

## Housing

## 5 Housing

### Housing Key Facts

- The population of the Harrogate district includes a greater proportion of people aged over 45 years than the region and England, and a much greater proportion of people aged over 85 years. Life expectancy is higher than the national average.
- There are a significant number of households with age related illnesses and support needs. This is likely to increase as the population ages, therefore, there will be an increasing need for homes to be adapted or for new dwellings that are able to meet these support needs to be built.
- The proportion of detached homes and homes with 4+ bedrooms in Harrogate district is significantly higher than the national and regional averages.
- The district's affordability ratio is 37% above the English average and is the highest in Yorkshire and the Humber.
- 4,397 affordable homes are needed over the 2014-2035 period.<sup>(13)</sup>
- The stock of affordable housing (social rented) represents about 9% of the total number of households, which is below the figure for the region and England (18%).
- There are currently two public Gypsy and Traveller sites in the Harrogate district and an identified need for future provision.

## HS1: Housing Mix and Density

### Policy HS1: Housing Mix and Density

Housing developments should seek to deliver a range of house types and sizes that reflect and respond to the identified housing needs and demands of the district's households. The mix proposed should have reference to the latest HEDNA and be informed by:

- A. Local assessments of housing need;
- B. Detailed local market assessments; and
- C. Locality and ability of the site to accommodate a mix of housing.

The final mix of dwelling types and sizes will be subject to negotiation with the applicant. Applicants will be required to provide sufficient evidence to support their proposals.

On developments of 10 or more dwellings 25% of the market units should be built to be accessible and adaptable homes.<sup>(14)</sup>

New housing development will be expected to achieve a minimum net density of 30 dwellings per hectare. Development within the defined town and city centres of Harrogate, Knaresborough and Ripon, and in urban locations with a good standard of accessibility to public transport will be expected to achieve higher densities.

Where it can be demonstrated that development at these densities will be detrimental or relate poorly to the character and amenity of the location, or site constraints would prevent these densities from being achieved, then development may be permitted at a lower density.

### Justification

- 5.1** Paragraph 50 of the National Planning Policy Framework (NPPF) seeks to ensure that local housing needs are met through the provision of a range of house types and sizes based on current and future demographic trends, market trends and the differing needs of the various sectors of the community. Local authorities are expected to identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.
- 5.2** Ensuring good quality housing that meets the needs of local people underpins the Local Plan vision and housing objectives, and is a key component of creating sustainable, quality neighbourhoods.
- 5.3** There will be a range of factors which influence demand for different sizes of homes over time, in particular demographic changes, housing affordability and wider economic performance. The council has undertaken a Housing and Economic Development Needs Assessment (HEDNA), which has estimated the need for different sizes of market and affordable homes over the plan period. The HEDNA identifies that for both market and affordable housing there is a need for a mix of house sizes across the district.
- 5.4** For market and affordable home ownership housing the HEDNA suggests that future housing provision across the district should be focused on delivering two and three bedroom homes to reflect both the need for homes and the district's changing demographic profile. The HEDNA also suggests a number of localised changes to the market housing mix to reflect particular housing needs in the five identified sub-areas of the district.

<sup>14</sup> Accessible and adaptable homes are those that meet requirements of M4(2) Category 2: Accessible and adaptable buildings of The Building Regulations (2010), Approved Document M: access to and use of buildings (2015 edition incorporating 2016 amendments for use in England), or any subsequent comparable standard set nationally.

- 5.5** For affordable housing the HEDNA suggests that, relative to the current housing stock, there should be a move towards a greater proportion of homes for smaller households with future provision focused on the delivery of good sized one and two bedroomed homes with some three bedroom homes to meet the needs of families as they grow. The need for affordable housing of different sizes will vary by area and over time. In considering the mix to be provided within specific development schemes, the council will also have regard to the details of households on the housing register in the local area and the stock and turnover of existing affordable properties.
- 5.6** Demographic projections show an ageing population, resulting in an increased need for housing that meets the needs of older people; this includes housing to enable them to live independently, sheltered housing, extra care accommodation and care homes. Policy HS5: Older People's Housing addresses the specific housing requirements of older people.
- 5.7** A significant and increasing proportion of older people are owner-occupiers living in mainstream housing; in 2011 over 70% of the population aged 65 and over were owner-occupiers. Most people will, if they are able to do so, choose to remain in their own homes. Providing for homes to be adaptable will enable older households, and other sections of the community likely to have a need for housing designed to meet their changing needs, to remain living in their homes for as long as possible. The council will require a proportion of development to meet the higher Building Regulations accessibility and adaptability requirement, where development deliverability is not compromised. In some new developments it may not be practical or feasible to incorporate step free access to dwellings, for example to address flood risk issues, and the council will take account of site specific factors and evidence of site suitability when determining planning applications. Additional requirements for affordable homes to be accessible and adaptable, and to provide wheelchair user affordable dwellings that meet requirement M4(3) of the Building Regulations are set out in Policy HS2: Affordable Housing.
- 5.8** In determining planning applications, the council will have regard to the overall need to deliver a mix of house sizes, the ability of specific sites to accommodate this, the character and existing housing stock of the area, as well as the most up to date evidence of need and demand. The final mix of housing will be subject to negotiation with the applicant. Where applicants propose a mix of housing that does not respond to identified needs, they will be expected to provide robust evidence relating to the identified level of housing need, existing housing stock, financial viability or deliverability to support their proposals.
- 5.9** It is also important to ensure new developments make the most effective use of land. The density at which new housing development occurs should be maximised, subject to the density being appropriate to the character of the area. The NPPF states that local planning authorities should set out their own approach to housing density to reflect local circumstances.
- 5.10** It is considered that the minimum net density of 30 dwellings per hectare (dph) would be appropriate across the district. Within the town and city centre areas of Harrogate, Knaresborough and Ripon, as shown on the policies map, where higher density developments can be more easily achieved through terraced or flatted development schemes, or in locations in urban areas with good access to public transport, a development density of up to 50 dph is considered reasonable. In exceptional circumstances development at a significantly higher density may be appropriate. The density requirement would apply to the 'net' development area which is the developable area of the site excluding areas such as major distributor roads, community facilities (such as a new school or health centre), significant areas of open space and landscaping and green infrastructure.
- 5.11** Lower density schemes will only be acceptable where the character or amenity of the locality would be clearly harmed or where site constraints, for example, ecological or heritage interest, ground conditions, contamination or access problems dictate a reduced developable area or capacity.

## Further Information

### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy HS2: Affordable Housing
- Policy HS5: Older People's Housing
- Policy HP3: Local Distinctiveness
- Policy HP2: Heritage Assets
- Policy NE3: Protecting the Natural Environment
- Policy NE4: Landscape Character

### Further information/guidance for applicants (see bibliography under Housing for more details)

- Harrogate Borough Council: Housing and Economic Development Needs Assessment (HEDNA) (GL Hearn, 2017)
- HM Government: The Building Regulations (2010), Approved Document M: access to and use of buildings (2015 edition incorporating 2016 amendments for use in England)

### Evidence that may be required from applicants to accompany a planning application

- Evidence relating to the identified level of housing need, financial viability or deliverability to support proposals that do not respond to identified need.

## HS2: Affordable Housing

### Policy HS2: Affordable Housing

The council will require 40% affordable housing on all qualifying greenfield developments including mixed use schemes, and 30% on all qualifying brownfield developments including mixed use schemes and conversions, subject to viability and the demonstration of the need for affordable housing. Qualifying sites are those sites which fall within the following thresholds.<sup>(15)</sup>

On all developments comprising 10 or more dwellings, or where the site has an area of 0.5 hectares, on-site provision will be expected. In exceptional circumstances off-site provision or a commuted sum in lieu of on-site provision may be acceptable.

On developments comprising six to nine dwellings in areas designated as rural areas under Section 157(1) of the Housing Act 1985 (as shown on Map 11.2), a financial contribution for the provision of affordable dwellings as a commuted sum will be sought unless the developer makes on-site provision.

The final tenure mix of the affordable housing on individual sites will be determined through negotiation taking account of up-to-date assessments and the characteristics of the area.

The affordable homes should be distributed across the development and integrated with the scheme design and layout such that they are indistinguishable from the market housing on the same site.

Planning permission will be refused for development proposals where it appears that a larger site has been deliberately sub-divided into smaller development parcels in order to avoid the requirements of this policy.

Where a development proposal does not meet the above requirements the applicant will be required to provide evidence to support this, including, where appropriate, the submission of a development appraisal.

Subject to site suitability affordable dwellings should be built to be accessible and adaptable homes, and within this 10% should be built as wheelchair accessible homes.<sup>(16)</sup>

### Justification

- 5.12** Paragraph 50 of the National Planning Policy Framework (NPPF) highlights the need for Local Plans to 'deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities'.
- 5.13** Average house prices within the Harrogate district are significantly higher than national and regional averages. The availability of affordable housing is, therefore, a key issue to be addressed as it impacts upon the retention of skills and talent in the district and has a major influence upon the local economy and quality of life.
- 5.14** Affordable housing is provided for rent or purchase on a subsidised basis to eligible households who cannot meet their housing needs on the open market because of the relationship between housing costs and income. Affordable housing encompasses a range of tenures including affordable/social rent and affordable homes ownership products (including starter homes and shared ownership products) and is defined in the NPPF.

<sup>15</sup> See glossary for definitions of 'affordable housing', 'greenfield' and for definition of brownfield see glossary under 'previously-developed land'  
<sup>16</sup> Accessible and adaptable homes are those that meet requirements of M4(2) Category 2: Accessible and adaptable buildings and wheelchair accessible homes are those that meet the requirements of M4(3) (b) of The Building Regulations (2010), Approved Document M: access to and use of buildings (2015 edition incorporating 2016 amendments for use in England), or any subsequent comparable standard set nationally.

- 5.15** The council's Housing and Economic Development Needs Assessment (HEDNA) has considered both the current unmet affordable housing need and the projected future affordable housing need in the context of the existing affordable housing stock having regard to a range of factors including the number of emerging households, supply of affordable housing (through re-lets), house prices and income levels. The HEDNA analysis of affordable needs is essentially an analysis of the need for subsidised rented housing (social/affordable rented). This is because the benchmark of affordability is taken to be a lower quartile private rented home; households unable to afford this level of housing are unlikely to be able to afford low-cost home ownership as an alternative.
- 5.16** Overall the HEDNA analysis identifies a need of just under 4,400 affordable homes in the period from 2014 to 2035, equating to a requirement for 208 additional affordable homes per annum. This comprises around 30% of the objectively assessed need of 669 dwellings per annum.
- 5.17** Not all affordable housing will be delivered through contributions from developers on market housing sites. Affordable housing will also be delivered by utilising the council's resources, including developing land in its ownership; bringing empty homes back into use; the acquisition of existing properties; and working with Registered Providers.

### Target

- 5.18** To help meet affordable housing needs, it is appropriate that new residential development within the district should, where it is viable to do so, contribute towards meeting this need. In 2016 the council appointed consultants HDH Planning and Development to undertake a Whole Plan Viability Assessment of the emerging Local Plan. The assessment looked at the potential impacts of all the policies in the Local Plan upon the viability of new development.
- 5.19** In respect of affordable housing the assessment tested a number of options and, to maintain viability of sites, recommended the affordable housing percentage reflected within policy HS2, which will be the starting point for decision making on development proposals. In circumstances where an applicant can demonstrate, through the submission of a development appraisal, that the required percentage of affordable housing would not be viable, the council will consider the provision of a reduced amount of affordable housing so as to make the scheme viable.

### Site Thresholds

- 5.20** The site thresholds are derived from those set out in the Written Ministerial Statement of 28 November 2014.

### Tenure

- 5.21** The council will seek to agree the tenure mix with the applicant based on evidence of local need and the characteristics of the local area. The role and ability of Registered Providers and other providers to participate in delivering a mix of tenures will be considered in determining the tenure split with the landowner and developers.
- 5.22** The government is seeking to improve access to owner-occupied housing. The Housing White Paper (February 2017) proposes to amend the NPPF to introduce a requirement that housing sites of 10 or more dwellings (or 0.5 hectares) deliver a minimum of 10% affordable home ownership units, with the mix of affordable home ownership tenures to be agreed locally. The outcome of the White Paper consultation is awaited; however, the impact of this requirement on the provision of affordable housing has been tested in the Whole Plan Viability Assessment.

## Commuted Sums

- 5.23** Where a commuted sum is sought this will be broadly equivalent to providing either 30% or 40% (depending on whether the application site is brownfield or greenfield land) of the total number of dwellings as affordable. In exceptional circumstances, and where it can be robustly justified, it may be appropriate to take a financial contribution on sites above the on-site threshold where doing so would meet wider planning or housing objectives, for example, on flatted schemes where management arrangements may make on-site affordable housing more expensive through the application of service charges. All financial contributions received will be ring fenced and used to provide affordable housing by the council itself.

## Other Issues

- 5.24** The size of a development site should not be artificially reduced to reduce or eliminate the affordable housing requirement, for example, by sub-dividing sites or reducing the density of all or part of a site. To avoid sites being subdivided to below the relevant threshold size, this policy will apply on the basis of the composite or naturally defined larger area. Planning applications for development, which forms part of a more substantial proposed development on the same or adjoining land will be treated as an application for the whole development. This also applies if the development is proposed in phases, with later phases having to fulfill affordable housing requirements from previous phases, if this has not been adequately provided for.
- 5.25** To promote mixed communities and minimise social exclusion, all new residential developments will be required to be designed so that the affordable housing is well integrated within the open market housing, both in terms of design and location within the development. The affordable housing should be integrated into the layout of the development through 'pepper potting' in small groups and not disproportionately allocated to the site periphery or in one particular area. Developers are required to discuss at an early stage appropriate layout and phasing of the development with the council.

## Accessible and Adaptable Homes

- 5.26** To support the ageing population and the specific needs of people with mobility problems, the council expects affordable homes to be accessible and adaptable by meeting requirement M4(2) of the Building Regulations. The evidence from the HEDNA also indicates that over the plan period there will be an increasing need for housing to be wheelchair adaptable and accessible as the number of people with disabilities is expected to increase substantially. The council will also support proposals for wheelchair adaptable and accessible homes that meet requirement M4(3) of the Building Regulations. Where affordable housing is built to meet requirement M4(3), there is no requirement to also meet requirement M4(2). The council will take account of site-specific factors, evidence of site suitability and/or whether it would render development unviable in determining whether these requirements should apply.



## Further Information

### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)

### Further information/guidance for applicants (see bibliography under Housing for more details)

- Harrogate Borough Council: Housing and Economic Development Needs Assessment (HEDNA) (GL Hearn, 2017)
- Harrogate Borough Council: Whole Plan and Community Infrastructure Levy (CIL) Viability Assessment (HDH Planning and Development, 2016)
- Written Ministerial Statement of 28 November 2014
- Housing Act 1985: Rural Areas Designated Under Section 157(1)

### Evidence that may be required from applicants to accompany a planning application

- Development appraisal

### Designations/boundaries shown on the policies map

- Rural areas designated under Section 157(1) of the Housing Act 1985.

## HS3: Self and Custom Build Housing

### Policy HS3: Self and Custom Build Housing

On strategic sites of 500 dwellings or more, developers will be required to supply at least 5% of dwelling plots for sale to self-builders, subject to demand being identified by the council, by reference to the council's Self and Custom Build Register, supported as necessary by other sources of evidence in-line with the provisions identified in paragraph 5.30. In determining the nature and scale of any provision, the council will have regard to viability considerations and site specific circumstances.

Where a developer is required to provide self build plots, the plots should be made available and marketed appropriately for at least 12 months. Where plots which have been appropriately marketed have not sold within this time period, these plots may be built out as conventional market housing by the developer.

### Justification

- 5.27** The National Planning Policy Framework (NPPF) requires local planning authorities to widen opportunities for home ownership by identifying the size, type, tenure and range of housing that is required in particular locations, reflecting local demand. The government wants to enable more people to build or commission their own home and wants to make this form of housing a mainstream housing option.
- 5.28** In line with this the Self-build and Custom Housebuilding Act 2015 requires local authorities to keep a register of individuals and associations of individuals who are seeking to acquire serviced plots of land in their area in order to build homes for those individuals to occupy. A self and custom build register (self-build register) has been established in order to provide evidence of demand for custom/self build plots within Harrogate district. At the time of preparation of this Local Plan there are only a small number of entries on the register, indicating limited existing demand for plots, however, it will not be possible to accurately establish demand until the register has been up and running for a greater period of time. National planning guidance, set out in the Planning Practice Guidance (NPPG), states that local planning authorities should use the demand data from the registers in their area, supported as necessary by additional sources, when preparing their Strategic Housing Market Assessment (SHMA) to understand and consider future need for this type of housing in their area. The council will continue to collect evidence in order to develop a fuller understanding of the demand for self/custom build. This policy will be reviewed once further understanding of local demand has been established.
- 5.29** The policy makes a specific requirement for plots to be delivered on strategic sites. It is expected that, whilst this will provide a proportion of the plots required to meet the demand identified by the self-build register, a proportion of self builds will come forward on small sites and single plots on infill sites and sites on the edges of settlements. There is a long history of windfalls sites consistently becoming available across the Harrogate district and it is considered that they will continue to provide a reliable source of supply during the plan period. It is anticipated that small windfall sites will play a role in meeting demand from those self-builders who wish to purchase an individual plot which does not form part of a large housing site.
- 5.30** Where the developer of a strategic site of over 500 dwellings is required to provide self build plots, it will be expected that plots that have been made available and marketed appropriately for at least 12 months and have not sold may be built out by the developer. Developers will be required to demonstrate to the local planning authority that appropriate marketing has

taken place before self-build plots can be released for development with conventional market housing. In demonstrating that plots have been appropriately marketed developers will be required to provide copies of sales particulars, including the guide price, a schedule of the advertising that has been carried out including dates, the number of sales particulars distributed, along with a breakdown of where the enquiries resulted from, details of the number of viewings, resulting offers and why they were dismissed, and details of the periods when a 'for sale' board was displayed.

- 5.31** Further guidance from the government on self-build is expected. The council will review the need to publish additional local guidance, including supplementary planning documents, relating to the practical delivery of self and custom build sites.

### **Definition of Self and Custom Build Housing**

- 5.32** Self-build is where someone directly plans the design and construction of their own home, finding and buying the plot of land and either physically undertaking the work themselves as a 'DIY' project or arranging for a contractor to build their own home for them.
- 5.33** Custom build projects are where someone works with a specialist developer to deliver their new home. In this scenario, the custom builder may secure the site and manage the build.
- 5.34** For the purpose of this policy, the terms custom and self build relate to a range of dwellings which may be based on:
- Self build homes: where a person manages the design and construction and may undertake some of the building work or contract it to others.
  - Contractor built homes: after deciding on a design, a contractor is employed to do all of the building work.
  - Independent community collaboration: where a group of people acquire a site and split it into plots for self build homes, which may include sharing labour and expertise.
  - Supported community self build: where a social landlord or a similar supportive body helps people build a group of homes together.
- 5.35** Homes built to a customers specification by a developer based on a range of their designs do not represent a custom-build home.

## **Further Information**

### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy HS1: Housing Mix and Density
- Policy HS2: Affordable Housing
- Policy HS5: Older People's Housing
- Policy HS6: Space Standards
- Policy HP2: Heritage Assets
- Policy HP3: Local Distinctiveness
- Policy NE3: Protecting the Natural Environment
- Policy NE4: Landscape Character
- Policy GS3: Development Limits

### **Further information/guidance for applicants (see bibliography under Housing for more details)**

- Harrogate Borough Council: Whole Plan and Community Infrastructure Levy (CIL) Viability Assessment (HDH Planning and Development, 2016)
- Self-build and Custom Housebuilding Act 2015
- Harrogate Borough Council: Self Build Register
- The Self Build Portal
- National Self Build Association
- Community Self Build Agency

## HS4: Older People's Specialist Housing

### Policy HS4: Older People's Specialist Housing

Developments specifically designed to meet the accommodation needs of older people will be supported where it is in a location accessible by public transport or within walking distance of community facilities such as shops, medical services and public open space or, where this is not the case, such facilities are provided on site.

Where developments fall within use class C3 affordable housing will be required in accordance with policy HS2: Affordable Housing.<sup>(17)</sup>

### Justification

- 5.36** Harrogate district has a population that is older than the national average with a high proportion of people aged 85 or over. As people live longer this trend is predicted to continue with significant growth in the district's population aged over 65, higher than that predicted both regionally and nationally. The health of this section of the population is also expected to decline with a significant increase in the number of people with dementia or mobility problems. This is likely to present some challenges. Ensuring appropriate accommodation in suitable locations is available to meet everyone's needs, including enabling older people to remain in their homes longer, was identified by the council's Housing Strategy 2015-20 as a key issue to be addressed.
- 5.37** The specific housing needs and aspirations of older people and the ability for them to exercise choice and control over meeting these needs will vary. In order to ensure provision for such needs, a wide range of housing types and tenures will be required (through policy HS1: Housing Mix and Density). Whilst the majority of older people will live in mainstream housing there will be a need for new specialist accommodation provision, such as sheltered housing and extra care provision. North Yorkshire County Council's report *The Need for Extra Care Housing (2015)* identified a particular need for additional extra care provision in the Harrogate and Ripon areas. The *Housing and Economic Development Needs Assessment (HEDNA)* identifies that, in the longer-term, there may also be a requirement for specialist and residential care housing. The amount and type of accommodation required will depend on a range of factors, including individual choice. The council will consult with health and social care services on larger planning applications and/or those that could have service provision implications.
- 5.38** Where specialist accommodation is provided it will be important to ensure that it enables residents to live independently as far as possible by ensuring it is located close to facilities and services, or that they are accessible by public transport. As they are generally larger, strategic sites (of over 500 dwellings) may also be able to incorporate a wider range of accommodation suitable for older people.

<sup>17</sup> Accommodation falling within Use Class C2 (Residential Institutions) of the Use Classes Order is not subject to affordable housing provisions.

## **Further Information**

### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy HS1: Housing Mix and Density
- Policy HS2: Affordable Housing

### **Further information/guidance for applicants (see bibliography under Housing for more details)**

- Harrogate Borough Council: Housing and Economic Development Needs Assessment (HEDNA) (GL Hearn, 2017)
- Harrogate Borough Council: Housing Strategy 2015-20 (2015)
- North Yorkshire County Council: The Need for Extra Care Housing (2015)

### **Evidence that may be required from applicants to accompany a planning application**

- Care needs assessment

## HS5: Space Standards

### Policy HS5: Space Standards

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

This policy does not apply to an extension to a dwelling or a material change of use.

### Justification

- 5.39** Space is an important factor when people are choosing a home and influences how they live. A lack of space can compromise basic lifestyle needs, such as having enough space to store possessions, and can also have more profound impacts on an occupant's health and wellbeing.
- 5.40** In October 2015 the Nationally Described Space Standard (NDSS), set by the government, came into effect. The NDSS deals with the internal space within new dwellings and seeks to ensure that they provide a reasonable level of internal space to undertake typical day-to-day activities at a given level of occupancy. The standard reflects what the government considers to be the minimum space required to allow for modern living and, as such, represent a clear and consistent benchmark for developers.
- 5.41** A review of the size and type of dwellings being built in the district indicated that smaller market and most affordable properties usually fail to meet the relevant space standard set out in the NDSS.<sup>(18)</sup> Providing homes of sufficient size with the ability to adapt to changing lifestyles and family requirements over time is a key part of delivering sustainable communities. It will be important to ensure that new homes (of all tenures) achieve this by meeting the relevant NDSS.
- 5.42** To help enable developers to factor in the cost of building to the NDSS into future land acquisitions, the application of this policy will come into effect six months following the adoption of the Local Plan.

### Further Information

#### Related planning policies

- National Planning Practice Guidance (NPPG)

#### Further information/guidance for applicants (see bibliography under Housing for more details)

- Department for Communities and Local Government (DCLG): Technical Housing Standards- Nationally Described Space Standard (NDSS) (2015)
- Harrogate Borough Council: Whole Plan and Community Infrastructure Levy (CIL) Viability Assessment (HDH Planning and Development, 2016)

18 The review was undertaken in January 2016.

## HS6: Conversion of Rural Buildings for Housing

### Policy HS6: Conversion of Rural Buildings for Housing

Outside defined settlement development limits the conversion and/or re-use of existing buildings to residential use from other uses will be supported where proposals meet all of the following criteria:

- A. The building is of permanent and substantial construction, structurally sound and capable of conversion without the need for substantial extension, alteration or reconstruction;
- B. The scale, form and general design of the building and its proposed conversion are in keeping with its surroundings, local building styles and materials;
- C. The proposed alterations are of a high quality design, retaining the features that contribute positively to the character of the building and its surroundings;
- D. The building and its curtilage can be developed without an adverse effect on the historic environment, the character of the local landscape or its setting;
- E. It can be demonstrated that there is no significant impact on local biodiversity, including protected habitats and species; and
- F. The proposed use would not harm the countryside by way of traffic, parking, storage, pollution or the erection of associated structures.

Developments under this policy will be expected to comply with the affordable housing and open space provision policies of the plan.

Where a future alteration or extension could have a detrimental effect on the character of the converted building or the area, permitted development rights will be withdrawn for such development.

### Justification

- 5.43** Traditional rural buildings are an important part of the district's built heritage and are a significant feature in the landscape. Conversion and re-use offers the opportunity to retain these buildings and be put back into beneficial use rather than being allowed to fall into disrepair. Re-use for economic development purposes will usually be preferable but residential conversions may be appropriate in some locations and for some types of buildings.
- 5.44** The council will require comprehensive information on the current structural condition of the building and the method by which it is proposed to be converted to the new use in order to assess whether it is of substantial construction, structurally sound and capable of conversion without the need for substantial extension, alteration or reconstruction.
- 5.45** Recent legislative changes in relation to permitted development rights have introduced more flexibility about the conversion and re-use of existing agricultural buildings in rural areas for residential development without the need for planning permission. These permitted development rights do not apply to listed buildings, buildings located within a conservation area or buildings within the Nidderdale Area of Outstanding Natural Beauty.



- 5.46** This policy is, therefore, intended to apply to conversions from agricultural uses outside of the exemptions covered by permitted development, and conversions from non-agricultural uses.

## Further Information

### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy GS3: Development Limits
- Policy HS2: Affordable Housing
- Policy HP2: Heritage Assets
- Policy HP3: Local Distinctiveness
- Policy HP8: New Sports, Open Space and Recreation Development
- Policy NE3: Protecting the Natural Environment

### Further information/guidance for applicants (see bibliography under Housing for more details)

- Harrogate Borough Council: The Reuse and Adaptation of Rural Buildings A Design Guide (1992)
- Harrogate Borough Council: Heritage Management Supplementary Planning Document (2014)
- Historic England: Farmstead Assessment Framework (2015)
- Historic England: The Adaptive Reuse of Traditional Farm Buildings: Advice Note 9 (2017)
- Historic England: Adapting Traditional Farm Buildings: Best Practice Guidelines for Adaptive Reuse (2017)

### Evidence that may be required from applicants to accompany planning applications

- A protected species survey.
- A structural survey of the building.

## HS7: Replacement Dwellings in the Countryside

### Policy HS7: Replacement Dwellings in the Countryside

Proposals for replacement dwellings will be supported where they meet all of the following criteria:

- A. The new dwelling is located on the site of, or close to, the existing dwelling to be cleared;
- B. The new dwelling is not materially larger than the existing dwelling;
- C. The new dwelling has satisfactory access arrangements;
- D. The new dwelling is of a design which in terms of scale, mass, materials and architectural detail is sympathetic to the landscape character and local vernacular; and
- E. The new dwelling is sited to preclude retention of the existing dwelling or the applicant is willing to accept a condition to ensure its demolition on completion of the new dwelling.

### Justification

- 5.47** Paragraph 55 of the National Planning Policy Framework (NPPF) seeks to avoid new isolated dwellings in the countryside unless there are special circumstances. The replacement of dwellings in the countryside will be permitted provided the dwelling to be replaced is not derelict or abandoned its residential use or is a listed building. The possibility of the existing building providing a habitat for protected wildlife should also be considered. Countryside is defined as all land outside the development limits of settlements.
- 5.48** In order to protect existing landscape character it is important to control the location, size and design of the new dwelling. The replacement dwelling should be located on the site of, or as near as possible to, the cleared site of the original. Exceptionally more distant locations may be preferable in terms of reducing landscape impact. The replacement dwelling must be either of a smaller size or not be materially larger than the existing dwelling. This would not include any planning permissions or extensions that would be permitted development that have not been implemented.
- 5.49** The area of accommodation in the new dwelling shall not be materially larger than the existing area and in certain instances, where a large conservatory or extension of insubstantial construction has extended the original floor area, this area may be reduced if its replacement is of solid construction that would have greater visual impact than the existing. Where it is appropriate to increase the first floor area in order for the dwelling to better reflect the vernacular, there should be an equivalent reduction in ground floor area. In order to prevent the replacement of modest dwellings in the countryside with overly large houses, it is important that new dwellings should reflect the size of the original dwelling. The replacement dwelling should reflect local distinctiveness. Exceptions to this may be made where an outstanding or innovative design, appropriate to its local context is proposed.
- 5.50** To prevent the possibility of two dwellings being available where permission is granted, a condition or legal agreement will be required to ensure that the existing dwelling is demolished and the site reinstated once the new dwelling is completed.
- 5.51** Where dwellings are replaced, permitted development rights may be withdrawn in order to control further extensions that may impact on the landscape or rural character of the area. An application for a replacement dwelling will be required to provide a reasoned justification for the proposal.

- 5.52** This policy relates to isolated dwellings in the countryside and does not cover replacement dwellings within villages.

### **Further Information**

#### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy HP2: Heritage Assets
- Policy HP3: Local Distinctiveness
- Policy NE4: Landscape Character

## HS8: Extensions to Dwellings

### Policy HS8: Extensions to Dwellings

Extensions to dwellings will be supported provided that all the following requirements are met:

- A. There is no adverse impact on neighbouring residential amenity;
- B. There is no adverse loss of parking or garden/amenity areas;
- C. There is no adverse impact to the character or appearance of the dwelling or the surrounding area; and
- D. In the countryside the extension should not undermine the retention of any occupancy condition.

### Justification

- 5.53** An extension should be designed to be in sympathy with the original building with properly matching materials and architectural components. The size, scale and form of an extension should be compatible with the existing building and its surroundings. To respect privacy, extensions should be designed to avoid overlooking neighbouring windows (unless separated by at least 21 metres) and gardens. The position, height and orientation of an extension should avoid unreasonable obstruction of sunlight and daylight to neighbouring properties. An extension should not result in the loss of residents' and visitors' parking so as to cause a shortfall in meeting the county council's parking standards for housing. An adequate area of private outdoor amenity open space should also remain to provide for normal domestic needs. Further guidance can be found in the House Extensions and Garages Design Guide (2005).
- 5.54** To minimise pressure for the removal of occupancy conditions, permission for extensions to dwellings subject to such conditions will be granted only where the size of the new dwelling would not exceed that which could be justified by the functional requirement for the related enterprise.

## **Further Information**

### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy HP2: Heritage Assets
- Policy HP3: Local Distinctiveness
- Policy HP4: Protecting Amenity

### **Further information/guidance for applicants (see bibliography under Housing for more details)**

- Harrogate Borough Council: House Extensions and Garages Design Guide Supplementary Planning Document (2005)
- Harrogate Borough Council: Heritage Management Guidance Supplementary Planning Document (2014)

### **Evidence that may be required from applicants to accompany a planning application**

- Heritage statement for extensions to historic buildings.

## HS9: Rural Workers Dwelling

### Policy HS9: Rural Workers Dwelling

New isolated dwellings in the countryside intended for occupation by rural workers will not be permitted unless it can be shown that there is an essential need for a rural worker to live permanently at or near their place of work within the countryside. In determining whether such need exists, the local authority will consider whether the following criteria are met:

- A. There is a clearly established existing functional need;
- B. The need relates to a full-time worker, or one who is primarily employed in rural employment and does not relate to a part-time requirement;
- C. The unit and the rural employment activity concerned have been established for at least three years, have been financially sound for at least one of them, are currently financially sound, and have a clear prospect of remaining so;
- D. The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- E. Other planning requirements, e.g. in relation to access, or the impact on the countryside are satisfied.

If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should for the first three years be provided by a temporary dwelling unless exceptional circumstances can be demonstrated.

### Justification

- 5.55** Paragraph 55 of the National Planning Policy Framework (NPPF) states that in order to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances, such as the essential need for a rural worker to live permanently at or near their place of work in the countryside. In-line with the NPPF, where it can be shown that accommodation is required to enable agricultural or forestry workers to live at or within the vicinity of their place of work, new dwellings may be justifiable. A functional test will be necessary in order to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Whether this is essential or not will depend on the needs of the enterprise concerned and not on the personal preferences or circumstances of the applicants. It will also be necessary to establish that the enterprise is capable of being sustained for a reasonable period of time.
- 5.56** New rural workers accommodation should only be permitted where it can be demonstrated that the enterprise is economically viable. A financial test will be required in order to prove this and to provide evidence of the size of the dwelling, which the enterprise can sustain. Rural workers dwellings should be of a size commensurate with the established functional requirement. Dwellings which are unusually large in relation to the rural employment needs of the unit should not be permitted.
- 5.57** Where permission is granted for a rural worker's dwelling it will be necessary to ensure that the dwellings are kept available for meeting this need. As such planning permission should be made subject to an appropriate occupancy condition.

- 5.58** If a new dwelling is essential to support a new farming activity, whether on a newly-created agricultural unit or an established one, it should normally, for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation. If permission for temporary accommodation is granted, permission for a permanent dwelling should not subsequently be given unless the criteria in the policy are met.

## **Further Information**

### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy HP2: Heritage Assets
- Policy HP3: Local Distinctiveness
- Policy NE3: Protecting the Natural Environment
- Policy NE4: Landscape Character

### **Further information/guidance for applicants (see bibliography under Housing for more details)**

- Harrogate Borough Council: Heritage Management Guidance Supplementary Planning Document (2014)
- Harrogate Borough Council: Residential Design Guide (1999)

### **Evidence that may be required from applicants to accompany planning applications**

- Financial test
- Functional test

## HS10: Providing for the Needs of Gypsies and Travellers

### Policy HS10: Providing for the Needs of Gypsies and Travellers

The following sites, as shown on the policies map, are allocated for Gypsy and Traveller use to ensure a deliverable supply of pitches in the first five years of the plan period. They will be developed in accordance with relevant Local Plan policy requirements and the development requirements identified in respect of each site:

Site Ref	Settlement	Site Name	Number of pitches
K40	Knaresborough	Greenacres, Cass Lane	1
K41	Knaresborough	The Paddocks, Cass Lane	1
K42	Knaresborough	Thistle Hill Stables, Thistle Hill	3

Table 5.1 Gypsy and Traveller Site Allocations

Proposals for new sites within years 6 -15 of the plan will be within the following broad locations, as shown on the policies map:

- a. Harrogate Area
- b. Knaresborough Area
- c. Kirk Deighton
- d. Area south of Wighill

Proposals on non-allocated sites should be considered against the most up-to-date needs assessment.

Proposals for new Gypsy and Traveller sites or extensions to existing sites should:

- A. Be located where there would not be a detrimental impact on highway safety or the flow of traffic;
- B. Be of an appropriate size to be able to provide acceptable living conditions and provide for the number of pitches required, access roads, amenity blocks, children's play areas and space for commercial vehicles;
- C. Not materially harm the natural and historic environment including landscape character;
- D. Not result in a significant adverse impact on residential amenity;
- E. Be of a size commensurate to the nearest settled community in rural and semi-rural areas;
- F. Be situated in locations with good access to existing local services, including health services, schools and public transport;
- G. Not be located in areas at risk of flooding;
- H. Not be located within the Green Belt except in very special circumstances.

Planning applications for new sites (not involving the extension of existing sites) will need to include a statement to justify why an existing site cannot be extended and a new site is needed.

Proposals that would involve the loss of authorised Traveller pitches will not be permitted unless new replacement pitches are provided in a suitable location that meet the criteria above.



## Justification

- 5.59** National planning policy, as set out in the Planning Policy for Traveller Sites (PPTS) (2015), requires councils to assess Gypsy, Traveller and Travelling Showpeople's housing needs. Local planning authorities are required to address identified needs through the identification of a supply of specific deliverable sites against locally set targets. The PPTS requires authorities to set criteria that will guide land supply allocations where need is identified, and to guide development management decisions where there is no identified need in case applications come forward or unexpected need arises.
- 5.60** The Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) (2017) provides a robust assessment of current and future need for pitches in the Harrogate district from 2017 to 2032. The PPTS updated the definition of Gypsies and Travellers meaning that those who have ceased to travel permanently will not now fall under the planning definition of a Traveller for the purposes of assessing accommodation need in a GTAA. Only the need from those households who meet the planning definition should be addressed through site allocation. The criteria in this policy will be used to assess applications from those households where the travelling status is unknown.
- 5.61** The gross level of need identified by the GTAA for those households who meet the planning definition of a Gypsy or Traveller is for **11 additional pitches** between 2017 and 2032, however, due to the existing level of pitch vacancies on the two public sites at Thistle Hill, Knaresborough and Bickerton the net need is for **6 additional pitches**.

Years	0-5	6-10	11-15	Total
	2017 - 22	2022 - 27	2027 - 32	
<b>Number of pitches</b>	4	1	1	6

Table 5.2 Provision of pitches

- 5.62** The previous GTAA in 2013 also identified broad locations to guide the identification of specific sites for longer-term need. Criteria for defining the broad locations was developed taking account of national policy, guidance, the results of the needs assessment and identified physical constraints. The broad locations for future residential Gypsy and Traveller sites reflect the existing pattern of sites and the nearest most sustainable settlements, and include land within one mile of the edge of the main urban areas of Harrogate and Knaresborough (including Scriven).
- 5.63** Proposals for new sites on land that is not allocated for Gypsy and Traveller use will need to satisfy the criteria listed in the policy and will be considered against the findings of the GTAA, or evidence of need that can be demonstrated through additional needs analysis. The supply position will be reviewed and updated annually in the Authority Monitoring Report.
- 5.64** The site allocations listed above and shown on the policies map are being removed from the Green Belt and allocated solely for accommodating Gypsy and Traveller needs. This approach is in accordance with paragraphs 16 to 17 of the PPTS, which whilst identifying that Traveller sites within the Green Belt are inappropriate development, suggests that councils can consider exceptional limited alterations to the Green Belt boundary to meet specific needs (which might be to accommodate a site inset within the Green Belt). These sites should only be for meeting the needs of Gypsy and Traveller accommodation. These sites are to be allocated for the following exceptional circumstances:
- Lack of any deliverable alternative site(s)
  - Small number of pitches required

- The sites are privately owned, well established and provide a settled base that enables the families to access education, health, welfare and employment infrastructure
- Certainty that the district pitch requirement can be delivered

**5.65** To ensure that existing Traveller needs continue to be met in perpetuity, existing authorised sites and pitches are protected. Proposals that involve the loss of these sites and pitches will only be permitted if a satisfactory replacement can be provided. This replacement will need to be provided prior to the loss of the existing pitch or site and should meet the same policy criteria identified above relating to a new site.

## **Further Information**

### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Planning Policy for Traveller Sites (PPTS) (2015)
- Policy GS4: Green Belt

### **Further information/guidance for applicants (see bibliography under Housing for more details)**

- Harrogate Borough Council: Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (Opinion Research Services, March 2017)
- Harrogate Borough Council: Gypsy and Traveller Housing Needs Survey, (Peter Brett Associates and Opinion Research Services, 2013)
- Harrogate Borough Council: Gypsy and Traveller Background Paper (2018)
- Harrogate Borough Council: Authority Monitoring Report
- Department of Communities and Local Government: Gypsy and Traveller Accommodation Needs Assessments (2007)

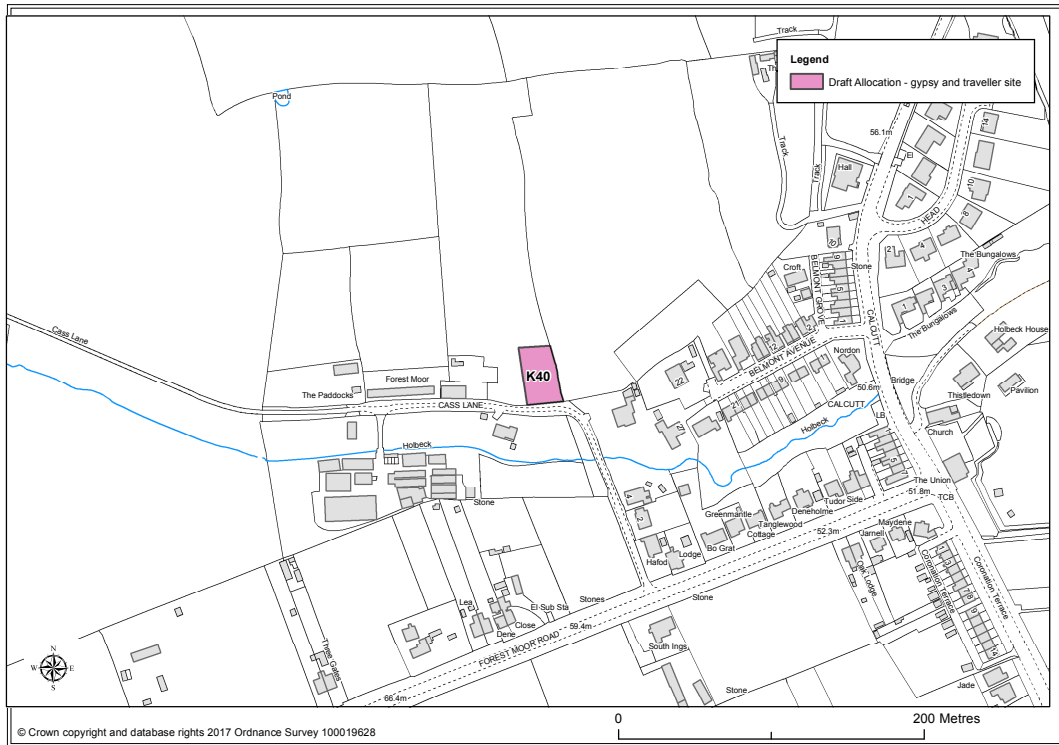
### **Evidence that may be required from applicants to accompany a planning application**

- Statement explaining why existing sites cannot be extended.
- Evidence of need.

Site K40

**K40: Green Acres, Cass Lane, Knaresborough**

<b>Site Ref</b>	<b>K40</b>
<b>Settlement</b>	Knaresborough



Map 5.1 Site K40

<b>Site Name</b>	Green Acres, Cass Lane, Knaresborough
<b>Existing use</b>	Gypsy and Traveller site with Temporary Planning Permission
<b>Proposed use</b>	Permanent Gypsy and Traveller site
<b>Gross site area (ha)</b>	0.0847
<b>Indicative yield</b>	One pitch

Site K40

**K40 Site Requirements**

<b>Site Requirements: K40</b>	
<p>The development of this site should meet the generic site requirements set out at chapter 10 (paragraph 10.11) as well as the following site-specific requirements:</p> <ol style="list-style-type: none"> <li>1. The Green Belt boundary has been amended specifically to accommodate a site for Gypsy and Traveller provision and development of the site should not extend further than the allocated boundary</li> <li>2. The site should contain no more than a single Gypsy and Traveller pitch</li> <li>3. Occupation of the site should be restricted to the existing residents on the site</li> <li>4. The site should purely be used as a residential Gypsy and Traveller pitch and not used for commercial purposes</li> <li>5. In addition to the requirements of the local validation criteria, the following technical reports will be required when a planning application is submitted:</li> </ol>	

**Site Requirements: K40**

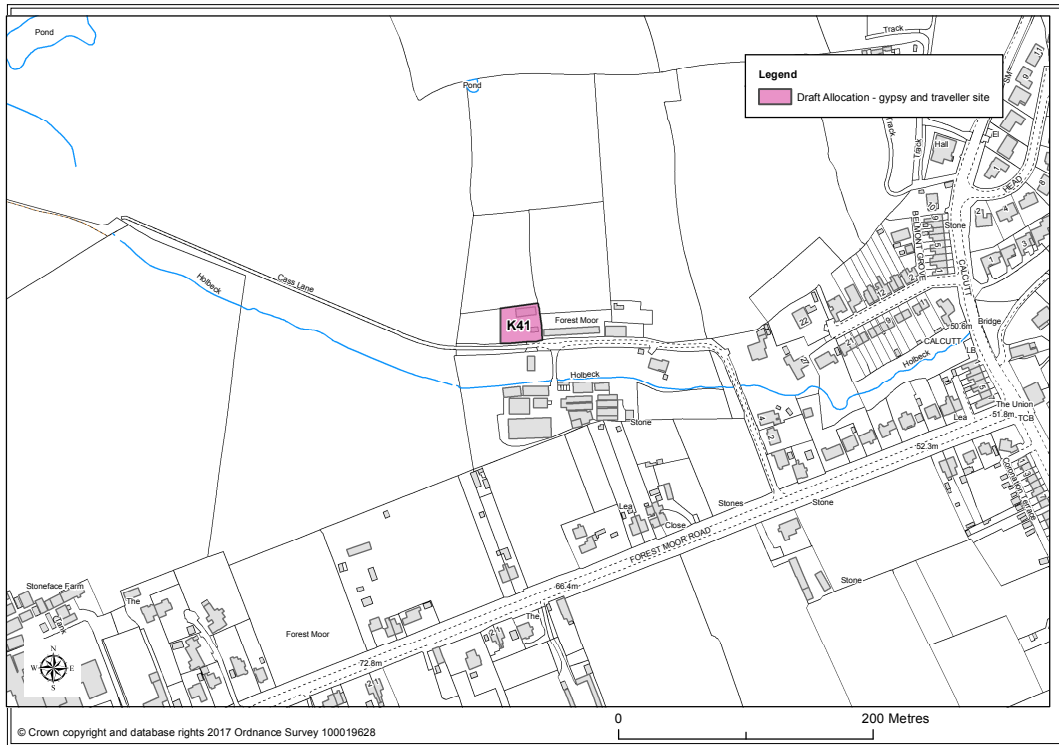
- Flood risk assessment
- Landscape and visual impact assessment

**Table 5.3 Site Requirements: K40**

Site K41

**K41: The Paddocks, Cass Lane, Knaresborough**

<b>Site Ref</b>	<b>K41</b>
<b>Settlement</b>	Knaresborough



Map 5.2 Site K41

<b>Site Name</b>	The Paddocks, Cass Lane, Knaresborough
<b>Existing use</b>	Gypsy and Traveller site with Temporary Planning Permission
<b>Proposed use</b>	Permanent Gypsy and Traveller site
<b>Gross site area (ha)</b>	0.0909
<b>Indicative yield</b>	One pitch

Site K41

**K41 Site Requirements**

<b>Site Requirements</b>
<p>The development of this site should meet the generic site requirements set out at chapter 10 (paragraph 10.11) as well as the following site-specific requirements:</p> <ol style="list-style-type: none"> <li>1. The Green Belt boundary has been amended specifically to accommodate the provision a site for Gypsy and Traveller provision and development of the site should not extend further than the allocated boundary</li> <li>2. The site should contain no more than a single Gypsy and Traveller pitch</li> <li>3. Occupation of the site should be restricted to the existing residents on the site</li> <li>4. The site should purely be used as a residential Gypsy and Traveller pitch and not used for commercial purposes</li> <li>5. In addition to the requirements of the local validation criteria, the following technical reports will be required when a planning application is submitted:</li> </ol>

**Site Requirements**

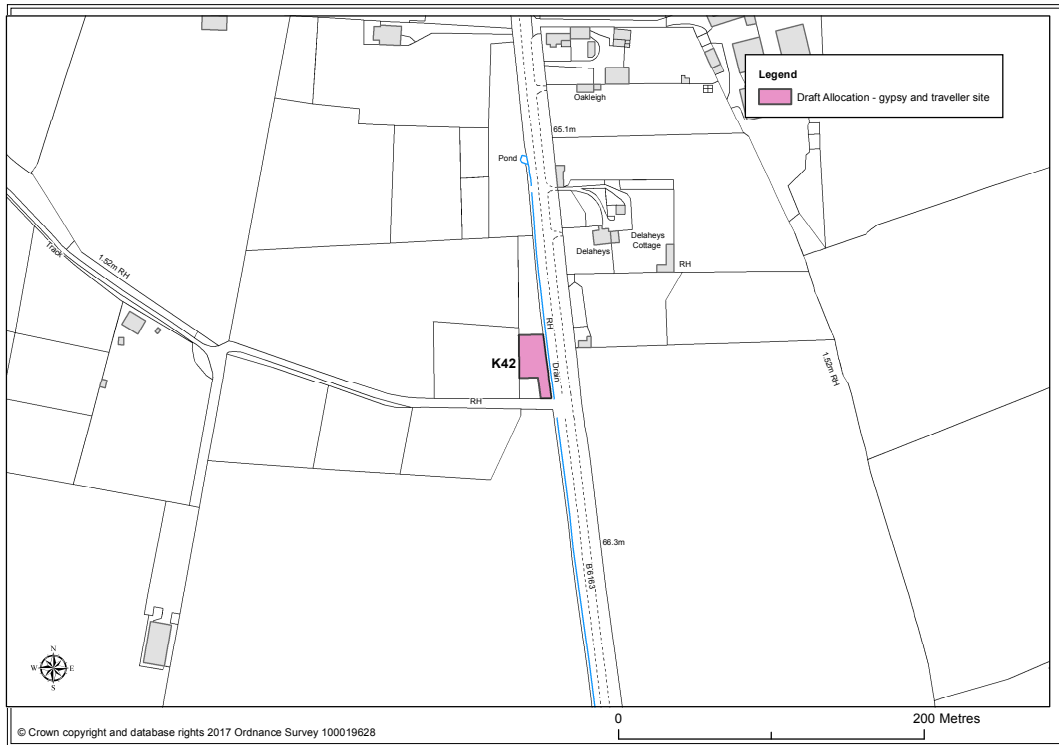
- Site-specific flood risk assessment
- Landscape and visual impact assessment

**Table 5.4 Site Requirements: K41**

Site K42

**K42: Thistle Hill Stables, Knaresborough**

<b>Site Ref</b>	<b>K42</b>
<b>Settlement</b>	Knaresborough



Map 5.3 Site K42

<b>Site Name</b>	Thistle Hill Stables, Knaresborough
<b>Existing use</b>	Gypsy and Traveller site with Temporary Planning Permission
<b>Proposed use</b>	Permanent Gypsy and Traveller site
<b>Gross site area (ha)</b>	0.0590
<b>Indicative yield</b>	Three pitches

Site K42

**K42 Site Requirements**

**Site Requirements: K42**

The development of this site should meet the generic site requirements set out at chapter 10 (paragraph 10.11) as well as the following site-specific requirements:

1. The Green Belt boundary has been amended specifically to accommodate the provision a site for Gypsy and Traveller provision and development of the site should not extend further than the allocated boundary
2. The site should contain no more than three Gypsy and Traveller pitches
3. Occupation of the site should be restricted to the existing residents on the site
4. The site should purely be used as a residential Gypsy and Traveller pitch and not used for commercial purposes
5. In addition to the requirements of the local validation criteria, the following technical reports will be required when a planning application is submitted:

**Site Requirements: K42**

- Flood risk assessment
- Landscape and visual impact assessment

**Table 5.5 Site Requirements: K42**



## Transport and Infrastructure

## 6 Transport and Infrastructure

### Transport and Infrastructure Key Facts

- The Harrogate district has benefited from significant recent investment in broadband infrastructure.
- Only 16.4% of households do not own a car/van compared to 27.6% nationally.
- Large parts of the district do not have access to an at least hourly bus or rail service, however, the majority of rail stations in the district continue to experience growth in passenger numbers.
- Harrogate sees a small level of net in-commuting for work.
- The proportion of the district's residents who cycle to work/school is substantially lower than the proportion nationally.
- Access to services is a significant issue for parts of the district, particularly in the outlying rural areas.
- Harrogate, Knaresborough and Ripon have been identified by North Yorkshire County Council (NYCC) as priority areas to tackle congestion.
- Improvements to the Leeds-Harrogate-York railway have been identified by NYCC as priority.
- Across the local education authority the number of primary schools at or above capacity has increased and whilst this applies to a number of secondary schools in the district, there remains a large number of unused spaces at several secondary schools.

### Safeguarding of Minerals and Waste Infrastructure

- 6.1** North Yorkshire County Council (NYCC) is responsible for minerals and waste planning within Harrogate district. Working with the City of York Council and the North York Moors National Park Authority they are jointly preparing a new Minerals and Waste Local Plan. Once adopted the policies map will indicate safeguarded areas for minerals resources, minerals transport infrastructure and ancillary infrastructure and waste infrastructure. Safeguarding of minerals resources together with minerals and waste infrastructure is necessary to ensure such resources are not sterilised. The purpose of safeguarding is not to prevent other forms of development but to ensure that the presence of the resource or infrastructure is taken into account when other development proposals are being considered.
- 6.2** A number of safeguarded areas are identified in the Harrogate district on the emerging North Yorkshire Minerals and Waste Local Plan policies map. Where non-exempt development is proposed in safeguarded areas, consultation will take place with NYCC before permission is granted.

## T11: Sustainable Transport

### Policy T11: Sustainable Transport

The council will work in partnership with other authorities, transport providers, developers and local groups to promote a sustainable and improved transport system which is safe, reliable, and convenient and will:

- A. Improve road and rail connections both within the district and to the wider area, in particular the improvement of the Leeds-Harrogate-York railway;
- B. Seek reductions in traffic congestion in Harrogate, Knaresborough and Ripon;
- C. Promote improvements to public transport, including the provision of better parking at rail stations and park and ride facilities, the creation of walking and cycling routes, provision of electric vehicle charging points for both cars and bikes, the Harrogate car-share scheme and measures to reduce air pollution;
- D. Ensure development proposals seek to minimise the need to travel and achieve more sustainable travel behaviour by requiring all developments which will generate significant amounts of traffic to be supported by a transport statement or transport assessment and a travel plan;
- E. Locate, as far as possible, the majority of future development so that it is accessible to a station on the Leeds-Harrogate-York railway or within the key bus service corridor;
- F. Improve accessibility in rural areas;
- G. Undertake a Strategic Transport Priorities Study for the district in order to set out the council's priorities for sustainable transport.

### Justification

- 6.3** The National Planning Policy Framework (NPPF) states that local planning authorities should work with other authorities and transport providers to develop strategies for the provision of viable infrastructure necessary to support sustainable development. In paragraph 29 the NPPF sets out the need for the transport system to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel; and the need to make the fullest possible use of public transport, walking and cycling, and to support transport measures that help to reduce greenhouse gas emissions and reduce congestion. Recognition is also given to the fact that this will be achieved differently in rural areas, and the need for road improvements where this will contribute towards sustainable development.
- 6.4** North Yorkshire County Council (NYCC), as the local highway authority, has set out its long term vision for how improved transport in North Yorkshire can contribute towards a thriving economy in its Strategic Transport Prospectus (2015). This document sets out three main strategic transport priorities: improving east-west connectivity, improving access to high-speed and conventional rail, and improving long-distance connectivity to the north and south. In April 2016 it adopted the Local Transport Plan 2016-2046 (LTP4), which sets out a county-wide approach to transport provision. These documents detail a number of key sustainable transport proposals that are particularly relevant to the creation of a sustainable transport system in the Harrogate district, and where the council is working closely with the county council and other stakeholders. These include:

- **Leeds-Harrogate-York Railway:** Delivering improved journey times is proposed as part of the rail franchise agreement, including increased train frequency, modern high quality rolling stock and improvements to customer services. Ultimately the council would like to see the electrification of the line. Double tracking of the single track sections to the east of Knaresborough and signalling improvements are currently under consideration. These improvements will provide the district with a better link to the wider rail network and future HS2 hub stations at Leeds and York. Harrogate Station is also identified as a key station for significant improvement and a development brief is currently being prepared for the site and surrounding area. The need for improved parking and transport interchange at stations along the line is also recognised.
- **A59 Harrogate Relief Road Study:** In parallel with the traffic modelling work the Harrogate Borough Council has undertaken as part of the process of preparing this Local Plan, NYCC has undertaken testing of relief road options to assess whether the local plan housing allocations will influence the choice of potential preferred routes for a possible relief road, which is intended to improve east-west connections, and address urban congestion issues and journey time reliability.
- **Priority areas to tackle traffic congestion:** NYCC has identified Harrogate, Knaresborough and Ripon as priority areas in which to address traffic congestion. In recognition that congestion is an important issue in many of the district's larger settlements, the Local Plan includes an objective to reduce the impacts of transport on the environment and communities, and enable reliable journeys between key centres regionally, nationally and internationally. The council will continue to work with NYCC and other transport providers to identify schemes to reduce existing and future congestion.
- **Sustainable and healthy transport:** A range of measures are being undertaken jointly, including measures to reduce air pollution from transport and encourage walking and cycling. The Harrogate and Knaresborough Cycling Implementation Plan, and its successor documents, will inform the development of the site allocations included under policies DM1, DM2 and DM3 in chapter 10. This work is being undertaken with the Harrogate District Cycle Forum. The Council will also be undertaking a cycle study in Ripon following developer contributions received in association with the planning permission granted for housing at Bellman Walk, Ripon.

**6.5** Paragraphs 32 and 36 of the NPPF identify the important role played by transport assessments or transport statements, and travel plans in assessing and mitigating the negative transport impacts of development and promoting sustainable development. These will be required for all developments which generate significant amounts of traffic and should positively contribute to:

- Encouraging sustainable travel;
- Lessening the traffic generated and its detrimental impacts;
- Reducing carbon emissions and climate impacts;
- Creating accessible, connected, inclusive communities;
- Improving health outcomes and quality of life;
- Improving road safety; and
- Reducing the need for new development to increase existing road capacity and provide new roads.

**6.6** NYCC, as the local highway authority, has set out guidance on a range of transport issues, including advice on transport assessments and travel plans, in a document called Interim Guidance on Transport Issues (2015).

**6.7** There are a number of rail level crossings in the district, some in close proximity to identified development sites. A material increase or significant change in the character of traffic using these crossings can impact on the safety and operation of the level crossings. Where relevant,

transport assessments should consider the potential for such impacts and, if required, identify appropriate mitigation measures. NYCC will advise on when these assessments will be required.

- 6.8** Sustainable transport has been a factor in the development of the Local Plan growth strategy, which is focused around the key public transport corridors. This has been chosen based upon how a number of growth options, consulted upon as part of the Issues and Options Consultation (2015), performed when assessed against the Sustainability Appraisal and land availability. The need for new homes and jobs is being met as far as possible in those settlements which are well related to the key public transport corridors. This includes the key bus corridors and the Leeds-Harrogate-York railway.
- 6.9** Harrogate Borough Council will produce its own Strategic Transport Priorities Study to inform the council's response on transport matters, and will also produce a Sustainable Transport Supplementary Planning Document (SPD).

## Further Information

### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy TI2: Protection of Transport Routes and Sites
- Policy TI3: Parking Provision
- Policy NE1: Air Quality
- Policy NE5: Green and Blue Infrastructure

### Further information/guidance for applicants (see bibliography under Transport and Infrastructure for more details)

- North Yorkshire County Council: Local Transport Plan 2016-2046 (LTP4) (2016)
- North Yorkshire County Council: Strategic Transport Prospectus (2015)
- North Yorkshire County Council: Interim Guidance on Transport Issues (2015)
- Harrogate Borough Council: Transport Background Paper 2018

### Evidence that may be required from applicants to accompany a planning application

- Proposals that generate significant amounts of traffic must be supported by a transport statement or transport assessment and will normally be required to provide a travel plan. An air quality assessment may also be required and should be an integrated part of these assessments.
- A validation certificate relating to this requirement must accompany planning applications, where required, and must be signed by North Yorkshire County Council, as the local highway authority.

## T12: Protection of Transport Sites and Routes

### Policy T12: Protection of Transport Sites and Routes

New sites and routes which have the potential to contribute towards the provision of a sustainable and improved transport system will be safeguarded where there is a reasonable prospect of them accommodating new transport infrastructure before 2035. This will apply when a scheme is:

- A. Included within the investment strategies or plans produced by Highways England, as the strategic highway authority, North Yorkshire County Council, as the local highway authority, or by another body or organisation contributing towards the creation of a sustainable and improved transport system for the district, and for which there is an agreed preferred route or site; or
- B. Along the route of a former railway line; in particular the sections of the Harrogate-Ripon-Northallerton line and the Harrogate to Wetherby line that lie within the Harrogate district (as shown on the policies map); or
- C. A cycle or pedestrian route identified by the local highway authority or the district council and included within an approved plan or strategy.

### Justification

- 6.10** The importance of identifying and protecting sites and routes where there is robust evidence that they could be critical in developing infrastructure to widen transport choice is set out in paragraph 14 of the National Planning Policy Framework (NPPF). Harrogate Borough Council works closely with North Yorkshire County Council (NYCC), as the local highway authority, and Highways England, as the strategic highway authority, in order to integrate development proposals with transport provision and will seek to protect routes or sites required for new transport infrastructure, where this is appropriate.
- 6.11** In response to the need to create a more sustainable transport system by encouraging more trips to be made by walking and cycling, the council gave long-term protection to the routes of former railway lines within the the district in the Harrogate District Local Plan 2001 in order to facilitate their use as cycle paths. In recent years four miles of the former railway between Harrogate and Ripley have been converted into the Nidderdale Greenway, a traffic free path which also links to cycle routes to Starbeck and Knaresborough and forms part of a wider network of cycle paths included in the Harrogate and Knaresborough Cycling Implementation Plan, which has now been updated.
- 6.12** The long-term protection of former strategic rail routes provides options for sustainable transport in the future. NYCC's Strategic Transport Prospectus (2015) provides a long-term vision for how improved transport in North Yorkshire can contribute towards a thriving northern economy. The strategy supports, in principle, proposals for rail re-opening and also identifies the need for a new railway from Leeds to Harrogate and Ripon joining the East Coast Mainline to the north at Northallerton. This policy therefore continues the protection of the Harrogate-Ripon-Northallerton and Harrogate-Wetherby sections of the line within the district for future transport use. Whilst parts of both these former railway lines are currently used as cycle paths it is considered that rail and cycle use could co-exist in the future.

- 6.13** The council is working closely with NYCC and the Harrogate District Cycle Forum to update cycle strategies for the main urban areas in the district. These will include routes for new cycle infrastructure that will be required in association with the development sites allocated under policy DM1: Housing Allocations and DM3: Mixed Use Allocations, linking new developments to existing cycle networks, key services and facilities.

## **Further Information**

### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy DM1: Site Allocations
- Policy DM3: Mixed Use Allocations

### **Further information/guidance for applicants (see bibliography under Transport and Infrastructure for more details)**

- Harrogate Borough Council: Harrogate and Knaresborough Cycling Implementation Plan (2013)
- North Yorkshire County Council: Strategic Transport Prospectus (2015)
- North Yorkshire County Council: Local transport Plan 2016 - 2046 (LTP4) (2016)
- North Yorkshire County Council: A Strategic Transport Prospectus for North Yorkshire (2015)
- Highways England: London to Scotland East Route Strategy (2015)

### **Designations/boundaries shown on the policies map**

- Protection of former railway routes.

## TI3: Parking Provision

### Policy TI3: Parking Provision

Development will be supported where it incorporates appropriately designed vehicle and bicycle parking. To support sustainable transport choices and reduce reliance on the private car the following criteria, where they are relevant to the proposal, should be addressed in determining the level of parking provision proposed:

- A. The need to provide safe, secure and convenient parking at appropriate levels, including parking or storage for cycles, motor cycles and, where relevant, coaches and lorries;
- B. Parking standards for cars, cycles, motorised two wheel vehicles, disabled parking and operational servicing requirements, as prepared by the local highway authority, North Yorkshire County Council;
- C. Policies set out in the North Yorkshire County Council Parking Strategy (and successive strategies);
- D. The location of the site within an area covered by an Area Travel Plan;
- E. The need to make provision for car club and car share parking spaces;
- F. Means to encourage the use of low emission vehicles as part of the proposal, including the ability to provide electric vehicle charging points.

### Justification

- 6.14** Paragraph 29 of the National Planning Policy Framework (NPPF) identifies that the transport system needs to be balanced in favour of sustainable transport modes in order to give people a real choice about how they travel. The NPPF also supports transport measures that help to reduce greenhouse gas emissions and reduce congestion. In recognition that congestion is an important issue in many of the district's larger settlements, the Local Plan includes a draft objective to reduce existing congestion. As the availability of parking spaces has an influence on how people choose to travel, the provision of parking in connection with new development can help to minimise car use in order to help achieve these aims.
- 6.15** The 2011 census shows that car ownership in the Harrogate district is higher than the national average, with 84% of households owning a car or van compared to the national average of 74%. The higher level of ownership is reflected in a higher proportion of residents driving to work in a private car or van, 57.8% in the district compared to 54% nationally.

### Parking Guidance and Parking Standards

- 6.16** The NPPF identifies a number of issues to consider when setting local parking standards for residential and non-residential development:
- The accessibility of the development;
  - The type, mix and use of development;
  - The availability of and opportunities for public transport;
  - Local car ownership levels;
  - An overall need to reduce the use of high-emission vehicles.



- 6.17** Provision for cyclists, sustainable travel measures (such as car clubs and the provision of car share spaces), accessibility to public transport, and availability of public parking all have a bearing on the level of parking to be provided as part of development proposals. The amenity value and character of an area, particularly where heritage assets or areas of high landscape value are affected, must also be considered when determining the level of parking appropriate in relation to a development proposal. To this end, where opportunities exist, the use of shared parking provision should be investigated. The local highway authority, North Yorkshire County Council (NYCC), has set out guidance on a range of transport issues, including the parking standards to be applied across the Harrogate district, in a document called Interim Guidance on Transport Issues (2015).

### **North Yorkshire County Council Parking Strategy**

- 6.18** While Harrogate Borough Council is responsible for off street car parks under the council's control, NYCC is responsible for on-street parking throughout the district. The North Yorkshire County Council Parking Strategy (2011) relates to all aspects of parking under the control of the county council. In the longer-term, it is the county council's hope to work with partners to develop a new strategy covering both on and off-street parking.
- 6.19** The strategy should be read in the context of the county council's Local Transport Plan 2016-2046 (LTP4) (2016), which sets out the wider transport strategy for the county. The plan recognises the importance of managing on-street parking provision because of the potential for major impacts on the transport network. It identifies that appropriate management can deliver a range of benefits, including reducing traffic congestion, improving localised air quality, road safety and access to public transport, and improving parking and servicing of businesses.

### **Area Travel Plans**

- 6.20** Travel plans are long-term management strategies that seek to deliver sustainable transport objectives in relation to a particular organisation or development site through specified actions. Area travel plans cover a set of sites in a particular geographical area where the sharing of resources and ideas for developing and implementing travel plans can lead to greater success for each party in achieving sustainable transport objectives. Organisations in the area still develop their own travel plans but there is usually also a shared travel plan for the whole area. Area travel plans could be developed for key business and visitor destinations in Harrogate.

### **Provision of Electric Vehicle (EV) Charging Points**

- 6.21** The use of ultra-low emission vehicles, such as electric, plug-in hybrid and hydrogen powered cars and vans, will help to cut greenhouse gas emissions and air pollution on the district's roads. The government is supporting the greater use of these vehicles through, for example, the Office for Low Emission Vehicles (OLEV) and the Plugged-in-Places programme, and it is expected that usage will increase significantly over the life of the Local Plan. To help realise this ambition, the government intend to set out a framework for the development of a recharging network for electric and plug-in hybrid vehicles. In order to encourage the wider use of these ultra-low emission vehicles locally, the council will support the provision of vehicle charging points as part of development proposals. The satisfactory location and design of such infrastructure will be an important consideration.

### **Car Clubs and Car Share Parking Spaces**

- 6.22** Car clubs involve the provision of cars parked in reserved spaces in accessible locations for the use of club members who book to use a car for a particular period of time. Such schemes have been operating in several cities across the UK for a number of years. City Car Club offer such a service in both Leeds and York. The development of car clubs in the district's

larger settlements, in particular Harrogate, is a possible sustainable transport measure that could be investigated further. If car clubs are set up it will be important that reserved parking spaces are provided in locations that encourage people to join the clubs.

- 6.23** Car share schemes contribute to reducing congestion and emissions from transport by encouraging people who make similar journeys in separate cars to travel together in a single vehicle. The availability and convenient siting of parking spaces designated for use only by car share users is an important incentive that encourages people to join the schemes. As a result, the council encourages the provision of car share only parking spaces where these do not have a substantial negative effect on the overall provision of parking. In assessing proposals it will be recognised that the use of car share schemes will lower the demand for the remaining parking spaces.

### **Park and Ride**

- 6.24** The local highway authority, NYCC, has not identified a need to protect any site for a park and ride scheme during the period covered by the Local Plan. However, they have indicated that should proposals for park and ride come forward as part of other development proposals they will be considered on their merits. Opportunities for park and rail will be supported where they meet the requirement of other relevant Local Plan policies.

## **Further Information**

### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)

### **Further guidance for applicants (see bibliography under Transport and Infrastructure for more details)**

- North Yorkshire County Council: Local Transport Plan 2016-2046 (LTP4) (2016)
- North Yorkshire County Council: Parking Strategy (2011)
- North Yorkshire County Council: Interim Guidance on Transport Issues (2015)

### **Evidence that may be required from applicants to accompany a planning application**

- Travel plan
- Transport assessment

## TI4: Delivery of New Infrastructure

### Policy TI4: Delivery of New Infrastructure

In order to deliver sustainable development, the council will work with infrastructure and service providers and developers to deliver infrastructure and services to support existing and future development across the district.

Depending on the nature and scale of development proposed, and subject to viability, developers will be expected to make reasonable on-site provision and/or off-site provision and/or contributions towards infrastructure and services in order to cater for the needs generated by development.

Proposals involving the delivery of new or improved infrastructure or services, either on its own or in combination with other development, will be supported provided that it can be demonstrated that they are necessary to support new development and/or to rectify existing evidenced deficiencies in infrastructure or service provision:

- A. To cause minimal disruption to existing infrastructure and service provision for residents and businesses development may need to be phased;
- B. Where new infrastructure is needed to support development, the infrastructure must be operational no later than the appropriate phase of development for which it is needed;

### Justification

**6.25** The Local Plan seeks to deliver the infrastructure necessary to support the council's strategy for growth, making the most of opportunities to improve green infrastructure, exploit opportunities for the use of sustainable transport modes and increase the vitality and viability of the district's main urban areas. New development should be fully integrated with existing settlements and deliver adequate infrastructure and services to support itself. Where new development generates a need for new physical or social infrastructure, it is reasonable to expect the developer to provide, or contribute towards, these facilities so as not to place an undue burden on existing infrastructure. Examples of the types of infrastructure and services that will commonly be required to support development in the district are:

- highway and transport infrastructure, including public transport improvements, walking and cycling facilities;
- water supply, sewerage and waste water treatment facilities;
- waste disposal and recycling facilities;
- flood protection measures including sustainable drainage systems;
- gas and electricity supply;
- communications infrastructure, including telecommunications and high speed broadband;
- health care services and facilities;
- schools and other services and facilities for children and young adults;
- community facilities;
- facilities for disabled people;
- community safety and crime prevention measures;
- public open space, sports and recreation facilities;
- appropriate hard and soft landscape infrastructure; and
- habitat creation.

**6.26** This should not be seen as a definitive list. The requirements for each development will vary considerably and should be determined in consultation with infrastructure and service providers, and the local community.

- 6.27** The second part of the policy seeks to ensure that new infrastructure and services are necessary, delivered either in advance or alongside the development they are intended to support, cause minimal disruption to existing services, and are appropriately located and designed. The Infrastructure Capacity Study identifies the infrastructure and services required to support the level of planned growth in the district and is prepared in consultation with infrastructure and service providers. The purpose of this document is to:
- assess the existing quality and capacity of the district's infrastructure;
  - inform the council's selection of a preferred development strategy for the district;
  - determine what infrastructure is required to support the council's selected growth strategy and preferred development allocations - setting this information out in a delivery plan;
  - identify the priorities for investment and the bodies responsible for delivering the infrastructure required; and
  - provide the evidence needed to support funding bids for identified infrastructure projects.
- 6.28** The Infrastructure Capacity Study, including the associated delivery plan, can be viewed on the council's website. The council will review this document on a regular basis to ensure that it provides the most up-to-date picture of the infrastructure needs of the district and to monitor progress in the delivery of infrastructure. Should issues arise with the delivery of strategic infrastructure required to enable growth, the council will seek to work actively with developers and infrastructure providers to resolve the issue.
- 6.29** Planning obligations can be required by a local planning authority in order to make an otherwise unacceptable development proposal acceptable in planning terms, where the use of planning conditions would not suffice. Planning obligations are private agreements negotiated with the developer or landowner (Section 106 Agreements), or can alternatively be secured through a unilateral undertaking by the developer or landowner. Planning obligations are required to offset the direct physical, social or environmental impacts of development and/or to ensure that the essential needs of new residents/workers resulting from development are catered for.
- 6.30** The 2010 Community Infrastructure Levy (CIL) Regulations placed into law the tests that planning obligations are:
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.
- 6.31** The council will expect developers to provide for and/or contribute towards the provision of community and other infrastructure needs generated directly by their development where this is necessary to make a scheme acceptable in planning terms.
- 6.32** The council recognises that on some sites there may be particular site-specific circumstances that reduce the economic viability of development. In line with the statutory test, planning obligations towards infrastructure provision will only be sought by the council in order to make a development acceptable in planning terms, and without such provision a development could therefore be deemed unacceptable. In such cases the applicant must provide evidence to demonstrate that the viability of development would be jeopardised by the imposition of a planning obligation, and a robust planning case as to why the development should be permitted even with a reduction in, or absence of, the infrastructure sought by the obligation.
- 6.33** The 2010 CIL Regulations allow local planning authorities to introduce a tariff based approach to funding infrastructure. Under a CIL charges will be applicable to most forms of development, not just housing, with the level of the charge dependent on the scale and type of development. The CIL differs from planning obligations in that it widens the net for attracting contributions towards infrastructure provision and breaks the direct link between a development and the infrastructure provided. This allows authorities to pool funds and manage their investment

in infrastructure strategically, funding a wide range of local and sub regional infrastructure priorities identified through the infrastructure planning process. The CIL is not intended to replace mainstream funding programmes for infrastructure but simply to augment available funds to ensure the timely delivery of necessary works.

- 6.34** The Council is progressing the Community Infrastructure Levy and has submitted the Draft Charging Schedule for examination in August 2019. The schedule and the CIL Viability Assessment can be found on the Council's website.

## Further Information

### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy HP3: Local Distinctiveness
- Policy HP7: New Sports, Open Space and Recreation Development
- Policy NE5: Green and Blue Infrastructure
- Policy NE7: Trees and Woodland
- Department for Transport Circular 02/2013: The Strategic Road Network and the Delivery of Sustainable Development.

### Further information/guidance for applicants (see bibliography under Transport and Infrastructure for more details)

- Harrogate Borough Council: Draft Provision for Open Space in Connection with New Housing Development Supplementary Planning Document (2016)
- Harrogate Borough Council: Provision for Village Halls in Connection with New Housing Development Supplementary Planning Document (2015)
- Harrogate Borough Council: Harrogate District Infrastructure Capacity Study - Stage 2, O'Neill's (2016)
- Harrogate Borough Council: Guidance on Developer Contributions to Education Facilities (2016)
- Harrogate Borough Council: Community Infrastructure Levy (CIL) web page
- The Community Infrastructure Levy (CIL) Regulations 2010
- Code of best practice on mobile network development in England
- Department of Communities and Local Government (DCLG): Fixing our Broken Housing Market (2017) (Housing White Paper)
- A New Approach to Developer Contributions: A Report by the CIL Review Team, Submitted October 2016 (2017)
- Harrogate Borough Council : Harrogate District Local Plan Infrastructure Delivery Plan 2018

### Evidence that may be required from applicants to accompany a planning application

- Pre-application consultation with infrastructure and service providers.
- Economic viability assessment.

## T15: Telecommunications

### Policy T15: Telecommunications

The expansion of communications infrastructure, including full Fibre to the Premises broadband and mobile connectivity will be supported. This will be achieved by:

- A. Requiring new communication infrastructure to use existing communication masts and structures unless it can be demonstrated that mast or site sharing is not feasible and either:
  - i. Communication infrastructure is proposed on a building and the siting, scale and design of the apparatus does not have a significant adverse impact on the external appearance of the building; or
  - ii. It can be demonstrated that the communication infrastructure cannot be sited on an existing building or other appropriate structure and the proposal does not have a significant adverse impact on the character or appearance of the surrounding area.
- B. Ensuring the location and design of proposals avoid harm to sensitive areas or buildings/structures and accord with Local Plan policies HP2: Heritage Assets, NE3: Protecting the Natural Environment and NE4: Landscape Character.
- C. Ensuring that where communication infrastructure has become redundant, due to rationalisation of the industry or advances in technology, the particular infrastructure will be removed and the site either landscaped or returned to its previous condition.

#### Broadband Access in New Developments:

- D. Requiring all new employment and housing development to enable Fibre to the Premises (FTTP) broadband infrastructure capable of Next Generation Access speeds. Where it can be demonstrated that the provision of FTTP is not viable, proposals should:
  - i. Provide a download connection that meets the minimum ambition of the Digital Communications Infrastructure Strategy and the European Digital Agenda (currently 30 Mbps); and
  - ii. Should seek to incorporate suitable delivery of FTTP broadband at a future date i.e. laying ducting capable of carrying fibre cables from multiple providers.

### Justification

- 6.35** The National Planning Policy Framework (NPPF) emphasises that advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services. The expansion of telecommunication infrastructure across the Harrogate district will be supported, particularly in areas where mobile and broadband connectivity is poor or non-existent.

### Mobile Telephony

- 6.36** There is likely to be a need to establish new mobile telecommunications infrastructure within the Harrogate district and this policy seeks to ensure that new infrastructure makes use of existing sites and structures, wherever possible. Any applications for new telecommunications infrastructure will be expected to demonstrate the need for their location if this is not the case.

## Broadband Access

- 6.37** Access to broadband is a vital component of infrastructure in today's world. It is key to growing a sustainable local economy, vital for education and home working and increasingly a central part of community cohesion and resilience, particularly in rural areas. Broadband connectivity across the plan area varies considerably. The Digital Communications Infrastructure Strategy initial target was to ensure that by 2017 superfast coverage reached 95% of premises in the UK. The current stated strategy ambition is that ultrafast broadband of at least 100Mbps should become available to nearly all UK premises. In addition the European Commission, through the Digital Agenda for Europe, anticipates 100% coverage of 30 Mbps broadband or more by 2020 and that over 50% of households will have a subscription to broadband connection in excess of 100Mbps. Therefore the definition of Next Generation Access used within this policy is a broadband service that provides a download speed in excess of 30 Mbps and with the capability to meet future targets of speeds in excess of 100Mbps, as detailed in the digital Agenda for Europe.<sup>(19)</sup>
- 6.38** Occupiers of new residential or commercial premises now often expect a high quality broadband connection as a utility similar to the provision of electricity or water. Applicants are required to actively demonstrate that they have considered the broadband and digital requirements of the development, and the resulting level of connectivity required within their proposals.
- 6.39** The NPPF advises that local planning authorities should aim to keep the numbers of radio and telecommunications masts and sites for such installations to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used, unless the need for a new site has been justified. Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.
- 6.40** The council is committed to ensuring the location and design of proposals avoid harm to sensitive areas or buildings and other structures and accord with Local Plan policies HP2: Heritage Assets, NE3: Protecting the Natural Environment and NE4: Landscape Character. The council will oppose telecommunication installations that would be unduly visually obtrusive in either the street scene or the wider landscape and would detract from amenity (including that of local residents), unless it can be demonstrated that there is an overriding need and technical constraints prevent a more favourable proposal being chosen, such as no existing facilities are available and applicants have considered the need to include additional structural capacity to take account of the growing demands for network development, including that of other operators.
- 6.41** Where a proposal would be classed as major development, applicants should engage with communication providers and local broadband projects as appropriate to identify where the development may contribute and integrate with existing initiatives.
- 6.42** Agreement in February 2016 between the Department for Culture, Media and Sport, the Home Builders Federation and Openreach have outlined a process for the delivery of Next Generation Access broadband on new residential development, which should be considered.
- 6.43** Access to free public wireless broadband supports the vitality of town and village centres for residents, visitors and businesses. Opportunities to add to the visitor experience by extending existing, or creating new, public wireless broadband networks will be supported provided the infrastructure meets the requirements of this policy.

19 See the European Commission's website for further information.

## **Further Information**

### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy HP2: Heritage Assets
- Policy NE3: Protecting the Natural Environment
- Policy NE4: Landscape Character

### **Further information/guidance for applicants (see bibliography under Transport and Infrastructure for more details)**

- Cabinet Siting and Pole Siting Code of Practice (2016)
- Code of best practice on mobile network development in England
- New build homes: superfast broadband connectivity options
- Harrogate Borough Council : Broadband Guidance for Developers

### **Evidence that may be required from applicants to accompany a planning application**

- Justification for not locating new telecommunications infrastructure using existing sites or structures.



## T16: Provision of Educational Facilities

### Policy T16: Provision of Educational Facilities

The sites shown at table 6.1 and on the policies map are allocated for educational uses. They will be developed in accordance with relevant Local Plan policy requirements and the development requirements identified in respect of each site.

Site ref	Settlement	Name
B22	Boroughbridge	Educational facilities for Boroughbridge High School
NS7	North Stainley	Educational facilities at North Stainley
PN20	Pannal	Educational facilities for Pannal Primary School

Table 6.1 Educational Facilities Allocations

### Justification

- 6.44** National planning policy, as set out in the National Planning Policy Framework (NPPF), requires great weight to be given to the need to create, expand or alter schools to meet the needs of existing and proposed communities.
- 6.45** In identifying where there needs to be new infrastructure investment to support the level of growth proposed in the Local Plan the council has worked with the education authority, North Yorkshire County Council, in order to understand where, across the district, there is likely to be a need to augment existing provision.
- 6.46** For a number of the larger urban extensions and the new settlement there will be a need to provide new schools to meet the needs of the proposed development, which will be met through the development of new facilities on these sites. Where required, these are identified in the site requirements for each allocated site (see Chapter 10: Delivery and Monitoring). In other cases there is a need for developer contributions to be made in order to facilitate additional classrooms at existing schools. This is often a contribution to primary school provision, but there may also be cases where a contribution to secondary school provision is also required.
- 6.47** There are a small number of cases where the education authority has identified a need to provide additional classroom facilities to meet the growth proposed in the Local Plan, but where the existing school site is constrained such that it is not possible to accommodate additional classrooms. For these reasons, sites to expand existing educational facilities at Boroughbridge High School (provision of new playing fields) and Pannal Primary School are required. In the case of North Stainley, a site for the relocation of the primary school is required.

## **Further Information**

### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Practice Guidance (NPPG)

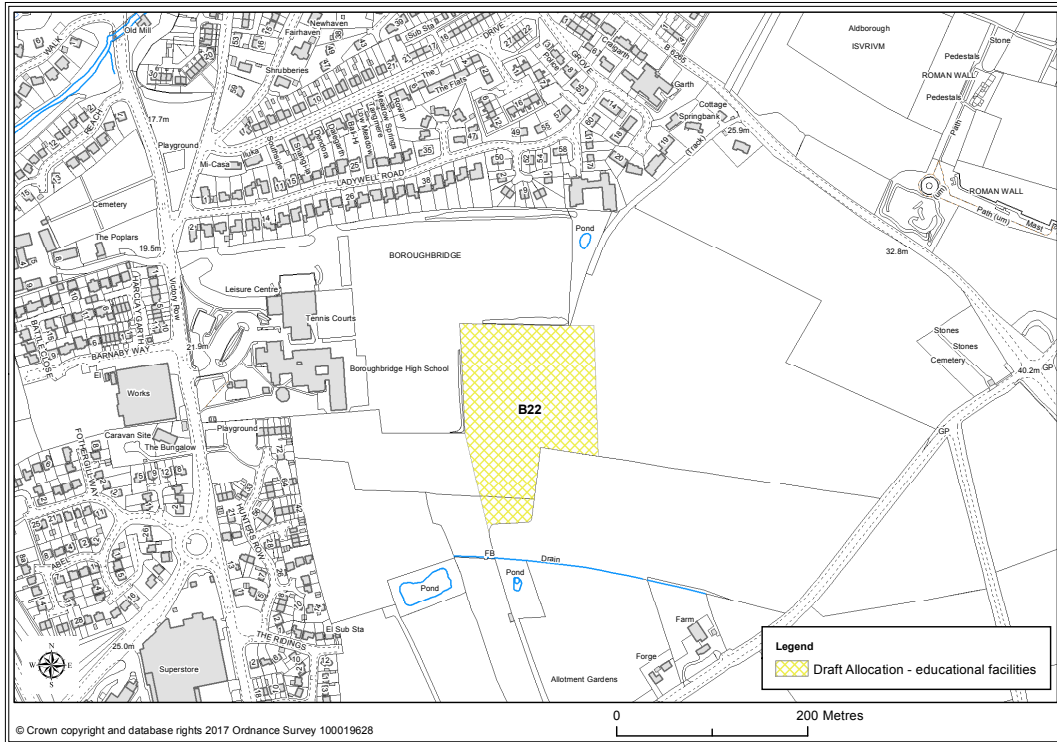
### **Designations/boundaries shown on the policies map**

- Educational facilities allocations

Site B22

**B22: Educational facilities at Boroughbridge High School**

<b>Site Ref</b>	<b>B22</b>
<b>Settlement</b>	Boroughbridge



Map 6.1 Site B22

<b>Site Name</b>	Educational facilities at Boroughbridge High School
<b>Existing use</b>	Agricultural
<b>Proposed use</b>	Replacement playing fields to allow for the expansion of the existing High School onto the existing playing fields
<b>Gross site area (ha)</b>	2.3052

Site B22

## B22 Site Requirements

### B22 Site Requirements

The development of this site should meet the following requirements:

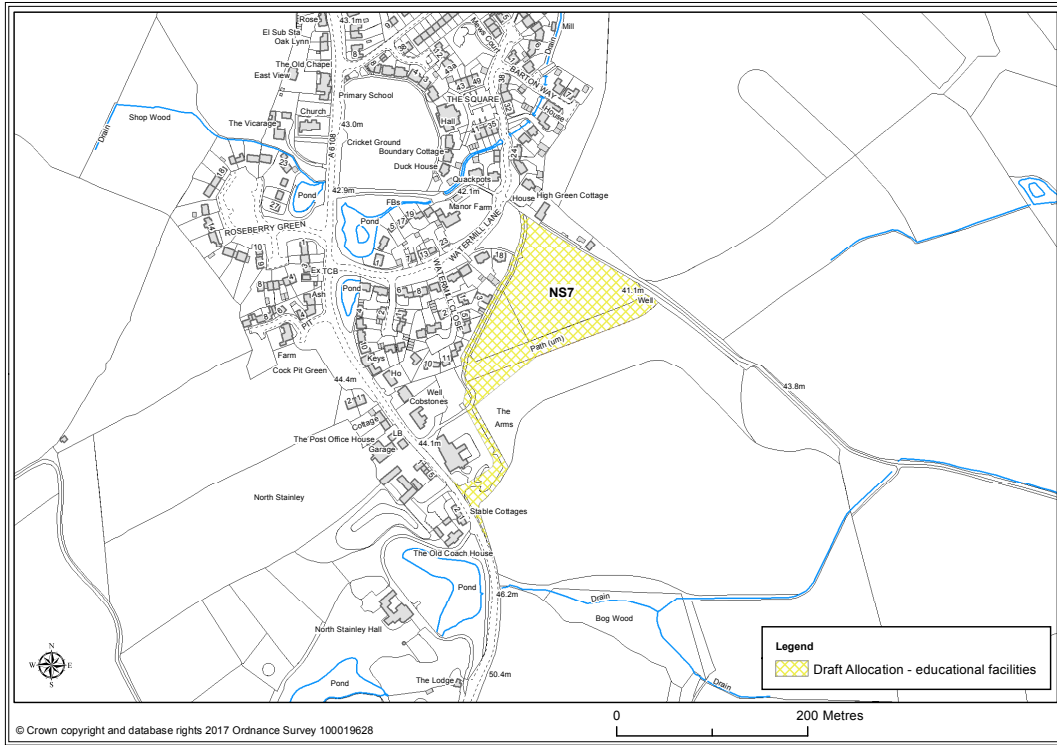
1. In addition to the requirements of the local validation criteria, the following technical reports will be required when a planning application is submitted:
  - Preliminary ecological appraisal
  - Site-specific flood risk assessment
  - Transport statement/assessment
  - Travel plan
  - Landscape and visual impact assessment
  - Heritage statement including an archaeological assessment
  - An agricultural land classification survey may be required in accordance with policy NE8: Protection of Agricultural Land

Table 6.2 B22 Site Requirements

**Site NS7**

**NS7: Educational facilities at North Stainley**

<b>Site Ref</b>	<b>NS7</b>
<b>Settlement</b>	<b>North Stainley</b>



**Map 6.2 Site NS7**

<b>Site Name</b>	Educational facilities at North Stainley
<b>Existing use</b>	Agricultural
<b>Proposed use</b>	New school and associated facilities
<b>Gross site area (ha)</b>	2.0073

Site NS7

## NS7 Site Requirements

### NS7 Site Requirements

The development of this site should meet the following requirements:

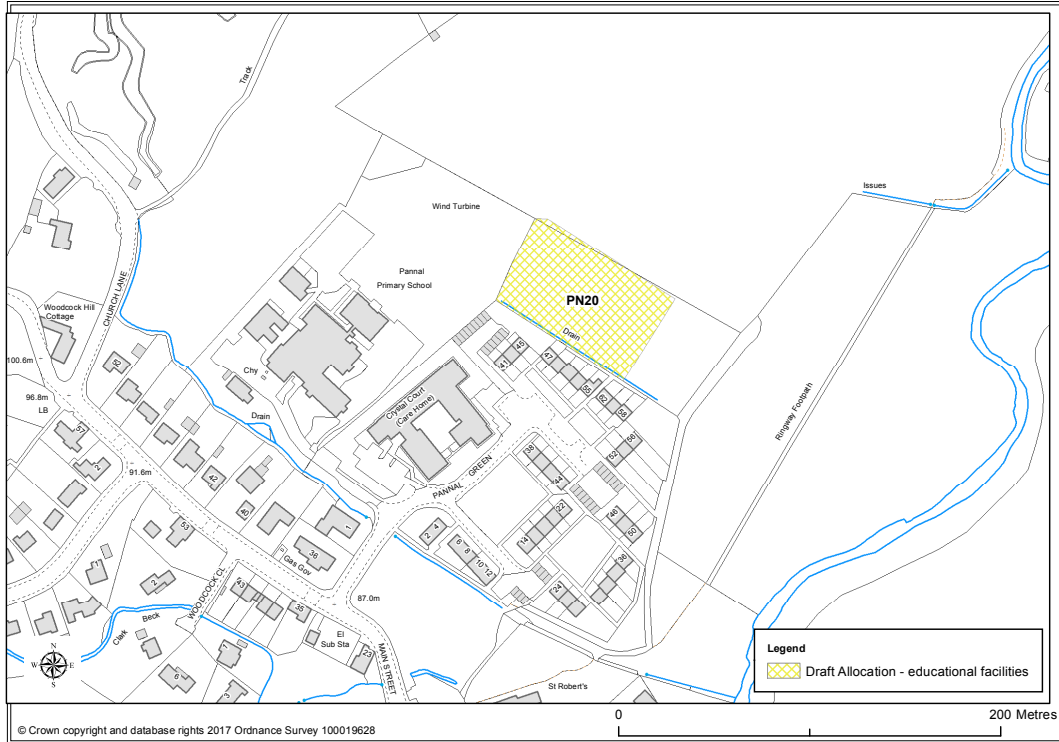
1. In addition to the requirements of the local validation criteria, the following technical reports will be required when a planning application is submitted:
  - Preliminary ecological appraisal
  - Site-specific flood risk assessment that includes specific and full regard to potential surface water issues.
  - Transport statement/assessment
  - Travel plan
  - Landscape and visual impact assessment
  - Heritage statement

Table 6.3 NS7 Site Requirements

Site PN20

**PN20: Educational facilities at Pannal Primary School**

<b>Site Ref</b>	<b>PN20</b>
<b>Settlement</b>	Pannal



<b>Site Name</b>	Educational facilities at Pannal Primary School
<b>Existing use</b>	Agricultural
<b>Proposed use</b>	To allow for the expansion of the existing primary school
<b>Gross site area (ha)</b>	0.401

Site PN20

## PN20 Site Requirements

### PN20 Site Requirements

The development of this site should meet the following requirements:

1. In addition to the requirements of the local validation criteria, the following technical reports will be required when a planning application is submitted:
  - Preliminary ecological appraisal
  - Site-specific flood risk assessment
  - Transport statement/assessment
  - Travel plan
  - Landscape and visual impact assessment
  - Heritage statement

Table 6.4 PN20 Site Requirements



## Climate Change

## 7 Climate Change

### Climate Change Key Facts

- The Harrogate district contains 43 river water bodies totally 907.23 km in length.
- The rivers Swale, Ure and Ouse flow southward through the Vale of York; the River Wharfe flows along the southern boundary of the district.
- Of those water bodies at risk from hazardous substances (163.74km), only 39.23% pass the chemical classification test.
- Areas in the district particularly at risk of flooding include parts of Ripon, Knaresborough, Boroughbridge, Pateley Bridge and Masham, however, only 6.6% of the district lies within Flood Zone 3.
- In 2015 the total per capita carbon dioxide (CO<sub>2</sub>) emissions for the district was 6.2 tonnes.<sup>(20)</sup> This is higher than the regional (5.1t) and English averages (4.8t), but lower than the North Yorkshire average (7.3t) (DBEIS, 2017).
- CO<sub>2</sub> emissions in the district by sector were: industrial and commercial 38.2%, domestic 32.7%, transport 29% (DBEIS, 2017). These are similar to the national trend.
- For many years the average domestic gas and electricity consumption in the district have both been above the regional and national averages (DECC, 2015).
- The Climate Change Act (2008) sets a framework to deliver an 80% reduction in greenhouse gas emissions below 1990 levels by 2050, while the council's Carbon Reduction Strategy (2018) identifies a target to reduce CO<sub>2</sub> emissions locally by 57% by 2030, in line with the UK Carbon Budget
- Over the last 10 years the district's CO<sub>2</sub> emissions have decreased by 20.7%, however, Yorkshire and the Humber has seen a 26.8% reduction and England a 28% fall (DBEIS, 2017).

20 These are emissions within the scope of influence of Local Authorities. They exclude emissions that Local Authorities don't have direct influence over: motorways; EU emissions trading system sites; diesel railways; land use, land use change, and forestry

## CC1: Flood Risk and Sustainable Development

### Policy CC1: Flood Risk and Sustainable Drainage

Development proposals will not be permitted where they would have an adverse effect on watercourses or increase the risk of flooding elsewhere.

Development will only be permitted where it has an acceptably low risk of being affected by flooding when assessed through sequential testing against the most up-to-date Environment Agency flood risk maps and the Harrogate District Level 1 Strategic Flood Risk Assessment (SFRA) maps. Development layout within the site should be subject to the sequential approach, with the highest vulnerability development located in areas at lowest flood risk within the site.

Proposals within Flood Zone 3a(i) will be assessed in accordance with national policies relating to Flood Zone 3a but with all of the following additional restrictions:

- A. No new highly vulnerable or more vulnerable uses will be permitted;
- B. Less vulnerable uses may only be permitted provided that the sequential test has been passed;
- C. Where extensions are linked operationally to an existing business or, where redevelopment of a site provides buildings with the same or a smaller footprint;
- D. All proposals will be expected to include flood mitigation measures to be identified through a site specific Flood Risk Assessment including consideration of the creation of additional sustainable flood storage areas;
- E. Development will not be permitted on any part of the site identified through a site specific Flood Risk Assessment as performing a functional floodplain role.

Where required by national guidance, proposals for development should be accompanied by a site-specific flood risk assessment (FRA). The FRA should demonstrate that the development will be safe, including access, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

All development will be required to ensure that there is no increase in surface water flow rate run off. Priority should be given to incorporating sustainable drainage systems (SuDS) to manage surface water drainage, unless it is proven that SuDS are not appropriate. Where SuDS are provided arrangements must be put in place for their whole life management and maintenance.

Proposals involving building over existing culverts or the culverting or canalisation of water courses will not be permitted unless it can be demonstrated to be in the interests of public safety or to provide essential infrastructure, and that there will be no detrimental effect on flood risk and biodiversity. Where feasible, development proposals should incorporate re-opening of culverts, modification of canalised water courses and consideration of mitigation measures to achieve a more natural and maintainable state.

In partnership with the Environment Agency and the lead local flood authority, the council will seek opportunities from new development to reduce the causes and impacts of flooding. Development should ensure that land which is needed for flood risk management purposes (as identified in Defra's<sup>(21)</sup> programme of flood and coastal risk management schemes and other Environment Agency or lead flood authority documents) is safeguarded.

## Justification

- 7.1** Flooding is a natural process influenced by natural elements such as rainfall, geology, topography and man-made interventions, such as flood defences, roads, buildings, farming methods and other infrastructure. The National Planning Policy Framework (NPPF) seeks to avoid the risk of flooding, where possible. Where it is not possible, development should be directed to areas with the lowest level of flood risk using the sequential test. Having exhausted all opportunities to direct development away from areas of flood risk, the vulnerability of the proposed use must be considered along with possible mitigation measures using the exception test. This approach is known as the risk based sequential approach.
- 7.2** With regard to flooding from rivers, the NPPF categorises zones of flood risk (1,2,3a and 3b) and states that the overall aim should be to steer new development to Flood Zone 1 (low risk). The Environment Agency defines flood zones on the basis of their annual probability of flooding without the presence of any defences. The advice within the NPPF explains in detail how these zones are classified.
- 7.3** The advice within the NPPF makes clear that planning applications for development proposals of 1 hectare or greater located in Flood Zone 1, and all proposals for new development in Flood Zones 2 and 3, should be accompanied by a flood risk assessment (FRA). The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. For major developments in Flood Zone 1, the FRA should identify opportunities to reduce the probability and consequences of flooding. The FRA should include an assessment of groundwater or fluvial flooding and seek a betterment in the runoff and, thereby, flood risk; thereby reducing the risk of flooding downstream. An FRA will also be required where the proposed development or change of use to a more vulnerable use may be subject to other sources of flooding (see guidance within the NPPF), or where the Environment Agency, internal drainage board and/or other bodies have indicated that there may be drainage problems.
- 7.4** Proposals for development that require an FRA will need to submit the assessment before the application can be validated.
- 7.5** The risk of flooding from rivers, surface water, sewers, groundwater, canals and reservoirs within the district has been explored within the Harrogate District Level 1 Strategic Flood Risk Assessment (SFRA) and its addendum. The SFRA provides more detailed flood risk information, including identifying which parts of Flood Zone 3 are within the functional floodplain (Flood Zone 3b), as well as information on the effects of climate change and data on depth and hazard of flooding.
- 7.6** The functional floodplain does not reflect the fact that some land within these areas will already contain buildings and therefore cannot perform a functional floodplain role. Such areas have therefore been excluded from the functional floodplain but have been identified in the Harrogate District SFRA as Flood Zone 3a(i) to highlight the higher risk than Flood Zone 3a. The following flood zones therefore apply in the Harrogate district:
- Flood Zone 1
  - Flood Zone 2
  - Flood Zone 3a
  - Flood Zone 3a(i)
  - Flood Zone 3b
- 7.7** Proposals within Flood Zone 3a(i) will be assessed using criteria in national policy for Flood Zone 3a but with additional restrictions to reflect the higher risk. The probability of flooding in Flood Zone 3a(i) remains the same as the functional floodplain (Flood Zone 3b), therefore, highly vulnerable or more vulnerable developments would not be appropriate within this

zone. In certain circumstances less vulnerable development proposals could be justified, subject to a sequential test, such as proposals for an operationally linked extension to an established business or redevelopment with the same or smaller footprint.

- 7.8** Where possible, proposals for redevelopment in these areas should reduce the built form in these areas and, if possible, create additional water storage areas. Flood attenuation measures will be required for all schemes in Flood Zone 3a(i), and areas shown to be acting as functional floodplain by a site-specific flood risk assessment should be retained as undeveloped areas.
- 7.9** The promotion of sustainable water management practises is vital. Sustainable Drainage Systems (SuDS) to manage water flow can be important in minimising flood risk, but they also help to create high quality environments that encourage biodiversity through enhancements to wildlife, and benefit water resources. The effective use of permeable surfaces, soakaways and water storage areas should be incorporated in all new development, where possible. Developers will be encouraged to enter into early discussions with the council to identify which type of SuDS are most appropriate to local site conditions to deliver multiple benefits. This should include reference to the latest guidance/code of practice on SuDS. The Construction Industry Research and Information Association (CIRIA) have published guidance on their website.
- 7.10** Green and blue infrastructure, such as permeable surfaces, basins, swales, ponds, open spaces and trees etc., can be used to reduce flood risk and surface water run-off. By incorporating green and blue infrastructure into SuDS it can help to reduce peak flows. The integration of green and blue infrastructure proposals should be considered during the design stage of proposals for development.
- 7.11** National planning policy in respect of sustainable drainage is set out within the NPPF and a Written Ministerial Statement dated December 2014. National policy states that for major applications, SuDS for the management of surface water run-off should be put in place unless it is demonstrated to be inappropriate. SuDS are a material planning consideration and, as such, new drainage systems will require approval by the local planning authority with comments also sought on all major applications from the lead local flood authority, North Yorkshire County Council. National Planning Guidance, set out in the Planning Practice Guidance (NPPG), advises on how planning can take account of the risks associated with flooding and coastal change in plan-making and the application process. The Department for Environment, Food and Rural Affairs (Defra) has produced a set of non-statutory technical standards for the design, maintenance and operation of sustainable drainage systems. There is an expectation that robust and sustainable arrangements for the maintenance of sustainable drainage systems will be put in place. Applicants will be required to submit sufficient information, both in respect of the design of systems and their future maintenance, to enable the local planning authority to discharge its duties.
- 7.12** Applicants intending to lodge a **major** application with the council are strongly advised to review Harrogate Borough Council's supporting drainage information criteria chart and the lead local flood authority guidance notes. Applicants submitting **minor** development applications are also advised to review Harrogate Borough Council's supporting drainage information criteria chart.

## **Further Information**

### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy NE5: Green and Blue Infrastructure

### **Further information/guidance for applicants (see bibliography under Climate Change for more details)**

- Harrogate Borough Council: Harrogate District Level 1 Strategic Flood Risk Assessment (SFRA) (JBA, 2016)
- Harrogate Borough Council: Harrogate District Level 1 Strategic Flood Risk Assessment (SFRA) Appendices A-D SFRA Flood Risk Maps (JBA, 2016)
- Harrogate Borough Council: Harrogate District Strategic Flood Risk Assessment (SFRA) Addendum (JBA, 2018)
- Harrogate Borough Council: Flood Risk Sequential Test Update (2018)
- Construction Industry Research and Information Association (CIRIA): SuDS Guidance Manual (C753) (2015)
- North Yorkshire County Council: SuDS Design Guidance (not dated)
- Department for Environment, Food and Rural Affairs (Defra): Sustainable Drainage System Non-statutory Technical Standards (2015)
- Environment Agency: Flood Risk Maps (updated regularly)
- House of Commons: Written Statement (HCWS161) (December 2014)

### **Evidence that may be required from applicants to accompany a planning application**

- Flood risk assessment.
- SuDs: information on the design proportionate to the application type.

## CC2: Rivers

### Policy CC2: Rivers

All new development should protect and improve the quality of water bodies and their ecological systems both in and adjacent to the district. Proposals which fail to take opportunities to restore and improve water bodies will be refused unless the absence of such works can be justified. If on-site works cannot be achieved, legal agreements to deliver off-site works should be entered into, subject to viability.

Development proposals adjacent to watercourses should:

- A. Provide a minimum of 8m buffer zone measured from bank top to provide an effective and valuable river corridor and improve habitat connectivity. This should remain/be designed to be intrinsically dark with lux levels of 0-2 and should not contain any structures;
- B. Provide a 5m buffer zone for ponds to protect their wildlife value and ensure that the value of the adjacent terrestrial habitat is protected.

### Justification

- 7.13** The European Union Water Framework Directive became part of UK law in 2003 with the primary objectives of achieving good ecological status in water bodies, and providing protection for drinking water sources and protected sites (Habitats Directive sites and sites of specific scientific interest). These requirements are reflected in the Environment Agency's river basin management plans with the Humber River Basin Management Plan covering the Harrogate district.
- 7.14** Development proposals, particularly those next to watercourses, should help, wherever possible, to achieve and deliver the Water Framework Directive objectives. The types of improvement that developers may be expected to make include: the removal of obstructions, such as weirs; de-culverting; the regrading of banks to achieve a more natural profile; improving in-channel habitat; and reducing levels of shade to allow aquatic vegetation to establish, for example, through tree trimming.
- 7.15** Buffer zones should be provided adjacent to rivers, streams and ponds in order to protect and, where necessary, enhance biodiversity, in particular the value of the adjacent terrestrial habitat. These zones provide valuable habitats and help support improved habitat connectivity. Main rivers are defined by the Environment Agency, the 8m buffer to these watercourses should be maintained as undeveloped, naturalised areas and not include any structures, such as fencing or footpaths, that could increase flood risk. Any works or structures that applicants intend in, under, over or within 8m of the top of the bank of a main river, or toe of a flood defence, will require a permit from the Environment Agency under the Environmental Permitting (England and Wales) Regulations 2010. This permit is separate to and in addition to any planning permission granted.

## **Further Information**

### **Related planning policies**

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy CC1: Flood Risk and Sustainable Drainage
- Policy NE2: Water Quality

### **Further information/guidance for applicants (see bibliography under Climate Change for more details)**

- Environment Agency and Defra: Humber River Basin Management Plan (2015)
- European Commission: EU Water Framework Directive (2000)

### **Evidence that may be required from applicants to accompany a planning application**

- Flood defence consent



## CC3: Renewable and Low Carbon Energy

### Policy CC3: Renewable and Low Carbon Energy

- A. Renewable and low carbon energy projects, including incorporating small-scale renewable and low carbon energy generation into the design of new developments where appropriate, feasible and viable, will be supported provided that:
- i. The proposal does not have an unacceptable adverse impact on the landscape, the natural environment, biodiversity, the cultural environment, the historic environment, adjoining land uses and residential amenity;<sup>(22)</sup> and
  - ii. Appropriate mitigation measures would be taken to minimise and, where possible, address adverse impacts; and
  - iii. The proposal avoids unacceptable cumulative landscape and visual impacts.
- B. Proposals for wind turbine development, in addition to satisfying the requirements of Criterion A, must also, following consultation, demonstrate that the planning impacts identified by affected local communities have been fully addressed and, therefore, the proposal has their backing; and
- i. Be located in an area identified as being suitable for such use within a Neighbourhood Plan; or
  - ii. For small-scale turbines (with a maximum height to tip of 25 metres): be directly related to, and generate power principally for, the operation of a farmstead, other rural business or a local settlement.

### Justification

- 7.16** The approach of tackling climate change by reducing carbon emissions is well established. In 1992, through the Kyoto Protocol, many industrialised countries, including the UK, committed to cutting their greenhouse gas emissions in order to help prevent dangerous interference with the climate system. More recently, the Paris Climate Agreement saw an even greater number of countries sign-up to more ambitious emissions reduction targets to limit the extent of climate change.
- 7.17** In the UK the Climate Change Act (2008) sets a legal framework to deliver an 80% reduction in greenhouse gas emissions below 1990 levels by 2050. In response the Harrogate Borough Council Carbon Reduction Strategy identifies that the district should make a proportional contribution to reducing carbon dioxide (CO<sub>2</sub>) emissions and sets a local target to reduce emissions by 57% by 2030, which is in line with the UK Carbon Budget.
- 7.18** Around two thirds of the districts carbon dioxide emissions are associated with energy use in domestic and industrial or commercial settings. As a result, reducing emissions related to energy use is imperative in order to meet wider local targets, national legislation and international agreements. The energy hierarchy, see policy CC4: Sustainable Design, identifies priorities for action in order to develop sustainable energy systems. Whilst the first priority is to reduce energy use, the next priority is to generate energy from renewable sources or, following this, low carbon sources rather than conventional means. As a result of the EU

22 The historic environment includes the archaeological environment

Renewable Energy Directive (2009), the government has a target to generate 15% of all energy from renewable sources by 2020, while the Energy White Paper set a target to generate 20% of electricity from zero carbon or carbon neutral sources by 2020.

- 7.19** Renewable energy technologies produce energy from natural resources that will not run out, they include energy from wind (wind turbines), energy from the sun (photovoltaic and/or thermal panels) and energy from water (hydro-electricity). Other low carbon technologies produce energy with substantially lower amounts of carbon dioxide emissions than fossil fuel generation, they include heat pumps, combined heat and power (CHP) combined cooling heat and power (CCHP) and energy from waste.
- 7.20** Paragraph 94 of the National Planning Policy Framework (NPPF) requires planning authorities to adopt proactive strategies to mitigate and adapt to climate change in line with the objectives and provisions of the Climate Change Act 2008. Paragraph 93 identifies that planning plays a key role in supporting the delivery of renewable and low carbon energy and associated infrastructure, and paragraph 97 requires planning authorities to recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. It goes on to say that the authorities should have a positive strategy to promote renewable and low carbon energy and policies to maximise this kind of development whilst ensuring that adverse impacts are addressed satisfactorily.
- 7.21** In recognition of the important contribution that renewable and low carbon energy is required to play in meeting commitments to reduce carbon dioxide emissions and mitigate climate change, this policy seeks to support, in principal, schemes to generate energy from renewable and low carbon sources where any adverse impacts, including cumulative landscape and visual impacts, can be satisfactorily addressed.
- 7.22** NPPF paragraph 97 states that planning authorities should consider identifying suitable areas for renewable and low carbon energy generation where this would help secure such development. The Harrogate District Planning and Climate Change Study (2011), produced by consultants AECOM, investigates opportunities for different types of renewable and low carbon energy development across the district. Although the study concentrates on identifying areas of opportunity rather than areas of suitability, which would require more detailed assessments of local constraints, it nevertheless provides a useful tool to help determine whether a technology may be suitable for use in a particular area.
- 7.23** The main findings of the study were that there is significant potential for renewable and low carbon energy in the district, although it also recognises that there are significant constraints that would need to be taken into consideration. These constraints largely relate to the exceptionally high quality of the district's natural and built environment but also to internationally protected sites for wildlife.
- 7.24** Proposals for renewable and low carbon energy should be supported by an assessment of impact proportionate to the scale of the proposal and the potential for negative impacts so that consideration of the impacts, including cumulative impacts, can be undertaken. Proposals for large-scale development should be supported by a comprehensive assessment. In addition, developers should, where appropriate, provide details alongside a planning application of a satisfactory scheme to restore a site to at least its original condition when the scheme has reached the end of its operational life.
- 7.25** In particular, proposals will need to demonstrate that there is no unacceptable adverse impact on protected species or designated area based natural assets, including the features for which the assets were designated. An initial assessment of potential impacts can be made using Natural England's impact risk zones. Zones have been identified around sites of special scientific interest (SSSIs) to reflect the sensitivities of the features for which the SSSI has been designated and to indicate types of development proposals that could have adverse

impacts. These zones also cover the interest features and sensitivities of the Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). The impact risk zones can be viewed on the government's interactive MAGIC mapping website.

- 7.26** Proposals within the Nidderdale Area of Outstanding Natural Beauty (AONB) should respect the natural beauty and special qualities of the area and will be determined in line with policy GS6: Nidderdale Area of Outstanding Natural Beauty. Nevertheless it is recognised that climate change is itself a significant long-term threat to landscapes across the country. Many renewable energy technologies, particularly smaller-scale applications, including in connection with new developments, are capable of being accommodated within the Nidderdale AONB without causing unacceptable adverse effects.
- 7.27** Proposals will need to demonstrate that there is no unacceptable adverse impact on the historic environment, in particular designated heritage assets but also non-designated assets, in line with policy HP2: Heritage Assets. In order to retain better control over the impact of development in particular parts of the district, the council has confirmed Article 4 Directions that remove some permitted development rights relating to certain renewable and low carbon technologies associated with properties fronting The Stray in Harrogate and properties in the Great Ouseburn conservation area. Development of the types described in the directions would need to be assessed against this and other relevant policies through a planning application.
- 7.28** In line with NPPF paragraph 91, elements of many renewable and low carbon energy developments would be considered inappropriate development in the Green Belt. Proposals that include inappropriate development will only be permitted in very special circumstances. The onus is on the applicant to justify why such development should be allowed and demonstrate very special circumstances. The benefits of the production of renewable or low carbon energy may be considered sufficient justification but these should be quantifiable and evidenced.
- 7.29** There are many factors that should be considered when assessing the suitability of renewable and low carbon energy development. Some will have a greater effect than others but many can often be overcome, particularly for small-scale proposals, especially when being considered from the outset and incorporated into the design of new development. A considered choice of appropriate technologies and sensitive siting and design of installations is vital, especially in more constrained areas. Despite the very special qualities of much of Harrogate district, and the subsequent constraints on development, there is still significant potential for the installation of small-scale schemes.
- 7.30** In order to secure greater climate change benefits from renewable and low carbon energy investment when associated with new developments, policy CC4: Sustainable Design requires such proposals to consider measures that will maximise reductions in energy use, such as more efficient appliances and greater energy efficiency, before establishing proposals for energy generation. The same approach should be followed for energy generation proposals associated with existing properties where this is technically feasible, financially viable and accords with other planning policies. Through such an approach it may be possible to reduce any unacceptable adverse impacts to an acceptable level by reducing the need for energy and consequently the scale of installation required.
- 7.31** A large number of renewable and low carbon energy developments can be carried out without the need for planning permission through permitted development rights. Where permission is required further guidance and advice on balancing the need to protect the environmental qualities of the district with the need to increase renewable and low carbon energy generation can be found in the council's Renewable and Low Carbon Energy Supplementary Planning Document (SPD) (2015).

## Wind Energy Development

**7.32** In June 2015 the Secretary of State issued a Written Ministerial Statement that should be taken into account when determining applications for wind energy development. The statement includes the following:

*When determining planning applications...involving one or more turbines, local planning authorities should only grant permission if:*

- *The development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and*
- *Following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing*

**7.33** The suitability of an area for wind energy development will be dependant on the combination of the following: the wind energy resource in the area; the character and capacity of the environment to accommodate the development, and the scale of the proposal. An area may, for example, be suitable for a single small-scale turbine or even several small-scale turbines but be unsuitable for a commercial wind farm comprising several large-scale turbines. The council has considered the merits of seeking to identify areas suitable for large-scale and small-scale turbines using the methodology set out in national planning guidance, and whether this would be likely to help secure such development. This work is set out in the Wind Energy background paper (2018).

**7.34** In considering suitability for large-scale turbines, the council has looked at the wind energy opportunity areas identified by the AECOM study and compared these with the visual, ecological and landscape sensitivity of the landscape character types that the North Yorkshire and York landscape Characterisation project (2011) identifies as present in the district.<sup>(23)</sup> This has shown that the district is very heavily constrained by landscape considerations and has only very limited areas that may be suitable for large-scale turbines.

**7.35** While most of the district would be unsuitable for large-scale wind turbine development, the impact of small-scale turbines would be less and may be acceptable, depending on the nature of the proposal. Given the high and moderately high landscape sensitivity of much of the district and the potential for other constraints, work to assess the suitability of all potential individual areas for wind energy development across the various scales is considered to be a disproportionate level of work that may result in little benefit in terms of securing increased generating capacity. At the same time, however, precluding all wind turbines irrespective of the scale of their impacts or an accepted justification, such as to meet an essential operational need of a farmstead or other rural business, would seem unreasonable. It would also prevent the development of community-led schemes where the benefit is to local communities, unless these communities produced a Neighbourhood Plan.

**7.36** The government's desire to give local communities more influence in this aspect of the planning process, as expressed in the Ministerial Statement, is acknowledged and supported. Notwithstanding the content of the statement, the council will support the development of small-scale wind turbines where proposals are directly related to, and generate power principally for, the operation of a farmstead, other rural business or a local settlement, rather than to generate energy to be fed to the power grid for commercial gain.

23 Source: Managing Landscape Change: Renewable and Low Carbon Energy Developments - A Landscape Sensitivity Framework for North Yorkshire and York (2012)

## Further Information

### Related planning policies

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Policy GS4: Green Belt
- Policy GS6: Nidderdale Area of Outstanding Natural Beauty
- Policy CC4: Sustainable Design
- Policy HP2: Heritage Assets
- Policy HP3: Local Distinctiveness
- Policy HP4: Protecting Amenity
- Policy NE3: Protecting the Natural Environment
- Policy NE4: Landscape Character

### Further information/guidance for applicants (see bibliography under Climate Change for more details)

- Climate Change Act 2008
- Harrogate Borough Council: Harrogate District Carbon Reduction Strategy (2018)
- Harrogate Borough Council: Harrogate District Planning and Climate Change Study (AECOM, 2011)
- Harrogate Borough Council: Renewable and Low Carbon Energy Supplementary Planning Document (SPD) (2015)
- MAGIC map
- North Yorkshire County Council: North Yorkshire and York Landscape Characterisation Project (2011)
- Harrogate Borough Council: Wind Energy Background Paper (2018)
- Local Government Yorkshire and Humber: Managing Landscape Change: Renewable and Low Carbon Energy Developments- a Landscape Sensitivity Framework for North Yorkshire and York, AECOM (2012)

### Evidence that may be required from applicants to accompany a planning application

- Heritage statement
- Biodiversity risk assessment
- Landscape assessment
- Restoration scheme

## CC4: Sustainable Design

### Policy CC4: Sustainable Design

The council requires all developments to be designed to reduce both the extent and the impacts of climate change; it will promote zero carbon development and encourage all developments to meet the highest technically feasible and financially viable environmental standards during construction and occupation:

- A. All developments are required to reduce carbon dioxide emissions through the following sequence of priorities, as set out in the energy hierarchy:
  - i. Energy reduction; then
  - ii. Energy efficiency; then
  - iii. Renewable energy; then
  - iv. Low carbon energy; then
  - v. Conventional energy.
  
- B. The council:
  1. Expects new developments to incorporate passive design measures that reduce the need for artificial lighting and heating, cooling and ventilation systems through siting, design, layout and building orientation.
  2. Will support proposals to improve the energy efficiency of existing buildings that comply with all relevant aspects of this policy and other relevant policies in the plan.
  
- C. All developments of ten dwellings or more, or 1000 sq m or above of gross floorspace, will be required to submit an energy statement demonstrating how the energy hierarchy has been applied to make the fullest contribution to reducing greenhouse gas emissions in support of the Harrogate Borough Council: Carbon Reduction Strategy (2018) (or any future relevant strategies) and the Climate Change Act (2008)

#### Non-domestic Development

- E. New non-domestic developments, excluding conversions and extensions of less than 500 sq m, will be required to achieve a minimum standard of BREEAM<sup>(24)</sup> 'Excellent' (or any future national equivalent).

### Justification

- 7.37** Paragraph 93 of the National Planning Policy Framework (NPPF) identifies that planning plays a key role in securing radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy. It goes on to highlight that this role is central

to not only the environmental dimension of sustainable development but also to its social and economic dimensions. To deliver on this, paragraph 94 requires planning authorities to adopt proactive strategies to mitigate and adapt to climate change in line with the objectives and provisions of the Climate Change Act 2008. This policy, therefore, requires that new development is designed with climate change in mind.

- 7.38** All new development should be designed to be resilient to the impacts of climate change to an extent that is commensurate with the nature of the development and the risks associated with its location and intended use. Where opportunities exist, new development should also support and contribute to the wider resilience of communities and key infrastructure in so far as is technically feasible and financially viable.
- 7.39** The approach of mitigating the extent of climate change by reducing carbon dioxide emissions is well established. All new development should, therefore, be designed to reduce carbon dioxide emissions. The Climate Change Act sets a legal framework to deliver an 80% reduction in greenhouse gas emissions below 1990 levels by 2050. In response the Harrogate Borough Council Carbon Reduction Strategy identifies that the district should make a proportional contribution to reducing carbon dioxide (CO<sub>2</sub>) emissions and sets a local target to reduce emissions by 57% by 2030, which is in line with the UK Carbon Budget. At 6.2 tonnes per person, per capita carbon dioxide emissions in Harrogate district are currently higher than both regional and English averages, 5.1 tonnes and 4.8 tonnes respectively, but lower than the North Yorkshire average of 7.3 tonnes.<sup>(25)</sup>
- 7.40** Around two thirds of the district's carbon dioxide emissions are associated with energy use in domestic and industrial or commercial settings. As a result, reducing emissions related to energy use is imperative in order to meet wider local targets and national legislation. Over the last 10 years both domestic and industrial and commercial emissions have fallen, by almost 30% and 25% respectively. New development has contributed to these reductions with most new non-domestic development attaining a Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'Very Good' and new housing being built to code level three, and more recently code level four, of the Code for Sustainable Homes up to 2015. Nevertheless the percentage reduction in CO<sub>2</sub> emission in the district over the last 10 years lags behind regional and national figures.
- 7.41** The government's housing standards review set out to rationalise the large number of codes, standards and regulations whilst still delivering on quality, sustainability, safety and accessibility. As a result a Written Ministerial Statement in March 2015 withdrew the Code for Sustainable Homes and announced a new approach to the setting of housing standards where energy and carbon emission performance would be integrated into building regulations.
- 7.42** The statement included provision allowing planning authorities to continue to set Local Plan policies requiring energy performance above that required in current building regulations, effectively up to a level equivalent to code level four of the Code for Sustainable Homes<sup>(26)</sup>, until the commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015 (now Act). This was expected to happen in 2016 alongside the introduction of zero carbon homes for all but the smaller sites when building regulations would also be strengthened to require performance equal to code level four. However the subsequent Fixing the Foundations (July 2015) report announced that the government no longer intended to introduce the zero carbon homes requirement and would keep energy efficiency standards under review.

25 These are emissions within the scope of influence of Local Authorities. They exclude emissions that Local Authorities don't have direct influence over: motorways; EU emissions trading system sites; diesel railways; land use, land use change, and forestry

26 This equates to a 19% reduction in energy use below Part L Building Regulations 2013.

## The Energy Hierarchy

- 7.43** Whilst the building regulations regime addresses the standard of energy efficiency in buildings, this policy seeks to ensure that new development takes a holistic approach to reducing greenhouse gas emissions. The policy requires developments to approach climate change mitigation by considering actions that would reduce emissions in a sequence that reflects the energy hierarchy. The energy hierarchy is a concept that was developed in the late 1990s and is used to identify the order in which energy issues should be prioritised to assist progress to a more sustainable energy system.
- 7.44** The first priority is to reduce energy consumption by seeking to reduce the amount of energy required, for example, through 'smart' heating and lighting, behavioural changes, and the incorporation of passive design measures. Passive design measures can reduce the need for heating, cooling and ventilation systems and minimise reliance on artificial lighting through design solutions, such as siting, layout, landscaping, and building orientation and massing, in order to maximise sunlight and daylight and avoid overshadowing. NPPF paragraph 96 states that planning authorities should expect new development to take account of these factors. Nevertheless, in some circumstances passive design may not always be possible, for example, because of site-specific constraints or when designing conversions or extensions.
- 7.45** After seeking to reduce the amount of energy required, consideration for reducing energy consumption should move to energy efficiency. Depending on the nature of development, energy efficiency can be improved through the use of more efficient systems and machinery, more efficient appliances and lighting, and better insulation.
- 7.46** In addition to contributing to climate change mitigation, reducing energy consumption in domestic properties will also contribute to reducing the incidence of fuel poverty. For many years the district's average domestic gas and electricity consumption have both been above the regional and national averages, and in 2015 it was estimated that 10.4% of households in the district were in fuel poverty (DBEIS, 2017). While this is broadly similar to the national average it still means that just over 7000 households in the district are affected. Fuel poverty affects the most vulnerable residents in our community and can have adverse impacts on their health and wellbeing. It also contributes to wider economic under performance by reducing the amount of money that affected households have available to spend in the local economy.
- 7.47** Households suffering fuel poverty are more likely to be living in less efficient properties<sup>(27)</sup>. The government's fuel poverty strategy<sup>(28)</sup> estimates that less than 5% of fuel poor homes have an energy efficiency rating of band C<sup>(29)</sup> or above, compared to around 18% of all homes. In 2014 the government set a statutory target to ensure that as many fuel poor homes as is reasonably practicable achieve a minimum rating of band C by 2030.
- 7.48** Improving the energy efficiency of homes to reduce fuel poverty is a key ambition for the council, as set out in the Home Energy Conservation Act: Progress report and action plan 2017-2019, and sub-regional bodies.<sup>(30)</sup> The council's report identifies that earlier gains relating to the requirement for compliance with the Code for Sustainable Homes can no longer be relied upon. Nevertheless higher standards that reduce energy consumption, particularly through greater energy efficiency, can be realised through the design and construction of new homes and by sensitive improvements to existing buildings, particularly the least efficient properties.

27 The efficiency of a property is measured by the Standard Assessment Procedure (SAP) rating on a scale of 1 to 100, the higher the number the more efficient the property

28 Cutting the Cost of Keeping Warm: a fuel poverty strategy for England (2015)

29 A band C rating is equivalent to a SAP rating of 69 to 80 points

30 The ambition feeds directly into priority three of the Leeds City Region Strategic Economic Plan (SEP) 2016-2036 and links to a specific objective of the North Yorkshire Strategic Winter Health Partnership



- 7.49** The council will encourage proposals that seek to build to higher energy performance levels than the minimum required by building regulations, where this is technically feasible and financially viable, in order to reduce carbon dioxide emissions and, where relevant, design out fuel poverty.
- 7.50** After reducing energy consumption the energy hierarchy identifies the sustainable production of energy. Energy from renewable sources is the highest priority followed by other low carbon sources. The council encourages proposals that incorporate renewable and/or low carbon energy generation into the design of new domestic and non-domestic development and meet the requirements of policy CC3: Renewable and Low Carbon Energy.
- 7.51** The council will update the Renewable and Low Carbon Energy Supplementary Planning Document (SPD) (2015) to provide further guidance on sustainable design.

### **Domestic Development**

- 7.52** The council supports the use of independently accredited standards for new housing. These standards help house builders to demonstrate the high quality of their homes and differentiate them in the marketplace. At the same time they give householders the confidence that the new homes they are choosing to buy or rent are well designed and built, and cost effective to run.
- 7.53** The Passive House Institute's Passive House standard is a rigorous standard for energy efficiency in a building that results in ultra-low energy buildings that require little energy for space heating or cooling. In recognition that it is often unfeasible or unviable to achieve this standard when refurbishing certain older buildings, the institute has developed EnerPHit to certify refurbishments completed with appropriate components. The Building Research Establishment's (BRE) Home Quality Mark assesses a new home's quality using a five-star rating as well as providing information on its running costs, positive impacts on health and wellbeing, and environmental footprint.
- 7.54** Proposals for domestic developments of ten dwellings or more, or 1000 sq m or above of gross floorspace, will be required to submit an energy statement demonstrating how the energy hierarchy has been applied to make the fullest technically feasible and financially viable contribution to reducing greenhouse gas emissions in support of the Climate Change Act (2008) and the targets and commitments set out in the council's Carbon Reduction Strategy (2018) (or any future relevant strategies). The statement should include the predicted energy consumption and associated carbon dioxide emissions of the development.

### **Non-domestic Development**

- 7.55** Non-domestic development was not affected by the housing standards review and planning authorities are still enabled to require energy performance that is better than building regulations standards for new non-domestic buildings. BREEAM is an independently accredited method for assessing and rating the environmental performance of non-domestic development. A scoring system is used to evaluate a building's sustainability, including aspects related to energy and water use, the internal environment (health and well-being), pollution, transport, materials, waste, ecology and management processes.
- 7.56** The council will require new non-domestic development to be assessed against the BREEAM standard and achieve, at a minimum, the level of 'Excellent'. The council will require this to be verified by an independent assessor at the design and post construction stages at the applicant or developer's cost and to provide the relevant certification to ensure compliance. Where an applicant can demonstrate that achieving a level of 'Excellent' is unviable, a lower level may be accepted. Conversions and extensions of less than 500 square metres, as well as unheated buildings, will be excluded from the requirement to achieve BREEAM 'Excellent' but should still meet the other relevant requirements of the policy.

## **Further Information**

### **Related planning policies**

- National Planning Policy Framework (NPPF)
- Policy CC1: Flood Risk and Sustainable Development
- Policy CC3: Renewable and Low Carbon Energy
- Policy NE5: Green and Blue Infrastructure

### **Further information/guidance for applicants (see bibliography under Climate Change for more details)**

- Harrogate Borough Council: Harrogate District Carbon Reduction Strategy (2018)
- Harrogate Borough Council: Renewable and Low Carbon Energy Supplementary Planning Document (SPD) (2015)
- Passive House Institute website
- BRE Home Quality Mark website
- Building Research Establishment Environmental Assessment Method (BREEAM) website

### **Evidence that may be required from applicants to accompany a planning application**

- Energy statement
- Certification for Passive House Standard (including EnerPHit, where appropriate) or BRE Home Quality Mark.
- BREEAM certification.