

# North Yorkshire Council

## Harrogate and Knaresborough Area Constituency Planning Committee

Minutes of the meeting held on Tuesday, 26 September, 2023 commencing at 2.00 pm at Harrogate Civic Centre

Councillor Pat Marsh in the Chair. plus Councillors Chris Aldred, Philip Broadbank, Hannah Gostlow, Paul Haslam, John Mann, and Robert Windass.

Officers present: Ron Allan, Principal Definitive Map Officer, Kate Broadbank, Principal Development Management Officer, Harriet Clarke, Democratic Services Officer, Kelly Dawson, Senior Lawyer, Andy Hough, Principle Development Management Officer, Mary Jones, Environmental Health Officer, Kate Lavelle, Solicitor (Planning), Dan McAndrew, Principal Ecologist, Penny Noake, Principal Definitive Map Officer, Paul Roberts, Senior Engineer Transport and Development, Glenn Sharpe, Planning Solicitor, Nick Turpin, Planning Manager, Emma Walsh, Senior Development Management Officer and John Worthington, Executive Officer Development Management and Building Control.

Apologies: None

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**Copies of all documents considered are in the Minute Book**

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### **22 Apologies for Absence**

There were no apologies for absence.

### **23 Minutes for the Meeting held on 25 July 2023**

The minutes of the meeting held on Tuesday 25 July 2023 were confirmed and signed as an accurate record.

Councillor Paul Haslam raised concerns regarding the administrative process taken to amend the 31 May 2023 Minutes, to which the Council's Planning Solicitor confirmed would be reviewed outside of the meeting.

### **24 Declarations of Interests**

Councillor Paul Haslam declared an interest in respect of Minute 26 as he was to speak on the item as Division Member and therefore did not partake in the debate or vote on this item.

### **25 Opposed Public Bridleway No. 15.43/14 Crimble Viaduct, Follifoot Creation Order 2023**

Considered :-

The Assistant Director – Integrated Passenger Transport, Licensing, Fleet, Harbours and Countryside Access provided a written report which sought a stance decision from the

Committee with regards to what stance the Council should take in its submission to the Secretary of State on a Creation Order in respect of Opposed Public Bridleway No. 15.43/14 Crimple Viaduct, Follifoot. The Committee were requested to delegate authority to the Corporate Director for Environment to forward the opposed Order to the Secretary of State and to support confirmation of the Order.

Craig Eastwood spoke objecting to the application.

During consideration of the above report, the Committee discussed the following issues:-

- Parking mitigations
- The impacts of increased footfall on the bridleway route

The decision :-

- 1) the Order is submitted to the Secretary of State for a decision on confirmation as an opposed Order
- 2) a supportive stance is taken towards the confirmation of the Creation Order subject to no issues being raised by the consultation with the Executive Member for Highways and Transportation
- 3) the Corporate Director for Environment is delegated to make representations to the Secretary of State

#### Voting Record

A vote was taken and the motion was declared unanimously carried.

### **Planning Applications**

The Committee considered reports of the Assistant Director Planning – Community Development Services relating to applications for planning permission. During the meeting, Officers referred to additional information and representations which had been received.

Except where an alternative condition was contained in the report or an amendment made by the Committee, the conditions as set out in the report and the appropriate time limit conditions were to be attached in accordance with the relevant provisions of Section 91 and 92 of the Town and Country Planning Act 1990.

In considering the report(s) of the Assistant Director Planning – Community Development Services, regard had been paid to the policies of the relevant development plan, the National Planning Policy Framework and all other material planning considerations. Where the Committee deferred consideration or refused planning permission the reasons for that decision are as shown in the report or as set out below.

Where the Committee granted planning permission in accordance with the recommendation in a report this was because the proposal is in accordance with the development plan, the National Planning Policy Framework or other material considerations as set out in the report unless otherwise specified below. Where the Committee granted planning permission contrary to the recommendation in the report the reasons for doing so and the conditions to be attached are set out below.

**26 20/01333/FULMAJ - Land Comprising Field at 429829 457681 Knox Lane, Harrogate, North Yorkshire**

Considered :-

The Assistant Director - Planning sought determination of a planning application for 53 residential dwellings with associated parking, public open space and landscaping (amended submission) at the land comprising field at 429829 457681 Knox Lane, Harrogate, North Yorkshire.

Stephen Readman and Damian Bowen spoke objecting to the application.

Councillor Paul Haslam spoke as Division Member for Bilton and Nidd Gorge.

Steve Hesmondhalgh spoke on behalf of the applicant in support of the application.

During consideration of the above application, the Committee discussed the following issues:-

- The Committee sought clarification from Officers that an additional 6 bore holes had been dug to check for land contamination and were informed that the contamination levels detected were considered acceptable.
- The shortage of affordable housing within the area and the site location within an allocated Local Plan site.
- The suitability of the site for residential development given its Special Landscape Area status.
- The impacts of the development on school capacities within the local area.
- Concerns relating to sustainable travel due to the proximity of public transport links, increased traffic congestion and the absence of a Travel Plan.
- Biodiversity protection and enhancement concerns.

The Officers recommendations that planning permission be approved in principle and delegated to the Assistant Director for Planning for planning to be granted subject to conditions and the completion of a S106 agreement were moved and seconded. A vote was taken and the motion was declared fallen with 2 votes for, 3 votes against and 1 abstention.

The decision :-

That contrary to Officers recommendations planning permission be REFUSED.

#### Voting Record

A vote was taken and the motion was declared carried with 5 votes for and 1 abstention.

Reason:-

The Committee's reasons for refusing the application are as set out below:

1. Insufficient evidence submitted to state that the development would be sustainable. The development would result in significant amounts of movement and would result in a severe impact on the highway network. In the absence of the submission of a Travel Plan, the scheme fails to meet the development requirements of site allocation H2 of the Harrogate District Local Plan. As a consequence, it has not been demonstrated that the scheme would comply with the requirements of Harrogate District Local Plan 2014 - 2035 Policy TI1 and NPPF

Paras 111 and 113.

2. The proposed residential development of the site by reason of its quantum of residential units and layout would provide a hard urban edge to the development, lacking in suitable landscaping and result in an adverse impact upon the Warrant Top Special Landscape Area at this important entrance to the town to the detriment of the visual amenity of the local area, contrary to the provisions of the Harrogate District Local Plan 2014 - 2035 Policies HP3 (Local distinctiveness), HP4 (Protecting Amenity) and NE4 (Landscape Character).
3. The proposed development would result in an unacceptable impact on biodiversity and would result in conflict between users of the open space area and wildlife (animals, fauna and trees) contrary to Harrogate District Local Plan 2014 - 2035 Plan Policies NE3 and NE4.

Note: Councillor Haslam spoke on the application as Division Member and therefore left the meeting room for the duration of the debate and vote on the item.

Note: The meeting was adjourned at 3.56 pm and reconvened at 4.07 pm.

## **27 ZC23/02201/DVCMAJ - 65 Wetherby Road, Knaresborough, North Yorkshire**

Considered :-

The Assistant Director - Planning sought determination of a planning application for the variation of condition 2 (approved plans) of planning permission 21/02251/FULMAJ (development of retirement apartments with care (use class c2) including the demolition of existing buildings, formation of new vehicular access, parking, retaining structures, hardstanding, sewer diversion, erection of substation, refuse and maintenance stores, with associated works to trees, landscaping, formation of communal facilities and amenity space), as amended by non-material amendment 23/00588/amends at 65 Wetherby Road, Knaresborough, North Yorkshire.

Steve Benn spoke objecting to the application.

Councillor Matt Walker spoke as Division Member for Knaresborough West.

Josh Kite spoke on behalf of the applicant in support of the application.

During consideration of the above application, the Committee discussed the following issues:-

- The proposed increase in the number of apartments from 55 to 61.
- The height and massing of the buildings.
- The design of buildings.

The Officers recommendation that planning permission be granted subject to conditions was moved and seconded. A vote was taken and the motion was declared fallen with 3 votes for and 4 votes against.

The decision :-

That contrary to Officers recommendations planning permission be REFUSED.

#### Voting Record

A vote was taken and the motion was declared carried with 5 votes for and 2 against.

Reason:-

The Committee's reasons for refusing the application are as set out below:

1. The proposed additional apartments, by virtue of their design, height, and massing, constitute over intensive development of the site, which is considered to be harmful to local distinctiveness contrary to paragraph 130 of the NPPF and Local Plan Policy HP3.

#### **28 ZC23/00972/RG3 - Cavendish House, 23 Robert Street, Harrogate, HG1 1HP:**

Considered :-

The Assistant Director - Planning sought determination of a planning application for the change of use of a redundant hostel to 6 self-contained apartments, the installation of replacement windows from timber to UPVC and the removal of the existing rear extension at Cavendish House, 23 Robert Street, Harrogate, HG1 1HP.

During consideration of the above application, the Committee discussed the following issues:-

- Heat retention and the provision of air source heat pumps.
- Sustainability concerns regarding the installation of UPVC windows within a conservation area.

The decision :-

That planning permission be GRANTED subject to conditions in the Committee report.

#### Voting Record

A vote was taken and the motion was declared carried with 6 votes for and 1 abstention.

#### **29 Any other items**

There were no urgent items of business.

#### **30 Date of Next Meeting**

Tuesday, 31 October 2023 – Harrogate Civic Centre

The meeting concluded at 5.12 pm.