noise:

- 6.24 This states how noise needs to be considered when new developments would be sensitive to the prevailing acoustic environment. The subjective nature of noise means that there is not a simple relationship between noise levels and the impact on those affected. This will depend on how various factors combine in any particular situation. Local planning authorities' plan-making and decision taking should take account of the acoustic environment and in doing so consider:
- whether or not a significant adverse effect is occurring or likely to occur;
 - whether or not an adverse effect is occurring or likely to occur; and
 - whether or not a good standard of amenity can be achieved.
- 6.25 It also states that “neither the Noise Policy Statement for England nor the National Planning Policy Framework (which reflects the Noise Policy Statement) expects noise to be considered in isolation, separately from the economic, social and other environmental dimensions of proposed development”.
- 6.26 In line with the Explanatory Note of the Noise Policy Statement for England, this would include identifying whether the overall effect of the noise exposure (including the impact during the construction phase wherever applicable) is, or would be, above or below the significant observed adverse effect level and the lowest observed adverse effect level for the given situation. As noise is a complex technical issue, it may be appropriate to seek experienced specialist assistance when applying this policy.

The Development Plan

- 6.27 Notwithstanding that the abovementioned national planning policy is a significant material consideration, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. In this instance, therefore, the Development Plan consists of policies contained within a number of planning documents. These documents include:
- any extant planning policies contained within Plan(s) adopted by the County and District (or Borough) Councils ‘saved’ under direction of the Secretary of State; and,
 - any planning policies contained within Development Plan Documents adopted under the Local Development Framework regime.
- 6.28 The Development Plan for the determination of this particular application comprises the following:
The extant policies of the Harrogate District Core Strategy (2009);
The ‘saved’ policies of the Harrogate Borough Local Plan (2001);
- 6.29 The Harrogate Core Strategy (adopted 2009) has particular relevance in the determination of this application and the policies most relevant include:
- Policy SG4 – Design and Impact;
 - Policy EQ1 - Reducing Risks to the Environment
 - Policy EQ2 - The Natural and Built Environment and Green Belt;
 - Policy C1 – Inclusive Communities.
- 6.30 Within the Harrogate Core Strategy Policy SG4, “Design and Impact” with regards to residential amenity it states “*the scale, density, layout and design should make the most efficient use of land*”, and that the “*visual, residential and general amenity should be protected and where possible enhanced*”. This policy is consistent with the NPPF’s objectives of presumption in favour of sustainable development, as outlined in paragraph 17 of the Framework, which relates to the importance of achieving a

good quality of design to ensure a good quality and standard of amenity for all existing and future occupants. Therefore, full weight can be given to this policy in the determination of this application.

- 6.31 Policy EQ1 states “In partnership with the community, the development industry and other organisations, the level of energy and water consumption, waste production and car use within the District, and the consequential risks for climate change and environmental damage will be reduced through design, construction and subsequent operation of all new development seeking to minimise energy and water consumption, the use of natural non-renewable resources, travel by car, flood risk and waste. Stating until a higher national standard is required, all new development requiring planning permission for other types of development it should attain ‘very good’ standards as set out in the Building Research Establishment Environmental Assessment Method (BREEAM). Finally stating proposals for renewable energy projects will be encouraged, providing any harm caused to the local environment and amenity is minimised and clearly outweighed by the need for and benefits of the development”.
- 6.32 Within the Harrogate Core Strategy, Policy EQ2 provides the Borough Council’s response to development within both the natural and built environment of the district. Within the Strategy, paragraph 7.36 states “*Policy EQ2 recognises the importance of those sites/areas of international and national importance for the protection and enhancement of the Districts character, biodiversity, landscape and heritage*”. It is considered that the policy is consistent with Paragraph 132 of the NPPF which states that “*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting*”. It is, therefore, considered that policy EQ2 is consistent with national guidance and is given weight in the determination of this application.
- 6.33 Another relevant policy stated in Harrogate’s Cores Strategy (2009) is Policy C1 titled “Inclusive communities” it advises “*the use and development of land will be assessed having regard to community needs within the District, with particular importance placed on the following specific needs identified through the Harrogate District Community Plan and other relevant strategies and plans:*
- a. *elderly people, especially in terms of open market housing, health, sport and recreation;*
 - b. *young people, especially in terms of affordable housing, higher education/training and sport, leisure, cultural and entertainment facilities;*
 - c. *the rural population especially in terms of affordable housing and access to services;*
 - d. *disabled people, especially in terms of access to services and mobility.*”
- 6.34 Section 8 of the NPPF, entitled ‘Promoting Healthy Communities’, reinforces the role that the planning system can have in facilitating healthy, inclusive communities. Specifically, paragraph 70 states that planning policies and decisions should ‘plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments’. In this instance only parts ‘b’ and ‘d’ of this policy is considered relevant to the determination of this application as it relates to the provision of facilities related to the provision of education and the improvement of services for disabled people. It is therefore considered that Policy C1 ‘b’ and ‘d’ of the Harrogate District Core Strategy (2009) are consistent with the National Planning

Policy Framework (2012) and therefore full weight can be applied in determining this application.

- 6.35 In addition to the Harrogate District Core Strategy (2009) the Harrogate District Local Plan (2001) also warrants consideration in relation to this proposal. The policies most relevant include:
- 'Saved' Policy HD3 entitled 'Control of Conservation Areas'.
 - 'Saved' Policy HD20 - Design of New Development and Redevelopment;
 - 'Saved' Policy C2 – Landscape Character.

- 6.36 'Saved' Policy HD3 entitled 'Control of Conservation Areas' states '*Development which has an adverse effect on the character or appearance of a Conservation Area will not be permitted and this includes the following forms of development*
- a) The demolition of non-listed buildings which make a positive contribution to the character or appearance of conservation areas*
 - b) The erection of buildings out of scale with their surroundings.*
 - c) Proposals involving the loss of open space, which contributes to the character of the conservation area*
 - d) The combination of adjoining buildings to create large open plan offices or shops*
 - e) Proposals which would have an adverse effect on the historic form and layout of passageway and plots*

Application for development in or visually affecting Conservation Areas will be expected to contain sufficient information to allow a proper assessment of their impact on the character and appearance of the conservation area to be made. Where the loss of a non-listed building is acceptable in principle, conditions will be attached to the grant of consent for demolition to ensure that no demolition shall take place until a contract for the carrying out of works re-development has been made and planning permission for those works has been granted.'

- 6.37 This Policy is considered consistent with the NPPF's objectives of conserving and enhancing the historic environment, as outlined in Chapter 12, in particular as detailed in paragraphs 131, 133, 134 and 138, which relate to making sure developments do not cause substantial harm to Conversation Areas.

- 6.38 'Saved' Policy HD20, entitled 'Design of New Development and Redevelopment', from the Harrogate Local Plan (2001) advises that proposals must take into account the following design principles:
- *New buildings must make a positive contribution to the spatial quality of the area and their siting and density should respect the area's character and layout.*
 - *The use and application of building materials should respect materials of neighbouring and the local area;*
 - *New development should respect the local distinctiveness of existing buildings, settlements and their landscape setting.*
 - *New buildings should respect the scale, proportions and height of neighbouring properties.*
 - *New building design should respect, but not necessarily mimic, the character of their surroundings and, in important location, should make a particularly strong contribution to the visual quality of the area.*
 - *The use and application of building materials should respect materials of neighbouring buildings and the local area*
 - *New development should be designed with suitable landscaping as an integral part of the scheme;*

- *Special consideration will be given to the needs of disabled and other inconvenienced persons, particularly in proposed developments to which there will be public access;*
 - *New development should respect the privacy and amenity of nearby residents and occupiers of adjacent buildings;*
 - *New development should maximise the opportunities for conservation of energy and resources through design, layout, orientation and construction.*
 - *New development should, through design, layout and lighting, pay particular attention to the provision of a safe environment’.*
- 6.39 This Policy is considered partially consistent with the NPPF’s objectives of achieving sustainable development through good design, as outlined in Chapter 7, in particular as detailed in paragraphs 56 and 58, which relate to development respecting the character of the area. It is noted, that the NPPF states that *‘planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation’*. Paragraph 61 states *‘Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment’*.
- 6.40 Furthermore, paragraph 64 states that *‘Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions’*. In terms of the design aims of Policy HD20, it is therefore considered that the policy is broadly consistent with the aims of the National Planning Policy Framework (2012) and, therefore, partial weight should be afforded Policy HD20 in relation to the determination of this application.
- 6.41 ‘Saved’ Policy C2 - Landscape Character states that *“development should protect existing landscape character. In locations where restoration of the landscape is necessary or desirable, opportunities should be taken for the design and landscaping of development proposals to repair or reintroduce landscape features, to the extent that this is justified by the effects of the proposal”*.
- 6.42 This Policy is consistent with the principles of the NPPF in relation to design. Therefore, it is considered that full weight can be given to this Policy in the determination of this application.
- 6.43 Within the Harrogate District Local Plan, ‘Saved’ Policy CFX, titled ‘Community Facilities Protection’, states that *‘proposals involving the loss of land or premises in community use, including community halls, schools, colleges, nurseries, place of worship, health services, care homes, libraries and public houses will not be permitted, except where it can be shown that:*
- A. *Continued community use would cause unacceptable planning problems; or*
 - B. *A satisfactory replacement facility is provided, in a suitably convenient location for the catchment served prior to the commencement of development; or*
 - C. *There is no reasonable prospect of:*
 - i) *The existing use continuing on a viable basis with all options for continuance having been fully explored, as a priority and, thereafter,*
 - ii) *Securing a satisfactory viable alternative community use.’*
- 6.44 This Policy is consistent with the principles of the NPPF in relation to the provision of community facilities. Therefore, it is considered that full weight can be given to this Policy in the determination of this application.

7.0 Planning considerations

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. In light of the abovementioned policies the main considerations in this instance are principle of the proposed development, design, local amenity, landscape and visual impact, ecological issues, the historic environment, and highways matters.

Principle of the proposed development

- 7.2 It is considered that the proposed development is a necessary development for the school to continue to function at the required level in terms of school spaces and teaching facilities giving a function space that can cater for the current students on role with no proposed increase. It is stated in the Draft Knaresborough Neighbourhood Plan (Pre-Submission Consultation Draft 2017) there is only one secondary school in the town and with an increased population there is pressure building on existing school place provision. This proposal would improve the current supply providing a high quality, fit for purpose sixth form building. It is therefore considered to be consistent with paragraph 72 within Section 8 of the NPPF which states that decisions should give great weight to the need to create, expand or alter schools. In this instance, it is not considered that the proposal would give rise to such significantly detrimental impacts and on balance, the public benefit of the proposal is considered such that the application should be supported.
- 7.3 The District Planning Authority states the building is currently in use and regards that issues could be remedied through viable repairs. Further stating Knaresborough Town Council have drawn up a draft Neighbourhood Plan and the building is listed as a non-designated heritage asset. This view is acknowledged however the agent has stated the repair route was looked at however was not viable and would result in an environment not optimised for a sixth form building. The agent states it is considered a new building would give be safer more efficient use of the site. It is considered the proposed development is required for the school to continue to function at the mandatory level in terms of safety and security as the development would improve the safeguarding of pupils and staff within the school. The current building is stated as not being fit for purpose because of a need for repairs including the re-tiling of the roof which at present the tiles of are not secure and in bad weather conditions can be dangerous, disrupting the buildings use.
- 7.4 It is therefore considered that the proposed development is necessary, fit for purpose and is considered consistent with the NPPF and NPPG guidance and in compliance with Local Policy C1 of the Harrogate Core Strategy (2009) due to the importance of providing sufficient community and school facilities for young people in relation to the existing and future needs of the community. Therefore, the proposed development is considered acceptable in principle, subject to the consideration of other matters.

Design and Visual Impact

- 7.5 It is noted that the objection from Harrogate District Planning is in relation to detrimental impact the loss of the sixth form building would have on the appearance of the area and it's Heritage Value. It is acknowledged that the proposal is functional in appearance being a steel framed metal panel clad structure coloured Goose Grey (RAL 080 70 05 or BS 10 A 05) matching the existing building south of the proposed building. The development would not represent a significant departure from the style of building seen in a number of schools. The proposed design, scale and use of construction materials of the proposed building are considered both in-keeping and sympathetic to the appearance of the existing school buildings to ensure that

there would be no negative or adverse impact upon them. It is considered that the development is in accordance with the wider town setting and is not considered to be of demonstrably poor design. The proposal would also not have an overbearing effect on the area or the school itself. To this effect, it is considered that there would be no significant visual impact from the proposed development.

7.6 Furthermore the agent states *'other previous proposals on site have been constructed under a piecemeal approach and with many temporary classroom units across the site. This proposal would give a permanent solution of a higher quality improving the school layout and removing some elements which do not fit within the character of the school'*. The demolition of the temporary classroom units and also the link between the current sixth form building and the main school building would improve the character of the area as these elements are currently of low quality. The scale of the proposed building and its location in the south west corner of the site further from the sites prominent northern boundary means the proposed sixth form building would have less of a visual impact on the area. This is supported by the proposed building also utilising the same vernacular of the adjacent buildings on site, having a height of 8.8 metres to the top of the ridge of the pitched roof matching the height of the school buildings to the west of it. Therefore would fit well within the school setting, as shown in Appendix G - Proposed Elevations attached to this report.

7.7 For the reasons detailed above, it is considered that the topography of the site, the orientation of the existing buildings and the scale of the proposal mean it is unlikely that the proposal would have a detrimental effect on the character of the area. Therefore the proposal is consistent with the principles of good design as outlined in both the NPPF Paragraphs 58, 60, 61 and 64 and Planning Practice Guidance for design by planning positively and having no detrimental impact on the character of the local area. It is also in compliance with Policies EQ2 and SG4 of the Harrogate Core Strategy (2009) and with 'saved' Policy HD20 of the Harrogate District Local Plan (2001) due to the proposed development having a limited impact upon the character of the local area through its design and its visual impact as the development would respect local distinctiveness, privacy and amenity of the area.

Local Amenity

7.8 It is considered that whilst acknowledging the proximity of local residential properties on York Road approximately 15 metres from the schools boundary, the proposed development would not be overbearing and its design would be acceptable. Although the proposed building has windows on the elevation facing residential properties and onto the public footpath to the east of the site, due to the strong boundary treatment of mature trees over 15 metres in height, which obstruct views out of the site. Therefore meaning there is only partial overlooking onto mainly the public footpath. With the impact of the overlooking any residential properties would be minimal. The Environmental Health Officer has not stated any objection in regards to noise or light pollution in regards to this application. It is noted though the Environmental Health Officers comments consider that it is appropriate to condition the use of lighting to no later than 22.00 hours and also the reporting of any unexpected contamination. It is therefore considered that with the inclusion of the above mentioned conditions the proposed development would have a limited impact upon local amenity in terms of light impact and therefore is considered in accordance with Paragraph 123 of the NPPF and the PPG guidance in regards to lighting as it is considered that no significant adverse effect are likely to occur, due to the proposed development.

7.9 The proposed sixth form buildings location further south from the schools frontage and the north east boundary treatment of the site which includes mature trees, a

raised embankment and a two metre high wire mesh fence would limit the impact of the proposal on residential amenity. It is considered the public right of way between the school and the nearest residential properties on York Road also creates a buffer which mitigates the effects of the building on the residential properties. Consequently, the proposed development is considered to be in compliance with Policy SG4 of the Harrogate Core Strategy (2009) and 'saved' Policy HD20 of the Harrogate District Local Plan (2001) all seek to ensure developments are of appropriate design and should not undermine the amenity of local residents. It is also consistent with the NPPF Paragraphs 17 and 123 because the residential amenity of current or future occupants is unlikely to be detrimentally affected.

- 7.10 The introduction of new landscaping to the frontage of the site on King James Road and the demolition of the modern link extension as well as the sixth form building, will open up views to the retained early 20th-century main building further west from both King James Road and the corner of York Road. Furthermore, the proposed new building would be set back to the south-easternmost end of the application site, which would make it less visible from King James Road and not at all visible from York Road. This is primarily due to obstruction by the topography of the site, mature tree boundary line and other existing structures on the site. In this instance the need for a more appropriate space for the sixth form outweighs loss of the original school building which is stated as a non-designated heritage asset in the draft Knaresborough Neighbourhood Plan 2017. It is though considered that the proposed development due to being 85 metres south of the Conservation Area and the reasoning above would not have an impact on the Knaresborough Conservation Area.
- 7.11 In terms of residential amenity this is in-keeping with the principles of the NPPF which advises that developments should '*not undermine quality of life*' and should '*enhance the sustainability of communities and residential environments*' as stated in paragraph 70 of the NPPF. It is also in compliance with the protection of amenity elements of Policy SG4 of the Harrogate Core Strategy and 'saved' Policy HD20 of the Harrogate District Local Plan which seeks to ensure that developments do not adversely impact upon residential amenity because of the distance, boundary treatment and orientation of the proposal. Furthermore there have been no objections to the application from any member of the public.
- 7.12 Overall it is considered that the proposed development would not have a significant adverse impact on the local/residential amenity. With the proposed development being consistent with the PPG Guidance and the NPPF and in compliance with Policy SG4 of the Harrogate District Core Strategy (2009) and 'saved' Policy HD20 of the Harrogate Borough Local Plan (2001).

Ecological Issues

- 7.13 The proposal site from an ecological perspective had potential to be a high quality roost for bats, therefore it was important for a bat survey to be included in the application, this can only be completed at certain times of the year and in this case meant a delay in the application process awaiting this further information. The original information for the application did include a Habitat Survey which outlined a recommendations for the proposal site (in Section 4 of the Preliminary Ecological Appraisal). After consultation with the NYCC Ecologist and a further bat survey was requested. It has now been shown the building has low potential to support bats. Further information was requested to satisfy this and when received after conversations between the ecologist and the agent's ecological consultant on 13 December 2017 further information was received (Supplementary Bat Risk Assessment, Ref. NYPS-17-02) and it was agreed that all the outstanding concerns in regards to bats and the sixth form building had been addressed.

- 7.14 The ecologist states the building is not to be demolished until the end of the project and there is therefore an opportunity to further inspect those features to inform the demolition strategy and detail any mitigation. Furthermore the Ecologist recommends the application can be determined subject to a condition requiring that a site specific mitigation plan is submitted in advance of the of the sixth form block and out building being demolished. The mitigation plan should include details of timing of demolition, pre demolition checks of PRFs – e.g. internal inspection, endoscope checks, method of demolition, compensation and enhancement measures and sensitive lighting plans. Therefore this proposal is acceptable in terms of ecology as there would be no significant effects on any ecological aspects of the site and no designated protected species would be at risk of being harmed from the proposal in accordance with policy EQ2 of the Harrogate Core Strategy.

The Historic Environment

- 7.15 The primary consideration in relation to this application is whether the proposal is suitable for its setting. The NPPF and PPG advice that when determining planning applications, County Planning Authorities should take account of the desirability of sustaining heritage assets and putting them to viable uses consistent with their conservation and ensure new development makes a positive contribution to the local character and distinctiveness. In addition to this the NPPF also goes on to state that where the development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 7.16 Harrogate District Council Heritage Management SPD states that (chapter 7. Para 7.43); *'The re-use of buildings is encouraged because it is generally more sustainable to re-use than demolish and redevelop the site. Additionally, it enables the conservation of heritage assets'*. The Harrogate District Planning Authority in their consultation response objecting to the application state this includes non-designated assets of local interest and merit. Further stating (Chapter 5, para. 5.4) *'there are a large number of buildings, structures and historic features within the Harrogate district which, while not statutorily protected, are considered to be heritage assets of architectural, historic, archaeological or artistic interest. These heritage assets make a substantial contribution to the local character and appearance of the district. The council considers that a number of these non-designated heritage assets merit a degree of recognition and are worthy of conservation for the benefit of future generations.'* This is acknowledged however in accordance with the NPPF Paragraph 135, which requires an assessment of scale of loss and significance of the heritage asset, it has been judged that the loss of non-designated heritage asset in this application is on balance outweighed by the gain of the new sixth form building, the loss is not significant to the area as the main school building which has a more positive impact on the area is to be retained.
- 7.17 The applicant in this instance has justified the need to demolish the existing sixth form building due to the viability of the repair works and the benefits that a new building would bring which repair works could not. The Knaresborough Neighbourhood Plan (2017) is in draft form and therefore little weight can be given to this. Furthermore in the draft neighbourhood plan there is no specific mention of the sixth form building although the main school building is shown to be a non-designated heritage asset on the Heritage Assets Plan, Appendix D attached to this report, the sixth form building is not. In addition to this Knaresborough Town Council have not objected to the application. This is in compliance with local policy HD3 on the Control of Conservation Areas as the proposal would not have an adverse impact on the Conservation area 85 metres to the north for the reasons stated above.

- 7.18 The existing building to be demolished includes an unsympathetic 1960s extension and glass-link corridor which is clearly visible from the road. This therefore reduces the architectural interest of the façade, however it is noted that the building still provides some positive contribution to the school. The main school building to the west to be retained is a more significant non-designated heritage asset which adds to the character of the area. On balance therefore the demolition of the existing sixth form building even though could be a non-designated heritage asset is considered acceptable as would help secure the “*optimum viable use*” of the school for the area. Improving the overall quality of the area and the more prominent non-designated heritage asset of the original main school building to the west of the existing sixth form building. The location of the proposal would also not affect the views into the Conservation Area or any of the listed buildings within it.
- 7.19 The proposed works due to the location, scale and design would have limited impacts on the heritage asset of the Knaresborough Conservation Area, with this being located 85 metres to the north. This is consistent with paragraph 131 of the NPPF and in compliance EQ2 of the Harrogate Core Strategy which outline the importance of conserving heritage assets of this nature, however in this instance there would be no significant impact upon the Heritage Asset or of the Conservation Area or its setting.
- 7.20 As such, it is considered that the development would result in a negligible impact upon the character of the wider conservation area, so complies with the NPPF and PPG for ‘Conserving and enhancing the historic environment’. It is also consistent with NPPF paragraph 135 in regards to the demolition of the proposed non-designated heritage asset because the public need for the optimal use of the school. It is also in compliance with the Policies C1 and EQ2 of the Harrogate Core Strategy by protecting and enhancing Harrogate Districts “character, biodiversity, landscape and heritage” and satisfying the needs of the community while it would not have a significant adverse impact on the landscape or heritage.

Highways matters

- 7.21 Consideration has been given to the impact of the proposed development on the public highway, following consultation with the Highways Authority it was suggested that conditions regarding parking spaces to remain available at all times, precautions to prevent mud on the highway, a highways condition survey, onsite parking, storage and construction traffic during development and a travel plan. The impact of the proposal on the road network is likely to be insignificant, with no increase in traffic or parking space numbers from the development. The proposal would improve the access to the site, with three bus pull in bays which would alleviate pressure and congestion on King James Road. Therefore with the controls suggested by the highways authority and the reasons stated above it is considered that the proposed development would be consistent with the NPPF paragraph 32 and compliant with Harrogate District Policy HD20 because the proposal would not cause adverse traffic impact.

8.0 Conclusion

- 8.1 There are no material planning considerations to warrant the refusal of this application for the demolition of sixth form building (1186 sq. metres), removal of 2 No. Temporary Classroom Units (263 sq. metres), erection of two storey Sixth Form Building (965 sq. metres), external wall mounted lighting, 9 No. 6 metre high lighting columns, re arrangement of car park facility, cycle shelter, bin store, 3 No. pedestrian crossings, creation of footpaths, 1.8 metre high access gate, paving, hard and soft landscaping works, removal of 1 No. existing tree.

- 8.2 For the reasons mentioned above, it is therefore considered that, the proposed development is compliant with the policies which comprise the Development Plan currently in force for the area and all other relevant material considerations.

9.0 Recommendation

9.1 For the following reason(s):

- i.) the proposed development would not result in an adverse impact upon the residential amenity, visual or otherwise, of existing or future occupants of the surrounding area;
- ii.) the proposed development would not have a significant impact on the historic character of the area;
- iii.) the proposed development would not result in an adverse impact upon the public highways;
- iv.) the proposed development generally accords with the principles of the NPPF (2012), PPG (2014) and does not conflict with Policy SG4, Policy EQ1, Policy EQ2, Policy C1 of the Harrogate District Core Strategy (2009) and 'saved' Policy HD20 and Policy C2 of the Harrogate Borough Local Plan (2001).

That, **PLANNING PERMISSION BE GRANTED** subject to the following conditions:

1. The development to which this permission relates must be implemented no later than the expiration of three years from the date of this Decision Notice.
2. The development hereby permitted shall be carried out in strict accordance with the application details dated 7th August 2017 and the following approved documents and drawings:
 - Ref. 16050/A/050.001 P1, Site Location Plan, dated July 2017;
 - Ref. 16050/A/050.002 P1 Existing Site Plan, dated July 2017;
 - Ref. 16050/A/050.004 P1, Contractors Proposed Site Compound and Access Plan, dated 11 July 2017;
 - Ref. 16050/A/050.005 P1, Proposed Site Plan, dated 20 July 2017;
 - Ref. 16050/A/100.001 P1, Proposed Floor Plan GA, dated 20 July 2017;
 - Ref. 16050/A/100.002 P1, Proposed Floor Plan FF, dated 20 July 2017;
 - Ref. 16050/A/100.013 P1, Proposed Tree Constraints Plan, dated February 2017;
 - Ref. 16050/A/110.001 P1, Demolition Plan, dated 10 July 2017;
 - Ref. 16050/A/120.001 P1, Proposed Building Sections, dated 20 July 2017;
 - Ref. 16050/A/140.001 A, Proposed Building Elevations, dated 20 July 2017;
 - Ref. 16050-A-100.004, Proposed Roof Plan, 15 August 2017;
 - Ref. 16050/A/140.002, A, Existing Elevations (retained) , dated 13 July 2017;
 - Ref. 16050/A/140.003, Existing Elevations (removed) , dated 13 July 2017;
 - Ref. 16050/A/140.004, Existing Elevations (removed) , dated 13 July 2017;
 - Ref. 1650/E/660.001, Proposed External Lighting, dated 15 August 2017
 - Ref. 005_17 (RE01) V1, Preliminary Ecological Appraisal, dated 16 February 2017;
 - Ref. 0154_13 (RE01) V1, Bat Survey (TCU's), dated 19 September 2017.
 - Ref. NYPS-17-02 R2, Supplementary Bat Risk Assessment, 12 December 2017;
 - Ref. S161223/SI, Phase 2 Site Investigation Report, dated February 2017;
 - Ref. BS5837:2012, Tree Report, dated January 2017;
 - Ref. BS5837:2012, Tree Constraints Plan, dated 11 July 2017;
 - Ref. 3669LR/1, Underground Utility Survey,

- Ref. 3669LR/1, Topographical Survey
 - Ref. CCTV Drainage Survey, CCTV Drainage Survey Report, dated 16 January 2017;
 - Ref. 501437, External Lighting, dated 19 July 2017
 - Ref. 38961_SK100, Indicative Drainage Layout, dated 17 March 2017;
 - Ref. 16050-A-100.004, Transport Statement, 1 August 2017;
 - Ref. DOC1718-24, Heritage Impact Assessment, July 2017;
 - Ref. 16050, Supporting Statement, dated August 2017.
3. No construction, demolition or any other works shall take place except between the following times:
08.00 – 18.00 Mondays to Fridays
08.30 – 13.00 Saturdays
and at no time on Sundays and Bank (or Public) Holidays.
4. Prior to the commencement of the construction phase of the development a scheme of dust control measures shall be submitted to the County Planning Authority for their written approval. Thereafter the approved control measures shall be implemented and maintained in accordance with the approved scheme.
5. The hereby approved lighting columns detailed on Proposed External Lighting Plan ref. 16050/E/660.001 Rev P1 dated 15 August 2017 shall not be used after 22:00hrs.
6. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the County Planning Authority. An investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and approved in writing by the County Planning Authority. Where remediation is necessary a remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the County Planning Authority. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise approved in writing by the County Planning Authority. The County Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the County Planning Authority.
7. The development hereby approved, shall, at all times, proceed in accordance with the tree protection measures detailed within Tree Report (ref BS5837:2012, dated January 2017).
8. Prior to the demolition of the Sixth Form building and outbuilding a site specific mitigation plan shall be submitted to the County Planning Authority for their written approval. The mitigation plan should include details of:
- timing of demolition;
 - pre demolition checks of PRFs – e.g. internal inspection, endoscope checks;
 - method of demolition;
 - compensation and enhancement measures;
 - sensitive lighting plans.

Thereafter the approved control measures shall be implemented and maintained in accordance with the approved scheme.

9. Details of proposed landscape works including preparation, planting, seeding, species, sizes and planting density shall be submitted to the County Planning Authority for written approval prior to the development coming into use. Thereafter, the planting shall be undertaken in accordance with the approved details.
10. No development shall commence until details of protecting the water main that is laid within the site boundary have been submitted to and approved by the County Planning Authority. Furthermore, construction shall not commence in the affected area(s) until the approved protection measures have been implemented in strict accordance with the approved details.
11. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the County Planning Authority.
12. Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on drawing 16050-A-050.005 P1 for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.
13. There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the County Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the County Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the County Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.
14. There shall be no HCVs brought onto the site until a survey recording the condition of the existing highway has been carried out in a manner approved in writing by the County Planning Authority in consultation with the Highway Authority.
15. There shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the County Planning Authority for the provision of:
 - a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway
 - b. on-site materials storage area capable of accommodating all materials required for the operation of the site.
 - c. The approved areas shall be kept available for their intended use at all times that construction works are in operation.
16. Prior to the development being brought into use, a Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This shall include:
 - a. the appointment of a travel co-ordinator
 - b. a partnership approach to influence travel behaviour

- c. measures to encourage the use of alternative modes of transport other than the private car by persons associated with the site
- d. provision of up-to-date details of public transport services
- e. continual appraisal of travel patterns and measures provided through the travel plan
- f. improved safety for vulnerable road users
- g. a reduction in all vehicle trips and mileage
- h. a programme for the implementation of such measures and any proposed physical works
- i. procedures for monitoring the uptake of such modes of transport and for providing evidence of compliance.

The Travel Plan shall be implemented and the development shall thereafter be carried out and operated in accordance with the Travel Plan.

Reasons:

1. To comply with Section 91 of Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure that the development is carried out in accordance with the application details.
3. In the interests of general amenity and highways safety.
4. In the interests of general amenity.
5. In the interests of general amenity.
6. In the interests of general amenity.
7. To safeguard the character of the application site in the interests of visual amenity.
8. This is to ensure that any bats that may be present within the features suitable for transient roosts not harmed in accordance with the Wildlife and Countryside Act 1981 (as amended).
9. In the interests of visual amenity and landscape character
10. To protect the public water supply.
11. To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network.
12. To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.
13. To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
14. In the interests of highway safety and the general amenity of the area.
15. To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

- | |
|--|
| 16. To establish measures to encourage more sustainable non-car modes of transport |
|--|

Statement of Compliance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015

In determining this planning application, the County Planning Authority has worked with the applicant adopting a positive and proactive manner. The County Council offers the opportunity for pre-application discussion on applications and the applicant, in this case, chose not to take up this service. Proposals are assessed against the National Planning Policy Framework, Replacement Local Plan policies and Supplementary Planning Documents, which have been subject to proactive publicity and consultation prior to their adoption. During the course of the determination of this application, the applicant has been informed of the existence of all consultation responses and representations made in a timely manner which provided the applicant/agent with the opportunity to respond to any matters raised. The County Planning Authority has sought solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant as necessary. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed.

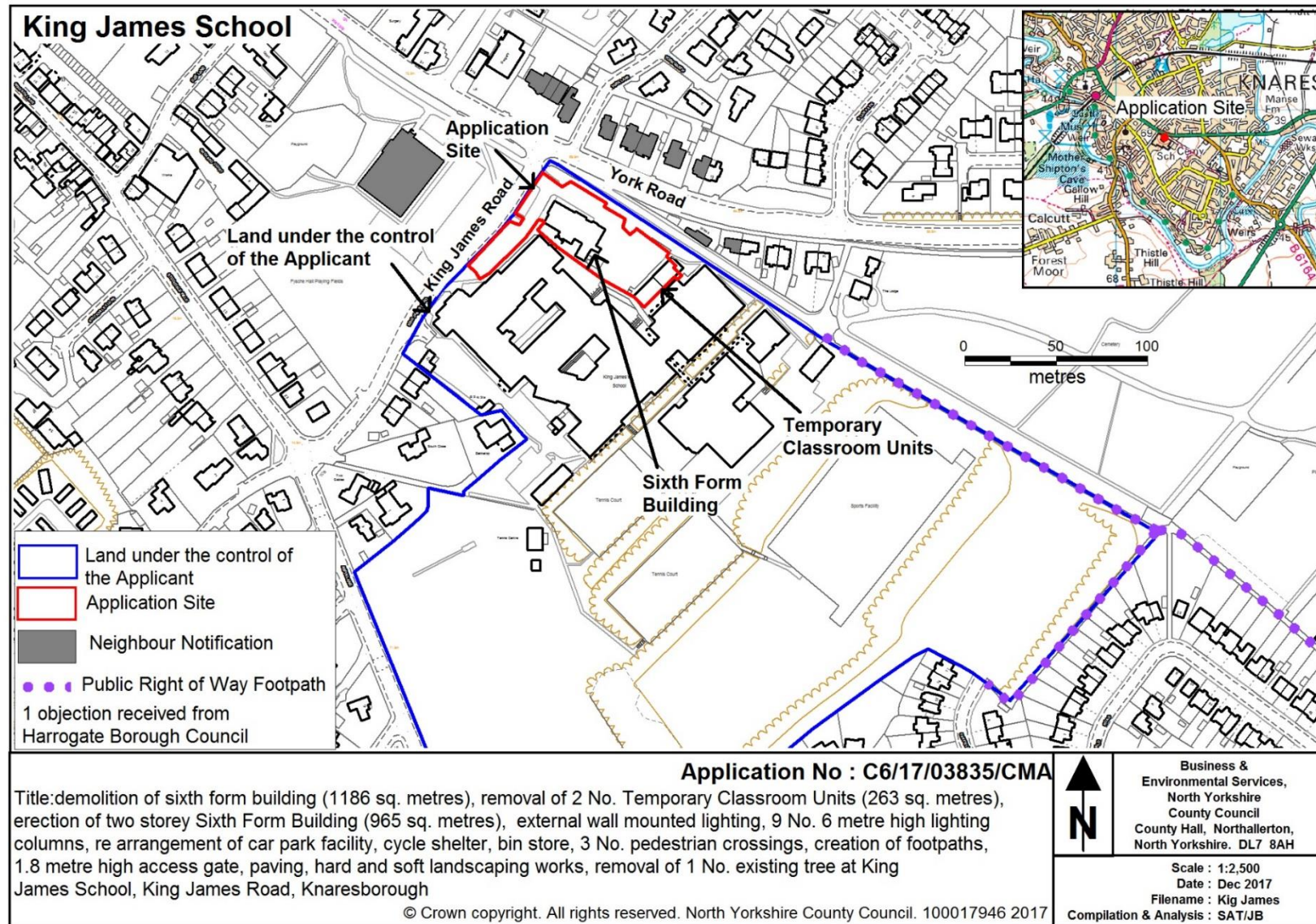
DAVID BOWE
Corporate Director, Business and Environmental Services

Author of report: Sam Till

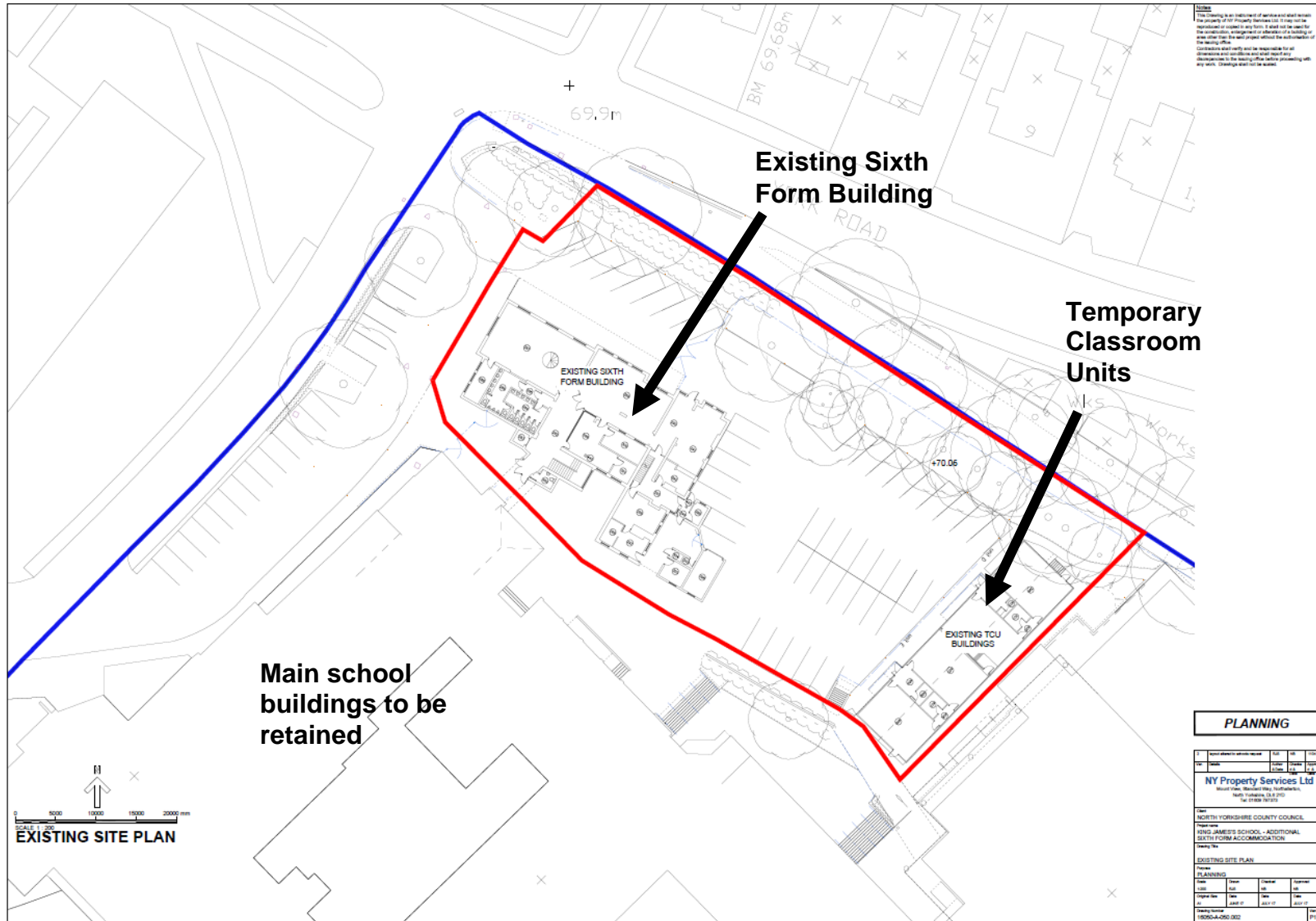
Background Documents to this Report:

1. Planning Application Ref Number: C6/17/03835/CMA (NY/2017/0208/FUL) registered as valid on 22 August 2017. Application documents can be found on the County Council's Online Planning Register by using the following web link:
<https://onlineplanningregister.northyorks.gov.uk/register/>
2. Consultation responses received.
3. Representations received.

Appendix A – Committee Plan



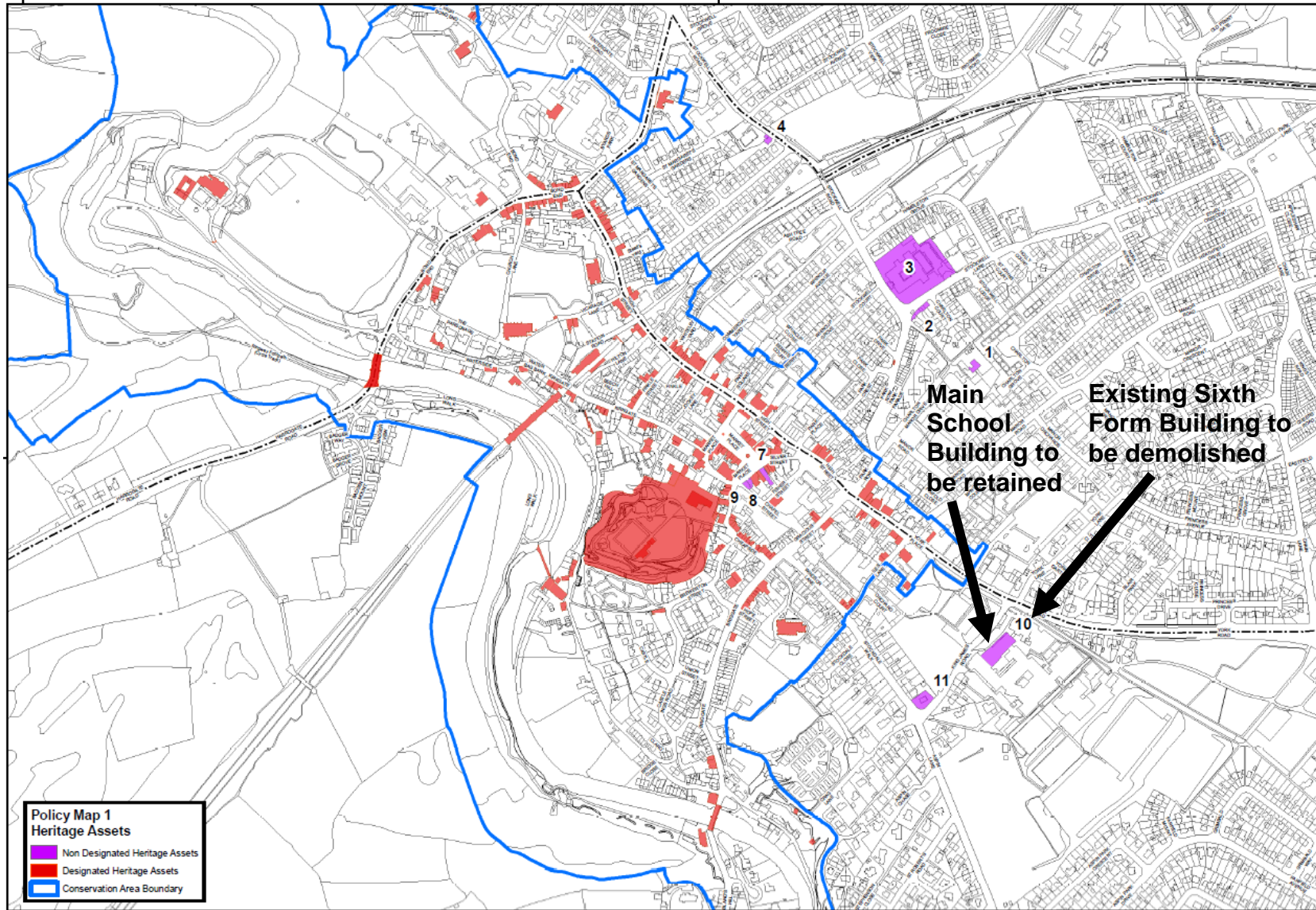
Appendix B – Existing Plan



Appendix C –Existing Sixth Form Building Site Photos



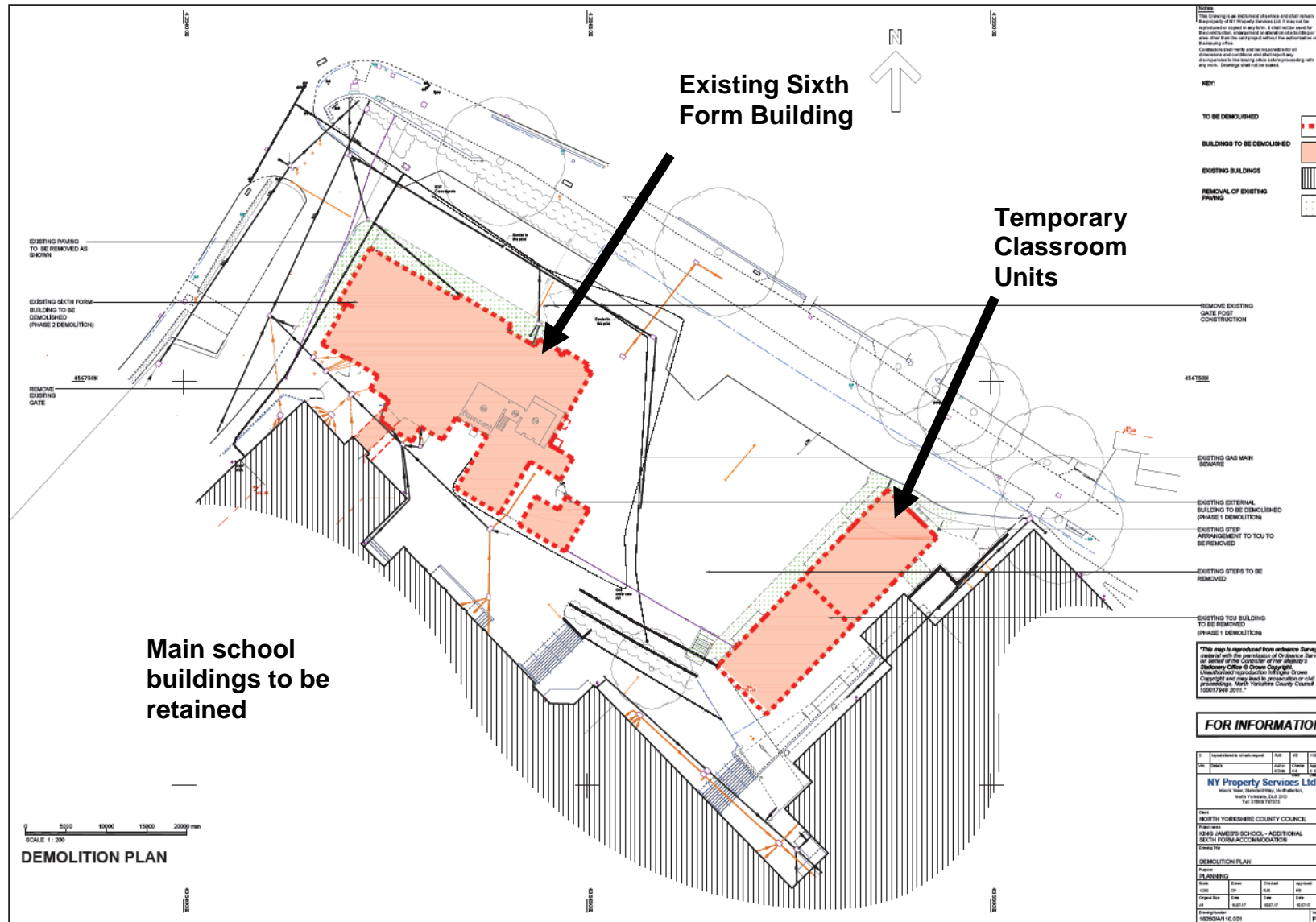
Appendix D – Heritage Assets Plan



Appendix E – Proposed Plan



Appendix F – Demolition Plan



Appendix G – Proposed Elevations

FRONT ELEVATION (NORTH FACING)

REAR ELEVATION (SOUTH FACING)

SIDE ELEVATION (EAST FACING)

SIDE ELEVATION (WEST FACING)

KEY PLAN NTS

PLANNING

NO.	DATE	BY	CHECKED	REVISION															
NY Property Services Ltd																			
Must View, 1000000000, 1000000000, York, Yorkshire, YO1 7DZ																			
North Yorkshire County Council																			
King James's School - Additional Sixth Form Accommodation																			
Proposed Elevation																			
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