

North Yorkshire Council
Community Development Services
Strategic Planning Committee

10 DECEMBER 2024

22/01558/EIAMAJ - OUTLINE PLANNING APPLICATION FOR THE ERECTION OF UP TO 480 DWELLINGS, PROVISION OF FOOTBALL PITCHES AND ANCILLARY BUILDING, PROVISION OF CRICKET PITCH AND PAVILION, WITH ASSOCIATED ACCESS ROADS, CAR PARKING, LANDSCAPING, OPEN SPACE AND INFRASTRUCTURE INCLUDING WORKS TO THE ADOPTED HIGHWAY TO CREATE SITE ACCESSES. ALL OUTLINE MATTERS RESERVED EXCEPT FOR POINTS OF ACCESS.

ON LAND BETWEEN BECKWITH HEAD ROAD, OTLEY ROAD, HOWHILL ROAD AND HOWHILL QUARRY ROAD, HARROGATE, NORTH YORKSHIRE .

**ON BEHALF OF
HOMES ENGLAND**

REPORT OF THE ASSISTANT DIRECTOR PLANNING – COMMUNITY DEVELOPMENT SERVICE

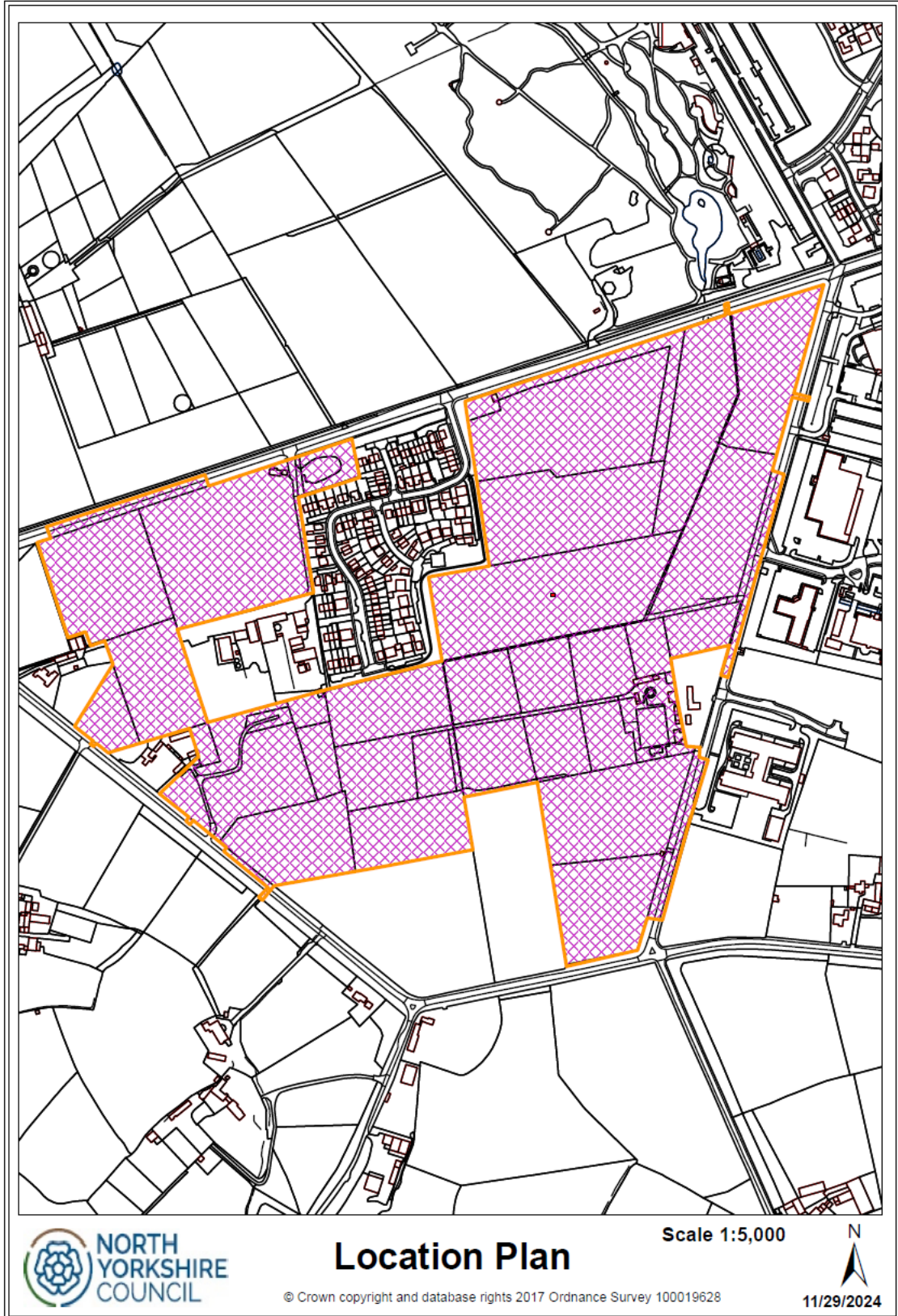
1.0 Purpose of the Report

- 1.1 To determine an Outline planning application for the erection of up to 480 dwellings, provision of football pitches and changing rooms, provision of cricket pitch and pavilion, with associated access roads, car parking, landscaping, open space and infrastructure including works to the adopted highway to create site accesses. All matters (access, appearance, landscaping, layout and scale) reserved (except for points of access into the site).
- 1.2 The application is brought before planning committee because it is an application required to be accompanied by an Environmental Impact Statement and because the site is part of a wider 'urban extension' to the West of Harrogate. The site is a housing commitment within the local plan and is included within the West of Harrogate Parameters Plan (WHPP). The purpose of the WHPP is to create an aligned, holistic site approach, addressing matters such as access and movement, provision of community facilities and schools, green and blue infrastructure, public transport, cycling and pedestrian links with sites H45 Blue Coat Park, H46: Land at Otley Road, H36 Former Police Training Centre Yew Tree Lane, H70 Land east of Whinney Lane, H49 Windmill Farm, Otley Road and H51 Land Off Lady Lane and Whinney Lane.

2.0 EXECUTIVE SUMMARY

RECOMMENDATION: That planning permission be **GRANTED** subject to conditions listed below and completion of a S106 agreement with terms as detailed in Table 1.

- 2.1. This is an outline planning application with all matters reserved (except for points of access into the site) for the erection of up to 480 dwellings, provision of football pitches and ancillary building, provision of cricket pitch and pavilion, with associated access roads, car parking, landscaping, open space and infrastructure including works to the adopted highway to create site accesses. The site is allocated as a housing commitment within the adopted Harrogate Local Plan (H45). Up to 192 affordable dwellings would be provided on-site.
- 2.2. The application is accompanied by an Environmental Statement that has not identified any significant environmental effects resulting from the development that would justify a reason for refusal.
- 2.3. The site is located to the Southwest of Harrogate and extends to approximately 27.65 hectares of agricultural land. Access to the site will be taken from Otley Road and Beckwith Head Road.
- 2.4. Officers have assessed the proposed development against the policies in the local plan and national planning policy and have found the submitted details to be acceptable. The proposed development will make a valuable contribution to meeting housing need, including the delivery of affordable housing, which will help meet the aims of local plan policy GS1 (Providing New Homes and Jobs). The impacts of the proposed development on the operation of the highway network, landscape character, heritage, and in all other respects that are material to the consideration of this proposal are considered to be acceptable, subject to the proposed conditions set out below and the completion of a S106 agreement, with terms as detailed in Table 1 below. The detail of the proposed development will be controlled at reserved matters stage when full details of proposed landscaping, design, scale, access and appearance will be submitted to the local planning authority for approval.
- 2.5. Having regard to the overall planning balance the proposed development is considered to be sustainable and the recommendation is therefore that planning permission be GRANTED subject to conditions listed below, completion of a S106 agreement with terms as detailed in Table 1.



3.0 **Preliminary Matters**

- 3.1. Access to the case file on Public Access can be found [here](#).
- 3.2. The application was submitted to the planning authority In May 2022. In August 2024, an updated Environmental Statement, a Cumulative Transport Strategy (CTS) and other supporting documents were submitted to the planning authority and a further round of statutory and public consultation was carried out in August/September 2024.
- 3.3. The CTS considers the traffic impacts of the proposed development along with a number of other committed and allocated sites. The submission of the CTS followed lengthy discussions with the Local Highway Authority around the scope and methodology of the document.
- 3.4. The application was submitted after the West of Harrogate Parameters Plan (WHPP) was approved by the former Harrogate Borough Council Cabinet Member for Planning (approved February 2022). The WHPP presents a concept masterplan for the sites in West Harrogate, which provides guidance to aid the interpretation of policies in the Harrogate District Local Plan 2014-2035. The purpose of the plan is to create an aligned, holistic site approach, addressing matters such as land use, access and movement, provision of community facilities and schools, green and blue infrastructure, public transport, cycling and pedestrian links, and phasing.
- 3.5. The West of Harrogate Infrastructure Delivery Strategy (WHIDS) was approved by the NYC Executive Member for Open to Business on 24 June 2024. The WHIDS has been prepared to accompany the WHPP, in order to establish the timing and delivery of the infrastructure required to support the sites in West Harrogate.
- 3.6. There are two planning applications on H45 that are relevant for this application, which are detailed below.
 - 15/00798/EIAMAJ - Outline application for up to 450 dwellings, mixed use local centre to include retail, primary school, village green, open space and associated infrastructure with access considered – Granted 23.02.16.
 - 18/04318/REMAJ - Reserved Matters Application (appearance, landscaping, layout and scale considered) for Phase 1 comprising the roadway into the site forming part of the easternmost principal access from Otley Road and an additional 4m length of access road; and the approval of a Phasing Plan pursuant to Condition 3 of Outline – Granted 03.05.19.
 - In addition to the two applications above, a list of other West of Harrogate housing allocations, and any relevant planning applications, is set out in the table below:

Local Plan Reference and Indicative Yield	Planning Application Number	Location	Number of dwellings proposed	Status
H36 (Indicative Yield – 163 dwellings)	23/00259/REMMAJ	Yew Tree Lane (former PTC)	200	Granted – Not commenced
H46 (Indicative Yield – 125 dwellings)	15/01999/EIAMAJ	Land at Otley Road Harrogate	125	Granted – Completed.
H49 (Indicative Yield – 776 dwellings)	22/00089/EIAMAJ	Windmill Farm, Otley Road Harrogate	810	Application Pending
H51 (Indicative Yield – 690 dwellings)	18/05202/EIAMAJ And 20/01706/EIAMAJ	Land between Lady Lane and Whinney Lane Harrogate	480 and 224	Strategic Planning Committee resolution to approve subject to s106 agreements.
H70 (Indicative Yield – 230 dwellings)	19/02342/REMMAJ (Northern half of H70)	Whinney Lane	130	Granted - Substantially completed
H74	16/04107/REMMAJ	Crag Lane	119	Granted and completed

The cumulative impact of these sites on infrastructure has been considered in the WHPP and WHIDS. Each of the outstanding applications will pay financial contributions towards the cost of improving infrastructure provision to meet the needs of the development across west of Harrogate as a whole. The amount payable is based on the number of dwellings proposed. On-site provision will be made for primary schools and local centres on H51 and H49 and for a sports hub on H45. This will ensure that the west of Harrogate urban extension is brought forward in a comprehensive manner with infrastructure such as schools, sports facilities and highway improvement works delivered at the appropriate time to meet the needs of the growing population. There are currently four planning applications in the system and each of these will be assessed on its own merits, whilst also taking account of cumulative impacts.

4.0 Site and Surroundings

- 4.1. The site is located to the Southwest of Harrogate and extends to approximately 27.65 hectares of agricultural land. The site abuts Beckwith Head Road to the east, Otley Road to the north, Howhill Road to the west and Howhill Quarry Road to the south. Access to the site will be taken Otley Road and Beckwith Head Road. The site is within the Crimple Valley Special Landscape Area and within the development limit Harrogate. Part of the site fronting Otley Road (approximately 2.6 hectares) is designated as a Site of Importance for Nature Conservation (non-statutory locally valued wildlife sites) under local plan policy NE3. No development is proposed in this area. The site includes a disused cricket ground in the northwest corner. The West Yorkshire Green Belt lies to the southwest of the site on the opposite side of Howhill Road.

5.0 Description of Proposal

- 5.1. This application seeks outline planning permission for the erection of up to 480 dwellings, provision of football pitches and ancillary building, provision of cricket pitch and pavilion, with associated access roads, car parking, landscaping, open space and infrastructure including works to the adopted highway to create site accesses. All matters (access, appearance, landscaping, layout and scale) are reserved (except for points of access into the site) on Land between Beckwith Head Road, Otley Road, Howhill Road and Howhill Quarry Road, Harrogate, North Yorkshire. Up to 192 affordable dwellings will be provided on-site. The area of the cricket ground will be approximately 1.69 hectares and the football pitches approximately 1.94 hectares.
- 5.2. The site will have three vehicular access points, one off Otley Road and two off Beckwith Head Road. A separate vehicular access will be provided off Otley Road to the football pitches.
- 5.3. The application is accompanied by an Environmental Statement that has not identified any significant environmental effects resulting from the development that would justify a reason for refusal.

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.
- Minerals and Waste Joint Plan (adopted 2022)

Emerging Development Plan – Material Consideration

- 6.3. The Emerging Development Plan for this site is the North Yorkshire Local Plan though no weight can be applied in respect of this document at the current time as it is at an early stage of preparation.

Guidance - Material Considerations

- 6.4. Relevant guidance for this application is:

- National Planning Policy Framework
- National Planning Practice Guidance
- National Design Guide 2021
- West of Harrogate Parameters Plan - approved February 2020
- West of Harrogate Infrastructure Delivery Strategy - approved June 2024
- Affordable Housing SPD - June 2021
- Providing Net Gain for Biodiversity SPD - June 2021
- Provision of Open Space and Village Halls SPD - June 2021
- Heritage Management Guidance SPD - November 2014
- Landscape Character Assessment - February 2004

7.0 Consultation Responses

- 7.1. The following consultation responses have been received and have been summarised below.

7.2. Parish Councils:

Haverah Park with Beckwithshaw Parish Council object to the application. The issues raised are summarised below.

Comments received on 7th October 2024.

- The application should be considered under the guidance of the West of Harrogate Parameters (WHPP) Plan and the Infrastructure Delivery Plan (IDS).
- The Parish Council is not convinced that the mitigation measures outlined in the Cumulative Transport Strategy are sufficient to cope with the increased traffic volumes that will be generated by the proposed and existing housing developments on the Western Arc. This document has been generated by the developers without any evidence of due diligence by NYC.
- No timetable for road mitigation works is included. These works should be undertaken in tandem with the house construction programme.
- Drainage – No decision should be made until the information requested in the Lead Local Flood Authority report regarding drainage layouts and Preliminary Hydraulic Calculations have been completed and delivered to NYC for scrutiny. Further investigation work needs to be undertaken and resolutions proposed to resolve the water run-off issues raised in the letters from parishioners.

Comments received 22nd July 2022

- The application should not be considered until the WHPP including the IDS have been finalised and have been out for public consultation and adopted.
- When adopted, the WHPP and IDS should be mandatory and not just an advisory document.
- The wider implications of the additional traffic generated should be fully resolved and agreed with affected parish councils. The existing network is not capable of carrying the current traffic loads and yet the supporting information submitted by the applicant states that the overall impact of the development generated traffic is low and the impact is not severe. The Parish Council believe the impact will be severe.
- The independence of Beckwithshaw village community, including the school should be protected from becoming a suburb of Harrogate.
- There should be a detail of the provision of public transport to include Beckwithshaw.
- The construction of all new houses should reflect the current environmental concerns i.e., no fossil fuels for heating, the highest level of insulation and use of solar energy.
- Design should reflect the rural nature of the site.

Pannal and Burn Bridge Parish Council (P&BBPC) objects to the application. The issues raised are summarised below. Full comments are available to view on the public file:

Comments received 18th November 2024 following receipt an updated Environmental Statement, a Cumulative Transport Strategy (CTS) and other supporting documents

- Regardless of the updated EIA and Cumulative Transport Strategy, plans for public transport provision still appear to be unaddressed (to the extent required to minimise additional through traffic across Pannal and Burn Bridge Parish). This is a significant matter which must be accounted for and until confronted, conflicts with development sustainability as determined in Policy TI4. At the present time, the generation of increased traffic and future traffic flow from the development will only exacerbate an already impossible situation in neighbouring areas, including Pannal and Burn Bridge parish. This is in direct opposition to sustainable Policy TI1 recommendations.
- We have a significant concern that the objectives of the Transport Strategy and Cumulative Transport Assessment presented in this update are biased towards priority for motor vehicles to increase flow of traffic and reduced journey times through routes (and hence speeds) through Pannal and Burn Bridge and are not focused on achieving priority and safety for pedestrians and cyclists and

residents along affected routes. These objectives are evident because the proposed changes to highways are focused on increasing flow at junctions and traffic-controlled points as well as reducing journey times for through traffic, which means greater speed.

- There are insufficient proposed changes to facilitate increased active travel to connect this housing development to central Harrogate and for onward public transport to the south. Active travel routes need to be safe, viable alternatives to motor vehicle journeys. Safe active travel routes need to be provided from all new housing developments to Harrogate bus station, Harrogate railway station, Hornbeam Park railway station and Pannal railway station.
- There are insufficient proposed changes to public transport (buses) to connect to central Harrogate and onward public transport. There need to be better and multiple bus route options as a viable alternative to motor vehicle journeys through Pannal and Burn Bridge to/from Leeds and the south of Harrogate.
- Overall Transport and Highways objectives that are important to P&BBPC and its residents:
 1. Reduce volumes of traffic and reduce the growth in total and at peak times travelling through Pannal & Burn Bridge due to cumulative housing and employment developments – which will help reduce congestion, pollution, improve safety of highways for other road users - by providing attractive and viable alternatives to car journeys (walk, cycle, public transport, car share).
 2. Reduce traffic speeds along significant stretches of key routes through the parish that are bearing the brunt of increased peak time traffic. Speed control through traffic calming measures (humps, one lane chicanes, signage, speed enforcement) – which will help improve safety for other motor vehicle users, and safety of other highway users on these routes:
 - a. Route 1: Church Lane/MainStreet/Station Road
 - b. Route 2: Yew Tree Lane/Burn Bridge Road/Burn Bridge Lane
 - c. Route 3: Yew Tree Lane/Rosedale/Main Street/Station Road
 - d. Route 4: Hill Top Lane/Hill Foot Lane/Burn Bridge Lane
 - e. Route 5: Drury Lane/Walton Park
 3. Reduce risk to pedestrians by adding new footways, widening pedestrian pathways, adding safe height kerbs and other protection for pathways on routes experiencing greatest traffic growth.
 4. Reduce risk to cycle users and encourage replacement journeys by active travel by creating safe cycling routes with protection from traffic (minimum high kerbs on shared walk/cycle paths or new dedicated cycle paths) for:
 - a. Journeys into and out of Harrogate by P&BB Parish residents

b. Journeys by new housing development residents to/from Pannal railway station to reduce car journeys North/South between western Harrogate and Leeds

- Whilst welcoming the now transparent detail in this Cumulative Strategy, we note again that this developer-led strategy is presented without reference to the recently published West of Harrogate Infrastructure Delivery Strategy (WHIDS) from North Yorkshire Council. All major developments of this type should only be progressed with proposals tested against and consistent with a NYC IDS which is reviewed and agreed with all affected parishes and fully agreed with the Planning Committee of North Yorkshire Council. Determination of this application should be deferred until this is achieved.
- **Note: P&BBPC has made detailed comments on various junction mitigation and highway improvement works they would like to see to mitigate impacts on Pannal & Burn Bridge Parish and its residents, which are available to review on the public file.**

Comments received 23rd June 2022

- Recognition is made to the fact that this site (also known as H45) is included in the Local Plan (yield of 450 dwellings) but that the Local Plan requires the application to be prepared in accordance with a West Harrogate Parameters Plan (WHPP) - now falling under the remit of the planned IDS (Infrastructure Delivery Plan).
- The Parish Council believes this IDS has yet to be concluded given that HBC and NYCC have pre-determined that consultation will be made to interested groups (parish councils, Harlow and Pannal Ash Residents Association (HAPARA), etc) before it is underwritten.
- Plans for public transport provision appear unaddressed - this is a significant matter which must be accounted for within the IDS and, until confronted, conflicts with development sustainability as determined by Policy TI4. At the present time, the generation of increased current and future traffic flow emanating from the sites both proposed and already developed in this Western Arc of Harrogate - coupled with the potential increase in dwellings within each site - will only exacerbate an already impossible situation on neighbouring areas. This is in direct opposition to sustainable Policy TI1 recommendations.
- Councillors are concerned that the developers must address house specific build responses to the climate and energy emergencies: proposing fossil fuel as a heating facility is quite unacceptable. They also need to maximise standards of insulation.
- The seeming “build, build, build” approach approved by HBC in support of developer applications around the Harrogate area, and particularly so in this Western Arc of Harrogate, is not only relentless but – misguidedly – totally unsupported at the present time by any meaningful address of local

infrastructure to support the movement of what doubtless will prove to be a huge increase in vehicular numbers. "Cart before horse" is a very apt description.

7.3. **Ward Member:**

- There is a desperate need more housing in this county, especially for the younger generation, but the new housing sites have to be in the right location and appropriate infrastructure has to be provided, especially improved road infrastructure.
- The development is in a locality with the very weakest road and transport infrastructure, which comprises a network of narrow country lanes that link various villages and farms.

The future impact of traffic generated by this large-scale development is a particular concern for constituents in Pannal and Oatlands. They already experience severe congestion especially during the commute to work and the school run. There is gridlock around the M&S junction and the roads into an out of West and South Harrogate are tailed back for almost a mile in both directions at rush-hour. This is severely hurting the economy of Harrogate and stifling economic growth. Not to mention the impact on the quality of life for residents.

The road infrastructure strategy presented with this planning application is nowhere near adequate enough.

- However, if the committee is minded to approve the application, the Ward Member asks that the junction mitigations and minor road improvements which are currently scheduled for the 2030s be brought forward as a matter of urgency to the mid and late 2020s. In addition, the Ward Members considers that the aims to improve the capacity of the A61/ Leeds Road / Follifoot Road junction near Pannal, currently scheduled for 2027/28, should be brought forward by a couple of years due to the large tailbacks at this junction.

7.4. **NYC Lead Local Flood Authority:**

The applicant has provided an updated FRA and Drainage Strategy, which is acceptable subject to conditions to control the detail of the foul and surface water drainage proposals.

7.5. **NYC Highways:**

The Highways Authority has assessed the submitted Cumulative Transport Strategy and the Transport Assessment. The Transport Assessment is site specific, whilst the Cumulative Transport Strategy is aimed at assessing the wider transport impact across all planned and emerging Local Plan allocated sites.

The financial contribution for off-site highway works necessary to mitigate the cumulative impacts of the west of Harrogate developments is circa £36.7million pounds. This will be apportioned to each site based on the number of dwellings proposed. Listed at appendix C are the junctions that will require mitigation to

address the cumulative impacts of development. These measures have been independently reviewed and costed by a Transport Consultant working on behalf of the Local Highway Authority (LHA). The off-site highway works will be designed, procured and delivered by the LHA over the lifetime of the development.

The apportionment for this site is £6,192,000 for housing. This figure equates to £12,900 per dwelling.

Having considered Nationally Planning Policy Framework guidance, the Local Highway Authority considers there is no defensible reason to refuse the application on highway and transportation grounds subject to conditions and s106 to secure proposed mitigation works.

7.6. NYC PROW Officer:

The development should aim to achieve greater connectivity between various housing areas and the existing rights of way network nearby, increasing the connectivity of the network to aid public recreational and commuting use by the creation of new routes to link into the existing network.

7.7. NYC Ecology:

No objection on ecological grounds, subject to planning conditions to require the submission of an Overall Biodiversity Gain Plan (OBGP), which includes recognition of the presence of veteran trees on site, submission of a Construction Ecological Management Plan (CEcMP) for each phase, a Management Plan for the part of the site designated as a Site of Importance for Nature Conservation. Biodiversity Net Gain (a minimum of no net loss) to be secured through a Section 106 agreement.

7.8. NYC Education:

No objection subject to financial contributions towards primary and secondary education provision, as set out at Table 1 (s106 Legal Agreement).

7.9. NYC Landscape:

The landscape officer is satisfied that the submitted Landscape and Visual Impact Assessment and other supporting documents demonstrate that the development can be accommodated at this location without significant harm to landscape character or views, in particular views towards Almscliffe Crag. The officer has some concerns about the detail shown on indicative site layout plan, particularly in relation to street trees, key views, landscaping between the housing and the SINC and connectivity between the open spaces.

The indicative site layout plan is not for formal consideration at this stage and the LPA has sufficient control at reserved matters stage to address the landscape officers' concerns.

7.10. NYC Conservation:

There are no heritage assets within the site. The nearest are Howe House (Grade II - 250 metres to the southwest of the site boundary) and Harlow Hill Tower (Grade II 700 metres to the northeast of the site boundary). Any harm to the setting of these would be low or very low.

Officers consider the impact on designated and non-designated heritage assets can be adequately controlled at reserved matters stage when details of layout, landscaping scale and appearance will be considered.

7.11. NYC Minerals and Waste Planning Team

The allocation of the site through the local plan process took account of Minerals and Waste issues and therefore, no further comments are required.

7.12. NYC Arboriculture Officer:

Objection to the loss of trees.

As this is an outline application with all matters reserved, protection of trees and compensatory landscaping can be adequately controlled by conditions and the details fully assessed when reserved matters applications come forward. The indicative site layout plan shows the majority of trees and hedges to be retained.

7.13. NYC Heritage:

No objection. Given the relative sparsity of archaeological features and their poor level of preservation the heritage officer has advised that the archaeological potential of the site is low. The officer can see no further archaeological research potential in this area.

7.14. NYC Environmental Health Officer:

No objection – Conditions proposed regarding land contamination, Construction Management Plan (including dust and air quality mitigation), electric vehicle charging points, hours of work, lighting scheme, refuse storage, extraction system, and noise.

7.15. NYC Housing:

40% Affordable Housing required. These should be well integrated within the development and appear indistinguishable from the market homes in order to promote balanced and mixed communities.

Details of the affordable housing will be controlled at reserved matters stage.

Affordable dwellings will be required to comply with the requirements of local plan policy HS2.

7.16. Northern Gas Networks (NGN)

A high-pressure gas main runs across the western part of the site and continues under Otley Road to the north and Howhill Road to the south. NGN require the applicant to enter into an Asset Protection Agreement with them before the commencement of the development. A Grampian Condition is proposed to deal with this. Subject to this condition NGN has no objection to the proposed development.

7.17. Yorkshire Water:

No objection, subject to conditions to control the details of foul and surface water drainage. Yorkshire Water is committed to re-enforcing the water infrastructure to the west of Harrogate but timescales for this work remain to be precisely determined.

7.18. Natural England:

No Comments.

7.19. Police Designing Out Crime Officer:

The Police Designing Out Crime Officer has set out design principals that help reduce crime and fear of crime.

As this is an outline planning application this aspect will be controlled by a planning condition requiring full details of how designing out crime and will be incorporated into the development at the reserved matters stage.

Sport England

Sport England has an objection to the application. However, this is primarily related to the need for further detail, for example on the design of the cricket pavilion and the construction of the cricket ground and playing fields. The details they are concerned about will either be controlled at reserved matters stage or by the conditions proposed below.

Sport England would also like to ensure that adequate off-site financial contributions are made to meet the demand created by the residents of the proposed development. These will be secured through a s106 agreement.

The Football Foundation has used updated team information to generate new pitch requirements for site H45. This has been considered by officers in the policy section and they have advised that it would be unreasonable to expect the Council to insist that these are reflected in the planning application. The Council has used the Sport England calculator, to generate the pitch and ancillary facility requirements for this site and have liaised with the developer for a significant amount of time using these figures. These calculations are based on the team information in the adopted Playing Pitch Strategy (PPS), and it would be inappropriate to update these just for this site and just for football, when we haven't used them for any other site and they do not form part of an adopted PPS evidence base.

7.20. MOD Safeguarding

No objection.

7.21. NHS – Integrated Care Board:

No Objection, subject to a financial contribution £394,061 towards the provision of healthcare facilities to meet the need generated by the development, as set out at Table 1 (s106 Legal Agreement).

Local Representations

- 7.22. 16 objections have been received. These include comments from Harrogate Civic Society, Harrogate and Pannal Ash Residents Association (HAPARA) and Zero Carbon Harrogate. Six representations were received in response to the submission of amended details in August 2024 (Updated Environmental Statement, Cumulative Transport Strategy, Cumulative Air Quality Assessment and other supporting documents). Ten representations were received in response to the application as originally submitted. A summary of the comments is provided below, however, please see website for full comments.

7.23. **Objections:**

Highways and Transport

- Lack of capacity on the local road network;
- measures should be taken to minimise the use of the private car to reduce congestion;
- Detrimental impact on highway safety.

Landscape and Ecology

- Harmful Impact on Special Landscape Area;
- Harmful to the character of the countryside;
- The development will join Harrogate to Beckwithshaw village;
- Harmful impact on wildlife;
- Insufficient detail on Biodiversity Net Gain;
- Hedgerows should be protected and retained;
- Not enough landscaping;
- The development will have an urbanising effect;

Sustainability and Environment

- The development is not sustainable;
- The energy statement submitted makes no attempt to demonstrate how the energy hierarchy set out in Local Plan policy CC4 will be applied;
- Insufficient detail and commitment on sustainable transport – buses, walking and cycling;
- Solar Panels and ground Source heat Pumps should be used.
- All buildings should be built to the highest energy efficiency standards;

Infrastructure and Services

- Lack of Infrastructure to meet the demands from the development – schools, shops, post offices, doctors, dentists;

- Lack of capacity in existing watercourses, drainage ditches and culverts to accommodate surface water from the site.

Cumulative Impact

- Inadequate assessment of the cumulative impacts with other West of Harrogate developments.

Flood Risk

- Increased flood risk and drainage problems.

Sports Facilities

- Football pitches and cricket pitch should be next to each other to allow sharing of facilities and economies of scale and offer the greatest opportunity for informal recreational use;
- Location of football pitches could result in parking on Otley Road on match days;
- A shared car park could assist with keeping overflow parking off the surrounding residential streets;
- The sports provision, open space and SINC should be interconnected with accessible footpaths to ensure the highest levels of use;
- Concerns about how the ownership, management and long-term maintenance of the football and cricket pitches.

Other Matters

- Loss of agricultural land;
- The area is becoming over-developed;
- The application for 480 dwellings represents a 6.7% uplift on the Local Plan provision. This contributes to the overall uplift of 15% of housing provision in the West of Harrogate which we say is excessive. This site therefore contributes to excess travel demand contrary to the aims of Local Plan Policy TI1.
- There are restrictive covenants that may impact on the deliverability of part of the site.

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 exceeds threshold because the development includes more than 150 dwellings and because the site is over 5ha.
- 8.2. The applicant has submitted an Environmental Statement (ES) in support of the application, which was updated in August 2024. The aim of the ES is to identify and assess the direct and indirect significant effects of the proposed development.
- 8.3. The LPA consider that the development is EIA development because the site is one of several sites on the western side of Harrogate allocated for the delivery of new housing and employment provision. These site allocations are strategically important in supporting the vision for planned growth set out in the Local Plan and will form a new urban extension on the western edge of the town. The combined impacts of developing these sites need to be considered holistically and this is best achieved through the process of Environmental Impact Assessment.
- 8.4. The Topic areas assessed within the ES are:
- Water Environment
 - Biodiversity
 - Landscape and Visual Impact
 - Socio Economics
 - Transportation
 - Noise and Vibration
 - Climate Change

These topic areas are considered appropriate for the development proposed.

The Supplementary Environmental Statement ('SES') includes the following reports as appendices:

- Archaeological Trial Trench Evaluation (WYAS Archaeological Services, April 2022) (SES Appendix 10.1);
 - Biodiversity Net Gain Strategy (Envance, June 2024) with associated metric calculation tool spreadsheet (SES Appendix 6.2);
 - Breeding Bird Survey Report (WSP, September 2022) (SES Appendix 6.1);
 - Drainage Strategy Report (WSP, July 2024) (SES Appendix 11.2);
- 8.5. In addition to the updated ES the following updated plans and documents have been submitted:
- Design and Access Statement (IDP, Revised July 2024);
 - Summary of Layout Amendments (IDP, July 2024);
 - Planning Statement Addendum (Lichfields, August 2024);

- Supplementary Environmental Statement Volume 1 – Updated Non-Technical Summary (Lichfields August 2024);
- Supplementary Environmental Statement Volume 2 – Main Technical Assessment (Lichfields, August 2024);
- Supplementary Environmental Statement Volume 3 – Appendices;
- Arboricultural Statement (WSP, July 2024);
- Biodiversity Net Gain Strategy metric calculation tool spreadsheet (Envance, July 2024);
- West of Harrogate Sites Cumulative Air Quality Assessment (WSP, May 2024);
- Supplementary Air Quality Assessment (WSP, July 2024) and
- Landscape Strategy Report (WSP, July 2024).

8.6. The ES was originally submitted in April 2022 and was updated in August 2024 to reflect changes to the scheme that have taken place following consultation with officers of the council.

Summary of changes to the indicative site layout plan:

- The cricket pavilion and associated car parking have been relocated from the north-east to the southeast corner of the cricket field following a comment from the English Cricket Board ('ECB'). To accommodate this change, the size of the cricket ground has increased to the east from 1.63 hectares to 1.69 hectares;
- Two cricket practice wickets enclosed by nets have been included to the north-east of the cricket field;
- The facilities within the football hub adjacent to Otley Road to the north have been changed. The Original 2022 Scheme provided one adult pitch, one youth pitch and two mini-pitches. Following discussions with NYC Officers and Sport England, the adult pitch has been removed and an additional youth pitch has been provided. As such, the Revised 2024 Scheme now includes two youth football pitches and two mini football pitches, with two changing rooms, at the 'Youth Football Hub'. A contribution is to be paid towards the off-site provision of an adult pitch;
- A pedestrian and cycle route has been included along the northern side of the youth football hub. This route will connect to a signalised crossing on Otley Road. This change has occurred in consultation with NYC Highways;
- Internal alternations to increase the number of street trees along primary routes within the site, with 2.5m wide verges added to provide sufficient space for the trees;
- Introduction of more trees into gardens to break up the runs of car parking spaces and demonstrate that the environment could be softened.

- Internal alterations to reduce car parking to the front of the proposed dwellings;
- Changes have also been made to the highway arrangements, such as visibility splays, following advice from NYC Highways.

8.7. The Environmental Statement concludes that the development can be delivered without any substantial environmental impacts, which would outweigh the benefits of the development.

9.0 Main Issues

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

- Principle of Development
- Highways and Access
- Landscape and Green and Blue Infrastructure
- Heritage and Design
- Ecology
- Flood Risk and Drainage
- Affordable Housing
- Housing Mix
- Residential Amenity
- Infrastructure Provision
- Other Matters
- S106
- Planning Balance

10.0 ASSESSMENT

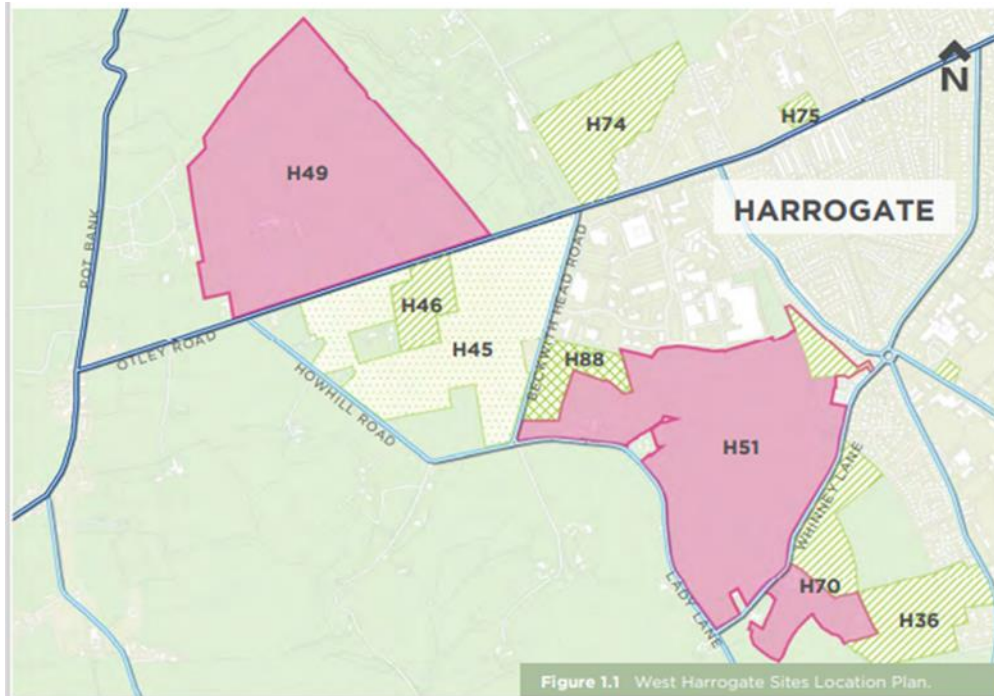
Principle of Development

- 10.1. Section 38(6) of the Planning and Compulsory Act requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The adopted Harrogate Local Plan is the starting point for the determination of any planning application.
- 10.2. Policy GS1 (Providing New Homes and Jobs) of the Local Plan states provision will be made in the former Harrogate district over the plan period (2014-2035) for a minimum of 13,377 new homes (including affordable housing) and for a minimum of 40 hectares of new employment land.
- 10.3. Policy GS2 (Growth Strategy to 2035) sets out a settlement hierarchy and advises that growth will be focussed in the settlements listed. Harrogate is identified as one of the main settlements where major allocations of land will be provided to deliver new homes and jobs. It is one of the settlements that offers the greatest range of jobs, shops and services and is well connected in terms of public transport. Harrogate is therefore a highly sustainable location.

- 10.4. Policy GS3 (Development Limits) advises that within development limits, proposals for new development will be supported provided they are in accordance with other relevant policies of the Local Plan.
- 10.5. The site is within the Harrogate development limit and allocated as a Housing Commitment in the adopted Harrogate Local Plan. The principle of housing and employment development is therefore acceptable on this site.
- 10.6. The site will help deliver the amount of new homes needed over the plan period, as identified under policies GS1 (Providing New Homes and Jobs).
- 10.7. The former Harrogate area currently has a 7.7-year housing land supply. Although there is now no formal requirement set out in the NPPF for a local planning authority with an up-to-date local plan to demonstrate a minimum 5-year supply of deliverable land it is important that housing delivery is maintained, particularly in respect of sites that have been allocated for such purposes.

West of Harrogate Parameters Plan

- 10.8. The adopted Harrogate District Local Plan 2014 - 2035 allocates several sites on the western side of Harrogate for the delivery of new housing and employment provision, key services and facilities with associated transport, communications and green and blue infrastructure. These site allocations are strategically important in supporting the vision for planned growth set out in the Local Plan and will form a new urban extension on the western edge of the town.
- 10.9. The West Harrogate Parameters Plan (WHPP) is a guidance document. It provides additional information to aid the interpretation of policies within the Harrogate District Local Plan 2020 (HDLP). It was prepared collaboratively by the developers/site promoters of the three largest sites in West Harrogate (H45, H49 and H51) along with the local planning, highway and education authorities.
- 10.10. The spatial extent of the West of Harrogate Parameters Plan covers the following sites:
- H36: Former Police Training Centre, Yew Tree Lane
 - H45: Bluecoat Park
 - H46: Land at Otley Road
 - H49: Windmill Farm, Otley Road
 - H51: Land east of Lady Lane
 - H70: Lane east of Whinney Lane
 - H74: Crag Lane



- 10.11. Applications for housing development on H36, H46, H70 and H74 have already been approved and are subject to individual s106 agreements to deal with any required financial contributions towards infrastructure provision.
- 10.12. There are four outstanding applications, two on H51 and one each on H45 and H49. H45 will provide a sports hub on site, H49 will provide a land for a primary school and a local centre and H51 will also provide land for a primary school and local centre. The two applications of H51 were considered by Strategic Planning Committee on in August and October where members resolved to approve subject to proposed conditions and completion of s106 agreement. As well as these on-site provisions, each of these four developments will be required to pay financial contributions towards the cost of improving off-site infrastructure provision, such as, education, highway improvement works, healthcare, sports provision and open space. The amount payable for each site is based on the number of dwellings proposed – further detail is set out in west of Harrogate Infrastructure Delivery Strategy. In the case of the highway works, NYC highways has costed up the highway works necessary to make the development acceptable. The overall costs of these works will be circa £36.7million pounds. This will be apportioned to each site based on the number of dwellings proposed. These measures have been independently reviewed and costed by a Transport Consultant working on behalf of the Local Highway Authority (LHA).
- 10.13. The off-site highway works will be designed, procured and delivered by the LHA over the lifetime of the developments. The above approach aims to ensure that the west of Harrogate urban extension is brought forward in a comprehensive manner with infrastructure such as schools, sports facilities and highway improvement works delivered at the appropriate time to meet the needs of the growing population.
- 10.14. In the above circumstances, it is considered that the principle of the proposed development is acceptable.

Highways and Access

- 10.15. Local Plan Policy TI1 requires developments to create safe and accessible communities and encourage sustainable travel behaviour. Policy TI4 (Delivery of New Infrastructure) advises that in order to deliver sustainable development, the council will work with infrastructure and service providers and developers to deliver infrastructure and services to support existing and future development across the district.
- 10.16. Through work on the West of Harrogate Parameters Plan (WHPP) and the West of Harrogate Infrastructure Delivery Strategy (WHIDS) officers have sought to consider the impacts of the development in the west of Harrogate on a holistic basis. The most significant mitigation requirements are for the improvement of key highway junctions and highway links within the vicinity of the site. A Cumulative Transport Strategy has been undertaken by the applicants with the Local Highway Authority cross checking all the information to ensure that it aligns with their wider transport infrastructure planning. The WHIDS document has been prepared in order establish the timing and delivery of the infrastructure required to support the sites in West Harrogate. The document is intended to be a dynamic piece of work and will be revisited and adjusted depending on the rates of delivery across the west of Harrogate sites, which will influence which areas are prioritised.
- 10.17. In assessing the submitted proposals and reaching its recommendation, the Local Highway Authority (LHA) has taken into account the documents submitted in support of the application, with particular reference to Amended Details uploaded to the Planning portal on 12th August 2024 pertaining to Highway 'Site Access' Details; Indicative Route Corridor Plan; Transport Assessment within Section 7 (Transport) of the Supplementary Environmental Statement and its associated Appendices – Part 1 to Part 5. The submission is made in broad accordance with the West of Harrogate Parameters Plan agreed between NYC and the various Site Promoters.
- 10.18. The Applicant, together with other Promoters has worked closely with the LHA and Local Planning Authority as part of wider Master Planning including the development of an Infrastructure Development Strategy and the aforementioned Transport Strategy Report aimed at assessing the transport impact across all planned and emerging Local Plan allocated sites that are considered to impact the highway network in the West of Harrogate area.
- 10.19. Detailed approval is sought for three main vehicular access points into the application site, one to be taken off Otley Road and two off Beckwith Head Road, with an Emergency Access also proposed onto Howhill Road. All four junctions will take the form of priority 'T' junctions.
- 10.20. In addition to the formation of the said junctions, a number of associated improvements in the form of crossing facilities for non-motorised users will be provided including a pedestrian refuge island on Otley Road and a Parallel Crossing for pedestrians/cyclists on Beckwith Head Road. Dropped kerbs and Tactile Crossings at junctions will be provided throughout as is standard design practice.

10.21. All junctions will require the applicant to enter into a S278 Agreement with the Local Highway Authority to construct the new junctions and crossing facilities, which shall be constructed in broad accordance with WSP drawings:

- BLUE-WSP-XX-XX-SK-D-000 (Site Access Overview Plan);
- BLUE-WSP-XX-XX-SK-D-001 (B6162 Otley Road Access);
- BLUE-WSP-XX-XX-SK-D-002 (Beckwith Head Road – Northern Access);
- BLUE-WSP-XX-XX-SK-D-003 (Beckwith Head Road – Southern Access);
- BLUE-WSP-XX-XX-SK-D-004 (Howhill Road Emergency Access).

Off-site Highway Contributions for this Application

10.22. This applicant's apportionment associated with 'Off-site Highway Contributions' is £6,192,000. This figure equates to £12,900 per dwelling. An inflation clause will be included in the S106 Agreement linked to the future payment trigger dates. The amount apportioned to this site is a percentage of the overall cost of £36.7 million based on the number of dwellings proposed on this site as a percentage of the overall number of dwellings proposed on H51, H45 and H49.

10.23. Listed at appendix C are the junctions that will require mitigation in the form of schemes that make up the 'Off-site Highway Contributions' required to address the cumulative impacts of development. These measures have been independently reviewed and costed by a Transport Consultant working on behalf of the Local Highway Authority.

Car Club

10.24. The applicant will be required to enter into a Car Club Agreement with a Car Club Operator securing the operation of a car club vehicle scheme within the Site. This will be controlled via the s106 legal agreement with details considered under reserved matters applications.

Pot Bank Roundabout

10.25. A new roundabout will be required at the Junction of Otley Road (B6162) and Pot Bank (B6161) (situated approximately 1km to the west of the site) to accommodate the vehicular traffic generated by the proposed development and other development in the West of Harrogate. To secure the works, a separate planning permission will be required for the roundabout and the land necessary, which is currently in third party ownership, will need to be in the control of the Local Highway Authority (LHA). The land is currently in the same ownership as land within the H49 site, which is subject to a separate planning application (22/00089/EIAMAJ – Windmill Farm, Otley Road). It is expected that the land necessary to construct the roundabout will be made available through the H49 planning application. The agent for that application has advised that they expect to submit a planning application for the new roundabout in the near future. A Grampian condition is proposed that would prevent the construction of dwelling houses on this site until the construction of the new Pot Bank roundabout is secured (planning permission in place and the necessary land within the control of the LHA). If the construction of the roundabout is secured before the completion of a S106 agreement with terms as detailed in Table 1, the proposed Grampian condition would no longer be required.

Conclusion on Highways Matters

- 10.26. In consideration of Nationally Planning Policy Framework (NPPF) guidance, it is known that new developments inevitably increase multi-modal trips onto the highway network, and this will inevitably result in some worsening of highway link and junction performance as demonstrated in the transport analysis, with mitigation therefore being offered to help alleviate the cumulative impacts. Ultimately therefore, a balance has to be established between the need for new development and the overall impact that new development can have on existing communities, the environment and the highway network. In summary, when assessed against NPPF, the Local Highway Authority considers there to be no defensible reason to refuse the application on highway and transportation grounds.
- 10.27. The issues of impacts on the road network, road safety, congestion, cycle provision and pedestrian safety have been raised in many of the objections received including Parish Councils and the Ward Member. The Highway Authority has assessed all of the likely impacts in these regards and have found that they are acceptable, subject to the proposed highway conditions and the financial contributions towards off-site Highway works.
- 10.28. Officers consider the proposed highway mitigation works are appropriate and will prevent any unacceptable impacts on the highway network either from this application as a standalone development, or when taken cumulatively with the impacts of the other West of Harrogate developments. A number of highway conditions are proposed to control the detail of road and footway layout.

Landscape and Green and Blue Infrastructure

- 10.29. Local Plan policy NE4 seeks to protect landscape character in particular within Special Landscape Areas, which are valued locally for their high-quality landscape and their importance to the settings of Harrogate, Knaresborough and Ripon.
- 10.30. The site is within the Crimple Valley Special Landscape Area (SLA). In the Harrogate district, SLAs have played an important role in helping to protect locally important landscapes for many years. Crimple valley SLA has been identified as being important for the landscape settings of Harrogate. The site is in Character Area 60 (Upper Crimple Valley) as set out in the Harrogate District Landscape Character Assessment. This area is important both to the rural setting of Harrogate and in preventing the coalescence of Pannal with Harrogate.
- 10.31. While the use of local landscape designations, such as SLAs, is supported by the NPPF, national policy is clear that distinctions should be made between the hierarchy of international, national and locally designated sites so that protection is commensurate with their status. Policy NE4 therefore contains criteria by which development proposals will be judged to avoid significant adverse impact on the quality of the SLAs and settings of Harrogate, Knaresborough and Ripon.
- 10.32. Development proposals within these areas are required to meet the following criteria:

- Avoid significant loss of key characteristics that contribute to the quality of the special landscape area and the setting of Harrogate, Knaresborough and Ripon.
- Ensure that development proposals are linked to existing settlements and are designed to integrate the urban edge with the countryside and to enhance the appearance of the urban fringe.

10.33. Crimple Valley SLA covers a large section of the southern fringes of Harrogate and consists of a shallow valley. This area is seen extensively from the west and is a rural pastoral landscape reaching right up to the edge of the settlement. The broad open valley, because it is mostly flat, provides excellent views with a high degree of intervisibility between the urban fringe of Harrogate and the surrounding countryside. The distinctiveness of the area is a result of its broad valley landform and gently undulating valley sides.

10.34. As set out above, H45 is allocated within the local plan as a housing commitment. It has therefore been accepted that this type of development is acceptable in the SLA. The key issue, in these circumstances, is to minimise the harmful impacts of the proposal on the key characteristics of the SLA.

10.35. In terms of the key characteristics of the SLA, it is the broad open valley, with extensive views that stands out. The proposed development, along with the of H51 and H49, H70 and H36 will be seen as a natural extension to the southwestern edge of the town. Given the large area covered by the SLA, it is not considered the proposal will impact the above key characteristics to any significant degree.

10.36. The separation between the edge of Harrogate and the village of Pannel and Burn Bridge is not significantly impacted by the proposed development, given the existing and approved development to the southeast of the site, which are closer to these settlements. It will not, therefore, have any significant impact on coalescence between Harrogate and these villages. The site will bring the edge of Harrogate town closer to the village of Beckwithshaw, but the western edge of the site will be approximately 500 metres from the village edge. In these circumstances, it is considered that the rural character of Beckwithshaw will be retained.

10.37. The applicant has submitted an indicative site layout plan. This shows that most of the hedges and trees on the site boundaries and within the site will be retained, except where required to be removed for access. Approximately 1.69 hectares in the central area of the site will be dedicated to a new cricket ground with new pavilion and 1.94 hectares in the northwest corner dedicated to football pitches with ancillary building and parking area.

10.38. There are a number of trees that are subject to a tree preservation order on the site boundaries and within the site. These will be retained and incorporated into the proposed development. New landscaping throughout the site will offer opportunities to strengthen and reinforce the existing trees and hedgerows. The indicative site layout plan shows the proposal will integrate the urban edge with the countryside in an acceptable manner.

- 10.39. The Landscape Officer is satisfied that the submitted Landscape and Visual Impact Assessment and other supporting documents demonstrate that the development can be accommodated at this location without significant harm to landscape character or views, in particular views towards Almscliffe Crag. The officer has some concerns about the detail shown on indicative site layout plan, particularly in relation to street trees, key views, landscaping between the housing and the SINC and connectivity between the open spaces.
- 10.40. The indicative site layout plan is not for formal consideration at this stage and the LPA has sufficient control at reserved matters stage to address the landscape officers' concerns.
- 10.41. In the above circumstances, it is considered the proposed development will have an acceptable impact on landscape character and views and it therefore complies with the general criteria set out in local plan policy NE4 and with the additional criteria for development in Special Landscape Areas.
- 10.42. Local Plan Policy NE5 seeks to protect and enhance the social, environmental and economic benefits of existing green infrastructure features and/or incorporate new green infrastructure features within the design of new development. Significant areas of open space and landscaping will be provided in the northeast corner of the site, which will include a new wetland area in the form of an attenuation pond, and adjacent to the eastern boundary. There will also be a landscaped green corridor running with footpath running through the centre of the site, as well as the large open areas dedicated to football and cricket. Most of the existing trees and hedgerows are retained and supplementary new planting is proposed. The development will deliver large areas of new, publicly accessible green infrastructure. It therefore complies with the aims of local plan policy NE5.
- 10.43. The details of landscaping will be assessed at reserved matters stage when it must be demonstrated how the proposal meets the requirements of Policies NE4 and NE5 as well as the aims of the West. The applicant will also be required to demonstrate how the guidance within the West of Harrogate Parameters Plan has been incorporated into the detailed scheme.

Heritage and Design

Heritage

- 10.44. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid in the exercise of planning functions to the desirability of preserving the Listed Building(s) or its setting or any features of special architectural or historic interest which it possesses.
- 10.45. Local Plan Policy HP2 (Heritage Assets) advises that planning applications affecting heritage assets will be determined in accordance with national planning policy.
- 10.46. Section 16 of the NPPF (Conserving and Enhancing the Historic Environment) sets out national policy in relation to heritage assets.

- 10.47. Para 195 of the NPPF highlights that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 10.48. Paragraph 205 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
- 10.49. Paragraph 208 advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 10.50. Paragraph 209 advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 10.51. The policies in the NPPF seek to protect the significance of heritage assets but also advocate a balanced approach, weighing any harm against the benefits of the proposal.
- 10.52. There are no heritage assets within the site. The nearest designated heritage assets are Howe House (Grade II - 250 metres to the southwest of the site boundary) and Harlow Hill Tower (Grade II 700 metres to the northeast of the site boundary). Any harm to the setting of these would be less than significant.
- 10.53. There are a number of Non-Designated Heritage Assets (NDHA's) in the surrounding countryside, in the form of historic farm steads. Given the separation distances involved and the intervening road network and open countryside, it is considered that any harm to the setting of these NDHA's would be less than substantial.
- 10.54. It has been found that the proposal will cause less than substantial harm to the setting of Designated and Non-Designated Heritage Assets, and this must be taken into consideration in assessing the application, in accordance with NPPF paragraphs 208 and 209. This has been considered in the 'Planning Balance' section of the report below.

Archaeology

- 10.55. NYC Principal Archaeologist has advised that, given the relative sparsity of archaeological features and their poor level of preservation that the archaeological potential of the site is low. The officer has therefore not requested any further archaeological research or planning conditions for the site.

Design

- 10.56. Local Plan policy HP3 seeks to protect local distinctiveness by requiring development to, amongst other things, respect the spatial qualities of the local area and respond positively to building density.

- 10.57. The NPPF places great importance on the creation of healthy and safe communities and the creation of high-quality buildings and places. The National Design Guide also provides guidance on how well-designed places can be achieved in practice.
- 10.58. The submitted Indicative site Layout Plan shows a scheme that has significant areas of open space, including a dedicated cricket pitch and football pitches. The majority of existing trees and hedges will be retained and additional planting is proposed across the site.
- 10.59. The H45 allocation, overall, will be seen as a natural extension to the urban area. An important part of any future detailed design assessment in relation to scale will be the quality of new dwellings. In this respect, the dwellings will be expected to, as a minimum, meet the Nationally Described Space Standards (NDSS) in accordance with Local Plan Policy HPS5. A condition is proposed to require this.
- 10.60. The details of appearance, scale and layout will be assessed at reserved matters stage when it must be demonstrated how the proposal meets the requirements of Policies HP2 and HP3 as well as the requirements in the NPPF. The applicant will also be required to demonstrate how the guidance within the West of Harrogate Parameters Plan has been incorporated into the detailed scheme.

Ecology

- 10.61. The Council has a duty to consider the conservation of biodiversity when determining planning applications.
- 10.62. The application pre-dates the introduction of mandatory 10% Biodiversity Net Gain but is subject to the requirements of Local Plan Policy NE3 which requires major applications to demonstrate 'no net loss of biodiversity' and for on and offsite BNG to be secured (implemented, maintained and monitored) for a minimum period of 30 years through a Section 106 agreement.
- 10.63. The applicant has provided an updated Supplementary Environmental Statement (August 2024) which accounts for changes to the proposals since the E.S. of 2020 together with the results of a breeding bird survey and an updated biodiversity metric calculation.
- 10.64. The updated Planning Statement Addendum (Homes England, Aug. 2024) set out a rationale explaining how the developer intends to relieve recreational pressures on the Site of Importance for Nature Conservation (SINC), which together with its management by grazing and or cutting will be key to retaining it in good ecological condition, in the face of surrounding residential development. A specific management plan will be required for the management and enhancement of the Bluecoat Fields SINC, in association with the first reserved matters application. This will be controlled by condition.
- 10.65. The protection of retained habitats and protected and priority species, together with control of invasive species will be set out in a Construction Ecological Management

Plan (CEcMP). The applicant will be required to submit a CEcMP in association with each reserved matters application.

- 10.66. The applicant will be required to provide an Overall Biodiversity Gain Plan (OBGP), to demonstrate a clear framework for how a minimum of 'no net loss' of biodiversity will be achieved.
- 10.67. In terms of air quality, the applicant has satisfactorily demonstrated that the long term impacts of the proposal would be unlikely to lead to significant deterioration of the Bluecoat Field SINC or other potential ecological receptors, largely due to the anticipated future adoption of electric vehicles.
- 10.68. Each reserved matters application will require an up-to-date ecological walkover survey to inform the Phase Biodiversity Gain Plan and to support a Construction Ecological Management Plan (CEcMP) to ensure that harm is avoided to protected species and retained habitats during construction and to provide mitigation for species (such as bird and bat boxes and hedgehog highways).
- 10.69. Planning conditions are proposed to require the submission of an Overall Biodiversity Gain Plan (OBGP) and submission of a Construction Ecological Management Plan (CEcMP) for each phase. A minimum of no net loss of biodiversity is to be secured through a Section 106 agreement.
- 10.70. Subject to the conditions proposed and the matters be secured through a Section 106 agreement it is considered the impacts of the proposed development on ecology will be acceptable and meet the requirements of local plan policy NE3.

Flood Risk and Drainage

- 10.71. Local Plan Policy CC1 requires proposals to demonstrate that the development will be safe with respect to flood risk, without increasing flood risk elsewhere and to ensure there is no increase in surface water flow rate run off, giving priority to sustainable drainage systems wherever possible. The policy advises that developments will not be permitted where they would have an adverse effect on watercourses or increase the risk of flooding elsewhere.
- 10.72. Policy NE2 requires developers to undertake thorough risk assessments of the impact of proposals on surface and groundwater systems considering appropriate avoidance measures before incorporating appropriate mitigation measures where necessary. The council will expect developers to demonstrate that all proposed development will be served by an adequate wholesome supply of water, appropriate sewerage infrastructure and that there is sufficient sewage treatment capacity to ensure that there is no deterioration of water quality. Development will not be permitted where it would prejudice the quality, or quantity of surface or ground water.
- 10.73. The applicant has submitted a Flood Risk Assessment (FRA) and Surface Water Drainage Strategy in support of the application. In summary, the report states that:
- a) foul water will discharge to the public foul sewer network;

- b) sub-soil conditions do not support the use of soakaways; and
- c) Surface water will discharge to an existing watercourse. The rate of discharge will be controlled by attenuation on the site using SuDs areas.

- 10.74. The site is in Flood Zone 1, in terms of flood risk from rivers or streams, which is land defined in the planning practice guidance as being at low risk of flooding. There is a surface water flowpath that flows from north to south on the eastern side of the development with low, medium and high-risk areas within the flowpath. The applicant acknowledges in their revised FRA that appropriate modelling of the surface water overland flow path in the east of the site must be undertaken to ensure that there is no risk to properties on site and the risk will not be displaced offsite or elsewhere post development. The modelling will inform the site layout to ensure that no residential properties are located within areas of surface water flood risk.
- 10.75. This submitted information has been assessed by the Lead Local Flood Authority (LLFA). They have confirmed that the proposals and submitted documents demonstrate a reasonable approach to the management of surface water on the site. The LLFA have recommended conditions requiring details of surface water drainage to be submitted for approval.
- 10.76. Yorkshire Water has proposed conditions to control the detail of foul and surface water disposal
- 10.77. Subject to the conditions proposed by the LLFA and Yorkshire Water, it is considered that the proposal complies with the requirements of policies CC1 and NE2 and will not have an unacceptable impact on flood risk or surface water drainage.

Affordable Housing

- 10.78. Local Plan Policy HS2 requires 40% affordable housing on qualifying greenfield developments. This would equate to up to 192 affordable homes on-site.
- 10.79. The Council's housing team will comment on detailed layouts and housing design at the reserved matters stage. No issues are raised at the outline stage.
- 10.80. Any reserved matters application would be expected to accord with the full requirements of Policy HS2 including that the affordable homes are indistinguishable from the market housing, being distributed across the site and integrated with the scheme design and layout. This will be secured a condition attached to this permission and S106 legal agreement to secure the detail at reserved matters stage.

Housing Mix

- 10.81. Local Plan Policy HS1 requires housing developments to deliver a range of house types and sizes that reflect and respond to identified housing needs.
- 10.82. The Housing and Economic Development Needs Assessment (HEDNA) which is a key piece of evidence supporting the local plan sets out a recommended housing mix

which will be the starting point for determining the planning applications on these sites.

- 10.83. As this is an outline application with all matters reserved, conditions are proposed to ensure the proposed development meets the requirements of policy HS1.

Residential Amenity

- 10.84. Local Plan Policy HP4 (Protecting Amenity) requires no significant adverse impacts on amenity to arise. The NPPF seeks a high standard of amenity for all existing and future users (para 130).
- 10.85. The detail shown on the indicative site layout plan would not raise any obvious concerns regarding impacts on residential amenity in terms of overlooking, overbearing and overshadowing. The detail of the layout and scale of the development will be fully considered at reserved matters stage when the issue of residential amenity will be considered in detail.
- 10.86. Impacts during the construction phase can be adequately controlled by the requirements of the Construction Management Plan condition (No. 21).

Infrastructure Provision:

- 10.87. Local Plan Policy TI4 (Delivery of New Infrastructure) advises that in order to deliver sustainable development, the council will work with infrastructure and service providers and developers to deliver infrastructure and services to support existing and future development across the district.
- 10.88. Through work on the West of Harrogate Parameters Plan (WHPP) and the West of Harrogate Infrastructure Delivery Strategy (WHIDS) officers have sought to consider the impacts of the development in the west of Harrogate on a holistic basis. The WHPP document sets out on which sites the principal items of infrastructure are to be located (two primary schools and local centres on H51 and H49 and sports and recreation facilities on H45). Other elements of infrastructure will be provided for via financial contributions and will be set based on the number of dwellings proposed on each site. This site will be expected to make appropriate and proportionate contributions toward infrastructure provision. The requirements for this site are set out in Table 1 – S106 Legal Agreement.

Off-site Highway Improvement Works

- 10.89. £36.7m of financial contributions for highway mitigation works, necessary to accommodate the west of Harrogate developments, will come forward through S106 legal agreements. This will be apportioned to each site based on the number of dwellings proposed. The off-site highway works will be designed, procured and delivered by the Local Highway Authority over the lifetime of the development. A flexible approach is required in the west of Harrogate because we are dealing with four separate sites and the schedule on highway improvement works will need to adapt depending on the build out rate on each site. This applicant's apportionment

associated with 'Off-site Highway Contributions' is £6,192,000. This figure equates to £12,900 per dwelling - see Table 1 - s106 Legal Agreement.

- 10.90. The proposed off-site highway mitigation works are Listed at appendix C of this report. These measures have been independently reviewed and costed by a Transport Consultant working on behalf of the Local Highway Authority.

Education Provision

- 10.91. Financial contributions are required for construction of a new primary school (£1,892,440) and improvements to existing secondary schools (£1,600,435). The sum for primary and secondary to be paid in instalments, on a per dwelling basis, to be paid every 6 months based on the number of dwellings completed in the previous six months. The amount of financial contribution is based on the number of dwellings proposed.
- 10.92. The financial contributions will be secured through a s106 legal agreement. NYC Education is satisfied that the demand for additional educational facilities generated by the proposed development can be addressed via the above arrangements and, on that basis, has no objection to the proposed development.

Healthcare Provision:

- 10.93. Financial contribution to be made towards the provision of new healthcare facilities. The NHS Integrated Care Board (ICB) has no objection to the proposal on that basis. The ICB has commenced the work to identify a site for a new healthcare facility to serve the west of Harrogate developments and to meet the existing needs of patients in the west of Harrogate. Developers will be required to pay financial contributions based on the population of the development and the additional demand this creates for GP facilities. The amount paid will be controlled via s106 agreement. For this development, a contribution of £394,061 is required - see Table 1 - s106 Legal Agreement.

Sports Provision

- 10.94. LP Policy HP7 requires new housing and mixed-use developments to provide new sports, open space and recreational facilities to cater for the needs arising from the development in line with the provision standards set out in the Provision for Open Space in Connection with new Housing Development Supplementary Planning Document.
- 10.95. The National Planning Policy Framework (NPPF) requires that planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreational facilities and opportunities for new provision. The information gained from the assessments should be used to determine what open space, sport and recreational provision should be required to meet the needs of new residential.
- 10.96. The Council therefore commissioned Strategic Leisure, specialist sport and leisure consultants to produce a Playing Pitch Strategy (PPS). The PPS sets out the Council's strategy for identifying and meeting the playing pitch and associated facility needs of the district from now until 2035 and considers how well the existing playing

pitch provision and associated facilities meets the needs of communities in terms of supply and demand throughout this time period. The PPS provides up to date evidence to enable the determination of this application.

- 10.97. As set out in the parameters plan, new sports facilities will be provided on H45. This provides for a cricket pitch with new pavilion and parking and football pitches with ancillary building and parking. In addition to this, off-site financial contributions will be required from the west of Harrogate development to allow the expansion and improvement of existing cricket, football, hockey and rugby facilities to meet the additional demand generated by the development. Off-site contributions will also be required for Cemeteries and allotments - These payments will be secured through s106 legal agreements associated with each individual site.
- 10.98. For the individual payment requires to meet the needs of this development see Table 1 - s106 Legal Agreement below.
- 10.99. The provision of on-site open space will be controlled via the s106 agreement, and the details finalised at reserved matters stage. The development will be required to provide on-site open space in accordance with the provision standards set out in the Provision for Open Space in Connection with new Housing Development Supplementary Planning Document.

Other Matters

Loss of Agricultural Land:

- 10.100. Local Plan Policy NE8 (Protection of Agricultural Land) advises that the best and most versatile agricultural land (grades 1, 2 and 3a) will be protected from development not associated with agriculture or forestry except where it can be demonstrated to be necessary.
- 10.101. The site is allocated as a housing commitment in the Local Plan and so the loss of agricultural land has already been considered as part of the Local Plan adoption process.
- 10.102. An Agricultural Land Classification Report was submitted in support of the application, and this concluded that the 13ha (48.15%) of the site is grade 3b and 12.6ha (46.66%) is grade 3a. The development of the grade 3a agricultural land is necessary to bring forward H45 in a comprehensive manner. The proposal does not conflict with the requirements of local plan policy NE8 in these circumstances.

Air Quality:

- 10.103. Policy NE1 (Air Quality). Advises that applicants must submit an Air Quality Assessment and/or a dust assessment report and identify mitigation measures to ensure no significant adverse effects where development may impact on the Air Quality Management Areas or create emissions of dust during demolition, earth moving and construction.

- 10.104. The applicant has submitted a Cumulative Air Quality Assessment, which assesses the cumulative impact of proposed development with other west of Harrogate developments. This has been assessed by NYC Environmental Health Officer. The officer is satisfied that the proposal will not have an unacceptable impact on air quality. The officer has proposed conditions to control the impacts of the development on air quality. These requirements have been incorporated into the Construction Management Plan condition (Condition no. 21).
- 10.105. Matters of Archaeology, Land Contamination, Space Standards, Housing Mix, Tree Protection and Energy Efficiency can be adequately controlled by conditions, which are set out below.

Matters raised in representations.

Below are matters that were raised in representations but have not been specifically covered in the other sections of the report above.

Concerns that the development is not sustainable/compliance with policy CC4:

- 10.106. Proposed conditions require the applicant to submit an energy statement to demonstrate how the energy hierarchy has been applied to make the fullest contribution to reducing greenhouse gas emissions in accordance with Local Plan Policy CC4 and electric vehicle charging points to be installed at all dwelling houses. The applicant is also required to submit a Construction Management Plan for approval. Having regard to the proposed conditions and the overall planning balance, it is officer opinion that the benefits of the proposal outweigh any identified harm. The proposed development is therefore considered to be sustainable.

Lack of Services and infrastructure (e.g. schools, doctors, shops):

- 10.107. Two new primary schools and two local centres are proposed as part of the wider west of Harrogate developments. Dedicated football and cricket facilities will be provided on this site. Additionally financial contributions will be made to meet the additional demand on secondary schools, healthcare and sports provision. In these circumstances, the impacts on local services will be adequately mitigated.

Insufficient consideration of cumulative impacts:

- 10.108. The purpose of the West of Harrogate Parameters Plan and West of Harrogate Infrastructure Delivery Strategy is to look at the developments in the west of Harrogate holistically and take account of cumulative impacts. As a result of this work various infrastructure such as schools, sports hub and local centres will be provided on the west of Harrogate sites. The cumulative impacts on the Highway network have been considered by the Highway Authority and an extensive package of highway mitigation works has been agreed. The cost of these works will be paid by the developers. Financial contributions will also be paid to meet the additional demand on services such as healthcare. Adequate consideration has therefore been given to the cumulative impacts of development in the west of Harrogate.

Harmful Impact on Wildlife/Insufficient detail on Biodiversity Net Gain:

10.109. The application is subject to the requirements of Local Plan Policy NE3 which requires major applications to demonstrate ‘no net loss of biodiversity’ and for on and offsite BNG to be secured (implemented, maintained and monitored) for a minimum period of 30 years through a Section 106 agreement.

Hedgerows should be protected and retained/not enough landscaping :

10.110. The submitted indicative site layout plan shows the majority of existing hedges to be retained as well as significant areas of additional landscaping.

Lack of capacity in existing water and sewage systems/increased flood risk:

10.111. Yorkshire Water and the Lead Local Flood Authority have assessed the proposal and have not raised any objections.

10.112. Concerns about how the ownership, management and long-term maintenance of the football and cricket pitches.

A condition is proposed which will require the applicant to agree details of maintenance and management with the LPA.

10.113. Restrictive covenants that may impact on the deliverability of part of the site:

This is a private matter and can be given no weight in the assessment of the proposed development.

10.114. Football pitches and cricket pitch should be next to each other to allow sharing of facilities and economies of scale and offer the greatest opportunity for informal recreational use:

This issue has been considered by Sport England and Officers of NYC and both have concluded that the proposed arrangement is acceptable. The arrangement is consistent with that set out in the West of Harrogate Parameters Plan.

Determination of this application should be deferred until the West of Harrogate Infrastructure delivery Strategy) WHIDS is available and requirements of WHIDS made conditions of any approval:

10.115. The West of Harrogate Infrastructure Delivery Strategy (WHIDS) was approved by the NYC Executive Member for Open to Business on 24 June 2024. The WHIDS is a dynamic document, intended to be used as a basis for consideration throughout the planning process. It is a useful tool to assist with the Councils cashflow planning and programming of infrastructure. Subject to the required contributions towards infrastructure, the application is consistent with the aims of the WHIDS.

S106 Legal Agreement

10.116. The following Heads of Terms have been agreed with the applicant for this application.

Table 1		
Category/Type	Contribution	Trigger

Offsite Highways Works and Delivery of West of Harrogate Public Transport Strategy.	£6,192.000. This figure equates to £12,900 per dwelling towards Highway improvement works - See schedule of required works at appendix C of this report. The delivery of off-site highways mitigation will be carried out by NYCC as highway authority, secured via s106 financial contributions. Inflation Clause to be included in s106.	Sum to be paid in instalments, on a per dwelling basis, every 6 months based on the number of dwellings completed in the previous six months.
Travel Plan Monitoring Fee	£10000 for the residential development.	Prior to first occupation.
Car Club	The applicant shall enter into a Car Club Agreement with a Car Club Operator securing the operation of a car club vehicle within the H45 Housing Site.	Prior to the occupation of the 20 th dwelling. The Location of the car club parking and associated infrastructure, plus any TRO's necessary to designate a Car Club Bay shall be determined at Reserve Matters.
Traffic Regulation Orders	The funding of all the LHA's statutory processes and the delivery, including all necessary signing etc., associated with TRO's forming S38 / S278 Agreement works on Otley Road, Beckwith Head Road and Howhill Road shall be undertaken at the applicant's expense.	Prior to the commencement of the LHA statutory processes
Primary School Contribution	£1,893,440 to be paid towards the construction of a new primary schools on H51 and H49	To be paid in instalments, on a per dwelling basis, to be paid every 6 months based on the number of dwellings completed in the previous six months.
Secondary School Contribution	£1,600,435 to be paid towards the expansion of existing secondary schools.	To be paid, in instalments, on a per dwelling basis, every 6 months based on the number of dwellings completed in the previous six months.

Healthcare Contribution	£394,061 to provide the additional healthcare facilities generated by the needs of the development	Sum to be paid, in instalments, on a per dwelling basis, every 6 months based on the number of dwellings completed in the previous six months.
Off-Site Contributions to Football, Rugby Union, Cricket, Hockey and 3G artificial pitches	<p>Adult Grass Football - £163,495 Youth Grass Football - £219,717 Mini Grass Football - £24,410 Rugby Union - £117,625 Cricket - £406,698 Hockey – £43,395 3G artificial - £93,506 Total - £1,068,846</p>	<p>Sum to be paid, in instalments, on a per dwelling basis, every 6 months, based on the number of dwellings completed in the previous six months.</p> <p>Note: Given that Homes England will be delivering football and cricket facilities on the application site, it is likely that there will be a requirement in the detail of the s106 to demonstrate the appropriate amounts of the H45 site's commuted sport sums have been spent on provision of these facilities; rather than a requirement that contributions be paid by Homes England to the Council only for the Council to then give it back to Homes England.</p>
Off Site open space	<p>Cemeteries - £151,944 Allotments - £38,351</p> <p>Total - £190,295</p>	<p>Sum to be paid, in instalments, on a per dwelling basis, every 6 months, based on the number of dwellings completed in the previous six months.</p> <p>Note: These figures are based on an indicative housing mix and are subject to change once the actual housing mix is known.</p>
On-Site Open Space Provision and Management	<p>Details of on-site open space typologies to be provided in accordance with the requirements of the Provision of Open Space and Village Halls Supplementary Planning Document (SPD) in relation to:</p> <p>1. Amenity Greenspace</p>	<p>Concurrent with each reserved matters application.</p>

	<p>2. Natural and Semi-Natural 3. Urban Green Space (including Urban woodland) 4. Provision for Children and Young People</p> <p>Open Space Management Plan to be submitted for the written approval of the LPA, including setting up of a Management Company</p>	Concurrent with each reserved matters application.
Biodiversity Enhancements and long-term Monitoring and Management	<p>Mechanism to ensure future monitoring and maintenance for a minimum of 30 years of any agreed biodiversity management plans for both on-site and off-site provision, commencing from the date the relevant habitat works are completed.</p> <p>BNG Monitoring Fee: £7,142</p>	<p>Prior to commencement</p> <p>Prior to commencement</p>
Clawback Mechanism	In the eventuality S106 monies are not spent within 20 years of payment of the final instalment, NYC is to refund such monies upon request to the payee or its nominee.	Within 20 years of from the payment of the final instalment if the money has not been spent
S106 Monitoring	£505 per obligation	Each reserved matters application will require a monitoring fee. Excluding Travel Plan and BNG Monitoring, which are covered via other obligations within this table.

10.117. It is considered that the above S106 Heads of Terms are necessary to make the development acceptable in planning terms, are directly related to the development and fairly and reasonably related in scale and kind to the development and as such complies with the Community Infrastructure Levy (CIL) Regulations 2010.

11.0 PLANNING BALANCE AND CONCLUSION

- 11.1. The principle of the proposed development is established through the inclusion of the site as a housing commitment within the adopted Harrogate District Local Plan (2014 to 2035).
- 11.2. The proposed development will have some impact on the character of the landscape and the rural character of the area but with an appropriate landscaping, layout, scale and appearance, which the Local Planning Authority will have control over, at reserved matters stage, it is considered that the impact will not be significant.
- 11.3. The proposed development will also have some impact on the setting of designated and non-designated heritage assets, but it is considered that the impact will not be severe and can be mitigated at reserved matters stage when details of landscaping, layout, scale and appearance, are considered.
- 11.4. The impacts on the highway network can be made acceptable by the proposed conditions and by financial contributions towards off-site highway works.
- 11.5. Impacts on other infrastructure such as schools, healthcare spots provision can all be made acceptable either by on-site provision, or financial contributions, or a combination of both.
- 11.6. Impacts on biodiversity, drainage and flood risk can all be made acceptable by conditions and requirements in a s106 legal agreement.
- 11.7. The proposed development will make a valuable contribution to meeting housing need, including the delivery of affordable housing in line with the requirements of local plan policy GS1 (Providing New Homes and Jobs). These contributions towards meeting the aims of Local Plan Policy GS1 should carry significant weight. There will also be a positive impact on the economy of the district during the construction phase.
- 11.8. The detail of the proposed development will be controlled at reserved matters stage when full details of proposed landscaping, design, scale and appearance will be submitted to the local planning authority for approval.
- 11.9. Having regard to the overall planning balance, it is considered that the benefits of the proposal outweigh any identified harm. The proposed development is considered to be sustainable, and the recommendation is therefore that planning permission be GRANTED subject to conditions listed below and completion of a S106 agreement with terms as detailed in Table 1.

12.0 RECOMMENDATION

- 12.1 That planning permission be GRANTED subject to conditions listed below and completion of a S106 agreement with terms as detailed in Table 1.

Recommended conditions:**Condition 1 Time Limit**

Application for the approval of reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission. The development hereby permitted 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 Phasing Plan

Notwithstanding the information submitted with the planning application, no development (except for site preparation works and the formation of a site compound) shall take place until a phasing plan, to include details of the timing of provision of highways and drainage infrastructure and associated open space/green infrastructure, has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the key elements of each phase of the development are completed in an order which ensures that infrastructure needs, landscaping/open space and access are in place relevant to each phase before further development is undertaken.

Condition 3 Reserved Matters

No development shall take place within each phase without the prior written approval of the Local Planning Authority for that phase of all details of the following reserved matters:

- a) Access within the site;
- b) Appearance;
- c) Landscaping;
- d) Layout; and
- e) Scale.

Thereafter the development shall not be carried out otherwise than in strict accordance with the approved plans.

Reason: To safeguard the rights of control by the Local Planning Authority in respect of the reserved matters.

Condition 4 Approved Plans

The development hereby permitted shall be carried out in strict accordance with the following drawings:

- Location Plan (drawing number N81: 2979 1010 Revision P3)
- Land Use Parameters Plan (drawing number N81: 2979 102 Revision P11)
- Access and Movement Parameter Plan (drawing number N81: 2979 103 Revision P6)

- Building Storey Height Parameter Plan (drawing number N81: 2979 104 Revision P4)

Reason: To ensure compliance with the approved drawings.

Condition 5 – Grampian Condition to secure new roundabout at Pot Bank

The construction of the dwellings shall not commence until a scheme of highway mitigation at Pot Bank Roundabout, broadly in accordance with that identified within the "West of Harrogate Sites - Transport Study April 2024" has been submitted to and approved by the Local Planning Authority and the land necessary to construct the roundabout has been transferred to the North Yorkshire Council.

Reason: To ensure that the Local Highway Authority can implement the highway mitigation works necessary to mitigate the impacts of the proposed development on the highway network and highway safety.

Condition 6 Housing Mix

Any application for the reserved matters layout, scale or appearance shall include details of the proposed housing mix, which shall provide for a range of house types and sizes that reflect and respond to the identified housing needs and demands of the district's households. The mix proposed shall have reference to the latest Housing and Economic Development Needs Assessment (HEDNA) and be informed by: A. Local assessments of housing need; B. Detailed local market assessments; and C. Locality and ability of the site to accommodate a mix of housing. The final mix of dwelling types and sizes will be subject to negotiation with the Local Planning authority.

Reason: In the interests of general amenity and in accordance with Policy HS1 of the Local Plan.

Condition 7 Tree Protection

Before any plant or materials are brought onto the site or any development is commenced within a phase, a tree protection plan and specification for root protection area (RPA) fencing, around the trees or shrubs or planting to be retained, in line with the requirements of British Standard BS 5837:2012 'Trees in Relation to Construction – Recommendations' or any subsequent amendments to the document, for that phase shall be submitted to and approved in writing by the LPA. as indicated on the approved plan and for the entire area as specified in accordance with BS 5837:2012.

Reason: To ensure protection of retained trees in accordance with Policy NE7 of the Local Plan.

Condition 8 Tree Protection

No operations shall commence on site in connection with the development hereby approved (including any, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) until the root protection area (RPA) and ground protection works required by the approved tree protection scheme (Condition 7) are in place for that phase. The

developer shall maintain such fences and ground protection until all development the subject of this permission is completed.

Reason: To ensure protection of retained trees in accordance with Policy NE7 of the Local Plan.

Condition 9 Overall Biodiversity Gain Plan

A site-wide Overall Biodiversity Gain Plan (OBGP) showing no net loss of biodiversity must be submitted for the written approval of the Local Planning Authority prior to commencement of works. The Site Wide OBGP must include the baseline data being presented within a revised Statutory Biodiversity Metric spreadsheet which recognises the correct watercourse typology. The BGP must include an indicative breakdown into the individual proposed phases of the development and in principal proposals for how any biodiversity deficit will be met for each Phase Gain Plan.

A detailed Phase Biodiversity Gain Plan showing indicative % target for each phase shall be submitted to and approved in writing by the Local Planning Authority concurrently with the submission of each reserved matters application. It must include the results of an updated ecological walkover survey, up to date post-development BNG calculations, an onsite Habitat Management and Monitoring Plan (HMMP) and full details of any required offsetting arrangements for that phase. Subject to agreement by the LPA, the HMMP must be implemented in full accordance with the approved Site Wide OBGP and each Phase BGP. The OBGP may require to be revised should the calculations for any of the phases vary significantly from what was anticipated in the original OBGP.

Each Habitat Management and Monitoring Plan must be implemented under the supervision of a qualified Ecological Clerk of Works, or suitably qualified professional.

Reason: In order to demonstrate that a minimum of 'no net loss' of biodiversity will be achieved in accordance with Policy NE3 of the Local Plan and the 'Providing Net Gain for Biodiversity' SPD.

Condition 10 Construction Ecological Management Plan

A Construction Ecological Management Plan must be submitted for the written approval of the local planning authority prior to the commencement of each phase of the development. Each CEcMP must be informed by the recommendations of the Environmental Statement together with an updated ecological walkover survey. The CEcMP must provide details of the arrangements to protect retained habitats and protected and priority species and for the control of invasive species, as required, during the course of construction. It must also include details of enhancements for species (e.g. swift and bat bricks, hedgehog highways) which are to be incorporated into each phase. Works on each phase must subsequently be undertaken strictly in accordance with the agreed CEcMP and a copy of the CEcMP must be retained on site and made available to site managers and operatives throughout the course of construction of that phase.

Reason: To prevent harm to protected species and retained habitats during the course of the development and to provide opportunities for species to be able to

continue to utilise the site following its redevelopment and in accordance with Policy NE3 of the Local Plan.

Condition 11 Management Plan for the SINC

A detailed management plan for the retention and enhancement of Bluecoat Fields SINC must be submitted for the written approval of the Local Planning Authority prior to the commencement of works on site. This must be based on the approach and guiding principles set out in Paragraph 3.48 of the Environmental Statement (2022) and should include the provision of a suitable long-term grassland management regime, and control of public access (including the provision of alternative public access arrangements). The SINC Management Plan could take the form of a specific Habitat Management and Monitoring Plan for this phase or cell.

Thereafter, the SINC shall be managed in accordance with the approved management plan.

Reason: To ensure the SINC is appropriately managed to protect and enhance its ecological value and in accordance with Policy NE3 of the Local Plan and the 'Providing Net Gain for Biodiversity' SPD.

Condition 12 Detailed Plans of Road and Footway Layout

Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road within each part of the site within each phase, must take place until full detailed engineering drawings of all aspects of roads and sewers including any structures which affect or form part of the highway network for that part of the site, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority.

The development must only be carried out in compliance with the approved engineering drawings.

Reason: To secure an appropriate highway constructed to an adoptable standard in the interests of highway safety and the amenity and convenience of all highway users

Informative

Detailed Plans of Road and Footway Layouts: It is recommended that in order to avoid abortive work, discussions are held between the applicant, the Local Planning Authority and the Local Highway Authority before a draft layout is produced and any detailed planning submission is made.

To assist, the Local Highway Authority can provide a full list of information required to discharge this condition. It should be noted that approval to discharge the condition does not automatically confer approval for the purposes of entering any Agreement with the Local Highway Authority.

The agreed drawings must be approved in writing by the Local Planning Authority for the purpose of discharging this condition.

Condition 13 Construction of Adoptable Roads and Footways

No part of the development to which this permission relates must be brought into use until the carriageway and any footway or footpath from which it gains access is constructed to binder course level or alternative surface to be agreed with the Local Planning Authority, and kerbed and connected to the existing highway network with any street lighting installed and in operation.

The completion of all road works, including any phasing, must be in accordance with a programme submitted to and approved in writing with the Local Planning Authority before any part of the development is brought into use.

Reason: To ensure safe and appropriate access and egress to the premises, in the interests of highway safety and the convenience of all prospective highway users.

Condition 14 Visibility Splays at the Priority Junctions to be formed at Otley Road; Beckwith Head Road and Howhill Road

There must be no access or egress by any vehicles between the highway and the application site at Otley Road junction until visibility splays with an 'x' distance of 2.4m and a minimum 'y' distance of 90m from 1.05m eye height to 0.6m object height are provided. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

There must be no access or egress by any vehicles between the highway and the application site at the two proposed Beckwith Head Road junctions until visibility splays with an 'x' distance of 2.4m and a minimum 'y' distance of 90m from 1.05m eye height to 0.6m object height are provided. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.

There must be no access or egress by any vehicles between the highway and the application site at Howhill Road (Emergency Access) Junction until visibility splays with an 'x' distance of 2.4m and a minimum 'y' distance of 215m from 1.05m eye height to 0.6m object height are provided. 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.

Informative

An explanation of the terms used above is available from the Local Highway Authority.

Condition 15 Pedestrian Visibility Splays

There must be no access or egress by any vehicles between the highway and the application site until visibility splays providing clear visibility of 2.0 metres x 2.0 metres measured down each side of the access and the back edge of the footway of the major road have been provided. In measuring the splays, the 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.

Informative

Pedestrian Visibility Splays: An explanation of the terms used above is available from the Local Highway Authority.

Condition 16 Delivery of off-site highway Works – Site Access Junctions

The following schemes of off-site highway mitigation measures must be completed prior to occupation of any dwelling taking access/egress from the said listed junction, as indicated below:

- Priority Ghost Island Junction at B6162 Otley Road, including pedestrian and cycle facilities in broad accordance with drawing BLUE-WSP-XX-XX-SK-D-001;
- Priority Ghost Island Junction at Beckwith Head Road – Northern Access, including pedestrian and cycle facilities in broad accordance with drawing BLUE-WSP-XX-XX-SK-D-002;
- Priority Junction at Beckwith Head Road – Southern Access, including pedestrian and cycle facilities in broad accordance with drawing BLUE-WSP-XX-XX-SK-D-003;
- Priority Junction at Howhill Road Emergency Access, including pedestrian and cycle facilities in broad accordance with drawing – BLUE-WSP-XX-XX-SK-D-004

For these schemes of off-site highway mitigation, except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place, until full detailed engineering drawings of all aspects of that scheme including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority.

An independent Stage 2 Road Safety Audit carried out in accordance with GG119 – Road Safety Audits or any superseding regulations and commissioned in accordance with NYCC protocol must be included in the submission and the design proposals must be amended in accordance with the recommendations of the submitted Safety Audit prior to the commencement of works on site.

A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site.

Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme.

Reason: To ensure that the design is appropriate in the interests of the safety and convenience of highway users.

Informative:

Notwithstanding any valid planning permission for works to amend the existing highway, there must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and North Yorkshire County Council as the Local Highway Authority. To carry out works within the highway without a formal Agreement in place is an offence.

Condition 17 Detailed Plans of Ditches to be Piped at Site Access Locations

There must be no access or egress by any vehicles between the highway and the application site until:

- full technical details relating to the bridging or culverting of any watercourse has been approved in writing by the Local Planning Authority; and,
- Amendments to any ditches have been undertaken in accordance with the details approved in writing by the Local Planning Authority.

Reason for Condition

To ensure satisfactory highway drainage in the interests of highway safety and the amenity of the area.

Informative:

It is recommended that the applicant consult with the Internal Drainage Board, the Environment Agency and/or other drainage body as defined under the Land Drainage Act 1991 (as amended and including and all instruments, orders, plans, regulations and directions). Details of the consultations must be included in the submission to the Local Planning Authority. The structure may be subject to the Local Highway Authority's structural approval procedures.

Condition 18 Travel Plans

Prior to the first occupation of the development, a Travel Plan building upon the Framework Travel Plan must be submitted to and approved in writing by the Local Planning Authority. The Travel Plan will include:

- agreed targets to promote sustainable travel and reduce vehicle trips and emissions within specified timescales and a programme for delivery;
- a programme for the delivery of any proposed physical works;
- effective measures for the on-going monitoring and review of the travel plan;
- a commitment to delivering the Travel Plan objectives for a period of five years from first occupation of the development, and;
- effective mechanisms to achieve the objectives of the Travel Plan by both present and future occupiers of the development.

The development must be carried out and operated in accordance with the approved Travel Plan. Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation must be implemented in accordance with the timetable contained therein and must continue to be implemented as long as any part of the development is occupied.

Reason: To establish measures to encourage more sustainable non-car modes of transport.

Informative:

Details of issues to be covered in a Travel Plan can be found in Interim Guidance on Transport Issues, including Parking Standards at:

https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Interim_guidance_on_transport_issues_including_parking_standards.pdf

Condition 19 Construction Management Plan

No development for any phase of the development must commence until a Construction Management Plan for that phase has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved Construction Management Plan.

The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:

1. details of any temporary construction access to the site including measures for removal following completion of construction works. Note, any temporary access formed with a classified road which is not subject to forming a junction linked to this planning application via a S278 Agreement will require separate planning consent, this includes existing field gate accesses where intensification of use will occur.
2. restriction on the use of Hill Top Lane / Lady Lane by Construction Site Traffic and all other construction traffic routing to be agreed with the LHA.
3. details of measures to be introduced on site to ensure that mud, dust and debris is not spread onto the adjacent public highway;
4. the parking of contractors' site operatives and visitor's vehicles;
5. areas for storage of plant and materials used in constructing the development clear of the highway;
6. measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas;
7. details of the routes to be used by HGV construction traffic and highway condition surveys on these routes;
8. protection of carriageway and footway users at all times during demolition and construction;
9. protection of contractors working adjacent to the highway;
10. details of site working hours;
11. erection and maintenance of hoardings including decorative displays, security fencing and scaffolding on/over the footway & carriageway and facilities for public viewing where appropriate;
12. means of minimising dust emissions arising from construction activities on the site, including details of all dust suppression measures and the methods to monitor emissions of dust arising from the development;
13. measures to control and monitor construction noise;
14. an undertaking that there must be no burning of materials on site at any time during construction;
15. removal of materials from site including a scheme for recycling/disposing of waste resulting from demolition and construction works;
16. details of the measures to be taken for the protection of trees;
17. details of ditches to be piped during the construction phases;
18. a detailed method statement and programme for the building works; and

19. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

Reason: In the interest of public safety and amenity.

Informative: Other Permission required from the Local Highway Authority. Applicants are reminded that in addition to securing planning permission other permissions may be required from North Yorkshire County Council as Local Highway Authority. These additional permissions can include, but are not limited to: Agreements under Sections 278, 38, and 184 of the Highways Act 1980; Section 38 of the Commons Act 2006; permissions through New Roads and Streetworks Act 1991 and Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended and including all instruments, orders, plans, regulations and directions).

Further information on these matters can be obtained from the Local Highway Authority. Other permissions may also be required from third parties. It is the applicant's responsibility to ensure all necessary permissions are in place.

Informative: Landscape works

Any landscaping within the site is to be positioned and maintained such that it does not encroach on or over the adjacent highway.

Condition 20 Bus Stop Infrastructure

Prior to occupation of the dwellings, bus stop infrastructure shall be provided within suitable walking distances of the dwellings in accordance with details that shall have been submitted to and approved in writing by the local planning authority.

Reason: To provide suitable bus service infrastructure.

Condition 21 Otley Road – Ghost Island Priority Junction

construction of dwellings taking access from Otley Road junction shall not commence until the Local Highway Authority has been provided with 3D Topographical data on which a 'Cross-Section' drawing shall be based taken through the proposed junction Bellmouth and covering the full width of Otley Road and to also encompass the footway on the northern side of Otley Road and the hedgeline boundary with the H49 Windmill Farm development.

Reason: To fully ascertain the impact of constructing the ghost island priority junction on the Otley Road northern footway and the boundary of the H49 development if this application was to come forward without the H49 Windmill Farm site allocation coming forward.

Condition 22 Parking for Dwellings

No dwelling must be occupied until the related parking facilities have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

Condition 23 Hours of Work

The hours of work on site shall be controlled and restricted to
 08:00 until 18:00 Mondays to Fridays
 08:00 until 13:00 Saturdays
 No work on Sundays or Bank Holidays

Reason: In the interests of Residential Amenity.

Condition 24: Provision of Cricket Facilities.

Notwithstanding the submitted plans and reports, prior to the occupation of the 50th dwelling, full details of the design, layout and specification of the cricket facilities shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include:

- The design of the pavilion building;
- Confirmation that the new cricket ground will be designed and installed to the recommendations of an agronomy report prepared by a qualified Turf Grass Agronomist and
- A programme detailing when the cricket facilities will be completed and ready for use.

The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the appropriate provision of sports facilities in accordance with Harrogate Local Plan Policy HP7: 'New Sports, Open Space and Recreation Development' and paragraph 102 of the National Planning Policy Framework, and to ensure the cricket pitches and pavilion and are constructed to an appropriate standard and specification, are fit for purpose, and are delivered in a timely manner.

Condition 25 – Management and Maintenance of Cricket Facilities

Prior to the cricket facilities coming into use, a strategy for their management and maintenance shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cricket facilities shall be managed and maintained in accordance with the approved details.

Reason: To ensure the appropriate provision of sports facilities in accordance with Harrogate Local Plan Policy HP7: 'New Sports, Open Space and Recreation Development' and paragraph 102 of the National Planning Policy Framework and to ensure the facilities are managed and maintained in an appropriate manner.

Condition 26: Provision of Football Facilities.

Notwithstanding the submitted plans and reports, prior to the occupation of the 50th dwelling, full details of the design, layout and specification of the football facilities shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include:

- The design of the ancillary building;
- Confirmation that the new football pitches will be designed and installed to the recommendations of an agronomy report prepared by a qualified Turf Grass Agronomist;
- A programme detailing when the football facilities will be completed and ready for use.

The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the appropriate provision of sports facilities in accordance with Harrogate Local Plan Policy HP7: 'New Sports, Open Space and Recreation Development' and paragraph 102 of the National Planning Policy Framework, and to ensure the football pitches and ancillary building and are constructed to an appropriate standard and specification, are fit for purpose, and are delivered in a timely manner.

Condition 27 – Management and Maintenance of Football Facilities

Prior to the football facilities coming into use, a strategy for their management and maintenance shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the football facilities shall be managed and maintained in accordance with the approved details.

Reason: To ensure the appropriate provision of sports facilities in accordance with Harrogate Local Plan Policy HP7: 'New Sports, Open Space and Recreation Development' and paragraph 102 of the National Planning Policy Framework and to ensure the facilities are managed and maintained in an appropriate manner.

Condition 28 Play Area

A revised Ball Strike Risk Assessment taking account of the proposed local play area shall be submitted to and approved in writing by the LPA prior to the first use of the cricket pitch. If ball stop mitigation is required the applicant shall provide details of the design, layout and specification of any ball stop mitigation as informed by the risk assessment. Thereafter the development shall be implemented in accordance with the recommendations of the revised Ball Strike Assessment.

Reason: To ensure the crick ground will be able to operate without giving rise to any ball strike issues.

Condition 29 Lighting Scheme

Before any artificial non-domestic lighting works are commenced within any part of the site, a scheme which indicates the measures to be taken for the control of any glare or stray light arising from the operation of artificial lighting shall be submitted to and approved in writing by the Local Planning Authority for that part of the site. Thereafter the artificial lighting shall be installed and operated in accordance with the approved scheme for that part of the site. The scheme should include the following information:

- The proposed design level of maintained average horizontal illuminance for the site.
- The predicted vertical illuminance that will be caused by lighting when measured at windows of any properties in the vicinity.
- The proposals to minimise or eliminate glare from the use of the lighting installation
- The proposed hours of operation of the lighting

Informative: To reduce problems of glare from floodlights and security lights, such lighting should be installed and maintained in accordance with the “ Guidance Notes for the Reduction of Obtrusive Light” produced by the Institution of Lighting professionals

Reason: In the Interests of Residential Amenity.

Condition 30 Refuse Storage

Suitable and sufficient provision shall be made for:

- the storage and containment of refuse prior to collection.
- access for collection of refuse

Reason: In the Interests of Residential Amenity.

Condition 31 Land Contamination

Groundworks within a phase shall not commence until a land contamination Phase II Intrusive Site Investigation Report and Gas Assessment have been submitted to and approved in writing by the local planning authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Condition 32 Land Contamination - Remediation Strategy

Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved groundworks shall not commence within a phase until a land contamination remediation strategy has been submitted to and approved in writing by the local planning authority for that phase. The remediation strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Condition 33 Land Contamination - Remediation

Land contamination remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 34. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report is identified or encountered on site, all groundworks in the affected area (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the local planning authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Informative: If any topsoil is taken onto site for the formation of a domestic garden it should be certified as suitable for a domestic garden. This should be validated through sampling once on site.

Condition 34 Land Contamination – Verification Report

Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy, a land contamination Verification Report shall be submitted to the local planning authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for that part of the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Verification Report in respect of those remediation measures has been approved in writing by the local planning authority. Where verification has been submitted and approved in stages for different areas of the whole site, a Final Verification Summary Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Condition 35 – Kitchen Extraction

Prior to the installation of any commercial kitchen fume extraction system, full details shall first have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a) Drawings showing the location of the external flue ducting and termination, which should include a low resistance cowl;
- b) Acoustic emissions data for the system;
- c) Details of any filters or other odour abatement equipment;
- d) Details of the system's required cleaning and maintenance schedule; and

- e) Details of a scheme of works to prevent the transmission of structure borne noise or vibration.

The approved equipment shall then be installed, operated, retained and maintained in accordance with the approved details.

Reason: In the interests of residential amenity.

Condition 36 Noise – Plant

The noise from any fixed installations which comprise mechanical and electrical plant and equipment shall be effectively controlled so that the combined rating level of all such equipment does not exceed the background sound level at any time (“rating level” and “background sound level” are as defined in BS4142:2014+A1 2019). Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property.

Reason: In the interests of residential amenity.

Condition 37 Designing Out Crime

Full details of what crime prevention measures shall be incorporated into each phase of the development shall be submitted to for the approval the local planning authority as part of the submission of any Reserved Matters Application for that phase. Thereafter the approved measures shall be incorporated into the development.

Reason: To reduce crime and the fear of crime.

Condition 38 Affordable Housing

Each Phase of the development shall not begin until a scheme for the provision of affordable housing for that phase has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme. Affordable housing shall meet the definition of affordable housing in the NPPF or any future guidance that replaces it. The scheme shall include:

- i. The numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 40% of housing units (or alternative to be agreed with the Local Planning Authority);
- ii. The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. The arrangements for the transfer of the affordable housing to an affordable housing provider (or the management of the affordable housing if no registered provider is involved);
- iv. The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

v. The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To comply with Policy HS2 of the Local Plan and the Affordable Housing SPD.

Condition 39 Accessible Homes

Prior to the commencement of the foundations of any dwellings, details shall be submitted to the Local Planning Authority to confirm that 25% of market dwellings and all affordable dwellings will meet accessible homes standards (M4(2)) with 10% of affordable dwellings also meeting M4(3) wheelchair accessible homes. No works to the foundations within a phase of development shall take place until the Local Planning Authority has agreed the details in writing for that phase and the development shall be implemented in accordance with the approved details.

Reason: In accordance with Policies HS1 and HS2 of the Local Plan.

Condition 40 Electric Vehicle Charging Points

Prior to the commencement of the development within any phase (excluding site preparation, soil movement, creation of cricket and sports facilities, and any temporary accesses), an electric vehicle infrastructure strategy and implementation plan for the site shall be submitted to and approved in writing by the Local Planning Authority for that phase. The plan shall contain details of the number and location of all electric vehicle charging points which shall be of Mode 3 type (specific socket on a dedicated circuit with a minimum current rating of 16 Amp unless the Building Regulations in force at the time require a higher specification, in which case the EV charging points shall meet the higher standard). Buildings and parking spaces that are to be provided with charging points shall not be brought into use until associated charging points are installed in strict accordance with the approved details and are operational.

Reason: In order to mitigate climate change in accordance with Policies TI1, TI3 and CC4 of the Local Plan.

Condition 41 Broadband Infrastructure

All dwellings hereby approved shall have either access for Fibre to the Premises broadband infrastructure capable of Next Generation Access speeds or, where it can be demonstrated that the provision of FTTP is not viable, proposals should provide a download connection of at least 30Mbps and provision for Fibre to the Premises broadband at a future date.

Reason: To ensure appropriate broadband access is provided in accordance with the requirements of local plan policy TI5.

Condition 42 Energy Statement

Prior to the commencement each phase of the development, an Energy Statement for that phase shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall demonstrate how the energy hierarchy has been

applied to make the fullest contribution to reducing greenhouse gas emissions in accordance with Local Plan Policy CC4 and in support of the Harrogate Borough Council: Carbon Reduction Strategy (2018) (or any relevant strategies) and the Climate Change Act 2008. The development shall be completed in accordance with the approved Energy Statement.

Reason: To safeguard the environment and mitigate climate change in accordance with Policy CC4 of the Local Plan.

Condition 43 Space Standards

All new market and affordable homes shall, as a minimum, meet the relevant Nationally Described Space Standard (NDSS).

Reason: To ensure that they provide a reasonable level of internal space to undertake typical day-to-day activities at a given level of occupancy and in the interests of delivering sustainable communities.

Condition 44 Separate Foul and Surface Water Drains

The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Condition 45 – Surface Water Flow Path Modelling

No development shall commence until appropriate modelling of the current surface water flow path through the site has been submitted to and approved in writing by the Local Planning Authority. The modelling shall inform the site layout to ensure that no residential properties are located within areas of surface water flood risk

Reason: To ensure that there is no risk to properties on site and the risk will not be displaced offsite or elsewhere post development.

Condition 46 Drainage Design

Development of each phase shall not commence (excluding site preparation, soil movement and any temporary construction accesses), until a scheme detailing foul and surface water drainage for that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. Principles of sustainable urban drainage shall be employed wherever possible. The works shall be implemented in accordance with the approved phasing. No part or phase of the development shall be brought into use until the drainage works approved for that part or phase has been completed.

Reason: To ensure the provision of adequate and sustainable means of drainage in the interests of amenity and flood risk.

Condition 47 Drainage - Surface Water Runoff Rate, Storage Requirements and Maintenance

Concurrent with any reserved matter application for approval of layout a scheme restricting the rate of development flow runoff from the site shall be submitted to and approved in writing by the Local Planning Authority. The flowrate from the site shall be restricted to a maximum flowrate to be agreed by the LPA for all events up to the 1 in 100-year event Plus climate change event.

A 45% allowance shall be included for climate change effects and a further 10% for urban creep for the lifetime of the development. Storage shall be provided to accommodate the minimum 1 in 100-year plus climate change critical storm event. The scheme shall include a detailed maintenance and management regime for the storage facility. No part of the development shall be brought into use until the development flow restriction works comprising the approved scheme has been completed. The approved maintenance and management scheme shall be implemented throughout the lifetime of the development.

Reason: To mitigate additional flood impact from the development proposals and ensure that flood risk is not increased elsewhere.

Condition 48 Drainage - Treatment of Surface Water/Pollution Prevention

The development shall not commence (excluding site preparation, soil movement and any temporary construction accesses) until a scheme, detailing the treatment of all surface water flows from parking areas and hardstanding through the use of roadside gullies, oil interceptors, reedbeds or alternative treatment systems, has been submitted to and approved in writing by the Local Planning Authority. Use of the parking areas/hardstanding shall not commence until the works comprising the approved treatment scheme have been completed. Roof water should not pass through the treatment scheme. Treatment shall take place prior to discharge from the treatment scheme. The treatment scheme shall be retained and maintained to ensure efficient working and shall be used throughout the lifetime of the development.

Reason: To prevent pollution of the water environment from the development site.

Condition 49 Drainage - Outfall Destination/Impact on network

Development shall not commence until a condition survey has been undertaken on the receiving culvert running under Otley Road and the survey together with a report detailing any necessary maintenance and/or reinstatement works required to be undertaken by the Owner of the culvert has been submitted to and approved in writing with the Local Planning Authority. No part of the development shall be brought into use until those maintenance and/or reinstatement works have been completed in strict accordance with the approved details.

Reason: To accommodate flows in storm events and allow for future maintenance

Condition 50 Drainage - Exceedance Flow Routes

Concurrent with any reserved matters application for approval of layout, an appropriate Exceedance Flow Plan for the site has been submitted to and approved in writing by the Local Planning Authority. Site design must be such that when SuDS

features fail or are exceeded, exceedance flows do not cause flooding of properties on or off site. This is achieved by designing suitable ground exceedance or flood pathways. Runoff must be completely contained within the drainage system (including areas designed to hold or convey water) for all events up to a 1 in 30-year event. The design of the site must ensure that flows resulting from rainfall in excess of a 1 in 100-year rainfall event are managed in exceedance routes that avoid risk to people and property both on and off site.

Where exceedance runoff flows off site, The details should include levels of all properties adjoining the application site.

The development shall be carried out in accordance with the approved Exceedance Flow Plan.

Reason: To prevent flooding to properties/services/utilities during extreme flood events and to mitigate against the risk of flooding on and off the site.

Condition 51 Drainage - Floor Levels

Concurrent with any reserved matters application for approval of layout, details of finished floor levels of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Finished Floor Levels shall be set above the 1 in 100-year plus climate change flood level with an additional 300mm freeboard above the flood level. Where ground raising is proposed, level for level compensatory storage is to be provided for the 1 in 100 year plus climate change event.

The development shall be carried out in accordance with the approved finished floor levels details.

Reason: In the interest of amenity of the occupiers of the adjoining properties and flood risk mitigation.

Condition 52 Drainage – Construction

No phase of the development shall take place until detailed drawings have been submitted to, and approved by the Local Planning Authority showing how surface water will be managed during the construction phase. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure surface water is appropriately managed during the construction phase to prevent flooding.

Condition 53 – Number of Dwellings

No more than 480 dwelling houses shall be constructed on the site.

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

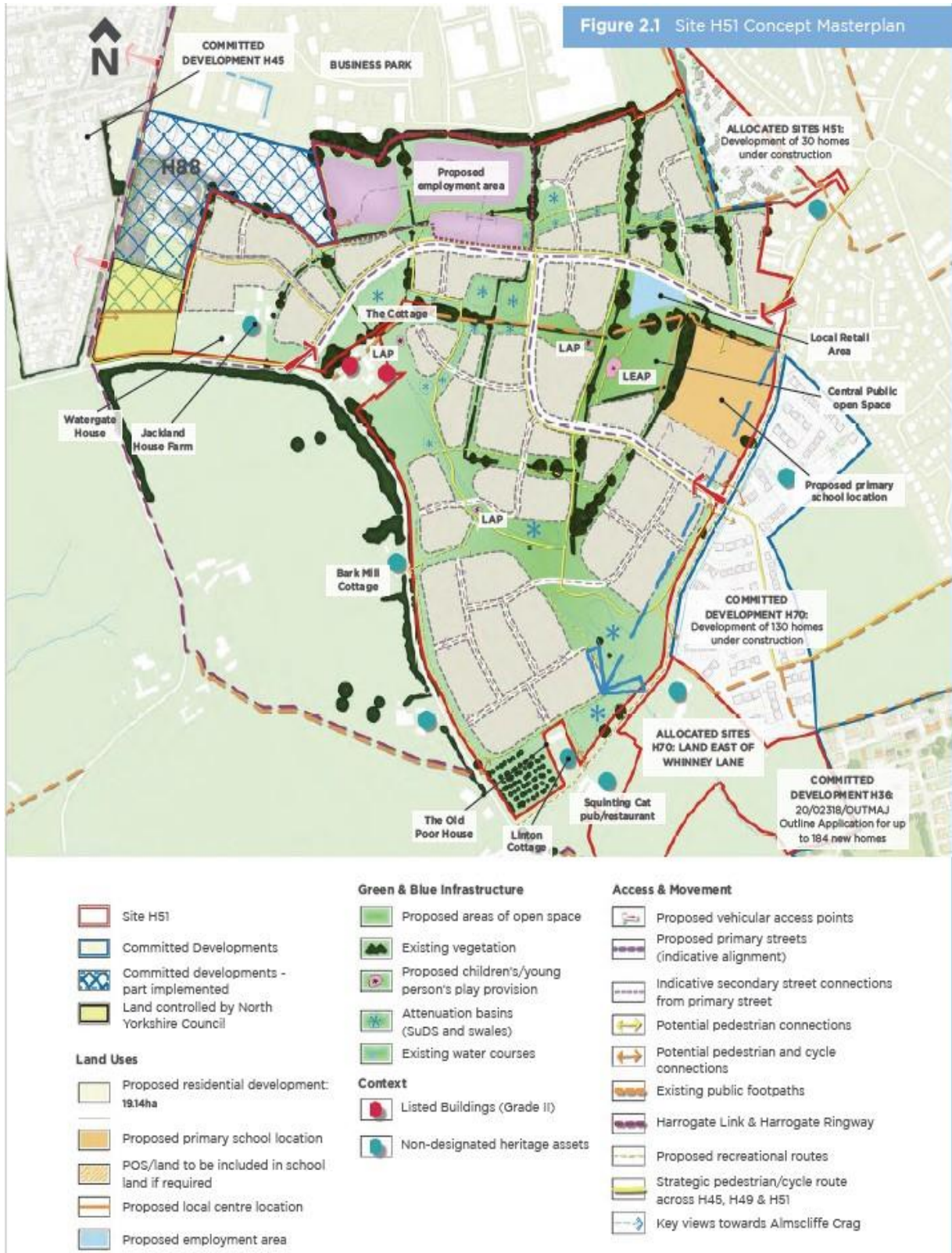
Condition 54: Grampian Condition to secure Asset Protection Agreement with Northern Gas Networks

No development shall take place within a distance of 140 metres of the Northern Gas Networks (NGN) High Pressure Gas Transmission Pipeline, or an alternative reduced distance to be agreed in writing with NGN, until an Asset Protection Agreement has been submitted to and approved in writing by the Local Planning Authority and NGN. The Agreement shall demonstrate how the NGN pipeline asset will be protected from increased loading, vibration, electrical interference, structural proximity, and any other factor deemed liable to have a detrimental effect on it. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to maintain the integrity of the high-pressure gas main in the interests of the safety of construction workers, future residents and the general public, and in accordance with paragraphs 8 and 96 of the NPPF which requires places to be safe.

Case Officer: Gerard Walsh, gerard.walsh@northyorks.gov.uk

Appendix A – Site-Specific Masterplan



Appendix B – West of Harrogate Parameters Plan, Background Information.

The spatial extent of the West of Harrogate Parameters Plan covers the following sites:

commrep/60

- H36: Former Police Training Centre, Yew Tree Lane
- H45: Bluecoat Park
- H46: Land at Otley Road
- H49: Windmill Farm, Otley Road
- H51: Land east of Lady Lane
- H70: Lane east of Whinney Lane
- H74: Crag Lane

Some of the sites listed above already benefit from planning permission and the parameters plan reflects the approved permissions. The three largest sites (H45/H49/H51) will provide key pieces of new infrastructure such as schools and playing pitches, in order to ensure the successful delivery of this significant urban extension.

Strategic Infrastructure	Where is it located	Delivery note
2 primary schools	H51 H49	Applicant to provide service land, NYC education to deliver schools. Committed sum payment on a per dwelling basis from all application sites for provision of the new schools.
2 local centres	H51 H49	Applicant to provide serviced land
Football pitches (various sizes) plus carpark and ancillary building, Cricket pitch and pavilion	H45	Applicant to provide pitches and facilities in full. Then transfer to NYC to adopt and manage in perpetuity
Employment Land	H51	Applicant to provide serviced land/plots and internal road

Approximately 2,700 new homes will be delivered across the West Harrogate sites (figure based on applications currently under consideration, existing permissions and completed schemes). These sites are strategically important in supporting the Vision for planned growth set out in the local plan and will collectively form a new urban extension on the western edge of the town. The WHPP provides further guidance to aid the interpretation of policies within the HDLP. A link to the full document can be found [Here](#).

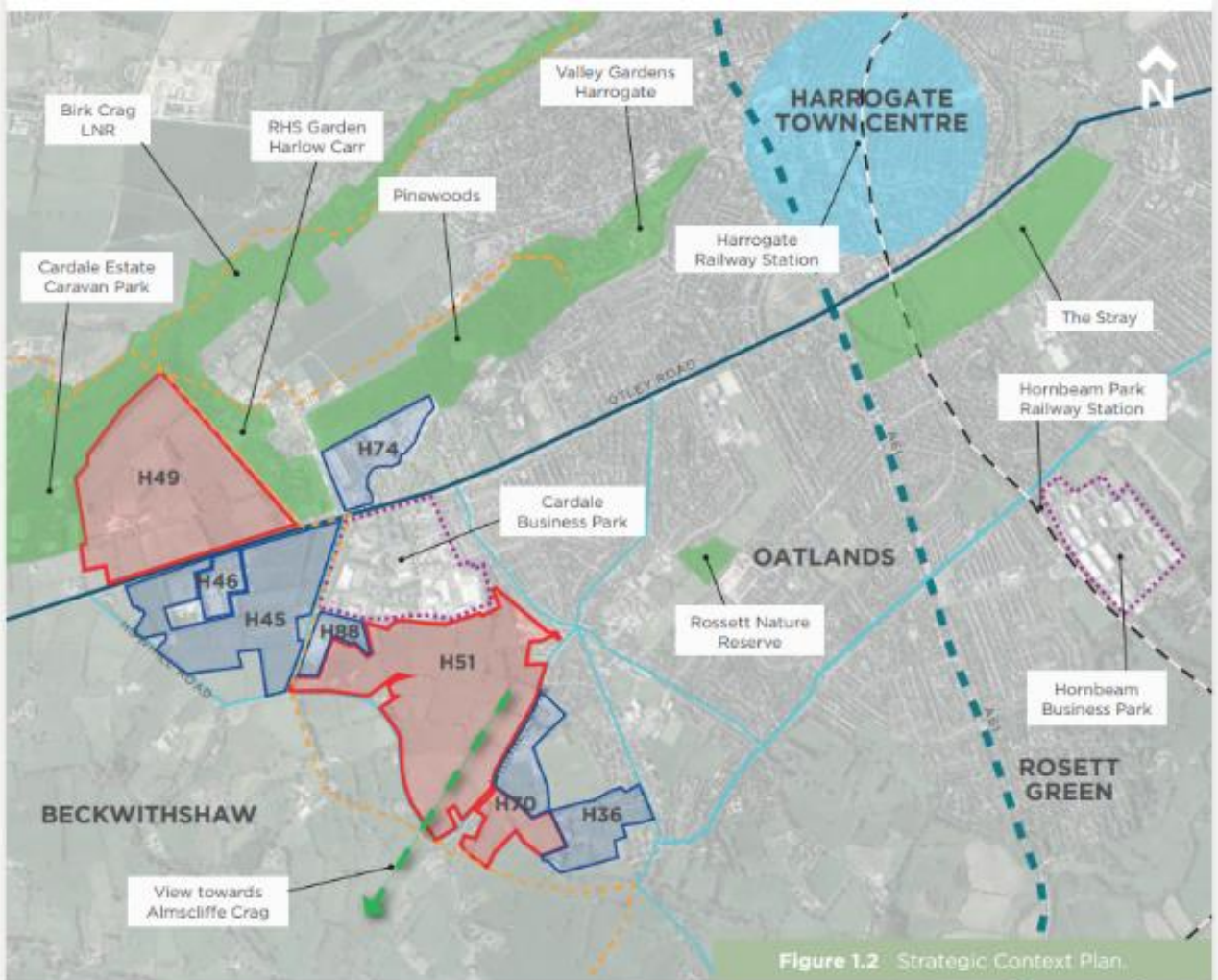
Developers will be required to deliver infrastructure and services in line with policy TI4 of the local plan. The West of Harrogate Infrastructure Delivery Strategy has been prepared to accompany the WHPP and support the delivery of development of these sites.

The West Harrogate Parameters Plan Document supports the sustainable and co-ordinated development of the West Harrogate sites for:

- Approximately 2,700 homes
- Two new primary schools
- Local centres
- Employment land
- Sports pitches
- Extensive areas of green and blue infrastructure, landscaped to incorporate public open space and enhance existing landscape features, retained and enhanced wildlife habitat, playing fields and SuDS features
- Associated infrastructure requirement.

The cumulative impact of the west of Harrogate sites will require mitigation works to be carried out on the highway network to help reduce congestion, improve road safety and facilitate active travel. Some of these works will require the removal of trees, hedges and grass verges. Where possible compensatory planting and mitigation works will be carried out. These works are necessary to bring the west of Harrogate developments forward, and thereby make a significant contribution to meeting the housing needs of the district. In these circumstances, it is considered the proposed works are justified. The detail of the proposed works can be found in submitted Arboricultural report.

Extracts from WHPP showing West of Harrogate Sites within the wider Strategic Context



- | | | | |
|---|--------------------------------------|---|--------------|
|  | Allocated Sites |  | A Roads |
|  | Committed Developments |  | B Roads |
|  | Employment |  | Local Roads |
|  | Harrogate Link and Harrogate Ringway |  | Railway Line |

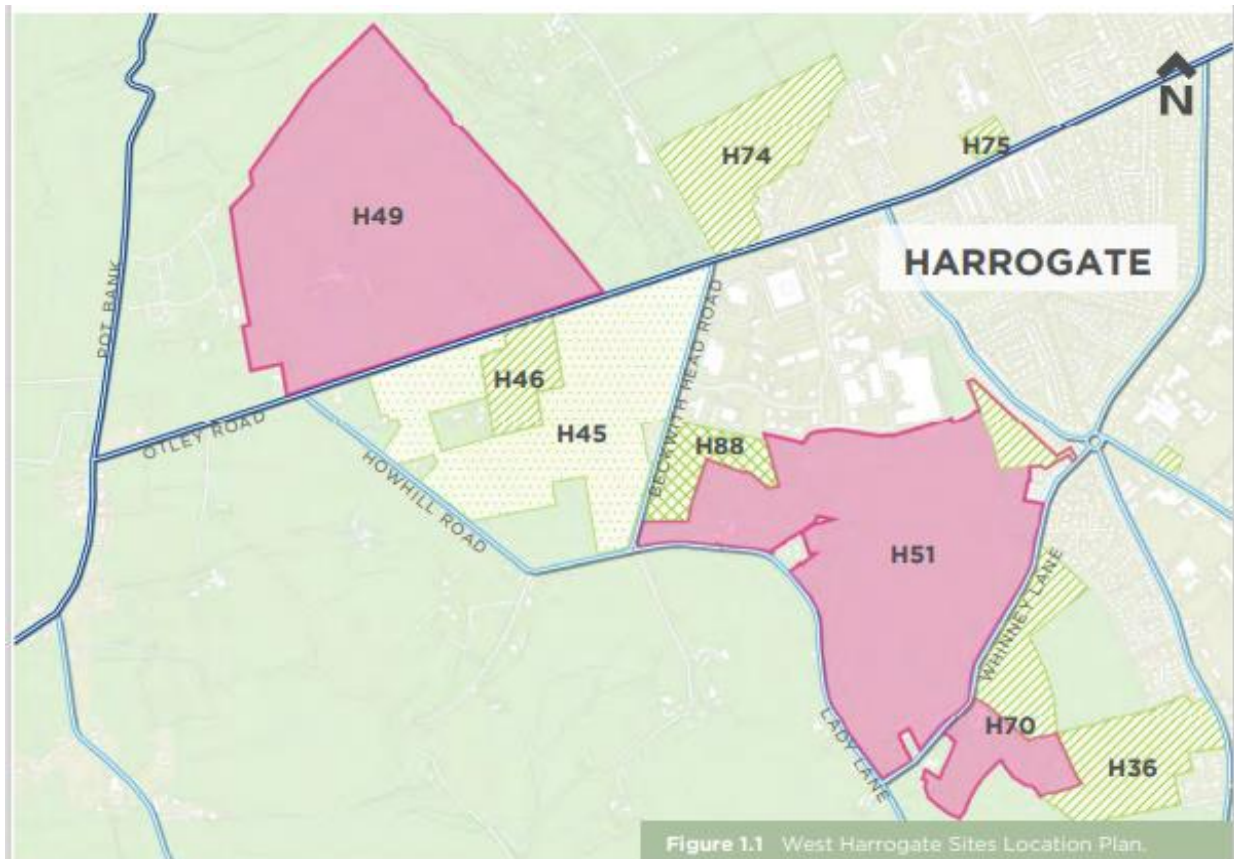


Figure 1.1 West Harrogate Sites Location Plan.

Appendix C: List of junctions that will form the schemes that make up the ‘Off-site Highway Contributions’ required to address the cumulative impacts of development.

These measures have been independently reviewed and costed by a Transport Consultant working on behalf of the LHA with these details helping to inform the West of Harrogate Infrastructure Delivery Strategy.

- Lady Lane/Beckwith Head Road Junction
- Whinney Lane/Green Lane/Yew Tree Lane Roundabout
- Rossett Green Lane/Yew Tree Lane Junction
- Rossett Green Lane/Green Lane/Leadhall Lane/Church Lane Junctions
- A61/Burn Bridge Lane Junction
- A658/A61 Buttersdyke Bar Roundabout
- A61 Leeds Road/Pannal Bank/Follifoot Road Signalised Junction
- A61/Leadhall Lane/Hookstone Road (M&S) Signalised Junction
- Leeds Road/Park Drive/St Georges Road Roundabout
- Otley Road/Leeds Road/Princess of Wales/Trinity Road Roundabout & Junctions
- Otley Road/Beckwith Road Junction
- Otley Road/Beckwith Head Road/Crag Lane Signals
- Otley Road/Howhill Road Junction
- Otley Road/ Pot Bank Mini Roundabout
- A59/A6040 Empress Roundabout
- Wetherby Road/Hookstone Chase (Woodlands) Signalised Junction

- Burn Bridge Road/Malthouse Road Junction

In addition to the above list of junctions, a range of other mitigation measures have also been identified in order to enhance access to the West of Harrogate sites by sustainable modes including walking, cycling and public transport improvements:

- Howhill Road Widening/Strengthening
- Otley Road (Howhill Road to Crag Lane) Widening
- Hill Top Lane/Fall Lane Bend
- Hill Top Lane Localised widening
- Otley Road Cycle Infrastructure
- Beckwithshaw Village Crossing
- Traffic Regulation Orders
- Otley Road - Intelligent Traffic Signals Corridor
- Burnbridge, Yew Tree Lane, Lady Lane etc Traffic Management/Calming measures
- Burnbridge Lane Railway Bridge
- Public Transport (Pump priming)
- Vivacity Traffic Monitoring System

The overall costs of these works will be circa £36.7million pounds. This will be apportioned to each site based on the number of dwellings proposed. These measures have been independently reviewed and costed by a Transport Consultant working on behalf of the Local Highway Authority.

The off-site highway works will be designed, procured and delivered by the Local Highway Authority over the lifetime of the developments.