

**North Yorkshire Council**

**Community Development Services**

**Harrogate and Knaresborough Area Constituency Planning Committee**

**30 JANUARY 2024**

**23/00259/REMAJ - RESERVED MATTERS APPLICATION PURSUANT TO OUTLINE PLANNING PERMISSION 20/02318/OUTMAJ WITH FULL DETAILS OF THE APPEARANCE, LANDSCAPING, LAYOUT, ACCESS AND SCALE OF A DEVELOPMENT OF 184 NEW BUILD DWELLINGS AND THE CONVERSION OF NORTH LODGE, HEADMASTERS HOUSE, KENSINGTON HOUSE AND LIBRARY TO FORM 16 DWELLINGS, TOGETHER WITH ASSOCIATED INFRASTRUCTURE, SUSTAINABLE DRAINAGE SYSTEM AND BIODIVERSITY ENHANCEMENT WORKS.**

**AT THE FORMER POLICE TRAINING CENTRE,  
YEW TREE LANE  
HARROGATE  
NORTH YORKSHIRE**

**ON BEHALF OF VISTRY YORKSHIRE**

**REPORT OF THE ASSISTANT DIRECTOR PLANNING – COMMUNITY DEVELOPMENT SERVICE**

**1.0 Purpose of the Report**

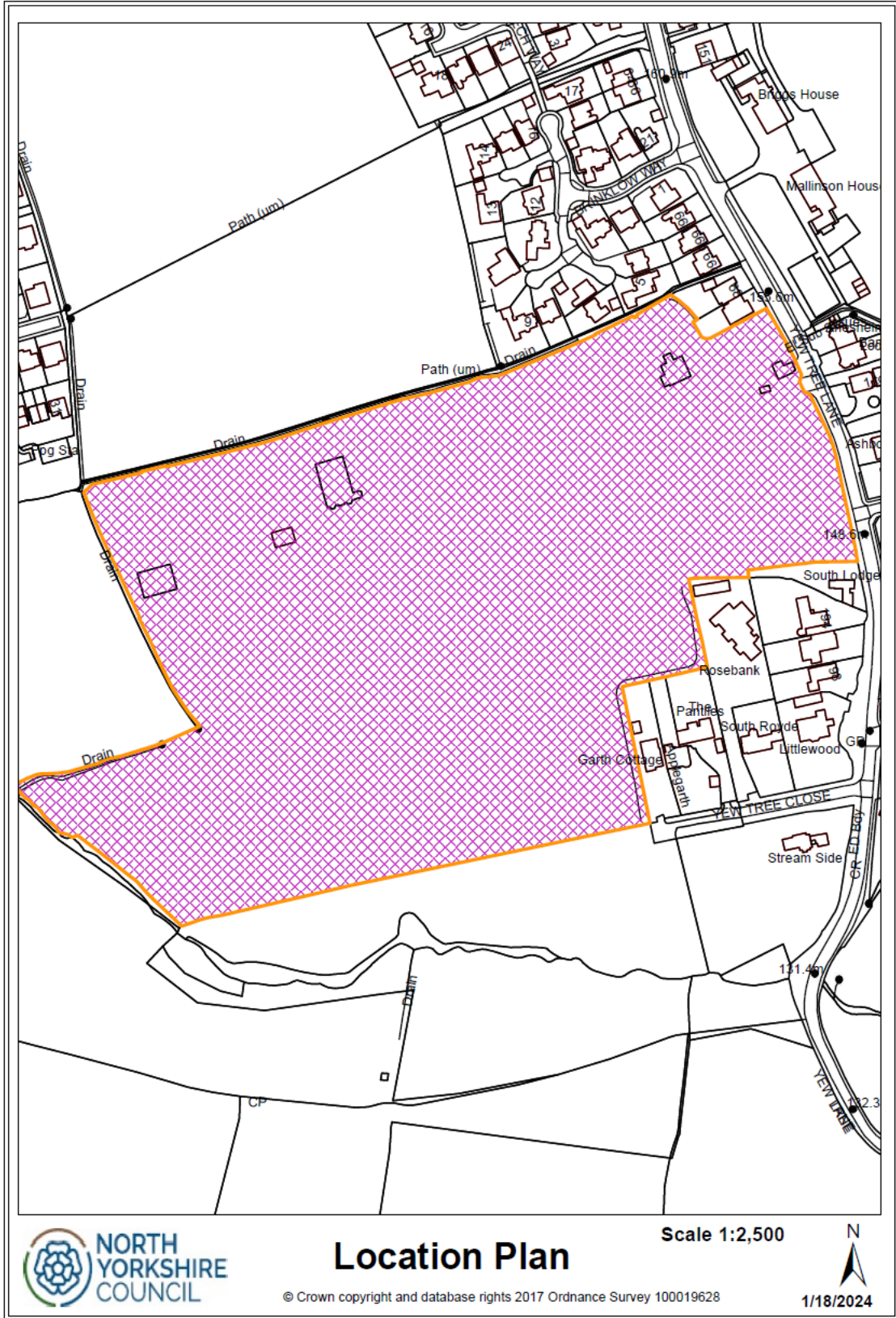
- 1.1 To determine a reserved matters planning application with full details of the appearance, landscaping, layout, access and scale of a development for 184 newbuild dwellings and the conversion of North Lodge, Headmasters House, Kensington House and Library to form 16 dwellings, together with associated infrastructure, sustainable drainage system and biodiversity enhancement works on land at the former police training centre, Yew Tree Lane, Harrogate, North Yorkshire
- 1.2 The application is brought before planning committee because officers consider it to be significant development.

**2.0 EXECUTIVE SUMMARY**

**RECOMMENDATION:** That the Harrogate and Knaresborough Planning Committee be minded to APPROVE the reserved matters for access, appearance, landscaping, layout and scale subject to conditions listed below, following the expiry of the consultation period, and provided the Assistant Director for Planning – Community Development Service, determines that no new material planning objections are raised in representations received between the date of the Harrogate and Knaresborough Planning Committee (30th January) and the expiry date of the consultation period. Where the Assistant Director for Planning – Community Development Service, determines that new material planning objections have been raised, the application will be returned to Harrogate and Knaresborough Planning Committee for further consideration.

**2.1. Site and Proposal:**

- 2.2. The proposal is a reserved matters application pursuant to 20/02318/OUTMAJ for residential development (described in detail at paragraph 1.1 above).
- 2.3. The site is the former Police Training Centre, accessed off Yew Tree Lane in Harrogate. The site is within the development limit of Harrogate, which runs along the southern boundary of the site. The site is designated within the Local Plan as a Committed Housing Site (H36). It is bounded by local plan housing allocation H70 and open countryside to the west, playing fields and existing residential properties to the north and to the south by existing residential properties and open countryside. Housing development approved on the norther part of H70 is nearing completion.
- 2.4. The principal of residential development on the site has been established under the outline planning permission 20/02318/OUTMAJ.
- 2.5. The application seeks approval for the appearance, landscaping, layout, access and scale of the proposed development and therefore the assessment of the proposal is limited to matters that may be impacted by these details, which are set out below. All other relevant matters are either controlled by conditions attached to the outline planning consent or by the requirements of the s106 legal agreement associated with the outline consent.
- 2.6. Officers have assessed the proposal against the policies in the local plan and national planning policy, having particular regard to the impacts related to the appearance, landscaping, layout, access and scale of the proposed development. Officers consider the submitted details are acceptable or can be made acceptable by the proposed planning conditions.
- 2.7. Having regard to the overall planning balance the development is considered to be sustainable.



### **3.0 Preliminary Matters**

- 3.1. Access to the case file on Public Access can be found [here](#)
- 3.2. The applicant has made changes to the proposed layout, landscaping, house types and distribution of affordable housing in response to consultee comments and representations. Some of the key changes are: replacement of two storey houses on plots 40 and 51 with bungalows, improved permeability to the PROW to the north, the incorporation of a large loop road into the development to improve permeability and safety, re-orientation of the apartment blocks to reduce their visual impact, improved landscaping and amendments to the detail of the converted buildings in response to comments from the Conservation Officer.
- 3.3. There are two previous applications relevant to this application, which are detailed below.

20/01729/SCREEN - Environmental Impact Assessment Screening Opinion for proposed residential development. The Planning Authority determined that Environmental Impact Assessment was not required.

20/02318/OUTMAJ – Outline planning application for the conversion of North Lodge, Headmasters House, Kensington House and Library to form up to 16 dwellings and erection of up to 184 new build dwellings (up to 200 units in total) with associated access roads, cycle link, landscaping and infrastructure works and approval of the points of access. Additional works to comprise formation of children's play area and various landscaping works. All outline matters reserved – Granted 7/12/22.

The outline application was subject to 38 conditions, and a Section 106 agreement requiring the following contributions:

- Affordable housing provision – 30% to be provided on site;
- Education – contribution to be calculated based on a formula in the s106
- On-site open space - £71,550.50 to be paid to a Management Company in lieu of the first 10 years maintenance.
- Off-site open space contribution - £142,039.79 to be paid towards off-site open space
- Off-site sports pitch contribution - £595,000 to be paid to create new sports pitches and a playing field at Pannal Community Park.
- Highways infrastructure - £691,965 to be paid to the Council towards junction mitigation and sustainable transport enhancements.

### **4.0 Site and Surroundings**

- 4.1. The site is the former Police Training Centre (PTC), accessed off Yew Tree Lane in Harrogate. The site area is approximately 8.52 hectares, with an existing vehicular access from Yew Tree Lane. Most buildings that constituted the PTC, which were predominantly located to the north of the driveway that runs east-west through the site, have now been demolished. The identified non-designated heritage assets

(North Lodge, Kensington House, Headmasters House and Memorial Library) are to be retained and renovated as part of the development. To the south of the driveway is open space formerly occupied by a number of sports pitches associated with the PTC.

- 4.2. The site is within the development limit of Harrogate, which runs along the southern boundary of the site. The site is designated within the Local Plan as a Committed Housing Site (H36). It is bounded by H70 (local plan housing allocation) and open countryside to the west, playing fields and existing residential properties to the north and to the south by existing residential properties and open countryside. The Crimple Valley Special Landscape Area lies to the south and southwest of the site. A public Right of Way runs adjacent to the northern site boundary. A number of trees within the site are subject to Tree Preservation Orders. The application proposal will provide pedestrian and cycle access to allocation H70.
- 4.3. The site lies approximately 1.7 miles to the southwest of Harrogate Town Centre.

## **5.0 Description of Proposal**

- 5.1. This application seeks Reserved Matters Approval, with full details of the appearance, landscaping, layout, access and scale for 184 new-build dwellings and the conversion of North Lodge, Headmasters House, Kensington House and Library to form 16 dwellings, together with associated infrastructure, sustainable drainage system and biodiversity enhancement works.
- 5.2. The proposed dwellings are two and three storey in scale, with 2 No. three storey apartment blocks in the southern part of the site providing 24 two bed apartments. The apartment blocks are approximately 11m in height. The proposed dwellings typically approximately 8.5 metres in height.

## **6.0 Planning Policy and Guidance**

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

### Adopted Development Plan

- 6.2. The Adopted Development Plan for this site is:

Harrogate District Local Plan 2014-2035 adopted December 2020

### Guidance - Material Considerations

- 6.3. Relevant guidance for this application is:
- National Planning Policy Framework 2021
  - National Planning Practice Guidance
  - National Design Guide 2021

## **7.0 Consultation Responses**

- 7.1. The following consultation responses have been received and have been summarised below.
- 7.2. **Parish Council:** Pannal and Burn Bridge Parish Council objects to the application on the following grounds (summarised):
- increased traffic on surrounding road network
  - impact of HGV construction traffic on surrounding road network and area
  - Inadequate infrastructure – schools and medical facilities
- 7.3. **Principal Ecologist:** No objection subject to condition
- 7.4. **Landscape:** No objection subject to conditions
- 7.5. **Highways:** No objection subject to conditions
- 7.6. **PROW Officer:** No objection to the amended scheme
- 7.7. **Housing:** No objection to the revised scheme

Local Representations

- 7.8. Eight objections have been received, including one from Harrogate Civic Society, one from Harlow and Pannal Ash residents' association and one from Zero Carbon Harrogate. A summary of the comments is provided below, however, please see website for full comments.
- 7.9. Objections:

Comments received on the scheme as submitted:

- Concern about the adverse impact of construction traffic from this and other west of Harrogate sites on residents. Construction Management Plan is essential;
- Concerns about the impact of additional traffic generated by the development on the local road network and junctions
- Concerns about density and layout of the development, parking provision and over intensification of affordable housing in certain parts of the site;
- Concerns about increased pressure on local infrastructure;
- Concerns about adverse impact of drainage on neighbours;
- Not enough measures proposed to combat climate change;
- Clarity is required to ensure that the proposed cycleway will meet LTN 1/20 standards, and we would also expect to see more in terms of how this scheme fits into the wider cycle network;
- The application to be non-compliant with adopted Council policies as regards energy and biodiversity.
- There is a restrictive covenant on development on part of the site;

- Some of the plans submitted by Countryside do not correctly reflect neighbouring properties and trees;
- Inappropriate density, grain, height and character in southeast corner compared to neighbouring properties;
- Over-intensive development of affordable dwellings in Southeast corner;
- Unsympathetic materials;
- The proposal would result in overlooking, overshadowing and over-bearing to Garth Cottage, Yew tree Close.
- Concerns about maintenance of existing field drains and potential for flooding;
- Efforts should be made to treat this undesignated heritage asset in the most sensitive way, retaining as much of the structure and detail as possible.
- Over-intensive
- The designs for the new-build dwellings do not pay proper attention to the character and local distinctiveness of Harrogate, which is a requirement of National & Local Planning policy
- Insufficient landscaping

Comments received on the amended plans:

- Replacing the two-storey house on plot 40 with a bungalow and using a hipped roof is an improvement however, the neighbour has raised concern about the proximity of the bungalow to Rose Bank, Yew Tree Close, and the extent and height of the planting between the two properties, which may be impacted by an existing field drain;
- Concern about the boundary treatment and visual impact/ loss of light from Rose Bank;
- Replacing the two-storey house on plot 51 with a bungalow and using a hipped roof is significantly better than originally proposed, however due to the topography of the site, this will still mean that the rear garden of the property to the east (Garth Cottage) will still be overshadowed.
- Proposed trees on the boundary with Garth Cottage will cause overshadowing.
- Some existing trees along boundary with Garth Cottage are dangerous
- No mention of boundary fencing on north and west boundaries with Garth cottage
- Concerns about the removal of a field drain and increased flood risk
- No reference to off-site Highway improvement works
- Provision should be made to upgrade bus stops
- Concerns about routes for construction traffic
- Concerns about the impact on amenity of existing residential properties
- Concern about the design and character of the houses proposed
- Concerns about measures to reduce climate change
- Concerns about impact on biodiversity

## **8.0 Environment Impact Assessment (EIA)**

8.1. The development falls within Schedule 2 Category 10(b) Urban Development Projects of The Environmental Impact Assessment Regulations 2017 (as amended) and

commrep/7

exceeds threshold (ii) because the development includes more than 150 dwellings and (iii) because the site is over 5ha. As such the Council as Local Planning Authority have screened the development and found that it is not EIA development and no Environmental Statement is required to be submitted with the application. The Screening report and decision is available to view on the Council's website. The screening opinion related to 'up to 180 dwellings' whereas the current proposal is for 200 dwellings. Officers consider that the increase in the number of dwellings from 180 to 200 would not trigger a requirement for EIA. The Screening Decision is still therefore effective for the Committee Decision.

## **9.0 Main Issues**

9.1. The key considerations in the assessment of this application are:

- Principle of development
- Access
- Appearance
- Scale
- Layout
- Landscaping
- Other Matters

## **10.0 ASSESSMENT**

### **Principle of Development**

10.1. The principal of residential development on the site has been established under the outline planning permission 20/02318/OUTMAJ and by virtue of the fact the site is a Housing Commitment in the Local Plan (H36). The application proposes 200 dwellings – 184 new build and 16 in conversions of existing buildings, which accords with the number approved under the outline permission.

### **Access**

10.2. Access to the site will be via the existing access off Yew Tree Lane, as shown on the approved outline consent. An additional emergency access that will also provide pedestrian and cycle access will also be provided off Yew Tree Lane, opposite Ashgarth Way, to the south of the main access. Both accesses have been provided showing they can achieve unobscured visibility splays as requested by Highways. One additional private access is proposed for plot 1 direct on to Yew Tree Lane.

10.3. Cycle and pedestrian access will also be provided along the main access road running east west, to connect with the boundary of H70, to the west of the site. Once the southern part of H70 is brought forward for development, this arrangement will allow for good pedestrian and cycle links from Yew Tree Lane through to Whinney Lane. The cycle lane will be a shared cycle/pedestrian route 3 metres wide and will be compliant with the requirements set out by the Department of Transport in Local Transport Note 1/20 (July 2020).



- 10.4. An existing Public Right of Way (PROW) runs immediately to the north of the site and continues on to the west through H70 to Whinney Lane. The scheme has been designed to introduce landscaped and open space areas along this boundary with connections into the site, which will create a more open feel. Additionally, any fencing along this boundary will be no more than 1.4 metres in height, relative to the finished ground level of the PROW, which will create natural surveillance, improving the safety for users of the route. The proposal therefore complies with the requirements of Local Plan Policy HP5, which aims to protect the recreational and amenity value of rights of way and explore opportunities for new links to the existing network.
- 10.5. A condition is proposed to require all dwellings without a garage to be supplied with a secure cycle store (details to be agreed).
- 10.6. The internal road layout is to be constructed to adoptable standards and complies with the requirements of the Highway officer in terms of road and footpath widths, accessibility and access for bin lorries and emergency vehicles.
- 10.7. All proposed dwellings are provided with adequate levels of parking - 1 and 2 beds will have 1 parking space, 3 beds – 2 parking spaces and 4+ beds – 3/4 parking spaces. In addition, there are 33 visitor parking spaces distributed through the site. Dedicated cycle stores are proposed to meet the needs of the apartment buildings.
- 10.8. The Highways officer and PROW officers are happy with the proposed arrangements for access and with the internal arrangements for vehicle, cycle and pedestrian movement.
- 10.9. There are a number of conditions on the outline planning permission that control the technical highway construction details.

### **Appearance**

- 10.10. The proposed dwellings are of an appropriate appearance and provide a varied mix of styles and appearance. There will be a mix of detached, semi-detached and terraced dwellings and fourteen different house types, plus two new apartment blocks and the conversion of four existing buildings on site. The proposal also includes two affordable bungalows.
- 10.11. A Materials Plan has been submitted, which provides details of the proposed bricks and roof tiles (Red brick, Red multi brick and buff brick, with rustic or dark grey roof tiles). Render is also proposed to some of the plots to create additional variation. Architectural features such as string courses and art stone heads and sills have been introduced to some of the properties to create additional variety. To create sense of cohesion, all dwellings make use of uniform glazing bars. A condition will be attached requiring samples to be provided for approval.
- 10.12. The site is a brown field site and therefore 30% affordable housing is required to comply with the requirements of Local Plan policy HS2. Sixty (30%) affordable dwellings are proposed, comprising a mix of one, two, three and four bed dwellings.

These are well distributed across the development and integrated with the scheme design in terms of materials and appearance. This accords with the requirements of Local Plan policy HS2, which requires affordable housing to be indistinguishable from the market housing.

- 10.13. The appearance and materials of the proposed dwellings will not be out of character with development in the area, which is varied in terms of style and appearance.
- 10.14. Development has been set well back from the southern site boundary, and the Crimble Valley Special Landscape Area beyond, to provide a substantial buffer between the development and the open countryside.
- 10.15. The detail of the converted buildings has been amended in response to comments from the Conservation Officer. For example, natural stone instead of artificial stone is now proposed for the extension the lodge and a single centralised dormer to replicate the existing is now proposed instead of two dormers at either end of the roof.
- 10.16. The proposal therefore complies with the requirements of Local Plan Policy HP3, which requires development to incorporate design that protects those characteristics, qualities and features that contribute to local distinctiveness.

### **Scale**

- 10.17. The proposed dwellings are 1 and 2 storey in scale featuring a range of detached, semi- detached and terraced dwellings., Two 3-storey apartment blocks are proposed in the southwestern part of the site, providing 24 two bed apartments. The apartment blocks are approximately 11m in height. The proposed dwellings are typically approximately 8.5 metres in height.
- 10.18. They proposed dwelling houses reflect the scale of development in the area, which is also generally two storey in scale, with some single storey dwellings. The proposed apartment blocks are of a slightly larger scale than existing domestic properties within the vicinity of the site, but they are set within a large curtilage, are located well away from site boundaries and will be screened by existing trees and hedgerows. Additionally, Kensington House and the Headmasters House, both of which are to be retained and converted are three storey in scale and taller than the proposed apartment blocks. In these circumstances, the scale of the apartment blocks will not be out of character at this location. The proposal therefore respects the spatial quality and scale of development in the local area and complies with the requirements of Local Plan policy HP3 in this respect.
- 10.19. All the proposed dwellings meet the Nationally Described Space Standards, according with Local plan Policy HS5. Policy HS1 requires 25% of market dwellings to be built to be accessible and adaptable homes and policy HS2 requires all affordable dwellings to be built to be accessible and adaptable homes, and within this 10% should be built as wheelchair accessible homes. Both the Market and affordable units meet the requirements policies HS1 and HS2 in terms of Accessible and Adaptable Homes. The six ground floor affordable apartments (Apartment Block 2)

and both the affordable bungalows on site will be wheelchair accessible homes. This equates to approximately 13% of the 60 affordable units proposed.

- 10.20. Conditions 3 and 4 of the outline permission restrict the number of units on the site to no more than 200. The proposed scheme complies with these conditions.

### **Layout**

- 10.21. "Layout" is an assessment of the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development. Such an assessment forms a key component of Local Plan Policy HP3: Local Distinctiveness, which seeks to ensure that developments respect the spatial qualities of the local area, including the scale, appearance and use of spaces about and between buildings or structures, visual relationships, views and vistas.
- 10.22. Local Plan Policy HP4: Protecting Amenity requires development to be designed to ensure that it will not result in significant adverse impacts upon the amenity of occupiers and neighbours.
- 10.23. The layout of the scheme is such that all dwellings have good sized rear garden areas with adequate parking provision, and separation distances are such that there will be no unacceptable impacts from overlooking, overshadowing or overbearing. All properties either overlook open space or are within a short walking distance of it.
- 10.24. The relationship and separation distances between the proposed dwellings and existing surrounding properties will not result in any significant adverse impacts upon the amenity of occupiers and neighbours through overlooking, overbearing or overshadowing. The applicant has amended the houses on plots 40 and 51 from two storey dwellings to bungalows in response to concerns raised by the occupiers about the impacts of overlooking, overbearing or overshadowing.
- 10.25. Local Plan Policy NE7: Trees and Woodlands requires developments to protect and enhance existing trees and new development should be designed to ensure a satisfactory relationship between buildings and new and existing trees to safeguard the future health of the trees.
- 10.26. The proposed scheme allows for the retention of the Headmasters House, the Library, Kensington House and The Lodge, which are Non-Designated Heritage Assets, as well as existing mature trees and hedgerows. These elements make a positive contribution to the character and spatial quality of the area and their retention contributes positively to the overall quality of the scheme. Additionally large areas of open space have been retained in the southern part of the site, to create a buffer with the open countryside. These measures have had a significant bearing on the proposed layout of the scheme.
- 10.27. Other significant areas of open space have been provided throughout the site, including the retention and refurbishment of the sunken garden. The boundary with

the PROW provides indented areas of open space that create a more open feel and provide natural surveillance that enhances the recreational and amenity value of the PROW. Additionally, through the retention of existing trees and proposed new tree planting, the majority of the streets, in particular the main routes, will be tree-lined in line with the requirements of the NPPF.

- 10.28. The layout of the development ensures the majority of dwellings face the streets or public open space to ensure active frontages and surveillance over public areas.
- 10.29. Affordable dwellings are well distributed across the development and integrated with the scheme design in terms of materials and appearance. This accords with the requirements of Local Plan policy HS2, which requires affordable housing to be indistinguishable from the market housing.
- 10.30. Condition 35 of the outline permission requires any application for the reserved matter of layout to accord with the requirements of Local Plan Policy H1: Housing Mix and Density with reference to the latest HEDNA. The policy advised that new housing development will be expected to achieve a minimum net density of 30 dwellings per hectare. The proposed scheme achieves approximately 35 dwellings per hectare, which is considered to be acceptable at this edge of settlement location. The housing mix proposed is 64 two beds (32%), 65 three beds (33%), 57 four beds (28%) and 14 one beds (7%). Therefore, 72% of the proposed dwellings will be three bed and below. This broadly reflects the need identified in the HEDNA, which suggests that future housing provision across the district should be focused on delivering two and three bedroom homes to need for homes in the district. The Housing officer has no objection to the housing mix proposed.

### **Landscaping**

- 10.31. The application is accompanied by a Landscape Masterplan and detailed planting plans. These have been amended following comments from the Landscape Officer to increase tree planting across the site generally and along streets in particular. The updated plans and are now considered to be acceptable.
- 10.32. The scheme allows for the retention of existing mature trees and hedgerows across the site and proposed extensive additional landscaping, including tree-lined streets and an extensive landscape buffer with the Special Landscape Area to the south. This area includes a 'Kickabout Space' a 'Communal Garden area' and a 'Children's Play Area'.
- 10.33. A number of other smaller open space areas are provided throughout the site and all are landscaped. Another key feature is the retention and restoration of the former sunken garden and the provision of a new walled garden, creating variety in the open space provision.
- 10.34. The application proposes the creation of a 'village green' centrally utilising existing stone walls and pillars from across the site as gateway features to this central feature. Where key mature trees exist, such as around Kensington House, and in the

southeast large green areas have been left to ensure the existing trees remain undisturbed

- 10.35. The Public Right of Way along the northern boundary will be enhanced with indented landscape areas and low fencing to provide a more open and overlooked feel. Two accesses will also be created from the PROW into the site.
- 10.36. The Landscape officer has assessed the amended landscape proposals and is happy with them, subject to a conditions to control some of the details.

### Other Matters

- 10.37. **Sustainable Design:** Condition 34 of the outline consent requires an Energy Statement to be submitted to the Local Planning Authority for approval, concurrent with the submission of reserved matters. The applicant has submitted an Energy Statement and has updated the submitted information to confirm that all dwelling houses will be fitted with solar panels and EV charging points. Additionally, every house will be fitted with pipes to accommodate a heat pump, and every dwelling has been designed with the required spaces to accommodate a heat pump in the future. What this means is it is a simple installation to retrofit properties at a later date without the need to rip out piping and rewire houses to accommodate one. The applicant cannot confirm the installation of Heat pumps at this stage because they are still waiting for National Grid to confirm local capacity.
- 10.38. The submitted Energy Statement (ES) advises that 'Fabric First' principle will be adopted through the build, noting that the most effective way of minimising carbon emissions is to reduce the demand for heat and power through a well-insulated, energy efficient building fabric and services. The ES sets out a number of measures to reduce energy use and carbon emissions including, high performance glazing, 100% low energy lighting and 400mm–500mm loft insulation. The measures set out in the submitted ES would result in a 31% reduction in Carbon emissions. This is without consideration of the additional solar PV panels proposed under the amended scheme and the positive impact of constructing the houses to be capable of having heat pumps installed.
- 10.39. **Biodiversity:** Condition 20 of the outline consent requires the submission of an updated Biodiversity Impact Assessment with the Reserved Matters application. Condition 37 requires the submission of an updated Species Enhancement Management Plan. NYC's Ecologist has assessed the submitted information and is satisfied that it is sufficient to comply with the requirements of these conditions.
- 10.40. **Cycleway Link:** Condition 38 of the outline consent requires the submission of scheme to ensure a cycleway link is provided to connect to the adjacent housing site referenced H70 in the Harrogate District Local Plan to with the Reserved Matters application. The scheme shall include the route, co-ordinates at the site boundary, construction specification and timing for provision. The coordinates at the site boundary have been shown on the site layout plan and the applicant has confirmed that the link will be provided prior to the occupation of the house on plot 143 (north-

west corner of the site, where the connection to H70 will be made). The construction specifications have been submitted to the Highways officer and are acceptable. A condition is proposed to require the cycleway link to be provided in accordance with the submitted details.

- 10.41. **Electric Vehicle Charging Strategy:** Condition 5 of the outline consent requires the submission of Electric Vehicle Charging Strategy and implementation plan to submitted at the Reserved Matters stage. The applicant has confirmed that all houses will have EV charging points and this has been shown on the site layout plan. A condition is proposed requiring specifications of the EV charging points to be approved by the LPA and installation prior to occupation of the dwelling houses.
- 10.42. **Broadband Details:** Condition 6 of the outline consent requires Broadband details to be submitted at Reserved Matters stage and implemented prior to each dwelling occupation. The applicant has confirmed that a 1GB connection will be provided to every dwelling. A condition is proposed to require this.
- 10.43. **Landscape and Visual Impact Assessment (LVIA):** Condition 32 of the outline consent requires submission of an LVIA at Reserved Matters stage. An LVIA has been submitted and has been assessed by NYC Landscape Officer. The officer has confirmed that the methodology and the findings are acceptable and that measures have been taken in the submitted landscape proposals to mitigate the most substantial effects of the development. Condition 32 of the outline consent is therefore satisfied.
- 10.44. **Parish Council Comments and Other Representations:** Pannal and Burn Bridge Parish Council and Harrogate and Pannal Ash Residents Association have raised concerns about the impacts of increased traffic and construction traffic on the surrounding road network, increased pressure on local infrastructure, provision of off-site highway improvement works and upgrading of bus stops.
- 10.45. The reserved matters application is for 184 new build dwellings along with the conversion of existing buildings to 16 residential units. This is consistent with the scheme approved at outline. Impacts on the local road network and infrastructure were considered at outline stage and were considered to be acceptable, subject to the conditions of the consent (including condition 15, which requires a Construction Management Plan to be submitted for the approval of the LPA and condition 12 which requires the provision of a pedestrian footway on Yew Tree Lane fronting the site) and the requirements of a s106 legal agreement, which requires financial contributions towards Primary and Secondary Education Provision, Highway Infrastructure Improvements, Off-Site Open Space Provision and Sports Pitch provision. It would not be appropriate to re-visit these issued under this reserved matters application, which is limited to consideration of appearance, landscaping, layout, access and scale and matters that may be impacted by these details.
- 10.46. The issue of a Restrictive Covenant on the land has also been raised in representations. This is a private matter for the landowner and is not a material planning consideration. It can therefore be given no weight in the assessment of the proposal.

## 11.0 **CONCLUSION**

- 11.1. This Reserved Matters application seeks approval for the appearance, landscaping, layout, access and scale of the proposed development. The scheme has been assessed in relation to these reserved matters and is considered to be acceptable subject to the conditions proposed below. Additionally, the applicant has submitted details to satisfy a number of conditions on the outline planning consent that required details to be submitted at Reserved Matters stage. The application should therefore be approved in accordance with officer recommendation.

## 12.0 **RECOMMENDATION**

- 12.1 **That the Harrogate and Knaresborough Planning Committee be minded to APPROVE the reserved matters for access, appearance, landscaping, layout and scale subject to the conditions listed below, following the expiry of the consultation period, and provided the Assistant Director for Planning – Community Development Service, determines that no new material planning objections are raised in representations received between the date of the Harrogate and Knaresborough Planning Committee (30th January) and the expiry date of the consultation period. Where the Assistant Director for Planning – Community Development Service, determines that new material planning objections have been raised, the application will be returned to Harrogate and Knaresborough Planning Committee for further consideration.**

### **Recommended conditions:**

#### **Condition 1 Time Limit**

The development to which this approval of reserved matters relates shall be begun on or before the expiration of two years from the final approval of reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.

**Reason:** To ensure compliance with Sections 91-94 of the Town and Country Planning Act 1990.

#### **Condition 2 Approved Plans**

The development shall be carried out in accordance with the following approved plans and documents accept as amended by conditions below.:

Layouts

23 5663 01 -SITE LAYOUT (REV M)  
 23 5663 03 -MATERIALS PLAN (REV 0)  
 HAR-MC01\_ManCo (Rev C)  
 HAR-POS01\_PublicSpace (Rev C)  
 VIS-BTP01\_BoundaryTreatmentPlan (Rev N)  
 4528 102 LEAP Design

#### Conversions

4809-11-C Headmasters House Proposed Plans & Elevations 1-100A1 (Rev C)  
 4809-12-A Kensington House Existing Plans & Elevations 1-100A1 (Rev A)  
 4809-13-B Kensington House Proposed Plans & Elevations 1-100A1 (Rev B)  
 4809-14-C Lodge Existing-Proposed Plans & Elevations 1-100A1 (Rev C)  
 4809-15-B Library Existing-Proposed Plans & Elevations 1-100A1 (Rev B)

#### House types

23 5663 101 - DARLAND (AS-OP) (REV 0)  
 23 5663 102 - DARLAND (AS-AS-OP) (REV 0)  
 23 5663 103 - DARLAND (AS-AS-OP-OP) (REV 0)  
 23 5663 104 - FULMER (AS-OP) (REV 0)  
 23 5663 105 - JACKDAW (AS-OP) (REV 0)  
 23 5663 106 - JACKDAW (AS-AS-OP) (REV 0)  
 23 5663 107 - EGRET (AS-OP) (REV 0)  
 23 5663 108 - STARLING (AS) (REV 0)  
 23 5663 109 - STARLING (OP) (REV 0)  
 23 5663 110 - EIDER (AS-OP) (REV 0)  
 23 5663 111 - HYDRANGEA (AS) (REV 0)  
 23 5663 112 - HYDRANGEA (OP) (REV 0)  
 23 5663 113 - NIGHTINGALE (OP) (REV 0)  
 23 5663 114 - KINGFISHER (AS) (REV 0)  
 23 5663 115 - KINGFISHER (OP) (REV 0)  
 23 5663 116 - REDSTART (AS) (REV 0)  
 23 5663 117 - REDSTART (OP) (REV 0)  
 23 5663 118 - PLOVER (AS) (REV 0)  
 23 5663 119 - PLOVER (OP) (REV 0)  
 23 5663 120 - SANDPIPER (AS) (REV 0)  
 23 5663 121 - SANDPIPER (OP) (REV 0)  
 23 5663 122 - WAXWING (OP) (REV 0)  
 23 5663 123 - APARTMENT B2 (AS) (REV 0)  
 23 5663 124 - APARTMENT B1 (AS) (REV 0)  
 23 5663 125 - BECKWITH (AS) (REV 0)  
 23 5663 126 - BECKWITH (OP) (REV 0)

#### Site Sections

3 5663 05 - SITE SECTIONS (REV B)



## Street Scenes

23 5663 04 - STREETSCENES (REV A)

## Ecology

FE311 BEMP01 with Figures Dated December 2023

## Landscape

4528 101H Landscape Masterplan

4528 201C Planting Plan ( 1 of 7)

4528 202B Planting Plan ( 2 of 7)

4528 203B Planting Plan ( 3 of 7)

4528 204B Planting Plan ( 4 of 7)

4528 205A Planting Plan ( 5 of 7)

4528 206B Planting Plan ( 6 of 7)

4528 207C Planting Plan ( 7 of 7)

70061434-LUD-S3-001 - LVIA - Yew Tree Lane - 03.10.22

## Highways

23092-ATR-01-C - Refuse Swept Path Analysis revision C

23092-ATR-02-E Fire Tender Swept Path Analysis revision E

23092-ATR-03-C Refuse Swept Path Analysis revision C

23092-IN-01-C Visibility Splays Revision C

23092-SK-01 Proposed Tactile Paving

240115 Cycle Review Revision 1

101.022.04.03.Typical Highway Construction Details 3 of 3

101.022 - GG119 RSA Designers Response

**Reason:** For the avoidance of doubt and in the interests of proper planning and development.

### **Condition 3 Tree Protection**

No operation shall commence on site in connection with a phase or sub phase of the development hereby approved (including any demolition work, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) before tree root protection fencing and ground protection has been implemented in accordance with a tree report, in line with the requirements of British Standard BS 5837: 2012 (section 6.2.2 figure 2) Trees in Relation to Construction - Recommendations, that shall have been submitted to and approved in writing by the local planning authority. Thereafter the approved fences and ground protection shall be retained on site until all development subject of this permission is completed.

**Reason:** To ensure trees are adequately protected during the construction process and to comply with Local Plan Policy NE7.

#### **Condition 4 Tree Protection**

The applicant shall retain, throughout the development process, including the proposed tree planting (as per the approved plans), an arboricultural consultant who shall produce a monthly progress report to demonstrate that the trees are being protected in accordance with the submitted detail, and any approved Method Statement or other documentation, during the course of the development. The progress reports shall be made available to the LPA upon request.

**Reason:** To ensure trees are adequately protected during the construction process and to comply with Local Plan Policy NE7.

#### **Condition 5 Energy Statement**

The development shall be carried out in accordance with the measures set out in the submitted Energy Statement dated September 2022 by Energy & Design and as amended by the conditions of this consent.

**Reason:** To help reduce carbon emissions in line with the requirements of local plan policy CC4.

#### **Condition 6 Electric Vehicle Charging Points**

Electric vehicle Charging Points shall be provided to all dwelling houses hereby approved in accordance with the details shown on the approved site layout plan. For the avoidance of doubt, the proposed chargers shall be Mode 3 type (specific socket on a dedicated circuit with a minimum current rating of 16 Amp).

**Reason:** To reduce both the extent and the impacts of climate change and to comply with the requirements of Local Plan police CC4.

#### **Condition 7 Solar Panels**

All of the dwellings shown with photo voltaic solar panels on the approved site layout plan (23 5663 01 -SITE LAYOUT (REV L) - 20.12.23), shall be fitted with photo voltaic solar panels. Details of the size, number, specifications and location of the panels shall be submitted to and approved in writing by the local planning authority prior to any development above foundation level. Thereafter, the panels shall be installed on each dwelling in accordance with the approved details prior to the occupation of that dwelling.

**Reason:** To reduce both the extent and the impacts of climate change and to comply with the requirements of Local Plan police CC4.

#### **Condition 8 Heat Pumps**

Subject to local capacity on the electricity grid being available at the commencement of development on site, all new build dwelling houses shall be fitted with heat pumps prior to their occupation. The pumps shall be fitted in accordance with details, including noise output, that shall have been submitted to and approved in writing by the local planning authority. Where there is insufficient capacity in the grid to support heat pumps, evidence from Northern Power Grid (or any successor organisation) shall be submitted to the local planning authority for approval in writing. Thereafter, alternative arrangements for heating the properties shall be submitted to and approved in writing by the LPA and thereafter be implemented in accordance with the approved details prior to occupation of the dwelling houses.

For the avoidance of doubt, Local in the context of making electrical connections, is defined as half a mile from the site boundary.

**Reason:** To reduce both the extent and the impacts of climate change and to comply with the requirements of Local Plan police CC4.

### **Condition 9 Heat Pump Infrastructure**

All dwelling houses hereby approved shall be fitted with increase pipe widths and sufficient space internally to accommodate the installation of heat pumps. Full details of the proposed arrangements shall be submitted to and approved in writing by the local planning authority prior to any works above foundation level. Thereafter the development shall be carried out in accordance with the approved details.

**Reason:** To reduce both the extent and the impacts of climate change and to comply with the requirements of Local Plan police CC4.

### **Condition 10 Materials**

Prior to their use, samples bricks, roof tyles, natural stone and render to be used in the construction of the dwellings hereby approved shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

**Reason:** In the interests of visual amenity and to comply with Local Plan policy HP3.

### **Condition 11 Accessible and Adaptable Homes.**

All of the affordable dwellings and 25% of the market dwellings hereby approved shall meet the requirements of M4(2) Category 2: Accessible and adaptable buildings of The Building Regulations (2010), Approved Document M: access to and use of buildings (2015 edition incorporating 2016 amendments for use in England), or any subsequent comparable standard set nationally. Within the affordable dwellings 10% shall meet the requirements of M4(3) (a) of The Building Regulations (2010), Approved Document M: access to and use of buildings (2015 edition incorporating 2016 amendments for use in England), or any subsequent comparable standard set nationally.

**Reason:** To meet the requirements of Local Plan Policy Hs1 and HS2.

### **Condition 12 Fencing along the PROW**

Any new fences or hedges along the northern site boundary, adjacent to the Public Right of Way (PROW) shall be no higher than 1.4m above the finished ground level of the PROW immediately adjacent to the fence.

**Reason:** To preserve and enhance the recreational and amenity value of the PROW and to comply with Local Plan policy HP5.

### **Condition 13 Cycleway Provision**

Prior to the occupation of the dwellinghouse on plot 143, the cycleway link to connect to the adjacent housing site referenced H70 in the Harrogate District Local Plan shall be provided in accordance with the agreed construction specifications and the details shown on the approved site layout plan (23 5663 01 -SITE LAYOUT (REV L) - 20.12.23).

**Reason:** To ensure sustainable transport within the local area in accordance with Local Plan Policy T11.

### **Condition 14 Landscaping Detail**

Prior to any soft landscaping on site, a planting schedule and landscape details and/or plans, in accordance with the parameters established by the approved reserved matters submission shall be submitted for approval in writing by the Local Planning Authority. For the avoidance of doubt, this is to confirm an acceptable species mix in the agreed locations established by the detailed landscaping plans and approved masterplan/site layout. For the avoidance of doubt, planting shall be carried out in accordance with these approved details, unless agreed in writing by the Local Planning Authority.

**Reason:** To ensure that the proposed species mix is appropriate at this location.

### **Condition 15 Landscaping**

Timescales for the implementation of the landscaping shown on the approved plans shall be submitted to and approved in writing prior to the occupation of the first dwelling house. Thereafter the landscaping shall be completed in accordance with the approved details and timescales.

**Reason:** To ensure the approved landscaping is brought forward in a timely manner and in the interests of the general amenity of the development.

### **Condition 16 Rooting Volume Calculations**

Prior to the planting of any trees, rooting volume calculations in accordance with the council's Landscape Design Guide 2023 that show sufficiency in below ground make up of rooting area (particularly relevant where trees are planted within hard areas or adjacent to them or where rooting volume is likely to be restricted) shall be submitted to and approved in writing by the local planning authority. Where trees are planted within POS or wide grass verges of undisturbed ground the rooting volume is not as critical but it should still be demonstrated with calculations and specification for rooting volume.

To ensure trees are planted in a manner that will facilitate sustainable growth in the future.

#### **Condition 17 Stained Glass Windows**

Notwithstanding the submitted details, the existing stained-glass windows in the Headmasters House shall be retained and repaired unless a report has been submitted to the local planning authority by a stained glass specialist advising that they are beyond repair, in which case they shall be replaced on a like for like basis. The details of any replacement stained glass windows shall be submitted to and approved in writing by the local planning authority prior to the removal of the existing stained glass windows. Thereafter the windows shall be replaced in accordance with the approved details.

**Reason:** In the interests of visual amenity.

#### **Condition 18 Rooflights**

Prior to the insertion of any new or replacement rooflights into the roofs of the retained buildings, details of the specification of such rooflights, which shall be conservation type, shall be submitted to and approved in writing by the local planning authority.

**Reason:** In the interests of visual amenity.

#### **Condition 19 Facias and Verges**

Details of the proposed verge and fascia treatment for the Lodge shall be submitted to and approved in writing prior to the commencement of the construction of the extension to the building. Thereafter the development shall be carried out in accordance with the approved details.

**Reason:** In the interests of visual amenity.

#### **Condition 20 Play Equipment**

Notwithstanding the submitted details and prior to the occupation of the 50<sup>th</sup> dwelling, detailed specifications for the proposed play equipment, perimeter fencing, proposed surface material (which shall be wet pour rubber, grassmat or similar) and details of the timing of installation and on-going maintenance and repair of this equipment, fencing and surfacing shall be submitted to and approved in writing by the local planning authority. Thereafter the installation and on-going maintenance and repair shall be carried out in accordance with the approved details.

**Reason:** For the avoidance of doubt and in the interests of the general amenity of the development.

#### **Condition 21 Secure Cycle Stores**

Details of secure cycle stores to be provided for all dwelling houses without a garage shall be submitted to and approved in writing by the local planning authority.

Thereafter the approved secure cycle stores shall be provided prior to the occupation of each dwelling house.

**Reason:** To promote sustainable means of transport and in the interests of the general amenity of the development.

#### **Condition 22 Broadband**

Prior to occupation, all dwelling houses hereby approved shall be supplied with superfast fibre broadband with a minimum of 1 GB connection.

**Reason:** To comply with the requirements of local plan policy TI5.

#### **Condition 23 Hedge planting**

Any proposed shrub or hedge planting adjacent to the western boundary Rose Bank shall not exceed the height of the proposed boundary fences at this locations.

**Reason:** To help preserve the outlook from Rose Bank.

#### **Condition 24 Visibility Splays Obstructions**

No development for any phase of the development must commence until a visibility splays plan of all junctions across the site is submitted and approved in writing by the Local Planning Authority. Eye height must be 1.05 metres and the object height must be 0.6 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

**Reason:** In the interests of Highway Safety

#### **Condition 25 Yew Tree Lane Emergency Access Delivery**

No more than 50 dwellings shall be occupied until to the emergency access off Yew Tree Lane is constructed in accordance with agreed details and operational.

##### **Reason for Condition**

To provide for adequate and satisfactory provision of emergency access and cycle/pedestrian facilities in the interest of sustainable travel and safety.

#### **Condition 26 Western Emergency Access / Cycle Link**

No more than 143 dwellings shall be occupied until the emergency access / shared use cycle and pedestrian route on the western boundary is constructed in accordance with agreed details and operational.

##### **Reason for Condition**

To provide for adequate and satisfactory provision of emergency access and cycle/pedestrian facilities in the interest of sustainable travel and safety.

Target Determination Date: 02.02.2024

Case Officer: Gerard Walsh, [gerard.walsh@northyorks.gov.uk](mailto:gerard.walsh@northyorks.gov.uk)

### Appendix A – Proposed Layout Plan



01 / SITE LAYOUT

commrep/23