

North Yorkshire Council

Harrogate and Knaresborough Area Constituency Committee

14 March 2024

Receipt of Petition 'Requesting that North Yorkshire Council does not include any of the land known as H2 (land north of Knox Lane) in the new North Yorkshire Council Local Development Plan'

Report of the Assistant Chief Executive - Legal and Democratic Services

1.0 Purpose of the Report

- 1.1 To advise of a petition containing more than 500 signatures.
- 1.2 To ask the Area Constituency Committee to consider a response.

2.0 The Petition

- 2.1 A petition has been received by North Yorkshire Council. This is a paper-based petition with over 500 signatures, all of which are of people who live, work or study in the county.
- 2.2 The signatories urge North Yorkshire Council to exclude all the land found at Grid ref 429829 457681, known as H2 (Land North of Knox Lane) from the new North Yorkshire Local Plan. The explanation for their request is set out as follows:
 - That the Committee considers the petition and recommends to North Yorkshire Council that the land concerned is not included in the new NYC development plan.
 - The changeover from Harrogate Borough Council occurred during the collection of signatures and this has been reflected in the titles under which the petition appears.
 - The petition has been prompted by the strong feelings of people who either live in the Harrogate and Knaresborough Area, or who work in the area and are frequent visitors to Knox hamlet and its surroundings. They treasure the peace, beauty and recreational value of the area.
 - It is highlighted that although the land concerned was added to the Harrogate District Local Plan, it has always been unsuitable for development. The site was evaluated in the Harrogate District LDF Urban Areas Consultation – Assessment of Ste Options Volume 1: Harrogate Town (North East) dated September 2011. Nothing of substance has changed since then and the following are still applicable:
 - Developments would bring an unacceptable increase in traffic on several nearby suburban junctions
 - There is poor relationship with necessary local facilities: walking distances to five particular facilities are all greater than the accessibility requirement,
 - The Special Landscape Area and Tree Preservation Orders were noted as constraints,
 - Regarding Conservation and Design, Ecology and Landscape, all three items were awarded a red dot, denoting and Adverse Impact or High Adverse Impacts

- Comments from Heritage and Design HBC noted that development of this site would adversely impact on the historic environment and/or local character, and
- Access to any development would be on an unsuitable narrow country lane.
- Similarly in 2016, HBC's Natural and Built Heritage Assessment gave the H2 site red ratings on five out of the seven assessment criteria and amber for the other two, meaning the site remained clearly unsuitable for development
- It is not clear why the site was eventually included in the HBC Development Plan adopted 2020.
- In rejection of a recent planning application, the Planning Officer relied upon the majority of the points raised above.

3.0 The Council's Arrangements for Receiving and Responding to Petitions

3.1 The key features of the Council's arrangements for receiving and debating petitions, as published on the Council's website, are as follows:

- Receipt of the petition is published on the Council's website (which has been done in the case of this petition).
- If a petition contains 500 or more signatures (but less than 30,130 signatories), it will be scheduled for debate at the next meeting of the appropriate Area Constituency Committee.
- The petition organiser is offered the opportunity to speak for five minutes at the Area Constituency Committee meeting to present his/her petition. Subsequently, at the meeting, the petition will be discussed by Councillors for a maximum of 15 minutes and a decision will be made on how to respond to the petition.
- Possible responses by the Council to petitions, as shown on the website, are:
 - (a) to take the action requested by the petition.
 - (b) not to take the action requested for reasons put forward in the debate.
 - (c) to commission further investigation into the matter, for example by a relevant committee; or
 - (d) where the issue is one on which the council executive are required to make the final decision, the council will decide whether to make recommendations to inform that decision.
- The petition organiser will receive written confirmation of this decision. This confirmation will also be published on the website.

3.2 In accordance with the arrangements described above, the petition organisers have been invited to join today's meeting to present their petition.

4.0 Officers Comments Regarding the Petition

4.1 The preparation of Local Plans is guided by Planning Legislation and the process for its preparation is set out in national planning guidance. This clearly states that there must be an evidence-led approach to how many homes are needed, as well as a robust and fair assessment of sites allocated to meet that need.

4.2 All Local Plans are subject to Independent Examination by the Secretary of State. In the case of the Harrogate District Local Plan the inspector concluded that site H2 site should be included within the plan. The Harrogate District Local Plan will remain in place and will be the basis for determining planning applications until the new Local Plan for North Yorkshire is adopted.

4.3 In relation to the new Local Plan for North Yorkshire, the site selection process will begin with a call for sites to gain an understanding of what land is available. As part of this exercise, we will also be looking at sites allocated in adopted Local Plans that have not been progressed and we will assess these alongside other sites put forward. The Council will need to carry out this assessment and selection process in a fair and transparent way taking into consideration the most up to date evidence and therefore cannot commit to include or exclude any sites at this stage.

4.4 Consultation is an important part of preparing the Local Plan and there will be opportunities for communities to input their views on emerging sites and allocations. Key milestones are outlined below.

Key Milestones for Producing North Yorkshire Council Local Plan		
Stage of Plan Making		Timescale
Statement of Community Involvement		Q4 2023
Regulation 18	Public consultation on Issues and Options for the Local Plan	Q4 2024
Regulation 18	Public Consultation on Draft Local Plan (Preferred Options)	Q4 2025
Regulation 19	Consultation on Pre-Submission Local Plan	Q1 2027
Regulation 22	Submission of the Local Plan to the Secretary of State	Q2 2027
Regulation 24	Examination of Local Plan	2027/28
Regulation 26	Adoption of Local Plan	Q4 2028

9.0 FINANCIAL IMPLICATIONS

9.1 None identified.

10.0 LEGAL IMPLICATIONS

10.1

11.0 EQUALITIES IMPLICATIONS

11.1 The process for preparing Local Plans is set out in national legislation and guidance, including the importance of public consultation. The Council's recently approved Statement of Community Involvement sets out more detail about how the council will consult, which has itself been subject to an equalities assessment. An equalities assessment will also be undertaken alongside the new local plan

12.0 CLIMATE CHANGE IMPLICATIONS

12.1 Neutral implications.

13.0 Recommendations

13.1 That the Committee notes the petition and considers a response.

Barry Khan

Assistant Chief Executive (Legal and Democratic Services)
County Hall
Northallerton

Report Author –
Presenter of Report –

Background Document: North Yorkshire Council's petitions information and advice, a copy of which is on the Council's website [Petitions | North Yorkshire Council](#)