

Officer Update Note
Harrogate and Knaresborough Area Constituency Planning Committee
26 March 2024

Item 1

APPLICATION NUMBER:	17/01899/OUTMA J	PARISH:	Harrogate
APPLICANT:	Rowan Green Developments Ltd	VALID DATE: EXPIRY DATE:	30 May 2017 28 March 2024
PROPOSAL:	Outline application for residential development of up to 135 dwellings and associated infrastructure with access to (but not within) the site considered (Site Area 8.8ha)		
LOCATION:	Land at Cow Dyke Farm, Skipton Road, Harrogate		
RECOMMENDATION:	Planning Permission be GRANTED		

1. CONSULTATION RESPONSES

Further consultation responses have been received since the Officer Report was published. The comments made are summarised below.

NHS Integrated Care Board: The proposed development would give rise to a need for additional primary healthcare provision to mitigate the impact arising from the population associated with the development. A developer contribution of £157,374.00 would be required to mitigate the impacts of the proposal.

[Officer comment – Developer contributions will be secured by a S106 Agreement at reserved matters as set out in Para 10.69 of the Officer Report]

NYC Lead Local Flood Authority: The updated Flood Risk and Outline Drainage Strategy (Rev G, dated 21 February 2024) demonstrates a reasonable approach to the management of surface water on site. As part of any reserved matters approval of layout and discharge of drainage conditions, the applicant must demonstrate that the required surface water storage can be accommodated within the development layout. No objections raised, subject to conditions.

2. LOCAL REPRESENTATIONS

Since the Officer Report was published, six further objections have been received on the application. The comments made are summarised as follows:

- Original comments about additional traffic, speed and access on to the A59 remain unchanged.
- Access points to the site are unsuitable – Malham Drive is narrow with many blind bends, access point onto Skipton Road is near a narrow bridge.
- Updated Transport Assessment is inadequate and doesn't include the impact on the wider highway network.
- New buildings will add to drainage problems.

- Hedging along east side of the public footpath should not be interfered with
- A maintenance regime should be in place for any attenuation tanks.
- Can the open space to the north-west be moved to the north-east so to thin out buildings visible from Grange Farm.
- Proposed development will exacerbate erosion damage to the channel of Cow Dyke Beck downstream from existing developments.
- Loss of more countryside and agricultural land.
- There is no existing link between Cow Dyke Farm onto the access track to the east.
- Concern over lack of infrastructure, including school places and GP services to support additional population

One representation confirmed their support for development of the existing farm and outbuildings which are dilapidated, unsightly and encourage anti-social behaviour.

3. OFFICERS REPORT – POINT OF CLARIFICATION

Para 10.43: Existing link from Cow Dyke Farm to the public footpath.

The status of the “existing link” as reported needs to be clarified. The link from the application site to the public right of way to the east of the application site does not currently exist.

The public right of way runs along the access drive serving the Grange Farm buildings to the north. Consent would be needed to achieve a connection to the public right of way as any link would run across land owned by the Grange Farm landowner over which there are no public rights.

That part of the application site containing the Cow Dyke Farm buildings is however subject to a Deed which, in the event of planning permission being granted for the residential conversion of the farm building (and in respect of which the applicants have indicated a planning application will be submitted as soon as possible), would allow the creation of a pedestrian link from the application site to the public right of way. The right to pass over the footpath would only benefit those from that part of the site containing the Cow Dyke Farm buildings and not the wider application site.

AMENDMENTS TO CONDITIONS

1. Delete Condition 26 and replace with the following:

Condition 26 Surface Water Drainage

As part of the reserved matters application and prior to commencement of development on site, drawings shall be submitted to and agreed by the Local Planning Authority showing details of the proposed surface water drainage strategy. No piped discharge of surface water from the application site shall take place until the approved works to provide a satisfactory outfall has been completed. The

scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development and will include:

- a) Peak flow rates of discharge to the Cow Dyke watercourse
- b) A drainage system designed with sufficient on site attenuation so that flooding does not occur on any part of the site for a 1 in 30 year rainfall event, nor any flooding for a 1 in 100 year rainfall event in any part of a building (including a basement) or in any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development, except within an area that is designed to hold and/or convey water. The design shall also ensure that storm water resulting from a 1 in 100 year rainfall event, plus an allowance of 45% to account for climate change and 10% urban creep can be stored on site without risk to people or property and without increasing the restricted flows off site.
- c) Full network hydraulic calculations to confirm minimum operations standards and attenuation storage requirements.
- d) Proposed control measures to manage pollution from vehicle parking and hard standing areas, if required.
- e) An exceedance flood routing plan which shall demonstrate where flooding could potentially occur if the designed drainage systems were to be exceeded or fail for any reason including rainfall in excess of the 1 in 100 year event. The routing map should indicate direction of flood flows, highlighting areas that could flood and to what depth. The plan must demonstrate that exceedance flows will not cause risk or flooding to property / people on or off site.
- f) Details with regard to the maintenance and management of the approved scheme to include: drawings showing any surface water assets to be vested within the statutory undertaker / highway authority and subsequently maintained at their expense, and/or any other arrangements to secure the operation of the approved drainage scheme / sustainable urban drainage systems throughout the lifetime of the development including:
 - (i) details to demonstrate how the maintenance of any privately managed surface water drainage systems will be funded for the lifetime of the development;
 - (ii) Details of the organisation appointed to undertake future management and maintenance of the private surface water drainage systems on behalf of the residents, including full contact details and to whom will be responsible for appointing a new maintenance contractor if the existing company fails in its duties for any reason, or ceases to exist:
 - (iii) Drawings showing any surface water assets that will not be maintained at public expense;
 - (iv) a maintenance and operation manual for the privately managed surface water drainage systems itemising the tasks to be undertaken and frequency required;
 - (v) a plan clearly showing the extent of the land ownership along with easements and rights of way for access to carry out maintenance on third party land if required;

(vi) physical access arrangements in perpetuity; and

(vii) written confirmation that the management and maintenance of any privately managed / maintained communal drainage systems not adopted by a public organisation will be written into the deeds for each house with any new owners or future owners required to formally acknowledge their maintenance responsibility. A copy or copies, as applicable, of the deeds shall be submitted to the Local Planning Authority prior to the initial occupation of the dwelling, or dwellings, to which they relate (in the case of identical deeds other than the property address, a single copy with a list of the properties so covered by the general terms of the deeds).

Thereafter development shall be carried out and operated in accordance with the approved details.

Reason: To ensure the provision of adequate and sustainable means of drainage in the interests of amenity and flood risk in accordance with Policy CC1 of the Local Plan.

2. Add new Condition 34

Condition 34 Health Care

Concurrent with the submission of any reserved matters application, a scheme for the provision of improved health care provision to serve the development and details of the timescale for the provision of such facilities shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the measures shall be carried out in accordance with the approved scheme.

Reason: To contribute towards infrastructure and services in order to cater for the needs generated by the development in accordance with Policy TI4 of the Local Plan

3. Add new Condition 35

Condition 35 Education

Concurrent with the submission of any reserved matters application, details of arrangements for the provision of improved educational facilities to serve the development and details of the timescale for the provision of such facilities shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the measures shall be carried out in accordance with the approved scheme.

Reason: To contribute towards infrastructure and services in order to cater for the needs generated by the development in accordance with Policy TI4 of the Local Plan.

4. Add new Condition 36

Condition 36 Landscaping

Any application for the reserved matter of landscape shall demonstrate how the principles established by the Concept Masterplan – Illustrative Densities (Dwg YOR.2822_DE_013 Rev O) have been applied. The inclusion of a hierarchy of green open spaces and linkages across the site, the retention and enhancement of existing

site features and provision of new tree planting will be important features of any detailed landscaping scheme.

Reason: In the interests of visual amenity and in accordance with Policy NE4 of the Local Plan.