

URS

Knarborough Neighbourhood Plan

Town centre review

Final Report

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The conclusions and recommendations contained in this Report are based upon information provided by the RTP / PAE lead Consultant and upon the assumption that all relevant information has been provided is accurate. Information obtained by URS has not been independently verified by URS, unless otherwise stated in the Report.

The methodology adopted and the sources of information used by URS in providing its services are outlined in this Report. The work described in this Report was undertaken between May and July 2014 and is based on the conditions encountered and the information available during the said period of time. The scope of this Report and the services are accordingly factually limited by these circumstances.

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1. INTRODUCTION

URS has produced this short report to provide advice to the Knaresborough Neighbourhood Development Plan group in respect of issues which will be at the heart of their Neighbourhood Plan. This has included looking at the issues identified by the group, previous studies and a visit to the high street area to appreciate the issues 'on the ground'.

The report provides commentary on the service role of the town, the Local Plan framework, the current performance of the town, an analysis of the key issues and some broad strategy proposals and planning policy advice regarding potential planning policy responses to the issues. It provides some advice on the use of planning use classes and Permitted Development policy.

The report includes policy recommendations for the town centre. However, the main focus of the report is on the high street. Figure 1 shows the area this report has focused on.

The note also sets out some good practice advice in terms of initiatives that could be considered by the various agencies.

2. CONTEXT AND ISSUES

The 2009 Harrogate Core Strategy describes Knaresborough as one of the three main settlements in Harrogate and an important shopping and service centre for the surrounding rural area. The town centre has a medieval street pattern, historic built form and a unique landscape setting. There is a weekly market, cultural events and leisure activities based on the riverside. The retailing strength is inhibited by its close proximity to Harrogate and the shortage of suitable sites for new development within its historic centre. Current issues in the town centre are damaging road congestion and a high level of affordable housing need. Footfall and spending is expected to increase as a result of new development to the north of the town.

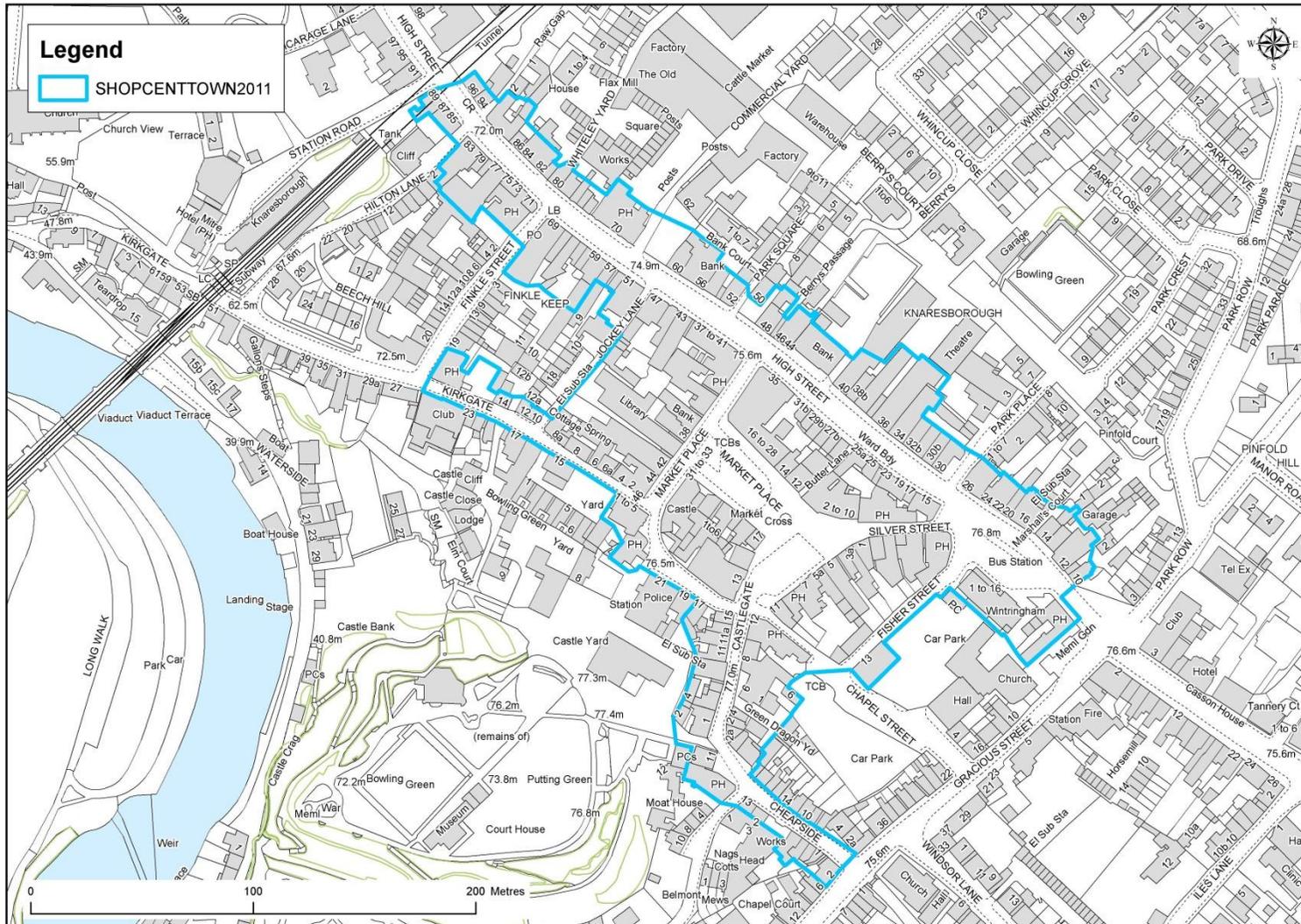
Knaresborough has previously had Renaissance Market Town (RMT) Town Team delivery plans drawn up. Initiatives identified by the community in the Town Team Delivery Plan (2005) provide useful background information for this study. The Borough Council is committed to regeneration of Knaresborough in order to help to maintain and enhance the economic role of Harrogate.

The Core Strategy states that the role of Knaresborough will be protected mainly through:

- improvements to its food retailing and off street parking facilities adjacent to the town's shopping area; and
- improvements to the accessibility of the town centre, particularly by public transport and through improvements to the pedestrian environment.

In terms of its retail offer, Knaresborough has a compact shopping centre and serves a local catchment area. The Harrogate District Retail Study 2004 and its review in 2007 identified that there is capacity for additional food retail in the Harrogate/Knaresborough area in the period up to 2015. The Core Strategy states that some of the food retailing capacity identified for Harrogate and Knaresborough should be provided for adjacent to the town centre of Knaresborough. A more limited capacity for comparison shopping has also been identified.

Figure-1: Focused Study Area



2.1 National Planning Policy Framework (NPPF)

The NPPF is the overarching national planning framework against which all planning decisions are made. The NPPF (paragraph 183) states that neighbourhood planning can be used to:

- set planning policies through Neighbourhood Plans to determine decisions on planning applications; and
- grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders for specific development which complies with the order.

NPPF (paragraphs 184 and 185) state that Neighbourhood Plans should reflect the policies of the Local Plan and plan positively to support them.

In terms of ensuring the vitality of town centres, the priorities advised by NPPF which are relevant to a Neighbourhood Plan include:

- recognising town centres as the heart of the communities and pursuing policies to support their viability and vitality;
- define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and set policies that make clear which uses will be permitted in such locations;
- retain and enhance existing markets and, where appropriate, re-introduce or create new ones, ensuring that markets remain attractive and competitive;
- allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential
- development needed in town centres. It is important that needs for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability.
- allocate appropriate edge of centre sites for main town centre uses that are well connected to the town centre where suitable and viable town centre sites are not available. If sufficient edge of centre sites cannot be
- identified, set policies for meeting the identified needs in other accessible locations that are well connected to the town centre;
- set policies for the consideration of proposals for main town centre uses which cannot be accommodated in or adjacent to town centres;
- recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites; and
- where town centres are in decline, local planning authorities should plan positively for their future to encourage economic activity.

2.2 Local Development Plan Context

Knaresborough Town is located in Harrogate Borough Council area. The adopted development plan is the Harrogate District Local Plan 2001. The Council has since adopted the Core Strategy in 2009 as part of the emerging Local Plan and in November 2013 the Council submitted the Sites and Policies DPD to the Secretary of State for Examination. The recent Examination of the Core Strategy

by a Planning Inspector has been suspended due to issues relating to the Sites and Policies DPD and the Local Plan withdrawn.

The Inspector at the start of the Examination however expressed concern about whether the DPD met the objectively assessed housing need and about the employment land evidence base and therefore the Council withdrew the plan from Examination in June 2014. The Council is now undertaking the preparation of a new Local Plan.

The current adopted policies against which any planning proposals would be appraised are the adopted Core Strategy (2009) and the adopted Harrogate District Local Plan 2001 as well as the NPPF.

The Neighbourhood Plan must be in general conformity with the strategic policies of the adopted development plan for the local area. The neighbourhood plan policies will not be judged against the emerging strategic policies. However, as the adopted plan is now well out of date, neighbourhood plan policies should have regard to emerging policy as this will be the relevant development plan once adopted.

The following improvements for Knaresborough were identified in Policy IN4 of the Sites and Policies Development Plan Document as part of the Local Plan. It has been withdrawn following Examination but remains relevant. The issues have been identified through public consultation, as a result of initial survey work undertaken by the Borough Council, or identified through previous studies, such as the Conservation Character Appraisals:

- Pedestrian Enhancement Schemes and public realm improvements (IN4a) – Fisher Street to Market Place and Ginnels, High Street and associated areas together with a link to north of 13 Park Row. Improvements including repaving and de-cluttering, pedestrian enhancement;
- Transport Interchange Area/Sense of Arrival Improvements (IN4b) – Environmental improvements/better integration between bus, rail, taxis, community transport, walking, cycling, disabled access, parking, servicing;
- Improvements to way finding between key locations and the provision of travel information;
- Townscape and Environmental Improvement Areas (IN4c) - Fisher Street, Chapel Street car park/streets, Castle Yard, 'Bowling Green Yard', Back Park Place; and
- Footway Improvement Area (IN4f) – links between Waterside-Castle-Market Square- High Street – restoration improvements, landscaping, interpretation and potential location for public art trail Cycle Network – cycle routes included in the Harrogate and Knaresborough Cycling Implementation Plan. Secure cycle parking facilities.

The Core Strategy (2009) states that there will be an integrated approach to implementing key town centre improvements in Knaresborough which can be used to inform more detailed work, future funding bids, the Infrastructure Delivery Plan, developer contributions and the Community Infrastructure Levy.

2.3 Knaresborough Neighbourhood Plan

The Knaresborough Neighbourhood Plan includes the town centre which is the focus of this review. The Harrogate Local Plan was recently withdrawn following examination.

One of the key issues identified as part of the Neighbourhood Plan is the problems associated with the flow of traffic and congestion through the town. Other issues highlighted through consultation include:

- The need for more markets
- Car Parking
- Pedestrianisation
- Lack of choice in shops
- Empty shops
- Public realm
- Traffic
- Housing

3. PREVIOUS STUDIES

3.1 Knaresborough Renaissance Market Town Initiative – High Street Environmental Improvement Study, March 2005 (Atkins)

Atkins was commissioned to develop two draft conceptual designs (a one way and a two way option) for improving the quality and amenity of the public environment of the High Street, Knaresborough, to feed into Yorkshire Forward's Vision of the High Street. This is in response to the need to improve conditions on the high street, where the perception is that the focus of the High street is on cars rather than pedestrians and shoppers.

The report focuses on the two design options for improvements to the junctions and crossing points.

3.2 Knaresborough Renaissance Market Town – Town Team Delivery Plan, March 2005 (WSP)

The Plan builds on the work of the Knaresborough Regeneration Partnership. It contains a Town Charter representing the aspirations of the town and sets out an assessment of a number of Renaissance Market Towns projects that have been considered. These include:

Community

- Knaresborough Town Centre Youth Facility
- Housing
- Town Manager

Business and Commerce

- Improving the shop fronts
- Improving the offer
 - Medium sized supermarket
 - Control of non-retail uses
 - Piecemeal development sites
 - Developing retail quarters

Built Environment

- Knaresborough High Street Improvements
- The riverside
- Signage and street furniture

Transport

- Car parking
- Knaresborough Bypass
- Improved pedestrian links
- Improved Park and Ride

Sport, Leisure, Culture and Heritage

- Frazer Theatre and Environs
- Nidderdale Way Link to Knaresborough
- Arts Connections North Yorkshire Cultural Centre of Excellence

Tourism

- Link from castle/ museum to riverside
- Knaresborough Castle
- Performance Area

As this report was published 10 years ago, we have assumed that some of these projects will have been implemented and others may be less relevant now as conditions have changed.

3.3 Knaresborough Renaissance Market Town – Town Team Business Plan, June 2005 (WSP)

This 2005 Business Plan sits with the delivery plan and given more detail of the planning and delivery aspects of the 23 projects identified in the delivery plan.

3.4 Knaresborough Conservation Area Character Appraisal, December 2008 (Harrogate District Council)

The Knaresborough Conservation Area Appraisal aims to define and analyse the special interest which constitutes the character and appearance of the town.

The Appraisal has been adopted by Harrogate Borough Council and forms an evidence base for the Local Development Framework (LDF). It is, therefore, a material consideration when determining applications for development, defending appeals or proposing works for the preservation or enhancement of the area. It can also form the basis for a subsequent Management Strategy, which will contain issues, proposals and policies for the conservation and enhancement of the area.

The Appraisal provides information and guidance to those wishing to carry out works in the Conservation Area whether or not they require planning approval. It is, therefore, a useful source of information for property owners, agents, applicants and members of the public who live or work in Knaresborough. The main functions of the Conservation Area Appraisal are to ensure that any works in the Conservation Area have regard to the special qualities of the area and to devise a strategy to protect them.

Seven character areas have been identified, each forming a basis for individual description and analysis. The town centre is covered in its own character area and any policies or interventions proposed in the Neighbourhood Plan should have regard to the findings in the Conservation Area Character Appraisal report.

3.5 Knaresborough Market Town Benchmarking, 2012 (AMT)

This recent report measures the performance of Knaresborough town centre. The results are summed up as:

- Knaresborough is a town centre dominated by 'independent' A1 retailers with 74% independent shops and fewer multiples;
- More units in the town centre are shops than the national average, with 50% of occupied units in Knaresborough Town Centre are A1 Shops, 11% of the units are in the A2 classification (financial and professional services), whilst 9% are A4 Drinking Establishments;
- Most visitors to the town centre stayed for less than 2 hours and the average spend is between £5 and £20;
- 60% of car parking is based in car parks, mainly York Place;
- All of the On Street Car Parking is 'short stay' and overall, Knaresborough has a higher proportion of 'short stay' car parking provision than the national average.

Positive results

- Knaresborough has a balanced retail offering, with a majority of the A1 Shops being classed as selling 'comparison goods';
- Despite concerns about empty units being a key theme to emerge from both Business and Town Centre Users consultations, 12 units in the defined town centre area were vacant at the time of the report, providing a rate of 6%. This figure is lower than the national average;
- The market in Knaresborough offers a large number of traders with high footfall on market day (about twice the usual number). The market is seen as a positive aspect of the town and brings people in to the town centre;
- Footfall within Knaresborough is higher than the national average, even on non-market days;
- Knaresborough benefits from a loyal customer base and also attracts tourists. Tourists are more likely to rate the town more positively than residents. The town is seen as clean and business confidence is good.

Negative results

- A lower than average number of people were using the town centre for shopping, especially tourists;
- Car parking was seen as a negative aspect of the town centre. Residents want more parking provision and free parking;
- There is concern over the number of charity shops, although this is only 3% of occupied units;
- Reducing business rates and improving the town centre offer was seen as important and 'shopping' was seen as a negative aspect;

- There is a perception that Knaresborough suffers from traffic issues and specifically the unloading of lorries at the Tesco superstore on the High Street;
- There was also a perception that empty stalls at the market detract from the vibrancy and physical appearance.

4. NEIGHBOURHOOD PLAN EVIDENCE BASE GAPS

A neighbourhood plan must be based on evidence rather than conjecture. Collection of a sound evidence base is important in order to establish coherent policy for the NDP area.

There is a useful list of common evidence base documents provided as Appendix B of this report. It would be useful for the NP group to explore whether there are additional documents that are needed to plug any gaps in the evidence base.

5. ROLE AND FUNCTION OF TOWN AND LIKELY MARKET NEEDS

The National Planning Policy Framework, the overarching planning basis for England and Wales states that the service role of each town should be identified i.e. the extent to which it provides local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship. (NPPF para 28).

Every high street sits within a larger hierarchy of town centres within an economic area, e.g. Harrogate. The hierarchy is made up of various levels of centres, comprising city centres, town centres, district centres, local centres and small parades. It is important for lower order centres such as district and local centres to ensure they have planning policies in place which allow them to thrive and attract new investment. Every centre within the hierarchy performs a different function according to the community and area it serves.

Local centres are the focus for community activity. Places where all people can go to easily access shopping, leisure, employment and even as a place to live. For a centre to function effectively it needs to accommodate as wide a range of activities as possible to cater for different needs, tastes and preferences. These activities need to vary in terms of type, size and mix in order to give residents and visitors choice and encourage competition. In terms of shopping for example, a diverse centre would have a range of large, medium and small shops, comprising a mix of independent, specialist, generalists, national and international retailers, and a market area or market stalls.

From the evidence collected, and visit to the town, our findings show that Knaresborough performs an important function as a local centre and local tourist destination. However, there are issues with the town and its performance that could usefully be addressed in the NDP in terms of developing its role as a “retail destination” and what other uses or functions beyond retail will add to the vibrancy of the town centre.

6. POTENTIAL POLICY RESPONSE TO HIGH STREET ISSUES

A variety of issues have been identified through consultation, as listed above. Some of these can be tackled through initiatives, some by specific policies and proposals in the plan, or a combination of both.

Policies and interventions that could be appropriate for the Neighbourhood Development Plan working group to consider include:

Table 1: Potential policy response to identified issues

Identified issue	Potential NDP policy / intervention
Shop units too small for some businesses	<p>Ensure a range of retail units are available to meet modern standards. This could be done through a Neighbourhood Plan policy encouraging larger units to be provided in the core retail area¹</p> <p>Alternatively, a policy could be included encouraging site assembly (including potentially Compulsory Purchase Orders) to bring together redundant sites and provide premises that are commercially attractive to operators in the core retail area.</p>
Lack of diversity in offer. High proportion of shops and fewer other uses.	Promote an increase in leisure and cultural uses, including the night time economy to better compete with other towns and out of town retail and leisure. This could be achieved through a policy encouraging an appropriate scale of mixed use development to include an element of non-retail.
High business rates affecting town centre performance.	There is an overall government programme of business rate reform. There are also measures the Local Authority can take to grant business rate relief.
Empty units.	<p>Encourage temporary use of vacant units e.g for local producers e.g. farm shop or community uses such as craft shops or temporary art gallery. This can be done through a policy in the NP and working with the landowners of empty properties.</p> <p>Give business rate relief to businesses willing to occupy vacant units.</p>
The attractiveness and vibrancy of the town centre	Invest in shop-front improvements. In other places, the Local Authority has provided a modest grant which is then match funded by the individual business. This would need to be managed by the Town Council to ensure buy in from enough retailers to make a difference to the town centre appearance. See also section on Neighbourhood Development Orders below.
	Review suitability of primary and secondary high street frontages. Consider redefining boundaries to allow a greater flexibility of uses in secondary frontages. This would help to balance the retail with other town centre

¹ The area containing the Primary and Secondary Retail Frontages. These are both defined in the Harrogate District Local Plan 2001 Polices Map

	uses. Conversely, if there is evidence of demand for retail use outside the core retail area. consider extending the primary retail frontage to prevent non-retail uses. See section below on Use Class Orders for information on allowing a change of use from one land use to another e.g. retail to residential.
Three 'centres' within the town – Riverside, Market and High St.	Public realm improvements to connect the areas. Provide help with 'way finding' i.e. signage to direct visitors to different parts of the town.
Lack of affordable housing.	Consider consolidating retail use within the town centre and allowing flexible change of use in non-core areas e.g. change of use from retail to residential
No control over what type of business opens in town.	If there is evidence of an over provision of certain types of business e.g. charity shops or take aways, this can be tackled by a policy in the NDP. However, there would have to be robust evidence. From our knowledge of the town centre this is unlikely to be the case.
Pedestrianisation	This would be a radical approach to the problems of the busy A59 that runs through Knaresborough. This would need further work to assess the implications on the strategic road network. Pedestrianisation on a large scale can be to the detriment of the high street as it can divert passing trade and footfall, and lead to a sense of isolation in the evening. However pedestrianisation of parts of the town centre may be appropriate.

7. POTENTIAL FOR A NEIGHBOURHOOD DEVELOPMENT ORDER

One effective way to incentivise employment uses or wider high street renewal objectives would be to consider the application of Neighbourhood Development Orders (NDO)² for certain forms of development. NDOs grant automatic planning permission for development that is in accordance with an order. For example, you may wish to promote creative/cultural/technology based industries by allowing conversion between A1 uses (retail) to B1 (offices/light industry) or to allow particular forms of development on sites that currently lay fallow.

An NDO could also be used to help steer the design of buildings/sites. NPPF paragraph 198 says: *“Where a Neighbourhood Development Order has been made, a planning application is not required for development that is within the terms of the order. Where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted.”*

NDOs provide certainty for businesses wishing to locate to an area where their primary business function is supported by an NDO. Even if a local planning authority was supportive of a business’s primary function locating in their area it may still require a change of use and therefore a full planning application. Applying for full planning permission can be costly without any guarantee of

² <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/what-is-neighbourhood-planning/what-is-a-neighbourhood-development-order>

success for a business. The group could help to guide where particular commercial uses are located through the use of an NDO by agreeing upfront what types of development are acceptable and what are not via consultation and the referendum.

A NDO could promote enterprise and innovation hubs, commercial active frontages, horizontal mixed use buildings and the intensification of main centres e.g. through higher allowable densities than those set out in the local plan. Involving developers and landowners could also help them to de-risk their proposals if you can agree mutually beneficial outcomes.

There are a few examples around the country where NDOs are being brought forward. Cockermouth³ in Allerdale are preparing for a referendum in July 2014. Cockermouth Town Centre was hit by a devastating flood in November 2009. One of the issues that many businesses faced, as they sought to recover, was the requirement to submit planning applications for replacement shopfronts. This resulted in what many felt were unnecessary extra cost and introduced delay into the recovery process and this has in part prompted the Town Council to embark on pursuing this Neighbourhood Development Order. The NDO includes the following parts:

Market Place - This part of the Order would grant planning permission to change commercial properties to Class A3 restaurant or Class A4 drinking establishment use in the Market Place area as designated on the map attached as Appendix A. Secondly it grants planning consent for the use of highway land for the seated consumption of food and drinks linked to the adjacent premises with the placing of tables, chairs, non-advertising parasols, space heaters and barriers / enclosures within the particularly identified areas within the area.

Creation of Residential Flats above Commercial Premises - This section of the Neighbourhood Development Order grants planning permission for the upper floors, above shops and financial and professional services premises, to be converted into up to 4 flats. This is subject to a limit of 2 flats per individual floor.

Replacement Shopfronts - The intention of this part of the Order is to allow the replacement of existing shopfronts, so long as they replicate the design templates and incorporate the design criteria, set out in an Appendix accompanying the Order – the replacement Shop Front Design Guide.

Modification of Article 4 Direction - This part of the Order relates to a series of residential streets at the western end of the Town Centre. They were the subject of an Article 4 Direction made in 1976, which removed permitted development rights to make certain alterations to the houses, in particular the ability to install replacements windows and doors. The effect of the proposed Order will be to allow the replacement of windows and doors, so long as they are timber sliding sash windows and timber panelled front doors within existing openings. They will need to be designed in a manner that replicates the design templates and incorporates the design criteria set out in the Design Guide.

8. SITE SPECIFIC PROPOSALS

There was a meeting of the Knaresborough Neighbourhood Development Plan working group on Thursday 5th June, with Niltay Tosun-Erdem from the URS urban design team.

³ <http://www.allerdale.gov.uk/planning-and-buildings/planning/planning-policy/neighbourhood-planning.aspx>

The issues identified at this meeting included:

- There are three centres within the town centre – Riverside, Market and High St. The busy A59 was a problem;
- Things could be improved generally; shop units were too small for some retailers;
- The town centre lacks vibrancy and choice of retailers;
- The traffic lights at Bond End created problems and the bus station caused traffic problems;
- Issues with air quality at Bond End;
- Number of empty buildings, length of time they had been empty, tatty appearance of empty buildings and others;
- No control over what type of business set up in the town; and
- Look at planning policy with regards to primary and secondary retail units.

The site analysis plan below highlights particular problem areas in the town.

8.1 High street analysis

The main points to come out of the analysis are:

- The High Street is fronted by variety styles of buildings belonging to different eras. There are some very attractive historic buildings in the town centre;
- Most of the buildings on High Street are mixed use with ground floor retail;
- High Street is dominated by fast and busy traffic and on street car parking. There are only three traffic lights providing pedestrian crossings throughout High Street;
- There is a lack of a 'hub' along High Street - an attractive space for pedestrians to linger and interact;
- The majority of the town centre has average public realm quality;
- The bus station creates difficulty in pedestrian and vehicular movement;
- Bus stops are located too far apart from each other and there is no bus stop provided close to the train station;
- Narrow and cluttered footpaths create difficulty in pedestrian movement;
- There are several empty retail premises along High Street especially at the north-west end. Some of them have been empty long term;
- The routes to the market place from High Street are not signed up clearly;
- The market place is dominated by car movement and car parking;
- There is no clear way finding system throughout the town centre. It is not

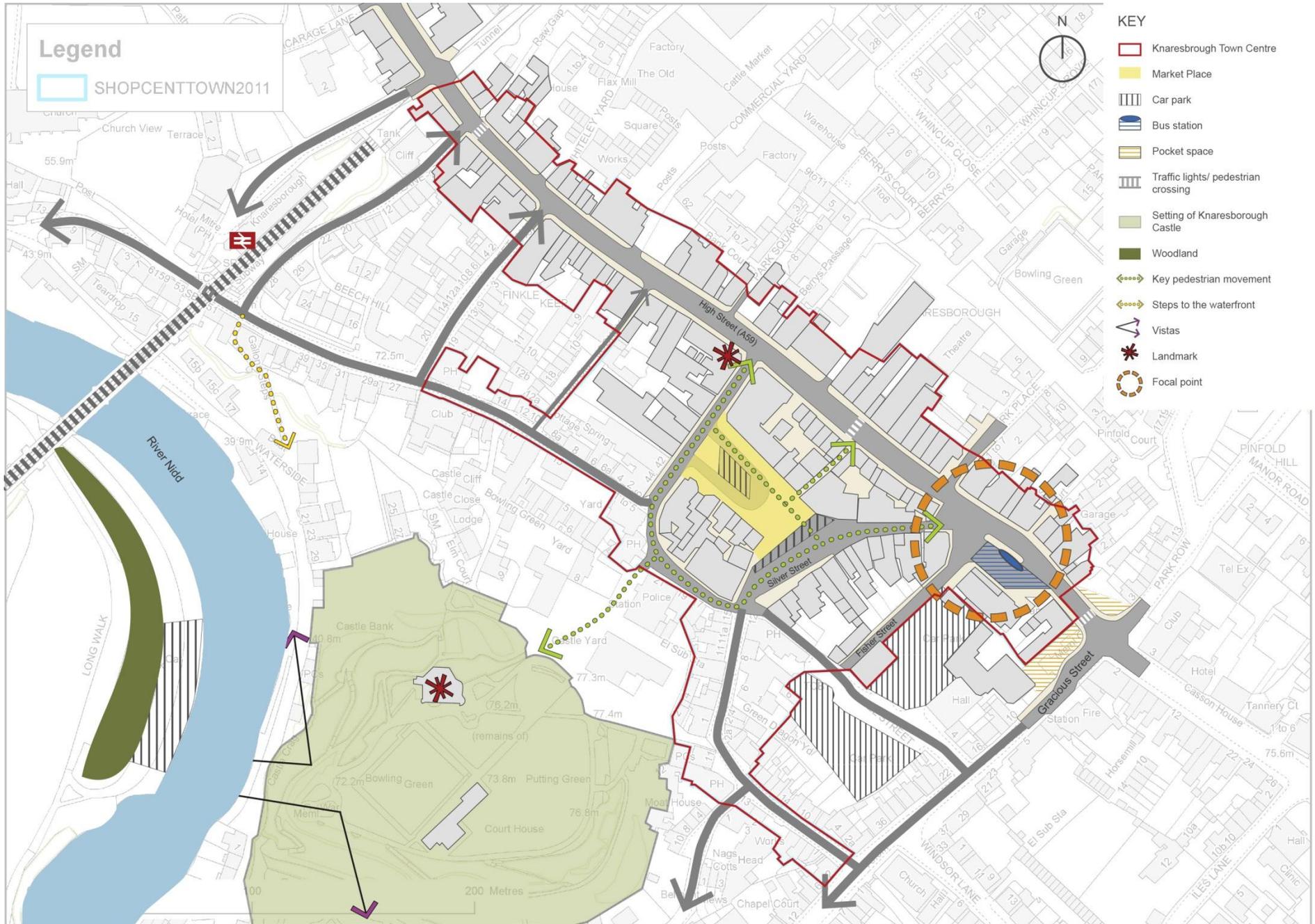
easy to find the castle or the market place for a visitor travelling by bus or train. The tourist information is also placed at an isolated location.

8.2 High street opportunities

The following opportunities have been identified for consideration in the Neighbourhood Plan. These are shown on Figure 3.

- Explore opportunities to reduce the volume of the traffic on High Street. This can be achieved either by providing the A road circulation with a by-pass outside the town or by arranging a one-way system within the town – both a significant engineering solutions that will need careful planning and design;
- Seek for the opportunity to widen the footpaths on High Street to improve pedestrian circulation and reduce the car dominance, and de-clutter the footpaths;
- Introduce traffic calming interventions to reduce the traffic speed;
- Provide pedestrian prioritised crossings such as zebra crossing along High Street;
- Explore opportunities for relocating the bus station and redesign the space as a public square;
- Propose new bus stops close to the train station;
- Explore opportunities to redesign the junction of Silver Street, High Street and Fisher Street to create a more pedestrian friendly environment;
- Seek opportunities to encourage the retailers to occupy the empty retail premises to create a more coherent high street environment;
- Improve the public realm quality throughout the town centre to create a more attractive and pleasant environment;
- Encourage the occupiers to improve the façade of the buildings especially on High Street;
- Introduce a high quality and clear way finding system to the key locations in the town centre;
- Explore the opportunity to re-regulate car parking within the town centre prioritising pedestrian movement;
- Explore the opportunity of improving the Market Place by reducing car dominance to create a more attractive public square.

Figure 2: Town Centre Analysis



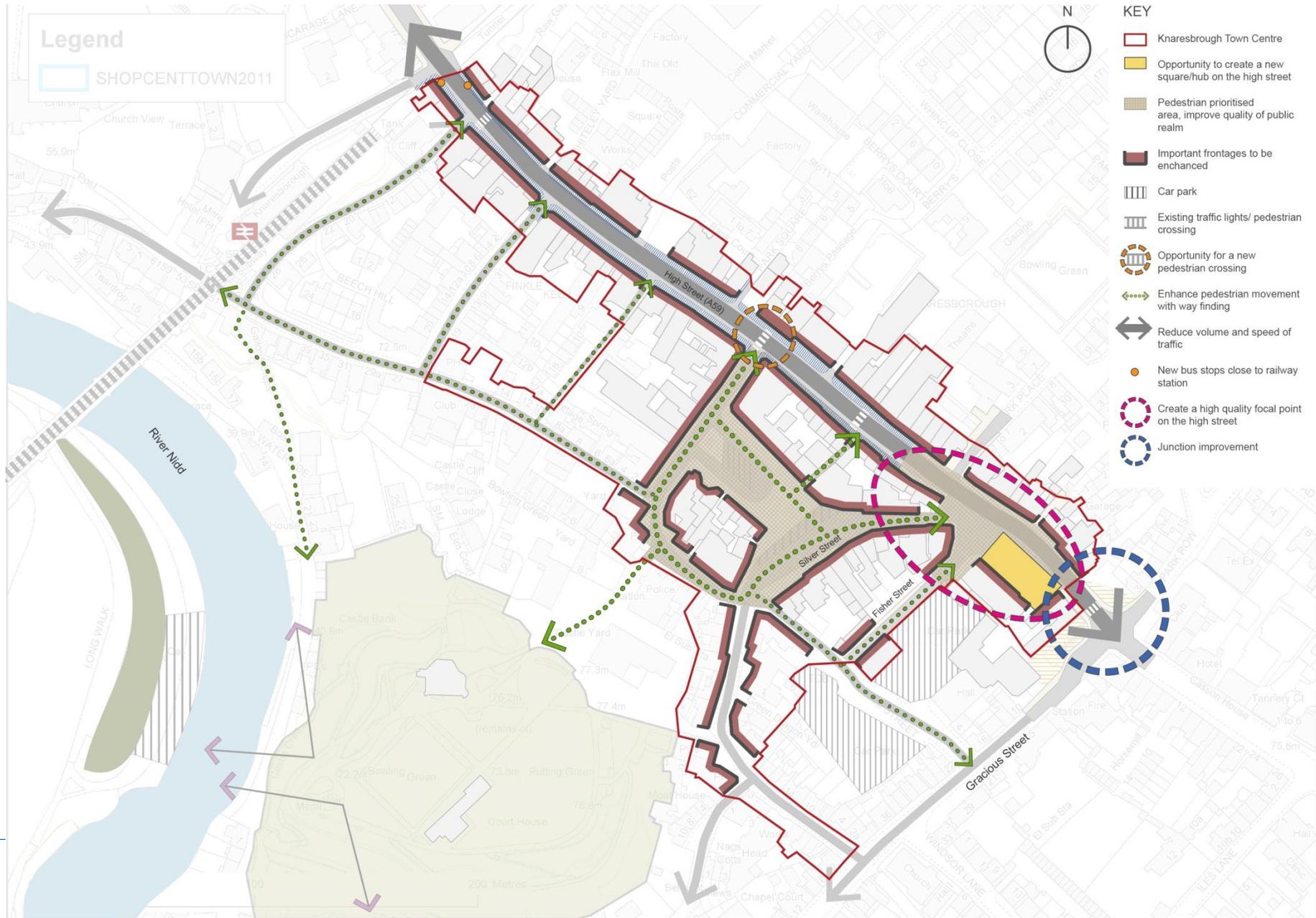
Legend

SHOPCENTTOWN2011

KEY

- Knaresborough Town Centre
- Market Place
- Car park
- Bus station
- Pocket space
- Traffic lights/ pedestrian crossing
- Setting of Knaresborough Castle
- Woodland
- Key pedestrian movement
- Steps to the waterfront
- Vistas
- Landmark
- Focal point

Figure 3 Town Centre Opportunities



Other points of good practice

Other than the issues raised in this report as a way of tackling particular identified issues, there are a number of general points relating to policies and initiatives that are relevant to Knaresborough that could be considered⁴. These include

- Local policies should be developed which build on the unique character of the area. Knaresborough should create a niche shopping and leisure experience to complement that of Harrogate and competing out of town retail;
- The town should keep abreast of changing consumer preferences through visitor surveys, to ensure that the centre continues to attract footfall and consumer spend and adopt new technologies as demand dictates;
- The town should invest (or continue to invest) in place branding and marketing, including a good website;
- Consider encouraging multiples (national chains) to locate in Knaresborough through lease incentives such as rent-free periods;
- Promote a balance of daytime and night time economy;
- Promote non-retail use such as small businesses/workshops and leisure outside of the core retail area to attract footfall into the town centre;
- Invest in shop front and public realm improvements;
- Small businesses should be helped to access finance.

9. RELEVANT PLANNING USE CLASS AND PERMITTED DEVELOPMENT LAW

In relation to potential Neighbourhood Plan policies relating to change of use from one land use to another, this section explains the Planning Use Class and new permitted development rights which may be relevant to the Knaresborough NDP. Planning policies allowing additional flexibility in change of use from one land use to another can potentially be included in the NDP as a way of consolidating retail uses in the primary retail areas and allowing flexibility in land uses outside of the core retail area.

The Town and Country Planning (Use Classes) Order 1987 puts uses of land and buildings into various categories known as 'Use Classes'. See Appendix 1 for a full list of use classes.

In many cases involving similar types of use, a change of use of a building or land does not need planning permission. Planning permission is not needed when both the present and proposed uses fall within the same 'class', or if the Town and Country Planning (Use Classes) Order says that a change of class is permitted to another specified . For example, a greengrocer's shop could be changed to a shoe shop without permission as these uses fall within the same 'class', and a restaurant could

⁴ From recent retail reviews including the Portas and Grimsey High Street reviews.

be changed to a shop or a estate agency as the Use Class Order allows this type of change to occur without requiring planning permission.

New change of use permitted development came into effect in April 2013, including the regulation that allows buildings with A1, A2, A3, A4, A5, B1, D1 and D2 uses will be permitted to change use for a single period of up two years to A1, A2, A3 and B1 uses.

Additional change of use permitted development rights came into effect from April 2014. These new permitted development rights will not apply to scheduled monuments. With the exception of new Class CA the rights will also not apply to listed buildings.

- **retail to residential** - new class IA allows change of use and some associated physical works from a small shop or provider of professional/financial services (A1 and A2 uses) to residential use (C3). This involves a 'prior approval' process and the local planning authority can consider impacts of the proposed change.
- **retail to banks and building societies** - new class CA allows change of use from a shop (A1) to a bank or a building society.
- **agricultural to residential** - new class MB allows change of use and some associated physical works from buildings used for agricultural purposes to residential use (C3). This involves a 'prior approval' process and the local planning authority can consider impacts of the proposed change.
- **commercial to childcare nurseries** - change of use from offices (B1), hotels (C1), residential (C2 and C2A), non-residential institutions (D1), and leisure and assembly (D2) to nurseries providing childcare. This involves a 'prior approval' process and the local planning authority can consider impacts of the proposed change.
- **agricultural to new schools and nurseries** - new class MA allows change of use from buildings used for agricultural purposes to a state funded school or nursery providing childcare. This involves a 'prior approval' process and the local planning authority can consider impacts of the proposed change.

10. CONCLUSIONS AND RECOMMENDATIONS

The Knaresborough Neighbourhood Development Plan provides the opportunity to shape and promote change that reflects community and local stakeholder priorities. The issues that have been identified relate mainly to the attractiveness and vibrancy of the high street, the intrusion of the busy A59 on the high street environment and vacant and derelict buildings. Potential policy areas to address these issues have been included in the report as well as site specific proposals to consider including in the plan.

The group should also consider:

- A review of the evidence base to identify gaps;
- Identifying any demand for non-traditional high street functions. Harrogate District Council may be able to provide this information. This would support



the policy approach to consolidate retail in a primary core and release other sites for non-retail uses.

APPENDIX A PLANNING USE CLASS ORDERS

Planning Use Class Orders

The following list gives an indication of the types of use which may fall within each use class. Please note that this is a guide only and it is for local planning authorities to determine, in the first instance, depending on the individual circumstances of each case, which use class a particular use falls into.

Use classes A1-A5 are the predominant use classes appropriate for a town centre but other uses such as B1, B2, C3, D1 and D2.

A1 Shops - Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices (but not sorting offices), pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafes.

A2 Financial and professional services - Financial services such as banks and building societies, professional services (other than health and medical services) including estate and employment agencies and betting offices.

A3 Restaurants and cafés - For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes.

A4 Drinking establishments - Public houses, wine bars or other drinking establishments (but not night clubs).

A5 Hot food takeaways - For the sale of hot food for consumption off the premises.

B1 Business - Offices (other than those that fall within A2), research and development of products and processes, light industry appropriate in a residential area.

B2 General industrial - Use for industrial process other than one falling within class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste).

B8 Storage or distribution - This class includes open air storage.

C1 Hotels - Hotels, boarding and guest houses where no significant element of care is provided (excludes hostels).

C2 Residential institutions - Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.

C2A Secure Residential Institution - Use for a provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.

C3 Dwellinghouses - this class is formed of 3 parts:

C3(a) covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child.

C3(b): up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.

C3(c) allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger.

C4 Houses in multiple occupation - small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.

D1 Non-residential institutions - Clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law court. Non residential education and training centres.

D2 Assembly and leisure - Cinemas, music and concert halls, bingo and dance halls (but not night clubs), swimming baths, skating rinks, gymnasiums or area for indoor or outdoor sports and recreations (except for motor sports, or where firearms are used).

Sui Generis - Certain uses do not fall within any use class and are considered 'sui generis'. Such uses include: theatres, houses in multiple occupation, hostels providing no significant element of care, scrap yards. Petrol filling stations and shops selling and/or displaying motor vehicles. Retail warehouse clubs, nightclubs, launderettes, taxi businesses, amusement centres and casinos.



APPENDIX B EVIDENCE BASE ADVICE

Neighbourhood Planning - Developing a Data-Driven Evidence Base

The aim of this short paper is to introduce communities engaged in Neighbourhood Planning to the importance of data in developing an evidence base, commonly sought public data sets and their owners/location, and the means to request data where it proves challenging to solicit at the local level.

Background

One of the common problems faced by communities developing neighbourhood plans is how to collect the evidence base they require in order to establish coherent policy at the neighbourhood level.

The number of groups who have talked to Locality's Neighbourhood Planning team about this appears to be significant. What all groups need is a methodology and data collection that is proportionate to their plan, with data that is easy to manipulate, understand and draw conclusions from. There is perception that local authorities and developers have access to, or are often able to access relevant data, whereas local people do not. Or more accurately, they probably do, but they don't know where to look for it and struggle to manipulate what they do find.

Understanding the Situation

In order to fully understand the data sets that local groups developing neighbourhood plans are interested in, Locality, as members of the Local Public Data Panel (<http://data.gov.uk/blog/local-public-data-panel>) developed a short survey with panel members which was sent out to Locality's neighbourhood planning contacts in December 2012.

The survey introduced the context, namely, that the Local Public Data Panel is seeking to develop a list of data sets that groups can consider requesting as part of the neighbourhood planning process to help those involved in future. The survey then posed the following questions:

- What data have you sought in developing your Neighbourhood Plan and from what sources?
- What data have you requested from your Local Authority in developing your Neighbourhood Plan?
- What data have you successfully obtained from your Local Authority in developing your Neighbourhood Plan?
- Was your Local Authority unable to supply some of the data you requested? If so, which data sets were you unable to get from your Local Authority?
- What data have you found particularly useful in developing your Neighbourhood Plan?
- Did you encounter difficulties in manipulating the data you obtained? If so, which data sets proved particularly challenging to work with?
- Have you sought expert assistance and/or purchased the services of a data manipulation intermediary to help analyse some of the data you acquired?

The headline findings to the survey are as follows:

1. The data requirements of communities engaging with Neighbourhood Planning are both significant and broad-ranging. There were repeated calls for affordable housing needs assessments and transport impact analysis, but requests ranged from landscape, infrastructure to facilities. The range is wide and varied.
2. Some communities have requested significant input from their Local Authority, but few other sources of public data (e.g. DCLG itself) are cited as having been approached/useful. Instead, people appear to have undertaken their own research and/or approached their local authority.
3. A mixed picture is emerging vis-à-vis the openness of local authorities towards the supply of public data to communities engaged in neighbourhood planning - some are proving incredibly helpful, whereas others appear less 'eager to assist'. Notably, it would appear that 'council support for neighbourhood planning as a policy objective' is as much a predictor of responsiveness as the 'capacity of councils to engage'.
4. Whilst data manipulation was not cited as a particular problem amongst respondents to the survey, more 'data aware/confident' communities are liable to make up the group that opted to respond to a survey concerning 'open data for neighbourhood planning'. Interestingly, a small number of respondents opted to purchase expert input in this regard and/or would have liked to had they had access to sufficient resources.

The Response to the Survey

In response to the survey, the Local Public Data Panel is putting together a list of useful information around neighbourhood planning. Using the survey results, they have compiled a list of key information which could:

- Enable communities interested in neighbourhood planning to more easily locate the owner of the information they require; and
- Encourage Local Authorities to publish the key data sets to improve accessibility;

The tables below summarise information that neighbourhood planning groups have requested. Whilst this list is by no means exhaustive, The Local Public Data Panel envisage that it will evolve over time into a useful tool for those newcomers to neighbourhood planning. The aim here is to provide neighbourhood planning proponents with some indication of the types of information available, and encourage them to contribute and improve the list.

Common evidence produced as part of Local Plan making	
Strategic Housing Market Assessment	These documents are normally available on local planning authority websites under Local Plan evidence base. They use a variety of secondary and sometimes primary data to produce the documents. Site related documents e.g. the housing land availability assessment will often include site maps. Often these documents draw on planning practice guidance from DCLG, which is currently under review.
Strategic Land Availability Assessment	
Strategic Flood Risk Assessment Main Report	
Parking Standards	
Site Specific Policies and Allocations Document	
Authority Monitoring Reports	These are produced annually by the local planning authority and are intended to provide details of progress in implementing Local Plan policies. Can include a summary of planning applications approved.

Examples of locally specific strategies	
Cultural strategy	The decision on whether to produce these strategies will be taken locally. Commonly, again, they will be available on the relevant local authority website. A variety of data will have been used to produce them, and Neighbourhood Planning areas may be able to access the underlying data - some examples of which are covered in the
Good Health and Wellbeing Strategy	
Heritage Strategy	
Creative industries strategy	
Flood Management Strategy	
Area Transport Strategy	
Local Transport Plan	

Infrastructure Delivery Plan	“reference data” table below.
Council, Place-Making Guide	
Local Investment Plan and Programme	

Examples of reference data / statistics - local planning authorities are likely to have used a variety of these statistics in their local plan making processes	
Population data	Office of National Statistics (http://www.statistics.gov.uk/hub/index.html), Health and Safety Executive (day/night time population). NOMIS (http://www.nomisweb.co.uk/) has mid-year estimates at LA level
Council tax bands	Valuation Office Agency (http://www.voa.gov.uk/)
Ofsted reports on schools	Ofsted reports. It may also be worth speaking to county/unitary education authority re. school catchment areas/capacity issues to inform neighbourhood infrastructure needs
Deprivation statistics	DCLG - available in 5* formats via OpenDataCommunities (http://opendatacommunities.org/)
Pensioner and child benefit data	DWP (https://www.gov.uk/government/publications?publication_filter_option=statistics)
Official labour market statistics	NOMIS (http://www.nomisweb.co.uk/)
Crime statistics	Home Office (https://www.gov.uk/government/publications?publication_filter_option=statistics) and Police API (http://data.police.uk/api/docs/)
Maps	Variety of sources. Local Planning Authorities may be able to help on accessing maps and explaining any copyright issues
Land Ownership	Land Registry (http://www.landregistry.gov.uk/)
Boundary council assets	Local data - not necessarily available in digital format, and can be licensing issues
Landscape value	See 3 agencies (English Heritage, Natural England, Environment Agency) leaflet and MAGIC website http://a0768b4a8a31e106d8b0-50dc802554eb38a24458b98ff72d550b.r19.cf3.rackcdn.com/LIT_6524_7da381.pdf
Heritage and historic values, sites at risk	English Heritage (http://www.english-heritage.org.uk/professional/advice/hpg/historicenvironment/neighbourhoodplanning/)
Environmental/ habitat designations	See 3 agencies leaflet. Local Planning Authority can also advise on what is designated in an area
Tree Preservation Orders	Local data on local planning information system
Traffic data (principal council)	Highways agency (http://www.highways.gov.uk/traffic-information/traffic-information-services/). Highways agency network journey time and traffic flow data available on data.gov.uk.
Car ownership	DVLA (http://www.dft.gov.uk/dvla/default.aspx?sc_lang=en)
Social Housing Demographics	DCLG and ONS Neighbourhood statistics
Employment land assessment and retail assessment	Local Planning Authority may have this as part of evidence base local plan making (see above)
Community surveys	Will depend who undertook the survey and for what purpose.

In search of Data

If, as you develop your Neighbourhood Development Plan, you are searching for data that you think is held by a public body but it is either difficult to track down or not being made available, you may find it worthwhile completing a request for data using the request a data set form on the data.gov.uk web site - the form can be found at <http://data.gov.uk/node/add/data-request>.

Data requests are handled by the [Open Data User Group \(ODUG\)](#), which is tasked with prioritising public data for general release and making the case to the Government's Data Strategy Board (DSB) for funds to enable the same, where requests for particular data sets are received. ODUG's progress in securing the release of data requested is monitored via a live public dashboard which, as you will see, points to the relative lack of requests from communities and the VCS to date: <http://www.data.gov.uk/odug-roadmap>

If we can offer advice/guidance about how to complete a successful request, please don't hesitate to contact the Locality Neighbourhood Planning team (e-mail: neighbourhoodplanning@locality.org.uk).