

North Yorkshire Council

Harrogate and Knaresborough Area Constituency Planning Committee

Minutes of the meeting held on Tuesday, 7th May, 2024 commencing at 2.00 pm.

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

Officers present: Glenn Sharpe – Solicitor (Planning), John Worthington – Executive Officer (Development Management), Gerard Walsh - Principal Development Management Officer, Nick Turpin – Planning Manager (Development Management) (Observer), Kate Lavelle – Solicitor (Planning and Environment) (Observer), Heather Yendall, Improvement Manager (Area 6), Harriet Clark, Senior Democratic Services Officer; and Dawn Drury, Democratic Services Officer.

Copies of all documents considered are in the Minute Book

1 Apologies for Absence

There were no apologies for absence.

2 Minutes for the Meeting held on 26 March 2024

The minutes of the meetings held on Tuesday 26 March 2024 were confirmed and signed as an accurate record.

3 Declarations of Interests

Councillors Hannah Gostlow and Chris Aldred declared a non-pecuniary interest in item 4 of the agenda, as they are both Members of the Harrogate and Knaresborough Liberal Democrat Constituency Association, and their Constituency Office was located in a building owned by the applicant, Impala Estates; and as an organisation, they pay Impala Estates a monthly rental fee. Both Councillors confirmed that they would be keeping an open mind, and that they would speak and vote on the item.

Councillor Philip Broadbank also declared a non-pecuniary interest in item 4 of the agenda, as he was a Member of the Harrogate and Knaresborough Liberal Democrat Constituency Association, and whose Constituency Office was located in a building owned by the applicant, Impala Estates; and as an organisation, they pay Impala Estates a monthly rental fee. In addition, he was also a member of the Harrogate Civic Society. The Councillor confirmed that he would be keeping an open mind, and that he would speak and vote on the item.

The Chair informed the Committee that the planning application at item 5 of the agenda, application number ZC24/00288/FUL - Demolition of existing dwelling; Alterations to land levels; Erection of building 8 new apartments (6 x 2 bed and 2 x 1 bed) with parking and landscaping on land at 13 Stockwell Road, Knaresborough, HG5 0JY, had been withdrawn from consideration by the Council by the applicant's agent, and therefore the item would not be heard.

Planning Applications

The Committee considered a report of the Assistant Director Planning – Community Development Services relating to an application 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 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 the reasons for that decision are as shown in the report or as set out below.

4 ZC23/03697/FUL - Installation of Access Control Bollards, Construction of Planters, and Block Paving to roadway on land to the front of the Former Council Offices, Crescent Gardens, Harrogate, North Yorkshire

Considered :-

The Assistant Director Planning – Community Development Services sought determination of a planning application for Full Planning Permission for the installation of access control bollards, construction of planters, and block paving to roadway on land to the front of former Council offices at Crescent Gardens, Harrogate, North Yorkshire.

The Principal Development Management Officer advised Members that one addition representation had been received by the authority since publication of the agenda pack. This related to a request for Members to consider deferment of the application, to allow time for their consideration of the Harrogate Town Centre Strategy and Masterplan and Harrogate Conservation Area Appraisal and pending negotiations between North Yorkshire Council and Impala Estates Limited on the medium to long term potential for Crescent Gardens Park.

Patrick Turner spoke objecting to the application.

The applicant's agent, Hamish Robertshaw, spoke in support of the application.

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

- Although public vehicular traffic would be prohibited by the introduction of the bollards and planters, would pedestrians, cyclists and horses still be allowed to access the building frontage.
- If the car park known as the Shelf was owned by the applicant and not North Yorkshire Council.
- Clarification was requested on the amount of cycle parking stands currently within the area, if any of these would be for the use of the general public; and whether a condition could be added, if planning permission were to be granted, to move the current cycle stand to another area of the site so that the public would have use of them.
- In terms of congestion, would the planters and bollards impact the operation of the area and was there the potential for the proposed change to lead to congestion on Swan Road or Ripon Road. Members also queried if the Council's Transport team had conducted any modelling or if there was any transport data to support the conclusion within the report, that the development would not impact on the operation of the highway network.
- Members requested clarification on the process and timescales for an application to be made to the Secretary of State for a Stopping up Order and the methods used for publicising any such application.
- It was queried that if a Stopping up Order were to be approved could the public right of way be extinguished by Impala Estates Limited.
- Members queried the rationale behind the decision taken by Cabinet of Harrogate Borough Council in July 2022 to dispose of the land, which was conditional upon the proposed purchaser obtaining a Stopping up Order on the highway.
- Members did not feel that they had sufficient information to make an informed decision, and that in view of a potential application to the Secretary of State for a Stopping up Order, which if granted would allow for a public right of way to be extinguished, there was a need to understand the full consequences of granting the planning application.

The decision:-

That the planning application be DEFERRED for the following reasons:

- To allow clarity to be sought from Impala Estates Limited on the scope of a potential Stopping up Order application under s247 of the Town and Country Planning Act 1990, and in particular if the order would apply to vehicular access only.
- To allow officers to source the July 2022 report taken to the Cabinet of Harrogate Borough Council (HBC) which set out the background and reasons relating to the proposed disposal of Crescent Gardens Road, fronting the former HBC office building at Crescent Gardens.

Voting record:-

A vote was taken, and the motion was carried unanimously. The motion to defer the application was therefore carried.

5 ZC24/00288/FUL - Demolition of existing dwelling; Alterations to land levels; Erection of building 8 new apartments (6 x 2 bed and 2 x 1 bed) with parking and landscaping on land at 13 Stockwell Road, Knaresborough, HG5 0JY

As Members had heard earlier in the meeting, this application had been withdrawn from consideration by the Council.

6 Any other items

There was one item urgent of business.

It was proposed and seconded that the Committee sit in private session for the item, due to the nature of the business to be transacted.

RESOLVED:

That, in accordance with Section 100(A)(4) of the Local Government Act 1972, in view of the nature of business to be transacted the meeting be not open to the press and public during discussion of the following item as there will be disclosure of exempt information as described in paragraph 3 of Schedule 12(A) of the Act.

Councillor Paul Haslam remained in the room for the duration of the exempt item but only to observe.

7 Date of Next Meeting

Tuesday 28 May 2024 – Civic Centre, Harrogate

The meeting concluded at 5.20 pm.