

**Case No.** 22/04429/RG3MAJ

**Item No. 02**

**Location:** 15-26 Allhallowgate, Ripon, North Yorkshire, HG4 1LF,

**Proposal:** Refurbishment of a block of 12 flats including the provision of parking and bin store

**Applicant:** Harrogate Borough Council

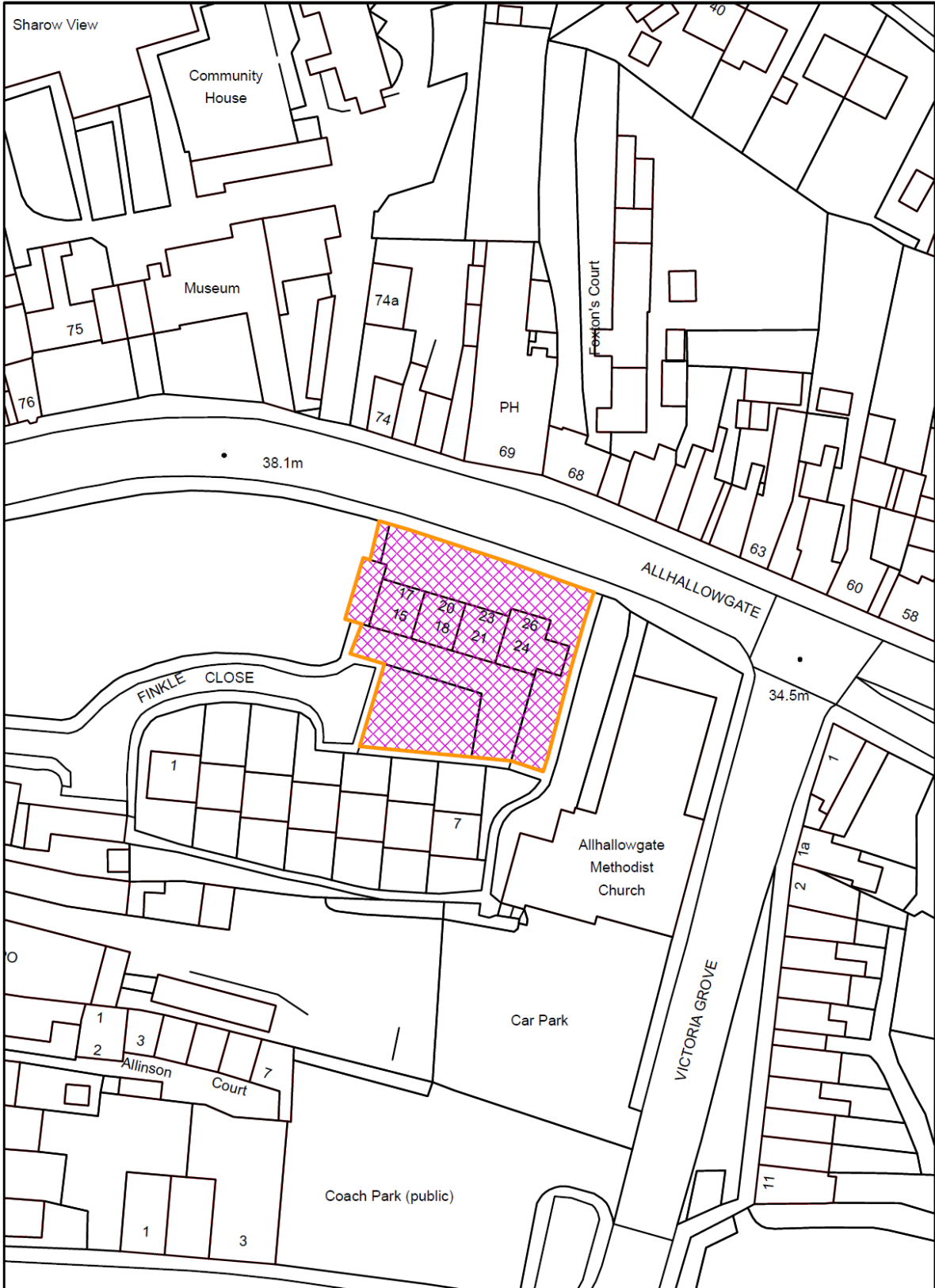
### **SUMMARY**

The proposal will provide a visual enhancement within the Conservation Area, improve the amenity of its occupiers and will not harmfully impact on third parties.

The proposal is considered to comply with the National Planning Policy Framework, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act, Policies HP2, HP3, HP4, and NE5 of the Harrogate District Local Plan and Policies A.1 and C.1 of the Ripon Neighbourhood Plan.

A reasoned explanation is provided for an exemption for providing electric vehicle charging facilities.

**RECOMMENDATION: Approve subject to conditions**



**Harrogate**  
BOROUGH COUNCIL

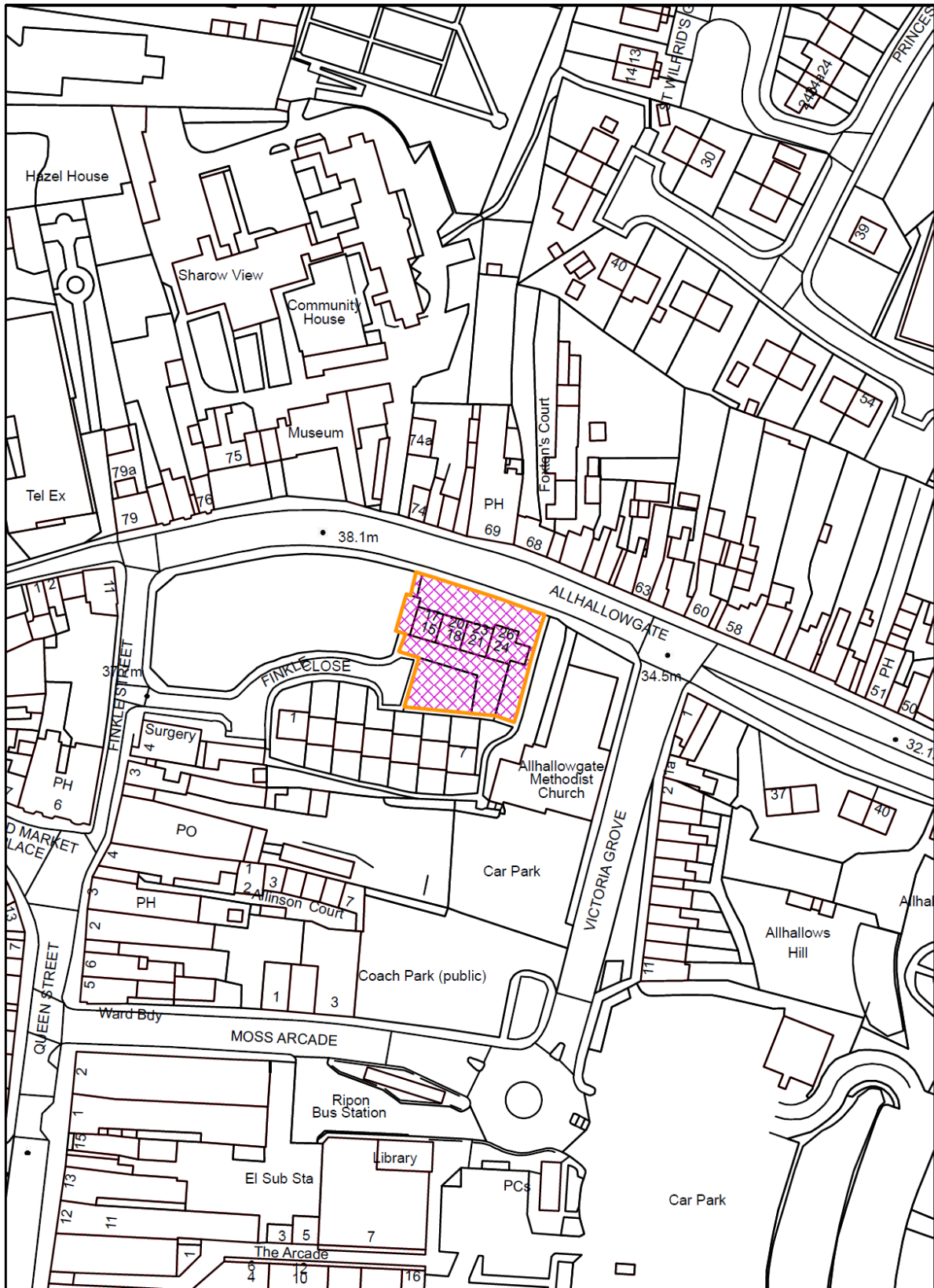
**Location Plan**

Scale 1:750



© Crown copyright and database rights 2017 Ordnance Survey 100019628

13/01/2023



**Harrogate**  
BOROUGH COUNCIL

**Site Plan**

Scale 1:1,250



© Crown copyright and database rights 2017 Ordnance Survey 100019628

13/01/2023

## **1.0 PRELIMINARY MATTERS**

- 1.1 Access to the case file on Public Access can be found here:- [view file](#)
- 1.2 This application is to be presented to the Planning Committee because the applicant is Harrogate Borough Council.
- 1.3 The main issues are:
- Design and amenity
  - Parking

## **2.0 ASSESSMENT**

### **2.1 Background**

- 2.2 The application site is a retained block of flats on the south side of Allhallowgate, within the Ripon Conservation Area. To the west is the cleared site of the remainder of the flats which were demolished in 2016, while to the east is a Methodist Chapel on the corner of Victoria Grove. Access to the rear is facilitated by Finkle Close.
- 2.3 High level walkways on the north side of the building have metal railings and the access structure to the eastern end and the access section at the western end have infill panels below their windows. Balconies to the rear are timber enclosed.
- 2.4 A 2015 permission, subsequently varied in terms of specific details in 2016 and 2019, (case no's 15/03080/RG3MAJ, 16/00045/DVCMAJ and 18/05277/DVCMAJ) previously sought alterations including the enclosure of external walkways, landscaping and formation of a community garden as part of a wider scheme that included the demolition, as undertaken, of the remainder of the flats and the construction of nine dwellings, which has not been undertaken. That permission remains valid but would be replaced by this proposal with regard to the retained flats.

## **2.5 The proposal**

- 2.6 The refurbishment works comprise aluminium windows to the access sections, rendering of the brickwork and provision of 1.1m high stainless steel balustrades with mesh infill to walkways and balconies including additionally to the ground floor walkway.
- 2.7 To the rear three garden areas with 1.2m, high picket fences are to be formed along with a communal garden and six parking spaces together with a bin storage area formed by 1.8m high closed boarded fences.
- 2.8 A path to steps down to Allhallowgate will be formed by 600mm square concrete slabs.
- 2.9 The Ripon Conservation Area character appraisal notes the flats, albeit in their previous entirety, forms a distinctive feature contrasting with the adjacent Methodist Church.

## **2.10 Design and amenity**

- 2.11 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act requires Local Planning Authorities to pay special attention in the exercise of planning functions to the desirability of "preserving or enhancing the character or appearance of a conservation area".
- 2.12 Local Plan Policies HP2, HP3 and NE5, Policy C.1 of the Ripon Neighbourhood Plan, the Heritage Management SPD and the checklist to manage change in the Conservation Area Appraisal cumulatively require development proposals not to impinge of the form and character of Ripon, protect and where possible enhance the District's heritage assets, reinforce those features that contribute to local distinctiveness and be of high quality design.
- 2.13 Local Plan Policy HP4 requires no significant adverse impacts on the amenity of occupiers and neighbours and well-designed and located private and/or communal outdoor amenity space.
- 2.14 The proposed refurbishment works would be visually appropriate and take place in a sustainable location equating to a sustainable development as

required by the National Planning Practice Framework and Policy A.1 of the Ripon Neighbourhood Plan. In this instance given the relative modernity of the building in contrast to the surrounding buildings the rendering of the brickwork can be considered acceptable. The unified appearance of the walkways and balconies will improve the overall character of the building which overall will be enhanced and the garden areas are appropriate improving the amenity of the buildings residents. The character of the conservation area will be preserved.

2.15 This assessment is on the basis of the render colour, which will be followed through on the unglazed elements of access structures, being appropriate and a condition in that respect should be attached to any approval.

2.16 The bin store would be 8m from the bungalows to the south, and the parking spaces 7-8m distant and sited adjoining a footpath. With a 1.8m close boarded fence surrounding the bin store those will not be unduly harmful to the amenities of the occupiers of that adjacent property.

## **2.17 Parking and access**

2.18 The parking provision is appropriate in this urban location although the Local Highway Authority did require appropriate protection be provided to the lighting column at the end of Finkle Close in close relationship to the access and the application has been modified to address that.

2.19 The Local Highway Authority also ask for various matters summarised together as a Construction Management Plan however a number of those go beyond the scope of works reasonable for the development that is sought. Conditions as appropriate to the scale of the development should be applied.

2.20 It would be normal to require electric vehicle parking facilities through a condition of a planning permission so according with Policy TI3 of the Local Plan.

2.21 In this instance the applicant has explained the need for such was not anticipated given the city centre location and access to excellent public transport links in the area. As a consequence no time or budget allowance

has been allocated for such works in the program, and the existing communal electricity supply to the building could only accommodate a two electric vehicle charges chargers before it would need to be upgraded.

- 2.22 It is noted that six parking spaces are shortly to go live with electric vehicle chargers in the Cathedral Car Park, a fifth of a mile and a 4 minute walk away from the site.
- 2.23 As part of the Council's Decarbonisation Program in the future it is likely that electric vehicles charging points and further energy efficiency works for the building such as solar panels would be looked at. The current renovation scheme is work needed to purely bring the building back into use and make it look more presentable.
- 2.24 A green open space to the previous demolition site of 1-14 Allhallowgate has been provided and further trees can be planted in this area to increase the carbon sink potential of the area. An appropriate condition should be attached to any permission.

### **3.0 PLANNING BALANCE AND CONCLUSION**

- 3.1 The proposal will provide a visual enhancement within the Conservation Area, improve the amenity of its occupiers and will not harmfully impact on third parties.
- 3.2 The proposal is considered to comply with the NPPF, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act, Policies HP2, HP3, HP4, and NE5 of the Harrogate District Local Plan and Policies A.1 and C.1 of the Ripon Neighbourhood Plan.
- 3.3 Electric vehicle charging is not catered for, to which Policy TI3 of the Harrogate District Local Plan relates amongst other matters, for the reasons set out above. Given the proximity of public charging points that in this instance is not considered to be such as to warrant refusal.

### **4.0 RECOMMENDATION**

- 4.1 That the application be **APPROVED** subject to conditions

## 5.0 PLANNING CONDITIONS

3 year start date

List of approved plans

Hours of development

Contractors' site operatives and visitor's vehicles to be parked clear of the highway

Any area of plant and material storage

Responsible person

Colour of render

Provision of electric vehicle charging points

Any gates or barriers to be at least 5 metres from the carriageway

The first 10 metres of the access not to exceed 1:40 nor to have loose materials

Surface water not to discharging onto the highway

Planting of trees

Also informatives as requested by Environmental Health re topsoil and unexpected land contamination.

---

***In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Chief Planner has delegated authority to do so in consultation with the Chairman of the Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.***

---

## APPENDICES

### 6.0 Consultations

6.1 Environmental Health Officer - Requests informatives be added to an approval concerning domestic garden topsoil and discovery of unforeseen land contamination.



- 6.2 Estates Manager – has no objections.
- 6.3 Local Highway Authority - note there is a lighting column near the proposed entrance. Require that there is at least 1 meter of space between this column and any entrance in order to offer protection to the column. Given that there is often parking in the turning head at this location we would also recommend that there are white H-bar markings installed as part of the works to highlight the new crossing point and deter parking near it.

Add that given the location near the city centre, in a weight restricted, residential area with limited access we would like reassurances about the construction process and will ask for a management plan to reflect this information. Various conditions are requested.

- 6.4 Principal Building Control Officer – notes an application for Building regulation approval has been submitted.

## **7.0 Representations**

- 7.1 None received

## **8.0 Views of parish council**

- 8.1 None received

Case Officer: Mike Parkes

Expiry Date: 28 February 2023