



Appeal Decision

Inquiry held 13 - 16 May 2014

Site visit made on 16 May 2014

by Keith Manning BSc (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9 July 2014

Appeal Ref: APP/E2734/A/13/2207338

Land off Boroughbridge Road, Knaresborough

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Edward Harper of Gladman Developments Ltd against the decision of Harrogate Borough Council.
 - The application Ref 13/02074/OUTMAJ, dated 31 May 2013, was refused by notice dated 26 September 2014.
 - The development proposed is described as "outline application for residential development of up to 170 residential units with all matters reserved."
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Decision

1. The appeal is allowed and outline planning permission, with all matters reserved, is granted for residential development of up to 170 residential units at Land off Boroughbridge Road, Knaresborough in accordance with the terms of the application, Ref 13/02074/OUTMAJ, dated 31 May 2013, subject to the conditions set out in the Annex hereto.

Procedural Matters

2. The Council originally refused the application for four reasons. On 15 November 2013, after the appeal had been lodged, the Council indicated that it would not pursue the third reason, relating to air quality. On 24 April 2014 the Council resolved not to pursue the remaining reasons for refusal.¹ Accordingly, it withdrew its evidence to the Inquiry and took little active part in the proceedings other than to consider appropriate planning conditions, a draft set of which was agreed with the appellant and submitted at the Inquiry. The fourth reason for refusal was that insufficient information had been provided to demonstrate that the proposed vehicular access would not compromise highway safety. On 14 March 2014 the local highway authority (NYCC) indicated it was content with the roundabout solution put forward as Option 3 and on that basis did not wish to contest the proposal. Counsel for Harrogate Borough Council appeared briefly at the opening of the Inquiry to explain the above situation and also that the Council no longer wished to pursue the first and second reasons for refusal because it considered it had no reasonable prospect of sustaining them.

¹ Doc 4 paragraph 1.1

3. Statements of Common Ground on highways (HSoCG) and planning matters were agreed prior to the inquiry (both on 20 March 2014) but the latter was replaced at the Inquiry by a revised version (RPSoCG)², reflecting the new circumstances. Amongst other things, the HSoCG confirms that NYCC agrees that the site can be safely and satisfactorily be accessed by virtue of the development of 'Option 3', a four arm roundabout proposed to be constructed on Boroughbridge Road at its junction with Bar Lane.
4. Prior to the Inquiry the appellant requested that access should be treated as a reserved matter along with the matters originally reserved, namely; appearance, landscaping, layout and scale. In order to avoid prejudice to any party I agreed to this at the Inquiry itself, subject to the two important provisos that I would need to be satisfied that, in principle, the site could be adequately accessed and that this proposition could be questioned by opposing third parties at the Inquiry. Accordingly the formal description of development, through agreement with the Council, was amended at the Inquiry from that shown on the application form to that I have reproduced above and deployed for the purposes of the appeal decision. Its meaning is sufficiently clear for the purpose. A consequential amendment to the site boundary, at its south eastern extremity, was made to encompass a small sliver of currently open land owned by a third party (Piccadilly Motors Limited) required to accommodate the Option 3 roundabout proposal as conceived and illustrated at the time of the Inquiry. Correspondence from the landowner's solicitor³ confirms that this party is aware of the inclusion and "is willing to negotiate further". On that basis, I was able to accept the amended site boundary also. Moreover, illustrative drawings in respect of each of the access options placed before me for consideration (two forms of priority T junction and the roundabout favoured by NYCC) indicate for outline planning purposes the area in which access is to be taken (i.e. from the Boroughbridge Road frontage to the site). The fourth option illustrated (also a roundabout solution) was withdrawn at the Inquiry.
5. A Unilateral Undertaking dated 15 May 2014 provides for the notification of the Council and the County Council of the commencement of development and the occupation of any part of it. It then provides for staged contributions in respect of primary education, secondary education and in respect of the improvement and/or extension of bus services to serve the area in which the site is located. The local planning authority confirmed that the Unilateral Undertaking was considered to be legally effective. It was submitted on behalf of the appellant that there was no necessity to bind the owners of the additional sliver of land to this deed, as nothing of consequence relevant to the staged payments could physically be implemented thereon, rendering it for all practical purposes irrelevant to the operation of the undertaking. The Council did not depart from that analysis and nor did any third party. I have no reason to disagree with the submission.
6. On the penultimate day of the inquiry I was obliged to rule inadmissible a proof of evidence submitted (in direct and unacceptable contradiction of the relevant rules, and with no prior indication) by a local resident relating to the theoretical and statistical basis of the calculations underlying the scientific predictions originally deployed in the Wardell Armstrong report on air quality, clarification

² Doc 4

³ Doc 5

of which had satisfied the Council's Scientific Officer as to the sufficiency of the information provided to address the impact of the development on the Bond End/High Street Air Quality Management Area. (Thereby causing the Council to notify the appellant back in November 2013 that it no longer intended to pursue its third reason for refusal.) Admission of the proof of evidence would inevitably have caused an adjournment of the Inquiry and would very probably have led in my estimation to considerable unnecessary expenditure. In the interests of fairness, the local resident in question, the author of the proof, was given an opportunity to present her earlier letter in respect of the appeal and was subject to questioning on that by the appellant's representative. I also allowed (bearing in mind that, due to an administrative oversight the appellant had not, apparently, had prior sight of even this letter) post inquiry representations⁴ on the narrow point raised in the letter, with an opportunity⁵ for the Scriven Area Residents' Association (SARA) to satisfy itself that the representation was confined to the agreed points of clarification in respect of this and the chronology of pertinent events and documentation that I sought. In the event, both parties interpreted the opportunity to make post-inquiry submissions with a degree of latitude. However, the net outcome was to clarify the arguments on both sides sufficient for the purposes of my decision and I did not consider it necessary to continue such post-inquiry exchanges further.

7. For the purposes of this appeal decision I refer to the National Planning Policy Framework simply as 'the Framework' and the on-line planning practice guidance simply as 'the PPG'.

Main Issues

8. I consider the main issues in this case to be as follows:

- Whether, in the context of relevant policy, the proposed houses are needed; and
- Whether the development would give rise to adverse effects which would detract from the claimed sustainability of the proposed development.

Reasons

The circumstances of the appeal site

9. The appeal site is described in detail in the original Planning Statement of Common Ground, in particular. In general terms it comprises arable land in the ownership of the appellant and cropped under annual licence. It is no longer part of an agricultural holding. It is of predominantly Grade 2 quality, with the balance being Sub-grade 3a.⁶ For national policy purposes it is therefore wholly within the 'best and most versatile' category. It is contiguous with similar land to the north and its eastern boundary is formed by the A6055 Boroughbridge Road, to which it has a continuous frontage. A motor garage and associated land, the vast majority of which remains excluded from the site, cuts into the south east corner of what would otherwise be an essentially square block of land forming the site to the north of Greengate Lane, a residential distributor road fronted by a variety of house types with moderately spacious gardens to the rear.

⁴ Doc 31

⁵ Doc 32

⁶ CD1.17

10. A private agricultural track, Dumb Pots Lane, forms the western boundary of the site and separates it from a cul-de-sac of houses grouped around Greengate Drive and land associated with a plant nursery. Pleasant Row, a traditional terrace of cottages on Greengate Lane, is within the eastern extremity of the nearby Scriven Conservation Area, but the boundary of this does not directly abut the appeal site. The topography of the appeal site is generally flat but it does rise noticeably in its north western corner towards the elevated landscape feature of Coney Garth.
11. Coney Garth impinges on the northern boundary of the Scriven Conservation Area and is partially within the locally designated Special landscape Area which overlaps this.⁷ Public views of the site from within the conservation area are generally limited by private properties, the most significant public prospect being from an elevated section of Market Flat Lane across the land and buildings associated with the plant nursery. Views of the appeal site from the elevated land at Guiseley Hill within Scriven Park are limited by existing housing and associated vegetation.
12. The most significant prospects of the site are within the northern approach to Knaresborough down Boroughbridge Road and across from the site frontage towards Coney Garth and the elevated residential development in the conservation area known as Coney Garth View. Within these prospects the site appears as rural land forming part of the broader setting of Knaresborough within the surrounding countryside. In terms of landscape character area analysis it is partially within the 'North Knaresborough Improved Grassland' which lies largely to the west and partly within the belt of land traversing the Boroughbridge Road characterised as 'Knaresborough Reclaimed Gravel Pits.'⁸ It is not itself subject to any specific policy designations, other than being classified as countryside beyond the settlement limit defined in the Harrogate Local Plan, and it is not within the Green Belt. It is included within an "urban extension option", referenced NE2, considered for the purposes of the Council's Sites and Policies Development Plan Document, albeit not carried forward into the submitted document itself.

Relevant Policy

13. Relevant policy includes, and must be considered within the context of, the Framework. The Regional Spatial Strategy (save in respect of the York Green Belt) has been revoked and so has the North Yorkshire Structure Plan. The development plan continues to include saved policies of the Harrogate Local Plan, but this covered the period to 2006 (consistent with the revoked structure plan) and for the purposes of development land requirements must therefore be considered substantially out of date. Moreover, the settlement boundaries defined within the Local Plan sought to limit development to that provided for by the Structure Plan and on that basis alone may be considered out of date for the purposes of applying Framework policy.
14. The Harrogate District Development Core Strategy (CS), which was adopted in February 2009 under the auspices of the Planning and Compulsory Purchase Act 2004, continues to be part of the development plan; but paragraph 215 of the Framework now requires weight to be given to that document, and also to

⁷ Illustrated in Fig 06 Rev B in Appendix 1 to the evidence of Gary Holliday

⁸ Extract from Harrogate District Council Character Assessment shown on Fig 02 in Appendix 1 to the evidence of Gary Holliday

the saved policies of the Local Plan, only to the extent that consistency with the Framework exists. Amongst other things, the Core Strategy includes a housing land requirement of 390 dwellings per annum but it is common ground that this is a figure which was constrained by the provisions of the now defunct RSS, the intention of that being that a balance of annual housing need (as then assessed) in excess of 400 dwellings per annum would be met in Leeds/Bradford, identified as regional growth poles. It is clear on the face of the evidence submitted that there is no intention on the part of those authorities to continue the situation whereby Harrogate could effectively "export" a significant part of its housing need.

15. The Borough Council has submitted its Sites and Policies Development Plan Document (SPDPD) to the Secretary of State for independent examination but it is now clear⁹ that, whilst the examination is to be, at the very least, suspended, the prospect of the SPDPD being adopted as sound in its present form as regards housing land is now so remote as to be beyond countenance, partly because it continues to provide simply for the 390 dwellings per annum anticipated by the CS. The officer recommendation on the matter, and the reasons for it set out in the relevant report¹⁰, are abundantly clear. However resolved, the fundamental failing of the SPDPD to address objectively assessed needs for housing development (bearing in mind that constraints of the type exemplified within footnote 9 to paragraph 14 of the Framework, whilst substantial within the Harrogate Area, are not universal outside its existing built-up area) is likely to effectively delay the adoption of the SPDPD or its equivalent for a very considerable period of time.
16. Paragraph 216 of the Framework explains that weight may be given to relevant policies in emerging plans according to three principles. While the merits of the emerging policies of the SPDPD are not a matter for me, the weight that I can accord to the document is. It is a material consideration of the greatest significance that its progress towards adoption is now so fundamentally delayed. For this reason alone, the weight I may legitimately accord the policies within it is limited and the reasons for the delay further diminish their due weight to relative insignificance.
17. The weight to be accorded to those documents which are currently part of the existing development plan varies according to consistency with the Framework. Policy SG1 of the CS seeks to ensure that 70% the 390 new homes per annum are in new buildings or conversions on previously developed land, a principle that is not in itself inconsistent with the Framework insofar as this continues to encourage the use of brownfield sites, such encouragement being one of its core principles. It envisages that around 14% of the housing to be provided under the terms of the policy will be in Knaresborough but notes that, even at this (constrained) level of land release, development on greenfield sites will be necessary, giving rise to extensions of the built-up area in, broadly, the east of the town and within smaller scale land releases in sustainable locations elsewhere around its built-up area. The supporting paragraph 3.20 defines the 'East of Knaresborough' Area of Search (for greenfield housing sites) as "from the land to the east of the B6165 in the vicinity of Scriven eastwards to the land lying east of Birkham Wood to the south of the town". I am in no doubt that the appeal site falls within this broad geographical description of an arc of

⁹ CD95 Draft minute of Council EGM of 14 May 2014

¹⁰ CD93

land around the periphery of Knaresborough. The Areas of Search are said to offer “the potential to accommodate new housing sustainably” and smaller-scale sustainable releases of land elsewhere around the built-up area of the town are not precluded. The relevant evidence base, the *Harrogate and Knaresborough Urban Extension Study* is said to embody a “study of the environmental and traffic constraints”. Insofar as the policy seeks to direct new housing development to locations considered sustainable, it seems to me to be consistent with Framework intentions, and such consistency must also be viewed in the light of the Framework’s intention to boost significantly the supply of housing, a matter to which I return.

18. Policy SG2 of the CS sets a hierarchy for settlement growth, not in itself a mechanism necessarily inconsistent with Framework intentions, which classifies Knaresborough (including Scriven) as a Group A settlement, i.e. a main urban area and focus for growth in accordance with Policy SG1 and the (now revoked) RSS. It refers also to development or infill limits to settlements that are to be defined. Policy SG3 makes it clear that development outside the defined limits will be strictly controlled as in the countryside, again an intention that of itself is not inconsistent with Framework intentions to recognise the intrinsic character and beauty of the countryside and avoid new isolated homes in the countryside in the absence of special circumstances. However, it is plain that settlement boundaries conceived of in principle in the context of the revoked RSS are of limited relevance in the light of the Framework’s intention to boost significantly the supply of housing to satisfy objectively assessed needs, even supposing them to have been defined in an adopted development plan document. Policy SG5 seeks to control the rate of release of housing sites to broadly accord with the trajectory anticipated by SG1 but again is of limited relevance because it is plainly out-of-date in common with the other policies of the CS concerning the supply of housing land.
19. I have no reason to disagree with the common ground between the Council and the appellant that, insofar the proposed development is for housing, the presumption in favour of sustainable development articulated in paragraph 14 of the Framework is engaged, because even on the basis that it is calculated on the constrained CS figure of 390 dwellings per annum¹¹, the Borough cannot demonstrate a five year supply of deliverable housing sites for the purposes of paragraph 49 of the Framework. This clearly states that “*relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable sites.*”
20. Other development plan policies of potential relevance include; CS policy SG4 in respect of the design and impact of settlement growth proposals; CS policy C1 concerning inclusive communities and their needs; CS policy EQ1, which seeks to reduce risks to the environment; CS policy EQ2 concerning the natural and built environment; CS policy TRA1 concerning accessibility; CS policy TRA3 concerning travel management; and saved Local Plan policies C2 and HD3, respectively concerning landscape character and the control of development affecting conservation areas. I refer to these as necessary in the context of the main issues.

¹¹ 4.7 years’ supply on that basis

Housing need in the context of relevant policy

21. Because it is common ground between the appellant and the Council that there is not currently a five-year supply of deliverable housing sites and no party has produced credible evidence to demonstrate otherwise, there must be prima facie acceptance that there is an element of need sufficient to engage the presumption in favour of sustainable development set out in paragraph 14 of the Framework. Indeed, those objecting to the proposal sought in the main to demonstrate that its adverse effects would significantly outweigh its benefits when assessed against the policies in the Framework taken as a whole and it is to the credit of many of the lay persons involved in the proceedings that they understood the significance of that policy test and focused upon matters relevant to it.
22. While the Council apparently does not accept the magnitude of the housing shortfall calculated by the appellant¹², it clearly was not in a position to substantiate this. Moreover, it is not for me to attempt to establish with any precision the objectively assessed need for housing or the appropriate figure to be adopted for planning policy purposes in Harrogate. That is plainly the province of the now delayed SPDPD or any equivalent document that the Council might ultimately bring forward to replace it. In terms of housing land supply there is, for all practical purposes, virtually a policy vacuum, locally, that requires the overriding provisions of the Framework to apply by default, because it is clear¹³ that, applying the principle set out in paragraph 49 of the Framework, relevant policies for the supply of housing may not be considered up-to-date.
23. Be that as it may, the uncontested evidence of Mr Wisher demonstrates convincingly that objectively assessed needs for housing are in the range 760 - 910 dwellings per annum, actually of lesser magnitude than the Council's figures to date inconclusively suggest. Moreover, the uncontested evidence of Mr Johnson is to the effect that housing completions are falling and there has been persistent under-delivery against the constrained CS figure of 390 dwellings per annum that is no longer tenable in the light of the direction of travel of the emerging but significantly delayed development plan. Even using the constrained figure of 390, but applying a 20% buffer according to the methodology of the Framework¹⁴ the housing land supply would be only 2.3 years, diminishing to 1.4 years' supply if the lowest objectively assessed needs figure is applied.
24. By any measure applicable within the purview of relevant policy I am therefore bound to conclude that the current housing supply is inadequate and critically so in the context of objectively assessed needs. The firm intention of the Framework at paragraph 47 to boost significantly the supply of housing renders this a matter of great import in Harrogate. Moreover, the local policy requirement in respect of affordable housing is to the effect that 41%¹⁵ of new homes should in the affordable¹⁶ category and the evidence¹⁷ suggests that in Harrogate the need for affordable dwellings is significantly pronounced relative to the picture nationally and that it is intensifying, with an 80% increase in the

¹² Doc 4 (RPSoCG)

¹³ Ibid. pages 4/5

¹⁴ Framework paragraph 47 and footnotes

¹⁵ CS policy SG1

¹⁶ See Glossary to Framework

¹⁷ Evidence of Mr Wisher page 91

waiting list for local authority housing over the period 2000-2013 by comparison with an equivalent increase nationally of 63%.

25. The delivery of affordable housing on a significant scale in Harrogate generally, and in this instance Knaresborough in particular, is dependent upon the significant delivery of market housing, for which there is a policy requirement in any event. Market and affordable housing are effectively two sides of the same coin and the Framework is clear as to the importance of both. The satisfaction of the need for market housing and the satisfaction of the need for affordable housing are therefore mutually reinforcing policy objectives.
26. For the above reasons I conclude that, in the context of relevant policy, primarily but not exclusively embodied in the Framework, the proposed houses are needed.

Whether there would be adverse effects detracting from the claimed sustainability of the proposed development

27. Sustainability is a multifaceted concept but for present purposes the relevant test of whether the proposed development is sustainable is that which is set out for decision-taking in paragraph 14 of the Framework. It is common ground between the appellant and the Council that policies relevant to the supply of housing are out-of-date. It is also common ground that there is a presumption in favour of sustainable development and that applying the relevant test with reference to the policies set out in paragraphs 18-219 of the Framework, the proposal constitutes sustainable development.
28. Lay opponents of the proposal and interested organisations, who made a wide range of valuable individual contributions to the public inquiry, both orally and in writing, found common cause under the auspices of the Scriven Area Residents' Association, which sought to question the sustainability credentials of the proposed development by reference to Framework intentions and other material considerations, including the existing and emerging development plan.
29. As decision maker I am obliged to apply policy as it is written and, in the circumstances of this case, the test of sustainability for this purpose is not whether there would be no significant adverse impacts of granting planning permission, but rather (unless material considerations indicate otherwise¹⁸) whether...

"any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in [the] Framework taken as a whole; or – specific policies in [the] Framework indicate development should be restricted."

Footnote 9 to the Framework cites as examples a variety of policy concerns integral to it which would indicate that development should be restricted. While I am conscious that the list of examples is not exhaustive or exclusive, I am equally conscious that the appeal site in this instance does not directly encroach upon any of the designations to which the listed policy concerns are addressed and that there is no cogent evidence before me to suggest substantial indirect effects that could not be mitigated. Nevertheless, to inform the ultimate planning balance it remains necessary to examine the potential for adverse impacts, including in areas of Framework policy concern not exemplified by the

¹⁸ Footnote 10 to Framework

footnote, in order to apply the relevant test. The principal considerations in this regard are set out below.

Highway safety

30. It is axiomatic that highway safety is an important consideration and paragraph 32 of the Framework embodies this principle. In this instance the site has a long level frontage to the main Boroughbridge Road with a potential for a degree of carriageway realignment as necessary utilising highway land and land within the application site. Moreover, there is the potential for traffic management measures such as the extension of the 30 mph speed limit, if necessary or appropriate to the form of access that might ultimately be resolved through the reserved matters process. It would be extraordinary if an adequately safe access could not be delivered in such circumstances, and I am satisfied in principle that it could be. While consideration of detail was a condition of my reserving access as requested, the starting point in any event is that agreement has been reached¹⁹ with North Yorkshire County Council (NYCC), the local highway authority, that the site can be safely and satisfactorily be accessed via a new roundabout as indicated in 'Option 3'.
31. Evidence²⁰ was adduced by SARA purporting to demonstrate that none of the options considered would meet the necessary standards but it became clear under scrutiny that none of the criticisms levelled against the various options were so fundamental as to be determinative and the reasonable criticism that the particular roundabout solution agreed with NYCC would necessitate a sliver of third party land outside the application site has been addressed by an acceptable minor alteration to the site boundary. If that is the only solution, delivery is simply a matter between the appellant and the third party and is not a reason for withholding permission. However, on the basis of the evidence, it appears doubtful whether that would in fact be the case and there may be other detailed design solutions not yet explored in any event.
32. In all the circumstances, and on the basis of the evidence, I am satisfied that sufficient information to demonstrate that in principle and in practice safe access to the site from the Boroughbridge Road can be achieved has now been provided such that access details may properly be reserved for subsequent determination. That being the case, it is not necessary for me to determine whether the access should be the roundabout solution agreed with NYCC, or similar, or a form of priority junction as previously advanced by the appellant.
33. For these reasons I find no conflict with the intentions of CS policy SG4 or those of the Framework concerning highway safety. I am conscious that certain local residents recount details of incidents on the road but official personal injury accident data²¹ indicates that there were no such accidents in the five year period spanning 2008-2012, although there may of course have been personal injury accidents prior to that period, or subsequently. In any event the design of a new access to Boroughbridge Road would necessarily be subject to rigorous safety audit at each relevant iteration so as to ultimately achieve the optimum solution in that respect.

¹⁹ HSoCG paragraph 4.7

²⁰ Doc 17

²¹ Appendix K, evidence of Anthony Edward Dolan

Traffic volume and impact, including on air quality

34. It is clear from the CS (which was predicated on a constrained housing land requirement) and the work undertaken by the Council in anticipation of the now delayed SPDPD that Knaresborough cannot grow and develop as a sustainable 'Group A' settlement in accordance with the intentions of CS policy SG2 unless peripheral greenfield sites are released for housing; and this is implicit in the large permission granted at Manse Farm which, I understand, reserves land so as not to foreclose the opportunity of providing an additional railway station. The appeal site is clearly not located so well relative to the existing rail infrastructure but bus services providing connectivity to Knaresborough town centre and destinations accessible by public transport from there do pass along Boroughbridge Road and the existing stop would be reasonably accessible to some but not all of the houses proposed.
35. That said, the relevant intention of the Framework concerns not only existing public transport accessibility but also future potential. A core principle of the Framework²² is to "*actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable*" (the emphasis is mine). While I acknowledge that, in the context of the delayed SPDPD, the location did not emerge as a good performer in terms of the 2007 sustainability appraisal as part of the larger area referenced K7²³, I am conscious that this was a broadly calibrated comparative exercise to inform land allocation and that the Council no longer level such a criticism against the site. I am obliged in any event to take the application as I find it; and I am also conscious that the appellant accepts the necessity for and has submitted a travel plan (in interim form). PPG notes that travel plans are a means of "*mitigating the negative transport impacts of development in order to promote sustainable transport*". Leaving aside the encouragement of walking and cycling through the medium of the Travel Plan, it is plain that the principal alternative to private motorised transport at this location would be bus travel. The 1C service, which stops on Hyde Park Road, within 400m of the edge of the site, is very regular and, more pertinently, is capable of being diverted into the site, if developed in a manner which would facilitate that, if only on a less frequent basis - a principle which has been confirmed by TransDev, the service operator.²⁴ The appellant proposes to facilitate the initiation of such a varied service through the Unilateral Undertaking entered into.
36. In the circumstances of Knaresborough and on the basis of the evidence adduced and the relevant policy context, I am not persuaded that the appeal site is decisively unsustainable in terms of its location on the edge of the existing urban area. The town is recognised to be one of the more sustainable settlements in the Harrogate District and if the intentions of the Framework to significantly boost the supply of housing are to be realised, it seems to me inevitable that sites such as this, on the periphery of the town, must be developed, subject as necessary to the mitigation facilitated by travel plans. Few such sites are ideal in terms of access, whether to the town centre, schools or other facilities, and I acknowledge that housing location can be optimised through the development plan process. However, where, as in this instance,

²² Framework paragraph 17, penultimate bullet point

²³ Planning officer's report and evidence of Mark Johnson

²⁴ Evidence of Anthony Edward Dolan paragraphs 6.18 - 6.28

the development plan is out-of-date as regards housing land supply, realism dictates that the merits of individual proposals must be considered on a practical basis and, in practical terms, there is scope in this instance for mitigation to promote sustainable transport as anticipated by national policy and practice guidance.

37. Housing development, other than in unusual circumstances where car ownership and potential use is barely relevant, necessarily adds traffic to the network. The Framework is clear on this point; *"Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."*²⁵
38. Although the network modelling agreed with NYCC²⁶ indicates that the junction controlled by double signals at Bond End in the town centre is already over capacity, the potential for increased queuing per se was never a concern of the NYCC and I am alive to the proposition that the main impact is likely to be a degree of additional delay and spreading of the peak period of congestion. I am also alive to the fact that the development of the much larger Manse Farm site will result in the installation of MOVA controls to improve the efficiency of the junction by 10-15%, a consideration not factored into the submitted transport assessment, even though the growth from that development was. While the SARA evidence in respect of Bond End utilised the submitted Transport Assessment, these countervailing factors suggest to me that, whilst adverse, the residual cumulative impacts of the proposed development on traffic in the town centre and Bond End in particular are not severe in the sense intended by the Framework; and I was presented with no cogent evidence sufficient to demonstrate that they would be.
39. Nevertheless, I am also alive to the fact that Bond End is within a declared Air Quality Management Area (AQMA) and can readily understand the forcefully expressed concerns of local residents and the Town Council that current failings in air quality could be exacerbated by the presence of additional queuing traffic. Indeed the Framework aims²⁷ to prevent new development from contributing to unacceptable levels of, amongst other things, air pollution and it also says that planning decisions (c/f policies as referred to in paragraph 124) should ensure that any new development in AQMAs is consistent with the local air quality action plan. While the proposed development is not within the Bond End/High Street AQMA, it clearly has the potential to affect it, as would the larger development permitted by the Council at Manse Farm.
40. The key consideration, it seems to me, is the Framework's intention that new development should not lead to unacceptable increases in pollution, albeit there is no definitive guidance therein as to what may or may not be unacceptable when the Framework is taken as a whole, including its intention to boost significantly the supply of housing. In land use planning terms there are no absolutes upon which to rely, albeit the responsibility of local authorities to address EU requirements through the Environment Act 1995 and the relevant statutory instruments concerning air quality²⁸ clearly provide context.

²⁵ Framework paragraph 32, last bullet point

²⁶ HSoCG Section 7.0

²⁷ Framework paragraph 109

²⁸ As set out in CD96 2013 Air Quality Action Plan for Harrogate Borough Council

41. Against this background it is pertinent to note that one of the Council's original reasons for refusal (No 3) was to the effect that there was insufficient information to address the impact of increased traffic movements on the AQMA, leading to conflict with the intentions of CS policy SG4. I am conscious that, following the supply of additional information the, the Council decided not to pursue this reason for refusal back in November 2013.
42. Be that as it may, the SARA film of traffic conditions through Bond End resonates with my own experience and such conditions clearly remain a matter of concern to residents in the context of air quality. This led, amongst other things, to the difficulties described in the procedural matters. The thrust of Dr Ferris's submissions is that the statistical basis underlying the scientific method used to address bias adjustment for NO₂ is flawed and undermines the credibility of the results. However, the specialist expert evidence available to me, namely the documented interaction between the relevant scientific officer of the Council and her equivalent in the consultancy acting for the appellant on this matter, suggests that the relevant assessments were carried out in an 'industry-standard' fashion²⁹ and it is not for me to question, as Dr Ferris suggests, the experience or expertise of these particular professionals.
43. In any event, bearing in mind that the Council has specific responsibilities to achieve compliance with relevant air quality standards and does not object to the proposal at issue on the grounds of unacceptably adverse impact, albeit the need for mitigation (e.g. through Travel Plan measures) is stated, the broader picture (within which the nuances of bias adjustment in the measurement of one of a variety of polluting compounds in vehicle emissions, albeit the key pollutant giving rise to the designation of the AQMA, are but one element) is of more fundamental relevance to the necessary planning decision. In practical terms, likely progress towards the objective of cleaner air in Knaresborough centre, through the medium of the Council's own strategies to address it, is in my view the more relevant consideration, in the context of wider technological advances and other potential measures.
44. The effect of progress towards lower emissions by vehicles in general through such technological advances including stop/start engines and the potentially increased use of electric cars³⁰ is inherently uncertain but cannot sensibly be ignored as a factor which would tend towards improvement of the situation. What is more certain, however, is the potential effectiveness of the measures discussed in the Council's current Air Quality Action Plan³¹ and it is noteworthy that an investigation into the feasibility of HGV restriction (other than for access) is proposed because it is evident that, whilst only 3% of vehicles passing through Bond End are HGVs or buses, these account for 46% of emissions. Once developed, it is improbable the appeal site would give rise to unusual levels of HGV traffic, whereas the use of progressively more advanced private cars by occupants of the proposed houses can reasonably be predicted. In the meantime, I have no doubt that the Council will continue to address the problem directly.
45. Clearly, measures such as those outlined in the action plan are, in the main, nascent; but there is no doubt that the Council, in conjunction with NYCC, is obliged to tackle the problem with appropriate vigour and, while planning policy

²⁹ In compliance with the approach in LAQM.TG(09)

³⁰ Doc 19, from SARA, suggests only 0.50% of UK car stock by 2020 rising to 5.0% by 2030

³¹ CD96

measures include a proposed policy (TRA4) for the delayed SPDPD (and its final form for eventual adoption in a statutory development plan document cannot be certain at present), there is no hint that any form of restriction on edge-of-town housing development is contemplated; rather there is general reference to adequate information and the possibility of mitigation through travel plan measures, both of which are relevant to this case. Moreover, it is clear from the terms of CS policy TRA3 that measures to tackle congestion in both Harrogate and Knaresborough are ongoing.

46. All in all, whilst I acknowledge the materiality of the air quality conditions at Bond End and do not under-estimate the legitimate concerns of local residents, I am obliged to take account of the reality that there is no objection sustained by the responsible statutory body, namely the Council, which recognises that mitigation, such as the implementation of travel plan measures, has the potential to reduce adverse impact. Although the Bond End situation is clearly a matter that the Council can and must address in discharge of its statutory obligations, there is no compelling relevant expert evidence sufficient to persuade me that impact on air quality at that location should, of itself, be a decisive consideration against the proposed development in this instance when the intentions of the Framework are viewed as a whole.

Effect on landscape

47. There is no doubt in my mind that the appeal site has some intrinsic character and beauty as countryside and is part of the attractive rural approach to Knaresborough from the north notwithstanding that it is, taken in isolation, relatively flat and featureless arable land. That said, it merits no special designation at any level and contrasts in that respect with the landscape further to the west encompassing Scriven Park and much of the elevated land at Coney Garth, which is not only designated as Special Landscape Area but is partially within the Scriven Conservation Area. The view across the site to Coney Garth and Coney Garth View within the conservation area is also a pleasing composition in its present form.
48. Saved Policy C2 of the Local Plan states, quite simply, that "*development should protect existing landscape character*". Taken to its literal conclusion this policy intention would preclude greenfield development because any such development on any appreciable scale is bound to change the character of the landscape and if the effect of the policy is intended to preclude such development it cannot be considered consistent with the Framework as this clearly provides for greenfield development despite encouraging, as a core principle, the effective use of land by utilising that which has been previously developed. Limited weight may therefore be accorded to the saved policy. CS Policy EQ2 is a more realistic approach which clearly and explicitly contemplates some greenfield development.
49. It is notable in this context that the intention is signalled to identify local landscape designations (where criteria based planning policies will not suffice) to protect the high quality landscape which is important to the setting of Harrogate, Knaresborough and Ripon. The vehicle for this is identified in the explanation to CS Policy EQ2³² as the Development Control Policies DPD, following rigorous justification based on analysis. However, (in line with previous national guidance) this intention appears primarily concerned with

³² CD32 paragraph 7.43

retention where appropriate of existing local designations and the only development plan designation currently in force in the vicinity of the appeal site remains the Special Landscape Area³³ to the west, from which the appeal site stands clear.

50. It is within that context that the actual impact of the proposed development must be assessed, and, in the light of the detailed evidence presented by the appellant's landscape witness, which I find to be systematic, rigorous and convincing notwithstanding my acknowledgement of the intrinsic character and beauty of the site within its broader setting. More particularly, I consider the site has the potential to be successfully developed and "settled into" the broader prospects of Knaresborough, Scriven and Coney Garth, if a number of principles were to be observed, namely; adequate and sensitively executed landscaping to soften the urban edge that the new houses would create, avoidance of the sloping land in the north west corner of the site (as illustrated) and restriction on the height of the proposed development to 2/2½ storeys. In other words, a well landscaped low rise development confined to the flat land within the site.
51. Such a development would change the landscape, inevitably, but the change would not be so fundamental as to be unacceptably harmful to the broader prospect and the more important landscape elements within it.

The historic environment - Scriven

52. Policy HD3 of the Local Plan addresses the control of development in conservation areas but also encompasses the concept of views into conservation areas following the advice of earlier planning policy guidance. I consider the approach now set out in the Framework to be more relevant as the approach embodied within HD3 aims to prevent altogether any development which has an adverse effect on the character or appearance of a conservation area, without any consideration of the degree of harm, including to its significance, or any consideration of counter-balancing benefits. This is inconsistent with the Framework and reduces the weight to be accorded to this part of the development plan.
53. Scriven is a longstanding conservation area, the boundary of which has been reviewed and amended on two subsequent occasions, as recorded in the Scriven Conservation Area Character Appraisal ('the character appraisal') formally approved by the Council in January 2010.³⁴ I am obliged³⁵ to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area which, in terms of relevant Framework policy, is classified as a heritage asset. Moreover, the setting of the conservation area, as a heritage asset, is an important factor which merits considerable weight.
54. As previously noted, the conservation area is physically separate from the appeal site, with suburban housing plots on Greengate Lane and Greengate Drive intervening between its south western extremity and the row of cottages at Pleasant Row. North of Pleasant Row there is more substantial separation by reason of the Greengate Drive Development as a whole and the plant

³³ Under policy C9 of the Local Plan

³⁴ CD29.

³⁵ By virtue of s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

nursery and associated land. The appeal site is therefore not experienced directly from public viewpoints in the conservation area other than in glimpsed views between buildings and, more significantly, due eastwards from Market Flat Lane across the plant nursery. The character appraisal analyses the conservation area in terms of key views³⁶ within it and from it, and this is not shown as one of them (c/f view along lane to north west from around this point). However, in addition to those key views that are mapped in the character appraisal, its text at paragraph at 5.7 refers, amongst other things, to a particularly important view "*from Market Flat Lane to the north east towards Boroughbridge Road*". Having visited the relevant vantage point on Market Flat Lane, I can see that the prospect of the open rural landscape to the north east is important but that the relatively more intruded upon view (in peripheral vision only when looking to the north east) due east, in which the appeal site sits, is significantly less so.

55. Nor does the appeal site harmfully affect the key view of Pleasant Row identified in the character appraisal. This lack of effect is reinforced by the intervening presence, at right angles to the direction of the key view, of No 40 Greengate Lane. Having visited the conservation area including Scriven Park, I am satisfied that, whilst the physical presence of the proposed development would be capable of being perceived from within the conservation area, the level of perception would not be sufficient to change either its character or its appearance in any significant way. Both those essential characteristics would be preserved.
56. That said, I am not persuaded that the conservation area is divisible in the manner implied by the appellant's heritage witness. Clearly, the older and more individually significant buildings at its heart are relatively important but, as a heritage asset which may be expected to evolve over time, the conservation area should in my estimation be taken as a whole. This is important because the setting of heritage assets, the area from which they are experienced, can affect their significance. In this case, the prospect across the appeal site from Boroughbridge Road³⁷ (and from within the site itself) to Coney Garth View, an elevated development within the edge of the conservation area backgrounded by visually grouped trees within it, is a prospect from within its setting.
57. On that basis, I am in no doubt that the proposed development would affect the setting of the conservation area. Insofar as the conservation area is significant as a freestanding elevated village which Section 4 of the character appraisal (*'Location and landscape setting'*) acknowledges to be harmed to a degree by the suburban edge to the south and east, I consider that some degree of harm to its significance would be perpetrated by the proposed development to the extent that it would essentially continue that process. However, I am also conscious that paragraph 4.3 states... "*By contrast, the northern and western setting of Scriven is emphatically rural and open in character, allowing long distance views over gently rolling arable and grazed fields.....*" (The emphasis is mine.) That countryside is unequivocally an important part of the setting of the conservation area with reciprocal views from that setting that go to its significance. By contrast, the flat land to the east within the appeal site, already visually intruded upon at its southern and

³⁶ Relevant map reproduced in Appendix 1 (Fig 04) to evidence of Gary Holliday

³⁷ Photo viewpoints A and B in Figures 07 and 8 in Appendix 1 to the evidence of Mr Holliday include this prospect

eastern margins by existing development on Boroughbridge Road and Greengate Lane, is not thus described and I have no cogent expert evidence before me to suggest that development upon it would substantially harm the significance of the conservation area.

58. For these reasons, while I do not accept the proposition that there would be no harm to the significance of the Scriven Conservation Area, I nevertheless conclude that the harm would be less than substantial. Whilst significant weight must be accorded to such harm, the Framework is clear, at paragraph 134, that where a development proposal would 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. That is clearly a matter to be weighed in the planning balance. I am also mindful in this context that the Council's conservation officer, whilst unhappy with the illustrative layout and submitted Design and Access Statement, apparently considers mitigation to reduce the adverse impact of the proposed development on the rural setting of the conservation area to be, in principle, achievable.³⁸

Natural resources – agricultural land and biodiversity

59. The Framework, at paragraph 112, exhorts that the economic and other benefits of the best and most versatile agricultural land be taken into account. The application site falls into this category but in the context of an appeal against the refusal of planning permission, as opposed to consideration of appropriate development plan policy and land allocation, I am obliged to consider the proposal on its specific merits. The slogan "*Crops not Concrete*", deployed by the local campaign against the proposal, bears eloquent testimony to a widespread and very material concern of local residents and I recognise the force of the submission by one local resident in particular³⁹ that the loss of small increments of BMV land potentially amounts to significant loss overall. However, the reality is that, while such loss in any particular case runs counter to the general intention of the Framework in this respect and would be harmful in land resource terms, it is a harm that must necessarily be weighed against the potential benefits of the proposed development. Natural England's Technical Information Note TIN049⁴⁰ *Agricultural Land Classification: protecting the best and most versatile agricultural land* points out that Natural England must be consulted on all applications involving the loss of 20 hectares or more of agricultural land.⁴¹ It does continue by observing that "*the land protection policy is relevant to all planning applications, including those on smaller areas, but it is for [the decision maker] to decide how significant the agricultural land issues are.....*"
60. In this context the loss of best and most versatile land as a resource for the longer term must undoubtedly be viewed as harmful. Equally, I am conscious that the appeal site does not presently form part of an agricultural holding and is cropped under licence, its separateness in that respect from the wider pattern of agricultural activity suggesting that the economic impact of its loss to current farming activity in the area would be limited. I have no cogent evidence to suggest otherwise and the report⁴² submitted with the application

³⁸ CD4.10

³⁹ Doc 23

⁴⁰ CD94

⁴¹ In this case the loss would be around 6.7 ha

⁴² CD1.17

entitled *Soil Resources and Agricultural Use & Quality of land off Boroughbridge Road Knaresborough* confines itself very largely to physical factors determining land quality. As with the harm to the significance of the Scriven Conservation Area, the harmful loss of the soil resource per se is a matter to be weighed in the planning balance.

61. I am conscious that many local people have raised objection on grounds which include concern for the potential loss of wildlife. I am also conscious of concerns expressed by Natural England and others regarding more general pressures on designated sites, notably the Hay-a-Park Site of Special Scientific Interest and the Farnham Lake South Site of Importance for Nature Conservation. However, no local policy mechanism to mitigate such pressures (such as that in operation around the Thames Basin Heaths) has been brought to my attention and no expert evidence is adduced by any organisation with statutory responsibility in this respect. Natural England concludes⁴³ on the basis of the relevant surveys that the proposed development would be unlikely to affect a European Protected Species and does not raise an objection. The planning officer's report concludes that adequate mitigation can be achieved by mitigation to accord with local and national policy objectives and I have no evidence that would lead me to disagree with that proposition. Moreover, in my experience, the residential development of arable land, if adequately landscaped with that objective in mind, can give rise to a net gain in biodiversity through enhancement measures.
62. The Framework aims to minimise impacts on biodiversity and promotes net gains in biodiversity where possible. CS policy EQ2 encompasses similar intentions. On the basis of the submitted survey material, consultee response, the evidence before me and the scope for mitigation through planning conditions, I see no reason to conclude in the context of relevant policy that there would be unacceptably significant harm to the interests of biodiversity. The scope for landscaping that is sensitive to biodiversity considerations and the current arable use of the site give added weight to this conclusion.

Conclusion on second main issue

63. For the above reasons I conclude that there would be some adverse effects which would detract from the claimed sustainability of the proposed development. Nevertheless, whether or not a proposed development represents sustainable development for the purposes of relevant policy is a matter that requires a balanced judgement as to where it lies within a spectrum of sustainability having regard to relevant considerations articulated in the development plan and the Framework, bearing in mind also the scope for mitigation of impacts through the imposition of planning conditions and the provisions of any planning obligation, i.e. that which is commonly termed 'the planning balance'. This is a matter to which I return.

Other matters

64. A range of other matters were raised by local objectors to the scheme including potentially material concerns such as lack of access to employment opportunity, increased crime and fear of crime, lack of open space, increase in flood risk and impact on residential amenity. Such concerns are either not substantiated by cogent evidence or the responses of the relevant statutory

⁴³ CD4.8

consultees or may be addressed by the imposition of conditions in any event, bearing in mind also that the application is in outline form.

Unilateral Undertaking

65. The Framework and PPG explain that planning obligations must be necessitated by and related to the proposed development in question, as well as being proportionate. I have considered the contributions specified in the Unilateral Undertaking and their intended deployment. With the exception of the 'Secondary Education Contribution', to which I accord no weight, I am satisfied that, in the context of relevant policy and guidance, they are necessary, proportionate and sufficiently well related to the proposed development to satisfy the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010.⁴⁴ The 'Bus Contribution' is necessitated by the location of the development on the urban periphery and the consequential need to ensure that the opportunity to maximise accessibility by public transport is, so far as is practicable in the circumstances, realised. The potential impact on primary education provision is clear and must be addressed through the Primary Education Contribution. The situation in respect of Secondary Education is less so but the town is served by a single secondary school which also admits pupils from beyond its catchment and the evidence⁴⁵ suggests, in essence, that the effect of the development would simply be to displace some of the school's capacity to do so by taking up places that could otherwise be offered to pupils from elsewhere. Given these circumstances, the impact would not be sufficient to justify the contribution, which would not therefore be compliant with the regulations.

Conditions

66. The Council and the appellant agreed a draft set of suggested conditions (SC)⁴⁶ which were discussed at the inquiry and I have considered them further in the light of those discussions and having regard to the advice in the PPG. Most are necessary and appropriate, subject to revised wording in some cases or combination for economy. A small number are unnecessary and certain additional conditions are required to define the permission in the interests of good planning and to accord with statutory requirements regarding indicative access points where access is a reserved matter⁴⁷, namely; a condition to constrain the permission to a maximum number of dwellings (i.e. the 170 upper limit indicated in the application); a condition to constrain the height of the proposed dwellings to a maximum of 2½ storeys (to limit intrusion upon the broader landscape vista and the nearby conservation area); and the specification of the approved plans including the area in which access, the details of which are reserved, is to be provided.
67. SC1 and SC2 would appropriately be replaced by the model three condition approach to defining reserved matters and time limits. SC3 would be necessary to maximise the sustainability credentials of the development and is reasonably imposed to implement the intentions of the development plan (CS Policy EQ1) bearing in mind the appellant's intention that the dwellings should

⁴⁴ The parties were agreed that a related typographical error was of no consequence to the effectiveness of the deed.

⁴⁵ Docs 12 and 13

⁴⁶ Doc 14

⁴⁷ Article 4(5) of the Development Management Procedure Order

- be constructed to Code Level 4. SC4 would appropriately be combined with SC3 to ensure compliance with these intentions.
68. SC5, SC6 and SC7 would appropriately be combined for economy and to avoid duplication and SC8 is necessary to ensure that the surface water drainage is based on sustainable principles. SC9 would be necessary, given the scale of the proposed development, to ensure that the site is laid out and maintained in a satisfactory manner so far as open space is concerned.
69. SC10 would secure the provision of a significant element of affordable housing in accordance with national and local policy intentions (41% in the latter case), this being an important benefit of the proposed development.
70. SC11 would be an important means of ensuring that the landscape details accord to a strategy for the site as a whole that takes into account its existing features and the broader landscape context, whilst SC12 would be necessary to ensure satisfactory ongoing maintenance arrangements and appropriate observance of biodiversity interests and enhancement objectives consistent with local and national policy.
71. Given that access has now been reserved, SC13 would necessary to ensure implementation of the approved access ultimately chosen is to an adequate standard. SC14 and SC15 would likewise be justified by the necessity to ensure effective implementation of access details with regard to environmental and safety considerations.
72. SC16 would be necessary to ensure that parking is adequately provided to standard through the reserved matters process and thereafter retained but I am not persuaded, given that provision and retention, that there would be any special justification for the suspension of permitted development rights embodied in SC17.
73. Bearing in mind policy intentions to reduce reliance on private motorised transport and the scale and location of the proposed development, I consider approval of the travel plan addressed by SC18 would be a necessary means of mitigating the propensity of people to opt for that without considering more sustainable alternatives.
74. SC19 would be necessitated by the scale of development alongside an existing residential area and by safety and environmental considerations in the wider context of the town's highway network. SC20 would be necessitated by the proximity of a former landfill site from which gas may migrate.
75. SC21 would be required to safeguard archaeological heritage interests but SC22 would duplicate part of SC19 and would therefore not be necessary. SC23 would be necessitated by the proximity of some of the proposed dwellings to commercial activity and the main highway and SC24 regarding slab levels would be necessitated both by drainage and aesthetic considerations. SC25 would more appropriately be embodied, in principle, in SC19 to safeguard amenity on the basis of the specific details of the construction methodology.

Planning balance and overall conclusion

76. Insofar as the proposed development would be on land beyond the settlement limit in the Local Plan and therefore classified as countryside, I am in no doubt

- that it would conflict with the existing development plan. Whilst this conflict is in itself significant, it is material that the policies within it relating to the supply of land for housing, including those concerning settlement limits cannot be considered up-to-date because it is common ground between the appellant and the Council (and this is effectively uncontested) that there is not currently a five year supply of available housing land as required by the Framework, even in the context of the Council's 2009 Core Strategy based on the constrained figure in the former RSS. The situation when viewed in the context of any relevant calculation of objectively assessed needs is appreciably more severe.
77. Moreover, there now appears little realistic prospect of the Council's delayed SPDPD being adopted as the basis upon which to decide applications of this nature in the near future and I am therefore only able to place limited weight on the fact that appeal site, although within the relevant area of search for greenfield housing land to the east of Knaresborough, has not been included as an allocation within that document.
78. In short, relevant policies in the development plan are out-of-date and it is uncontested common ground between the appellant and the Council that paragraph 14 of the Framework, the presumption in favour of sustainable development, is therefore engaged. I have no reason to take a different view.
79. The relevant measure of sustainability is set out in that paragraph, namely; that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Framework taken as a whole, or where specific policies within it indicate development should be restricted.
80. Although not exclusive, the policies exemplified⁴⁸ are indicative of the stature of the specific policy constraints in the Framework that could of themselves prevent permission being granted in circumstances where relevant policies in the development plan are out-of-date. No policies of the relevant stature, other than, potentially, those relevant to designated heritage assets, would be harmfully breached by the proposed development.
81. The Scriven Conservation Area is a designated heritage asset, the significance of which would be harmed to a degree in my view by the continuation of the process of suburbanising its setting, as I have previously indicated. However, for the reasons I have given, I consider the harm would be less than substantial and in those circumstances, applying the approach set out in paragraph 134, the Framework requires such harm to be weighed against the public benefits of the proposal.
82. The proposal would also give rise to other harms, notably the loss of best and most versatile agricultural land, albeit a relatively small increment of such, well below the threshold for consultation with Natural England. Bearing in mind its current separation from a larger agricultural holding, the loss, of itself, would be insufficient in resource or economic terms to justify refusal in the face of significant public benefits as a consequence of the loss. Moreover, given the difficulties currently being experienced in the Bond End/High Street AQMA, the question of how much additional traffic through the town centre as a consequence of new development should be entertained is also very relevant. However, the composition of such traffic and the Council's obligations and

⁴⁸ At footnote 9 to the Framework

intentions to address the matter through its Air Quality Plan and other, transport-related, initiatives are also relevant factors which potentially hold out the prospect of improvement and, for the reasons I have given, I do not consider that, of itself, the impact on air quality would be sufficient to justify refusal in this instance in the presence of significant public benefits.

83. The attractive rural landscape which provides a setting for the northern fringe of Knaresborough when approached via Boroughbridge Road would be altered but not fundamentally or unacceptably so, provided the layout and landscaping of the site were to be executed with care and the height of the buildings restricted to essentially low rise structures of 2/2½ storeys. The peripheral nature of the site relative to the town would inevitably give rise to travel demand, as would be the case with any such site needed to accommodate the growth of the town, but given the potential of the site to be served by buses and the potential for mitigation of the tendency to resort to private motorised transport through the mechanism of a travel plan, I consider that there would be no unacceptably severe conflict with Framework intentions in this respect. It is a core principle of the Framework to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable. That is plainly a matter of balance in the case of peripheral locations such as this and paragraph 34 recognises that the principle must take account of other Framework policies.
84. When the policies of the Framework are taken as a whole, there is no doubt in my mind that the benefits of the proposed development must be regarded not only as significant but as substantial. In social terms the prospect of around 70 affordable homes is clearly a matter to which significant weight should accrue and the economic stimulus of new house building more generally is a material benefit implicit in the Framework, which explicitly and emphatically seeks to boost significantly the supply of housing. Taken together, the social and economic benefits of the proposed development would be substantial.
85. In the context of the Framework it is necessary to weigh such benefits against any environmental disadvantages and other impacts taking into account the scope for mitigation through the proportionate and appropriate use of planning conditions and the submitted planning obligation.
86. For the reasons I have indicated, and having taken all other matters raised into account, I am driven to the conclusion that, although some exist, any adverse residual impacts of granting permission, after such mitigation, would not significantly and demonstrably outweigh the benefits of the proposed development, when assessed against the policies of the Framework as a whole. In terms of the Framework's intentions the development may therefore be considered sustainable and the presumption in favour of such development is a fundamental tenet of national policy. No material considerations sufficient to negate that presumption have been identified. I therefore conclude that the appeal should be allowed.

Keith Manning

Inspector

Annex: Schedule of Conditions

- 1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the approved location plan referenced 5350-L-22 A. The vehicular access to the site from Boroughbridge Road shall be constructed in one or other of the two alternative areas indicated on the 'Development Framework' option plans referenced 5350-L-14 A, 5350-L-18 A, the details of such access having first been approved in writing by the local planning authority pursuant to condition 1) above.
- 5) No more than 170 dwellings shall be constructed pursuant to this permission.
- 6) No dwelling shall be greater than 2½ storeys in height.
- 7) No development shall take place until a Design Stage Code for Sustainable Homes Certificate issued by BRE or STROMA for each dwelling type comprised in the development has been submitted to and approved in writing by the local planning authority. The Code Level to be achieved will be a minimum of Code Level 4. The development shall be carried out in accordance with the approved details and a Post Construction Stage Certificate for each dwelling/dwelling type assessed shall be provided to the local planning authority in writing, confirming that Code Level 4 has been met, prior to the first occupation of the first dwelling comprised in the development to which the certificate relates.
- 8) No development shall take place until details of the proposed means of disposal of foul and surface water drainage (which shall be on the basis of separate systems), including details of any balancing and off-site works, have been submitted to and approved by the local planning authority. Works shall then be carried out in accordance with the approved details and there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the relevant approved foul drainage works.
- 9) The surface water drainage scheme to be approved for the site shall be based on sustainable drainage principles and no development shall take place unless and until an assessment of the hydrological and hydro-geological context of the development has first been submitted to and approved in writing by the local planning authority. The drainage strategy shall demonstrate the surface water run-off generated up to and including a 1 in 100 critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

- 10) No development shall commence until the local planning authority has approved in writing the details of, and arrangements for the setting out of, the Public Open Space and play facilities as part of the development. Such arrangements shall address and contain the following matters:
- (i) The delineation and siting of the proposed Public Open Space.
 - (ii) The type and nature of the facilities will be provided in line with the provisions set out in the Harrogate District Local Plan Provision for Open Space (June 2013) SPD, including the provision of play equipment within a play area designed to be a locally equipped area, which shall be supplied and installed to a specification to be approved by the local planning authority in writing.
 - (iii) The arrangements to ensure that the Public Open Space is laid out and completed during the course of the development.
 - (iv) The arrangements for the future maintenance of the Public Open Space.

The Public Open Space shall be completed in accordance with the approved scheme and retained thereafter for the lifetime of the development.

- 11) The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of 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 41% of housing units;
 - (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;
 - (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.

The development shall be undertaken in strict accordance with the approved scheme.

- 12) No development shall take place until there has been submitted to and approved in writing by the local planning authority a Strategic Landscape Plan for areas shown for this purpose in the approved version of a Masterplan and Green Infrastructure Plan to be submitted to the local planning authority for approval in writing pursuant to condition 1). The design for development process and the ensuing detailed landscape scheme shall follow the findings and principles set out in the Revised Landscape and Visual Appraisal dated 1 April 2014 and development shall proceed in strict accordance with the approved Strategic Landscape Plan.
- 13) A Landscape Management Plan and Ecological Enhancement Plan, including planned management and maintenance operations for both soft planted and hard paved spaces shall be submitted to the local planning authority and no development shall take place until the local planning authority has approved the plan in writing. The plan shall include a statement of the overall design

vision for the fully developed landscape including identification of sub-areas or compartments and their particular design characteristics or conservation aims. Special considerations of protected species/habitats and biodiversity should be given in the plan including timed observations and re-surveys of particular areas or habitats. The maintenance frequencies of various vegetation types are required by reference to each sub-area. The plan should incorporate land management techniques designed to maintain local character and distinctiveness. Development shall proceed in strict accordance with the approved Landscape Management Plan and Ecological Enhancement Plan.

- 14) There shall be no excavation or other groundworks, except for investigative works or the depositing of material on the site until the following drawings and details have been submitted to and approved in writing by the local planning authority:
- (i) Detailed engineering drawings to a scale of not less than 1:500 and based upon an accurate survey showing:
 - (a) the proposed highway layout including the highway boundary
 - (b) dimensions of any carriageway, cycleway, footway, and verges
 - (c) visibility splays
 - (d) accesses and driveway
 - (e) traffic calming measures
 - (f) all types of surfacing (including tactiles), kerbing and edging.
 - (ii) Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing:
 - (a) the existing ground level
 - (b) the proposed road channel and centre line levels
 - (c) full details of surface water drainage proposals.
 - (iii) Full highway construction details including:
 - (a) typical highway cross-sections to scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths
 - (b) when requested cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels
 - (c) kerb and edging construction details
 - (d) typical drainage construction details.
 - (iv) Details of the method and means of surface water disposal.
 - (v) Details of all proposed street lighting.
 - (vi) Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.
 - (vii) Full working drawings for any structures which affect or form part of the highway network.
 - (viii) A programme for completing the works.

The development shall be carried out in full compliance with the approved drawings and details.

- 15) No dwelling to which this planning permission relates shall be occupied until the carriageway and any footway/footpath from which it gains access is constructed to base course macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation. The completion of all road works shall be in accordance

with a programme, including any phasing, approved in writing by the local planning authority before the first dwelling of the development is occupied.

- 16) Provision to prevent surface water from the individual site/plots discharging onto the existing or proposed highway shall be constructed in accordance with details to be submitted and approved in writing by the local planning authority and maintained thereafter to prevent such discharges. The final surfacing of any private access within 2.0 metres of the proposed public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway. All works shall accord with the approved details.
- 17) No dwelling shall be occupied until the related parking areas have been constructed in accordance with the approved drawing and these parking areas shall be retained as such.
- 18) Prior to the development being brought into use, a Travel Plan shall be submitted to and approved in writing by the local planning authority. This shall include:
 - (i) the appointment of a travel co-ordinator
 - (ii) a partnership approach to influence travel behaviour
 - (iii) measures to encourage the use of alternative modes of transport other than the private car by persons associated with the site
 - (iv) provision of up-to-date details of public transport services including the diversion of bus services into the site and measures to deliver the service for a minimum of five years
 - (v) continual appraisal of travel patterns and measures provided through the travel plan
 - (vi) improved safety for vulnerable road users
 - (vii) means to promote a reduction in all vehicle trips and mileage
 - (viii) a programme for the implementation of such measures and any proposed physical works
 - (ix) procedures for monitoring the uptake of alternative modes of transport and for providing evidence of compliance with the intentions of the Travel Plan.

The development shall thereafter be carried out and operated in accordance with the Travel Plan.

- 19) No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The statement shall provide for the following:
 - i. the parking of vehicles of site operatives and visitors
 - ii. the loading and unloading of plant and materials
 - iii. the storage of plant and materials used in constructing the development
 - iv. the wheel washing facilities
 - v. the measures to control the emission of dust and dirt during construction
 - vi. a scheme for recycling/disposing of waste resulting from demolition and construction works
 - vii. HGV routing to avoid the Bond End junction and Knaresborough High Street
 - viii. external lighting equipment
 - ix. hours of working

- 20) No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any development begins. The site shall be remediated in accordance with the approved measures. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.
- 21) No development shall take place within the site until the applicant or agent (or successor in title) has secured the implementation of archaeological work in accordance with a scheme (which shall include a timetable for the work) that has been approved in writing by the local planning authority. The archaeological work shall then be carried out in accordance with the approved scheme.
- 22) Prior to the commencement of development details shall be submitted to and approved in writing by the local planning authority to demonstrate how any building (including garden areas) will be protected against noise exposure. This must be prepared by a qualified acoustic consultant and will detail mitigation measures. All works shall be carried out in accordance with the approved details prior to each building requiring such measures being occupied.
- 23) Development shall not commence until a scheme of details of finished floor levels of each building together with corresponding finished ground levels, ground levels of land around the site and details of surface and land drainage associated with any works, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details so approved and no dwelling shall be occupied until the works relating to that building have been completed. These shall be retained for the lifetime of the development.

* * *

DOCUMENTS

- 1 Council's notification letter and list of those notified
 - 2 Appellant's opening submission
 - 3 Amended description of development
 - 4 Revised Planning Statement of Common Ground
 - 5 Letter to Gladman Developments dated 12 May 2014 from Richmond & Co Solicitors on behalf of Piccadilly Motors Limited
 - 6 Johnson Brook CIL compliance statement on behalf of Gladman Developments Ltd
 - 7 Superseded draft of suggested conditions
 - 8 Superseded draft of Unilateral Undertaking
 - 9 Document containing illustrative material in respect of highway Options 1, 2, 3 and 4.
 - 10 Errata sheet for evidence of Darren Wisher
 - 11 Informal draft minute of Council meeting supplied by Councillor Fox
 - 12 Bundle of material from NYCC fronted by explanation of its sought contribution for secondary education dated 12 My 2014
 - 13 Education Contributions Position Statement by EPDS Consultants on behalf of Gladman Developments Ltd
 - 14 Draft of suggested conditions
 - 15 Superseded statement by Dr Wilfred Mulryne on behalf of Scriven Area Residents' Association
 - 16 Second statement by Dr Wilfred Mulryne on behalf of Scriven Area Residents' Association
 - 17 Statement by Mr Appleton on behalf of Scriven Area Residents' Association (previously appended without identified authorship to letter to Inspectorate from SARA dated 18 April 2014)
 - 18 Statement by Neil Staff on behalf of Scriven Area Residents' Association
 - 19 Supplement to above statement concerning predicted proportion of electric vehicles in UK to 2030
 - 20 Statement by Councillor Tony Handley on behalf of Knaresborough Town Council
 - 21 Statement by Councillor Sarah Patterson on behalf of Scriven Parish Council
 - 22 Statement by Christine Brock
 - 23 Statement by Susan Langley
 - 24 Unilateral Undertaking dated 15 May 2014
 - 25 Updated Design and Access statement May 2014
 - 26 Closing submission of Scriven Area Residents' Association
 - 27 Summary and commentary *Tewkesbury BC v SSCLG*
 - 28 Email from Councillor Carole Reid dated 5 March 2013 to Gladman Developments in response to public consultation
 - 29 Appellant's closing submission
 - 30 Itinerary for Inspector's site visit
 - 31* Full transcript of *Tewkesbury BC v SSCLG* [2013] EWHC 286
 - 32* Submission by Malcolm Walton of Wardell Armstrong concerning air quality
 - 33* Submission by Scriven Area Residents' Association concerning air quality
- * Circulated post-inquiry

PLANS

- A Revised application site boundary Ref 5350-L-22
- B Revised application site boundary Ref 5350-L-22 A
- C Bundle – Development Frameworks & Illustrative Masterplans
May 2014

CORE DOCUMENTS

FOLDER 1

CD 1 Application Documents

- 1.1 "Application Covering Letter, Application Form and Certificates"
- 1.2 Location Plan (including Application Red Line) Drawing Ref:035-2012-001 B
- 1.3 Topographical Survey Ref:S12/451 Rev -
- 1.4 Development Framework Plan Ref:5350-L-04 Rev D
- 1.5 Design and Access Statement Ref: Rev C
- 1.6 Landscape and Visual Impact Appraisal Ref: 5350 LVIA Rev A May 2013
- 1.7 Transport Assessment Ref: TPLE1016/TA May 2013
- 1.8 Interim Travel Plan Ref: TPLE1016/ITP May 2013
- 1.9 Ecological Appraisal Survey Report May 2013
- 1.10 Arboricultural Assessment May 2013
- 1.11 Phase 1 (Desk Study) Investigation Report Ref: J-D1020.00_R1_RB
- 1.12 Flood Risk and Runoff Assessment Ref: J-D1020-R01

FOLDER 2

- 1.13 Air Quality Assessment Ref: LE11784 May 2013
- 1.14 Noise Assessment Ref: LE11784 May 2013
- 1.15 Archaeological Desk Based Assessment Ref: RM/PRC/14984 March 2013
- 1.16 Utilities Appraisal Report
- 1.17 Soil Resources and Agricultural Use & Quality Report Ref:815/1 15-02-13
- 1.18 Renewable Energy Statement
- 1.19 Statement of Community Involvement Ref: May 2013
- 1.20 Socio-Economic Impact Report Ref: May 2013
- 1.21 Policy Review and Affordable Housing Statement Ref: March 2013
- 1.22 Planning Statement
- 1.23 Animal Burial Letter Report Ref: 7/63A/010 04-10-12
- 1.24 "Protected Species , Wildlife and Habitats tick sheet"

FOLDER 3

CD 2 Additional & amended Reports submitted after validation

- 2.1 Highways Technical Note - Curtins Consulting - 29/07/13
- 2.2 Noise Assessment - August 2013
- 2.3 Air Quality Assessment - May 2013 Rev 5 (September 13)
- 2.4 Transport Assessment - September 2013
- 2.5 Interim Travel Plan - September 2013
- 2.6 HOT S106

FOLDER 3

CD 3 Correspondence with Local Planning Authority

- 3.1 22nd February - Letter from M Johnson to Harrogate BC ref Screening EIA.
- 3.2 10th April - Letter from Harrogate BC - Screening Opinion.
- 3.3 31st May - Email from Jenny Wood - Principle Development Officer Ref Affordable.
- 3.4 31st May - Email from Planning Portal ref application.
- 3.5 4th June - Email from R Mowat to Jenny Wood ref Affordable.
- 3.6 6th June - Email from Harrogate BC requesting additional info.
- 3.7 6th June - Email from R Mowat to Harrogate BC forwarding proforma.
- 3.8 6th June - Email from R Mowat to Harrogate BC providing access plan.
- 3.9 11th June - Email from R Mowat to Harrogate BC ref Affordable proforma.
- 3.1 12th June - Email from Harrogate BC to R Mowat ref Affordable pro forma.
- 3.11 13th June - Email from Harrogate BC ref additional information.
- 3.12 20th June - Email from R Mowat to Harrogate BC ref access plan.
- 3.13 21st June - Email from R Mowat to Harrogate BC ref highways pro forma.
- 3.14 21st June - Email from R Mowat to Harrogate BC ref validation.
- 3.15 24th June - Email ref Draft Sites Consultation.
- 3.16 27th June - Email from R Mowat to Harrogate BC ref validation.
- 3.17 28th June - Email from Harrogate BC to R Mowat ref validation.
- 3.18 29th June - Email from R Mowat to Gladman ref validation.
- 3.19 2nd July - Email from Harrogate BC to Gladman ref validation confirmation.
- 3.2 29th July - Email from Curtins to Harrogate BC / NYCC Highways.
- 3.21 2nd August - Email from NYCC Highways to Curtins ref Staff.
- 3.22 5th August - Email from Curtins to NYCC Highways ref Staff.
- 3.23 5th August - Email from Curtins to NYCC Highways ref Staff.
- 3.24 5th August - Email from R Mowat to OPUS ref EA & Drainage comments.
- 3.25 8th August - Email from R Mowat to Harrogate BC ref responses to consultation responses.
- 3.26 13th August - Email from Curtins to Harrogate BC / NYCC Highways.
- 3.27 13th August - Email from NYCC Highways to Curtins / Harrogate BC.
- 3.28 20th August - Email from Curtins to NYCC Highways.
- 3.29 20th August - Email from NYCC Highways to Curtins.
- 3.3 20th August - Email from R Mowat to Harrogate BC ref Noise report.
- 3.31 21st August - Email from Curtins to NYCC Highways.
- 3.32 27th August - Email from NYCC Highways to Harrogate BC ref consultation response.
- 3.33 2nd September - Email from R Mowat to Harrogate BC ref application.
- 3.34 2nd September - Email from R Mowat to Gladman ref LHA's comments.
- 3.35 3rd September - Email from R Mowat to Gladman ref HA comments.
- 3.36 4th September - Email from R Mowat to Gladman.
- 3.37 6th September - Email from R Mowat to Harrogate BC.

FOLDER 4

- 3.38 6th September - Email from R Mowat to Harrogate BC ref pre app meeting.
- 3.39 9th September - Email from Curtins to R Mowat ref Halcrow review of TA and TP.
- 3.4 11th September - Email R Mowat to Harrogate BC ref planning committee.
- 3.41 11th September - Email Harrogate BC to R Mowat ref pre app meeting.
- 3.42 11th September - Email R Mowat to Gladman ref committee date.
- 3.43 12th September - Email R Mowat to Harrogate BC ref pre app meeting.
- 3.44 12th September - Email R Mowat to Gladman ref correspondence from Harrogate BC.
- 3.45 18th September - Email R Mowat to Harrogate BC ref revised Air Quality Assessment.
- 3.46 18th September - Email R Mowat to Harrogate BC ref revised TA.
- 3.47 18th September - Email Curtins to Highways Agency ref revised TA and TP.
- 3.48 19th September - Email R Mowat to Harrogate BC ref S106 HOT.
- 3.49 19th September - Email R Mowat to Harrogate BC ref revised TA.

CD 4 *Consultation Responses*

- 4.1 Consultation Response reference EIA.
- 4.2 Consultation Response from Harrogate BC.
- 4.3 Consultation Response from Planning Services / Policy Officer.
- 4.4 Consultation Response from EA.
- 4.5 Consultation Response from CPRE.
- 4.6 Consultation response from Scriven Parish Council.
- 4.7 Consultation Response from NYCC Archaeology
- 4.8 Consultation Response from Natural England
- 4.9 Consultation Response from Harrogate BC.
- 4.10 Consultation Response from Harrogate BC Principle Conservation Officer.
- 4.11 Consultation Response from Harrogate BC Conservation and Design
- 4.12 Consultation Response from Harrogate BC Ecology
- 4.13 Consultation Response from Transport and Development.
- 4.14 HA Lifting TR110 Holding Direction.

CD 5 *Committee Report and Decision Notice*

- 5.1 Decision Notice
- 5.2 Committee Report

CD 6 *Post Decision Correspondence*

- 6.1 Email from Harrogate BC Env Health to R Mowat ref revised noise assess.
- 6.2 Email from Harrogate BC Planner to R Mowat ref removal of reason 5.

- 6.3 Email from R Mowat to Natural England c/w response letters from FPCR.
- 6.4 Email from R Mowat to Harrogate BC Planner ref response on Ecology consultation.
- 6.5 Email from Curtins to R Mowat ref confirmation of lifting of TR110.

- 6.6 Letter from Harrogate BC to Gladman ref removal of reason 3.
- 6.7 Email from PINS to Harrogate BC Planner ref removal of reason 3.
- 6.8 Email from R Mowat to NYCC Archaeology c/w trail trenching report October 2013

FOLDER 5

- CD 7 Design manual for Roads and Bridges Vol 5 Section 2 Part 2 HD 19/03.
- CD 8 Dept. for Transport Guidance on Transport Assessment 2007.
- CD 9 Dept. for Transport Manual for Streets 2007.
- CD 10 Design Standards for Developer Funded Highway Works (DRMB or MFS)
- CD 11 DRMB Volume 5 Section 1 part 4 - TA 22/81 - Vehicle Speed Measurement On All Purpose Roads.
- CD 12 DRMB Volume 6 Section 2 Part 3 TD 16/07.
- CD 13 DRMB Volume 6 Section 2 Part 6 TD 42/95.
- CD 14 DRMB Volume 6 Section 2 Part 7 TD 23/81.
- CD 15 Manual for Streets 2
- CD 16 NYCC Design Standards for Developer Funded Highway Works (6th November 2012)
- CD 17 NYCC Road safety Audit Protocol Jan 2012
- CD 18 RSA Stage 1 and Designers Response
- CD 19 Interim Travel Plan Sept 2013

FOLDER 6

- CD 20 Transport Assessment Sept 2013
- CD 21 Harrogate and Knaresborough UES Vol 2 June 2008
- CD 22 Harrogate and District Sites and Policies DPD Landscape Assessment May 2013
- CD 23 Harrogate District Landscape Character Assessment February 2004
- CD 24 North Yorkshire and York Landscape Characterisation Project NYCC May 2011

FOLDER 7

- CD 25 English Heritage - Conservation Principles - Policy and Guidance for the Sustainable Management of the Historic Environment.
- CD 26 English Heritage - The Setting of Heritage Assets Revision Note June 2012
- CD 27 NPPF
- CD 28 English Heritage - PPS5 - Planning for the Historic Environment Practice Guide
- CD 29 HBC - Scriven Conservation Area Character Appraisal Jan 2010
- CD 30 Harrogate 2008 Strategic Housing Market Assessment - Final Report - June 2009

- CD 31 Harrogate District Sites and Policies DPD May 2013 updated November 2013 (part of)
- CD 32 Harrogate District Development Framework Core Strategy - February 2009

- CD 33 Harrogate District Local Plan and Selective Alterations - May 2004
- CD 34 Harrogate District Local Plan Annual Monitoring Report 2013
- CD 35 Harrogate District Local Plan Sites and Policies Development Plan Document (Submission Draft)

FOLDER 8

- CD 36 Harrogate District Local Plan - adopted 19th February 2001
- CD 37 Harrogate District Sites and Policies DPD Strategic Housing Land Availability Assessment Update Report
- CD 38 National Planning Policy Framework (NPPF)
- CD 39 North Yorkshire Strategic Housing Market Assessment - App 3 Harrogate Nov 2011

FOLDER 9

- CD 40 Core Strategy development Plan Document - Bradford District - Publication Draft - November 2013.
- CD 41 CLG National Planning Policy Guidance (Beta Version) - Assessment of housing and economic development needs
- CD 42 GVA N Yorks SHMA 2011
- CD 43 Hambleton CS

FOLDER 10

- CD 44 Harrogate AMR 2012
- CD 45 Leeds Core Strategy - Examination Session 4 - housing need and supply
- CD 46 Leeds Core Strategy Examination Session 4 1a Housing Need and Supply
- CD 47 Leeds CS
- CD 48 Letter to David Gladman re House Prices and Affordability 4th November 2013
- CD 49 Meen and CLG (2008) Recent Developments in the CLG affordability model
- CD 50 NLP (2013) Leeds Local Plan Assessment of Housing Requirements to Inform Examination
- CD 51 Economic and Fiscal Outlook March 2013
- CD 52 Oxford Economics Forecasts - 2011 to 2030
- CD 53 RSS Yorkshire and Humber Plan 2008
- CD 54 York CS.

FOLDER 11 (Council core docs withdrawn)

FOLDER 12

- CD 74 Illustrative Masterplan
- CD 75 Framework Plan Option

CD 76	Framework Plan Option 2
CD 77	Framework Plan Option 3
CD 78	Revised D and A Report
CD 79	Revised LVIA Report
CD 80	Geophysical Report
CD 81	Archaeological Trial Trenching Report
CD 82	Interim Travel Plan March 2014
CD 83	Guidelines for Providing Journeys on Foot.
CD 84	Guidelines for Planning For Public Transport in Developments

FOLDER 13

CD 85	Harrogate Sites and Policies DPD - Council's Duty to Co-operate Statement
CD 86	Harrogate Council Submission to RSS EiP September / October 2006
CD 87	Harrogate Sites and Policies DPD - Councils Housing Background paper. October 2013
CD 88	Hunston High Court Decision
CD 89	Hunston Court of Appeal Decision
CD 90	Harrogate District Sites and Policies DPD Letter 29th April 2014
CD 91	Letter from Harrogate DC to Mr Ware 13th April 2014
CD 92	Letter from Harrogate DC to Local Residents 7th May 2014
CD 93	HBC Committee report 14 th May 2014 Withdrawal of Sites and Policies DPD
CD 94	Agricultural land classification. Protecting the best and most versatile agricultural land.
CD 95	Draft Minute. Withdrawal of Harrogate district sites and policies development plan doc (SPDPD).
CD 96	Air Quality Plan – HBC 2013