

## AREA 2 DEVELOPMENT CONTROL COMMITTEE

**HELD ON 9 MARCH 2004  
(FROM 4.00 PM TO 7.08 PM)**

**PRESENT:** Councillor Smith in the Chair. Councillors Bayliss, Bean, Fawcett, Hoult, Anne Jones, Lumsden, Dr Rothwell and Sturdy.

Late Arrivals: None.

Early Departures: Councillor Fawcett at 6.05 pm  
Councillor Sturdy at 7.04 pm

86/03 – **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES:** An apology for absence was received from Councillor Chris Lewis. Notification had been received that Councillor Dr Rothwell was to act as substitute for Councillor Wilson.

87/03 – **DECLARATIONS OF INTEREST:** Declarations of interest were made as detailed in Minute 91/03.

88/03 – **MINUTES:** The Minutes of the meeting of the Committee held on 10 February 2004 were unanimously approved as a correct record and signed by the Chair.

At this juncture one Member pointed out that the letter of thanks, which it had been agreed should be sent to the householders at 17 Birkdale Avenue, Knaresborough, in recognition of the fact that they had preserved and maintained a tree which was the subject of a provisional Tree Preservation Order had not, in fact, been sent. The Chair asked the Head of Planning Services to ensure that this omission was rectified.

89/03 – **EXEMPT INFORMATION:**

There were no exempt information items.

### **MATTERS WHICH THE COMMITTEE DEALT WITH UNDER DELEGATED POWERS**

90/03 - **COUNTY APPLICATIONS:** There were no further applications submitted by North Yorkshire County Council upon which this Council's observations had been sought.

91/03 - **LIST OF PLANS:** In accordance with the Scheme of Delegation the Committee considered the undermentioned plans and applications and made the decisions indicated viz:-

**APPLICATION NO.:** 6.56.20.J.FUL

**LOCATION:**

The New Maltings Langthorpe Boroughbridge York North Yorkshire YO51 9BZ

**PROPOSAL:**

Conversion to form 13 no. duplexes and 9 no. flats with the erection of side extension to form 2 no. town houses. Formation of new vehicular access with associated car parking (Revised Scheme) (Site Area: 0.269 hectares).

**APPLICANT:** Historic Buildings Conservation Ltd

DEFERRED and HOPS be authorised to APPROVE the application subject to the following conditions and such other conditions HOPS considers to be necessary and following the completion of a S106 Agreement requiring:

- 0 A commuted sum towards provision of off-site open space facility or as an alternative the receipt of voluntary payment for same purpose.
- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 5yrs
- 2 The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details, as amended by letter and/or drawings received by the Council of the Borough of Harrogate on the 14.11.2002, 18.11.2002, 26.03.2003 and 07.04.2003 and as modified by the conditions of this consent.
- 3 No development shall take place until the following details have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
  - a) Method of retention of the interior columns, beams, floors and roof trusses.
  - b) Construction and materials of all doors and windows, including how the windows open and of cills and window heads with typical details at 1:20, 1:5 and 1:1, as required by the local planning authority.
  - c) Skirting and architraves.
  - d) Fire protection to the columns.
  - e) A typical cross section and longitudinal part section at 1:50 scale.
- 4 CD10 MATERIALS TO BE APPROVED
- 5 CL02 LANDSCAPING: DETAILS TO BE APPROVED
- 6 CL02X PROVISION FOR TREE PLANTING
- 7 CQ03 GRD CONTAMINATN/INVSTIGTN/REMEDIAL PROPS
- 8 An emergency access shall be provided to link the proposed estate road with the rear access of Victory Terrace. Full engineering details shall be submitted to and approved by the Local Planning Authority after consultation with the Highway Authority.
- 9 HW01 DETL'D PLAN ROAD/FT'WY LY'OUT OA ALLTYP
- 10 HW02 CON'ST ROADS/FT'WY PRIOR TO OCC OF DWLGS

- 11 Prior to the first use of the development the approved vehicle parking, manoeuvring, turning areas indicated on the submitted drawings [Reference 98030 201 rev J] shall be provided, laid out, hard surfaced, drained, marked out and made available for use. An additional area for the parking of at least 5 visitor's cars shall be provided west of The Maltings on land under the control of the applicant, to the satisfaction of the Local Planning Authority. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
- 12 HW22 PRKG FOR DWL'GS WHERE COMMUNAL PRK APPRO
- 13 HW26 PRECAUTIONS TO PREVENT MUD ON HIGHWAY
- 14 HW29 DOORS/WINDOWS OPENING OVER THE HIGHWAY
- 15 Prior to the commencement of the development there shall be submitted to and approved by the Planning Authority after consultation with the Highway Authority proposals for the provision of an on site parking area and an on site materials storage area, capable of accommodating all staff and sub-contractors' vehicles clear of the adjacent residential estate roads and all materials required for the operation of the site. The approved compounds shall be available for use at all times building works are in operation.
- 16 No vehicles associated with on site building works shall be parked outside the application site.
- 17 Surface water from the private parking and access areas shall not discharge into the proposed highway. Full details of any measures required to prevent such discharges shall be submitted to and approved by the Planning Authority. The approved measures shall be installed prior to the occupation of the associated dwelling and thereafter maintained to prevent such discharges.
- 18 Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 4 metres of the line of the sewer, which crosses the site.
- 19 The site shall be developed with separate systems of drainage for surface water.
- 20 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority.
- 21 Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.
- 22 Prior to being discharged to any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings shall be passed through trapped gullies installed in accordance with a scheme previously submitted and approved in writing by the Local Planning Authority. Roof drainage should not be passed through any interceptor.
- 23 There should be no discharge of foul or contaminated drainage from the site into either ground water or any surface waters, whether direct or by soakaways.
- 24 No development shall take place without the prior written approval of the Local Planning Authority of:
  - i) A full written and photographic record of The Maltings, including all internal items to be removed.
  - ii) A scheme for the retention and display of artefacts from The Maltings.
- 25 HW08 ACCESS FROM SPECIFIED ROAD ONLY ... access from Waterside only
- 26 Prior to the development commencing details of how Secured by Design principles have been incorporated into the scheme shall be submitted for the written approval

of the Local Planning Authority and once approved such details shall be implemented prior to occupation of any of the units.

#### Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC01R ACCORDANCE WITH DRAWINGS
- 3 CD12R VISUAL AMENITY
- 4 CD10R INTERESTS OF AMENITY
- 5 CL02R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 6 CL02XR SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 7 CQ03R TO PROVIDE A SAFE ENVIRONMENT FOR USERS
- 8 HW08R ROAD SAFETY REQUIREMENTS
- 9 HW01R ROAD SAFETY REQUIREMENTS
- 10 HW02R ROAD SAFETY REQUIREMENTS
- 11 HW18R ROAD SAFETY REQUIREMENTS
- 12 HW22R ROAD SAFETY REQUIREMENTS
- 13 HW26R ROAD SAFETY REQUIREMENTS
- 14 HW29R ROAD SAFETY REQUIREMENTS
- 15 HW08R ROAD SAFETY REQUIREMENTS
- 16 HW08R ROAD SAFETY REQUIREMENTS
- 17 HW08R ROAD SAFETY REQUIREMENTS
- 18 CB18XR TO ALLOW SUFFICIENT ACCESS FOR MAINT/RPR
- 19 CB11R TO PREVENT POLLUTION OF WATER ENVIRONMNT
- 20 CB26R TO ENSURE DEV CAN BE PROPERLY DRAINED
- 21 To ensure that no surface water discharges take place until proper provision has been made for their disposal.
- 22 CB19R TO PREVENT POLLUTION OF WATER ENVIRONMNT
- 23 CB19R TO PREVENT POLLUTION OF WATER ENVIRONMNT
- 24 CP02R THE SITE IS OF ARCHAEOLOGICAL IMPORTANCE
- 25 HW08R ROAD SAFETY REQUIREMENTS
- 26 In the interests of residential amenity and community safety in order to reduce the fear of crime.

#### **INFORMATIVES**

- 1 Listed Building Consent is also required in respect of this development. You are advised not to start work until such time as an appropriate Notice of Listed Building Consent has been granted and you should ensure that the development is carried out strictly in accordance with the approved plans and the terms and conditions of such a Listed Building Consent.
- 2 The plans to which this approval refers are as follows:-  
  
98030 001 rec. 24.07.2002  
98030 201.J rec 26.03.2003  
98030 202.G rec 26.03.2003  
98030 203.J rec 07.04.2003  
98030 204.I rec 26.03.2003  
98030 205.G rec 26.03.2003  
98030 206.E rec 18.11.2002  
98030 208 Rec 18.11.2002
- 3 The contact details for the Police Architectural Liason Office are:

John MacPartlan  
North Park Road  
Harrogate

01423 539452

Condition 26 refers.

(Mr L R Gill (Langthorpe Parish Council), Mr. N Kieft (supporter and representative of residents of Waterside) and Mr N Allen (for applicant) attended the meeting and spoke to the item under the Council's Opportunity to Speak scheme).

(Six Members voted in favour of the Motion with three abstaining).

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**91/03(02)**

**CASE NUMBER: 03/05990/FUL  
GRID REF: EAST 443879 NORTH 464712**

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**APPLICATION NO.:** 6.72.78.A.FUL

**LOCATION:**

The Bungalow Lower Dunsforth York North Yorkshire YO5 9RZ

**PROPOSAL:**

Demolition of existing buildings and erection of 1 no. detached dwelling and 1 no. detached double garage (site area 0.09 ha).

**APPLICANT:** Yorvik Homes Limited

REFUSED. Reason(s) for refusal:-

- 1 The application site area has been artificially reduced in area below that of the naturally defined site, the area of which is in excess of 0.1Ha, the application fails to provide any affordable housing and is therefore contrary to Policy H5 of the Selective Alterations to the Harrogate District Local Plan.
- 2 The proposed development is not acceptable in the absence of a satisfactory flood risk assessment, and is contrary to Policy A5 of the adopted Local Plan and the advice contained within PPG25.

(UNANIMOUS DECISION)

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**91/03(03)**

**CASE NUMBER: 03/05472/FULMAJ  
GRID REF: EAST 439320 NORTH 466440**

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**APPLICATION NO.:** 6.64.369.Z.FULMAJ

**LOCATION:**

Rose Manor Hotel Horsefair Boroughbridge York North Yorkshire YO51 9LL

**PROPOSAL:**

Erection of 15 no flats, 26 no Category II sheltered flats, and conversion of existing hotel buildings to form 7 Category II sheltered flats, managers accommodation and separate office block (use class B1)(site area 1.04ha).

**APPLICANT:** McCarthy & Stone (Devs) Ltd

WITHDRAWN

At the request of the applicant.

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**91/03(04)**

**CASE NUMBER: 03/05485/FULMAJ**  
**GRID REF: EAST 439320 NORTH 466440**

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**APPLICATION NO.:** 6.64.369.AB.FULMAJ

**LOCATION:**

Rose Manor Hotel Horsefair Boroughbridge York North Yorkshire YO51 9LL

**PROPOSAL:**

Erection of 4 no detached dwellings, and conversion of existing hotel buildings to form 5 no flats and separate office accommodation (Use Class B1)(site area 1.05ha).

**APPLICANT:** McCarthy & Stone (Devs) Ltd

WITHDRAWN

At the request of the applicant.

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**91/03(05)**

**CASE NUMBER: 03/05487/CON**  
**GRID REF: EAST 439320 NORTH 466440**

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**APPLICATION NO.:** 6.64.369.AA.CON

**LOCATION:**

Rose Manor Hotel Horsefair Boroughbridge York North Yorkshire YO51 9LL

**PROPOSAL:**

Conservation Area Application for the demolition 2 no 2 storey sections of existing hotel buildings, 2 no walls and 1 no detached outbuilding.

**APPLICANT:** McCarthy & Stone (Devs) Ltd

WITHDRAWN

At the request of the applicant.

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**91/03(06)**

**CASE NUMBER: 04/00302/FUL  
GRID REF: EAST 446930 NORTH 452336**

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**APPLICATION NO.:** 6.124.403.FUL

**LOCATION:**

6 Marston Road Tockwith York North Yorkshire YO5 8PR

**PROPOSAL:**

Demolition of existing dwelling and erection of 1 no. replacement dwelling (Site Area 0.260 ha).

**APPLICANT:** Mr M Allen

DEFERRED and the HOPS be authorised to APPROVE the application subject to the following conditions and such other conditions HOPS considers to be necessary.

**REASON FOR DEFERRAL:**

- 0 Subject to no substantive objections from the Parish Council.
- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 5 years
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 20.01.04
- 3 CD10 MATERIALS TO BE APPROVED
- 4 The slate for the roofs shall be natural Welsh slate when a sample shall be submitted as required by condition 3 above.
- 5 CD05 REVEALS: MM ... 75
- 6 CD13X TIMBER VERTICAL SLIDING SASH WINDOWS
- 7 HW07 PRVTE ACCESS/VERGE CROS'NGS CONSTCT REQM
- 8 HW14 DETAILS OF ACCESS, TURNING AND PARKING

**Reasons for Conditions:-**

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC01R ACCORDANCE WITH DRAWINGS
- 3 CD10R INTERESTS OF AMENITY
- 4 In order to ensure that the proposed development is in character with the traditional materials of the conservation area.
- 5 CD05R VISUAL AMENITY
- 6 CD13XR DEV IN CHARACTER WITH LOCALITY
- 7 HW07R VEHICLE AND PEDESTRIAN SAFETY REQ'MENTS
- 8 HW14 DETAILS OF ACCESS, TURNING AND PARKING

(Mr D Richold (agent) attended the meeting and spoke to the item under the Council's Opportunity to Speak scheme).

(UNANIMOUS DECISION)

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91/03(07)

CASE NUMBER: 04/00526/CON  
GRID REF: EAST 446930 NORTH 452336

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**APPLICATION NO.:** 6.124.403.A.CON

**LOCATION:**

6 Marston Road Tockwith York North Yorkshire YO5 8PR

**PROPOSAL:**

Conservation Area application for the demolition of one bungalow.

**APPLICANT:** Mr And Mrs M Allen

APPROVED subject to the following conditions:-

- 1 CA05L LB - DEVELOPMENT SHALL BE BEGUN BEFORE ... 09.03.2009
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 29.01.04
- 3 CM01 NO DEMOLITION BEFORE CONTRACT FOR REDEV

Reasons for Conditions:-

- 1 CA05LR TO COMPLY WITH SECTION 18
- 2 CC01R ACCORDANCE WITH DRAWINGS
- 3 CM01R VISUAL AMENITY

**JUSTIFICATION FOR GRANTING CONSENT:**

In granting Conservation Area Consent the local planning authority has taken into account all material matters relating to the building's contribution to the architectural or historic interest of the area and the wider effects of alterations extension or demolition, all relevant policies in national Planning Policy Guidance Notes or other statements of Government Policy, Regional Planning Guidance, the local Development Plan, emerging policy and Supplementary Planning Guidance and Documents approved by the Borough Council for development control purposes, and the observations of any statutory or non-statutory consultee, Amenity Society and representations from the Parish, Town or City Council and the public about the application. On balance, the local planning authority considers the proposal would not give rise to any unjustified consequences for the character and appearance of the Conservation Area.

(UNANIMOUS DECISION)

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91/03(08)

CASE NUMBER: 04/00546/FUL  
GRID REF: EAST 435000 NORTH 458070

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**APPLICATION NO.:** 6.100.1700.C.FUL

**LOCATION:**

Avenue Cottage Park Avenue Knaresborough North Yorkshire HG5 9ES

**PROPOSAL:**

Demolition of cottage and garage and erection of 1 no. detached dwelling with new vehicular access. (Site Area 0.013 ha)

**APPLICANT:** Major Property Limited

REFUSED. Reason(s) for refusal:-

- 1 The proposed dwelling would have no private amenity space for the future occupiers of the dwelling, thereby being detrimental to their residential amenity contrary to Policy H6 of the Harrogate District Local Plan.

(Mr Powell (applicant) attended the meeting and spoke to the item under the Council's Opportunity to Speak scheme).

(Seven Members voted in favour of the Motion with two abstaining).

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**91/03(09)**

**CASE NUMBER: 03/05698/LB  
GRID REF: EAST 449943 NORTH 460049**

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**APPLICATION NO.:** 6.104.93.B.LB

**LOCATION:**

Linton Lock, Nun Monkton Harrogate District YO30 2AZ

**PROPOSAL:**

Listed Building application for the erection of retaining wall abutting salmon ladder, together with the erection of hydropower plant, switchgear house inc inlet channel and tailrace with assoc landscaping work as approved by 6.104.93.A.FUL.

**APPLICANT:** JR And K Throup & Sons

APPROVED subject to the following conditions:-

- 1 CA05L LB - DEVELOPMENT SHALL BE BEGUN BEFORE ... 5 yrs
- 2 CD03 SAMPLES OF MATERIALS TO BE APPROVED

Reasons for Conditions:-

- 1 CA05LR TO COMPLY WITH SECTION 18
- 2 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS

**JUSTIFICATION FOR GRANTING CONSENT:**

In granting Listed Building Consent the local planning authority has taken into account all material matters relating to the building's special architectural or historic interest, all relevant policies in national Planning Policy Guidance Notes or other statements of Government Policy, Regional Planning Guidance, the local Development Plan, emerging policy and Supplementary Planning Guidance and Documents approved by the Borough Council for development control purposes, and the observations of any statutory or non-statutory consultee, Amenity Society and representations from the Parish, Town or City Council and the public about the application. On balance, the local planning authority considers the proposal would not give rise to any unjustified consequences for the special architectural or historic interest of the listed building.

(Mr D Jauncey (Nun Monkton Parish Council), Mr I. Self (objector) and Ms S Throup (applicant) attended the meeting and spoke to the item under the Council's Opportunity to Speak scheme).

(UNANIMOUS DECISION)

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**91/03(10)**

**CASE NUMBER: 04/00178/RG4  
GRID REF: EAST 438920 NORTH 460570**

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**APPLICATION NO.:** 6.78.12.F.RG4

**LOCATION:**

Land To Rear Of South View Arkendale Knaresborough North Yorkshire

**PROPOSAL:**

Renewal of Outline Permission No 6.78.12.E.RG4 for erection of 1no dwelling including siting and access (site area 0.03 ha).

**APPLICANT:** Harrogate Borough Council

DEFERRED and the HOPS be authorised to APPROVE the application subject to the following conditions and such other conditions HOPS considers to be necessary.

**REASON FOR DEFERRAL:**

- 0 For the drafting of appropriate condition(s) in respect of affordable housing.
- 1 CA06 OUTLINE/RESERVED MATTERS
- 2 CA01B OUTLINE - SITING AND ACCESS NOT RM
- 3 Prior to the commencement of the development hereby approved details of the proposed boundary treatment shall be submitted for the written approval of the Local Planning Authority.
- 4 CL12 OPEN SPACE TO BE PROVIDED - POLICY R4
- 5 Notwithstanding the submitted details the access road shall be widened to 5 metres across the whole site frontage in accordance with a scheme to be

submitted and approved in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details prior to the first occupation of the dwelling hereby approved.

- 6 Any boundary treatment to the south of the site shall not impede or prevent the widening of the access road required by condition 05 above.

Reasons for Conditions:-

- 1 CA06R TO COMPLY WITH SECTIONS 91-94
- 2 CA01BR SAFEGUARD RIGHTS OF CONTROL
- 3 In the interests of residential amenity.
- 4 CL12R COMPLIANCE WITH R4 - OPEN SPACE POLICY
- 5 In the interests of highway safety.
- 6 In the interests of highway safety.

(UNANIMOUS DECISION)

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91/03(11)

CASE NUMBER: 03/05970/FULMAJ  
GRID REF: EAST 450150 NORTH 451240

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**APPLICATION NO.:** 6.125.12.B.FULMAJ

**LOCATION:**

Hall Farm Tockwith Road Long Marston York North Yorkshire YO26 8PQ

**PROPOSAL:**

Demolition of existing farm buildings and erection of 11no dwellings, erection of 2m high boundary wall, and formation of new vehicular access (site area 0.5ha) Revised scheme.

**APPLICANT:** FK Abbey

DEFERRED and HOPS be authorised to APPROVE the application subject to the following conditions and such other conditions HOPS considers to be necessary and following the completion of a S106 Agreement requiring:

- 0 The provision of a commuted sum for off site open space provision and affordable housing provision.
- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 5yrs
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 25.02.2004
- 3 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 4 Notwithstanding the submitted plans, details of all proposed boundary treatments shall be submitted for the written approval of the Local Planning Authority. Thereafter the approved details shall be implemented and completed prior to the first occupation of the units hereby approved.
- 5 HW01 DETL'D PLAN ROAD/FT'WY LY'OUT OA ALLTYPs
- 6 HW02 CON'ST ROADS/FT'WY PRIOR TO OCC OF DWLGS
- 7 HW04 INITIAL SITE ACCESS (ALL SITES)
- 8 HW17 PROV'N OF APP'VD ACCESS/TURNING/PARKING

- 9 HW20 PARKING FOR DWELLINGS (MORE THAN ONE)
- 10 HW26 PRECAUTIONS TO PREVENT MUD ON HIGHWAY
- 11 HW27 APP'VL DETAILS FOR WORKS IN THE HIGHWAY
- 12 Prior to the commencement of the development/the development being brought into use the proposed junction of the access at Old Lane, Tockwith Road and the proposed Estate Road shall be constructed in accordance with the approved details as approved by the Local Planning Authority.

NOTE:

You are advised that a separate Agreement will be required from the Local Highway Authority in order to carry out works within the public highway. You should contact the Local Highway Authority to determine the requirements of this Agreement at an early stage.

- 13 Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 3 (three) metres either side of the centre line of the sewer, which crosses the site.
- 14 The site shall be developed with separate systems of drainage for foul and surface water on and off site.
- 15 No development shall take place until details of the proposed means of disposal and treatment of surface water and sewage, including details of any balancing/off-site works, have been submitted to and approved by the Local Planning Authority.
- 16 CB26X NO SW/FOUL DISCHG UNTIL APP WRK COMPLETE
- 17 CB09 SOAKAWAYS

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91 -94
- 2 CC01R ACCORDANCE WITH DRAWINGS
- 3 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS
- 4 In the interests of visual amenity.
- 5 HW01R ROAD SAFETY REQUIREMENTS
- 6 HW02R ROAD SAFETY REQUIREMENTS
- 7 HW04R VEHICLE AND PEDESTRIAN SAFETY REQ'MENTS
- 8 HW17R ROAD SAFETY REQUIREMENTS
- 9 HW20R ROAD SAFETY REQUIREMENTS
- 10 HW26R ROAD SAFETY REQUIREMENTS
- 11 HW27R ROAD SAFETY REQUIREMENTS
- 12 HW28R ROAD SAFETY REQUIREMENTS
- 13 CB18XR TO ALLOW SUFFICIENT ACCESS FOR MAINT/RPR
- 14 CB11R TO PREVENT POLLUTION OF WATER ENVIRONMNT
- 15 To ensure that the development can be properly drained without damage to the local water environment.
- 16 CB26XR TO ENSURE PROPER PROVISION IS MADE
- 17 CB09R POLLUTION PREVENTION

(UNANIMOUS DECISION)

**APPLICATION NO.:** 6.500.239.MAJFUL

**LOCATION:**

Wm Morrison Produce Ltd (Formerly Household Potatoes Ltd) York Road Flaxby  
Knaresborough North Yorkshire HG5 0RP

**PROPOSAL:**

Erection of 2 no extensions to potato processing buildings, alterations to on-site vehicle circulation & parking, erection of jet wash bay & fuel distribution point, slurry store, sprinkler pump room & tanks, & various landscaping works.

**APPLICANT:** WM Morrison Supermarkets PLC

APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 09.03.2009
- 2 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 3 CB12 FOUL DRAINAGE WORKS TO BE APPROVED
- 4 CB13 S W DRAINAGE WORKS TO BE APPROVED
- 5 CB14 RESTRICTED RATE OF S W DISCHARGE
- 6 CL02 LANDSCAPING: DETAILS TO BE APPROVED
- 7 CL04 REPLANTING IF ANY TREES/SHRUBS DIE
- 8 Prior to the commencement of the development details for highway safety/improvements at the York Road/A59 junction shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Any details so approved shall be implemented before the development is brought into use.
- 9 Prior to the development being brought into use the existing access to the site shall be reinstated as necessary to comply with the Highway Authority Specification, thereafter it shall be maintained in such a condition at all times.
- 10 HW18 PROV'N OF APP'VD PARKING/MANOEUVR'G/TURN ... M02202 PL 007
- 11 On completion of condition 10 above the verges on York Road between the site access and A59 shall be levelled, soiled and seeded to the satisfaction of the Local Planning Authority in consultation with the Highway Authority.
- 12 HW25 WHEEL WASHING FACILITIES
- 13 Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters. Any yard areas contaminated with vegetable waste should not drain to the surface water system.
- 14 CB05A BUNDING OF TANKS

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91 -94
- 2 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS
- 3 CB12R TO PREVENT POLLUTION OF WATER ENVIRONMNT
- 4 CB13R TO PREVENT INCREASED RISK OF FLOODING
- 5 CB14R TO PREVENT INCREASED RISK OF FLOODING
- 6 CL02R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 7 CL04R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 8 To secure implementation of the approved junction/access arrangements in the interests of highway safety and the convenience of vehicles and members of the

- public visiting the site.
- 9 To secure details of the access arrangements in the interest of highway safety and the convenience of vehicles and members of the public visiting the site.
  - 10 HW18R ROAD SAFETY REQUIREMENTS
  - 11 In the interests of highway safety and amenity value.
  - 12 HW25R ROAD SAFETY REQUIREMENTS
  - 13 To protect the water environment.
  - 14 CB05AR PREVENT POLLUTION OF WATER ENVIRONMENT

### **JUSTIFICATION FOR GRANTING CONSENT:**

In granting permission for this development the local planning authority has taken into account all relevant policies in national Planning Policy Guidance Notes or other statements of Government Policy, Regional Planning Guidance, the local Development Plan, emerging policy and Supplementary Planning Guidance and Documents approved by the Borough Council for development control purposes, and all other material planning considerations, including those arising from the observations of any statutory or non-statutory consultee and representations from the Parish, Town or City Council and the public about the application. On balance, the local planning authority considers the development would not give rise to any unacceptable consequences for sustainable development and economic development; social inclusion; protection of the environment; and prudent use of resources or other public interests of acknowledged importance.

### **NOTE:**

The Head of Planning Services was asked to check that the landscaping relating to an earlier permission on an adjacent site had been carried out and to request that North Yorkshire County Council consider the provision of a roundabout at the C44/A59 junction should the Yorwaste development proceed.

(Mr A. Walgate (Goldsborough and Flaxby Parish Council), Mr R Smith and Mr Walker (agent and applicant respectively who both answered questions) attended the meeting and spoke to the item under the Council's Opportunity to Speak scheme).

(UNANIMOUS DECISION)

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**91/03(13)**

**CASE NUMBER: 04/00039/FUL  
GRID REF: EAST 432310 NORTH 459080**

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**APPLICATION NO.:** 6.83.27.AG.FUL

### **LOCATION:**

Moorcock Hall Farm Havikil Lane Scotton Knaresborough North Yorkshire HG5 9HN

### **PROPOSAL:**

Erection of 1no. agricultural workers dwelling with attached garage and farm office (site

area 0.38ha).

**APPLICANT:** Mr Alan Inman

REFUSED. Reason(s) for refusal:-

- 1 The proposed development fails to meet the functional requirements for a new dwelling required for agricultural purposes as identified by PPG7 and in the absence of any justification to warrant approval of the scheme, represents the establishment of a new residential dwelling in the open countryside contrary to the provisions of North Yorkshire County Structure Plan Policy H5 and Harrogate District Local Plan Policy H7.

(Councillor Dr Rothwell declared a prejudicial interest in relation to this item and left the room before the discussion and vote thereon. Councillor Bean declared a personal interest in relation to this item, as his father was in practice with a supporter of the application but, on the basis that the interest was not prejudicial, he remained in the meeting and took part in the debate and vote thereon).

(Mr D Richold (agent) attended the meeting and spoke to the item under the Council's Opportunity to Speak scheme).

(Five Members voted in favour of the Motion with two abstaining).

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91/03(14)

**CASE NUMBER: 02/02355/REMMAJ**  
**GRID REF: EAST 435760 NORTH 457830**

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**APPLICATION NO.:** 6.100.1685.G.REMMAJ

**LOCATION:**

Former Nursery Site Off Halfpenny Lane Knaresborough North Yorkshire

**PROPOSAL:**

Reserved matters application under Outline permission 6.100.1685.C.OUT for the erection of 175 dwellings with associated hard and soft landscaping, new vehicular access and diversion of Public Right Of Way..(AMENDED SCHEME)

**APPLICANT:** Halfpenny Lane

The Committee were minded to REFUSE the application on the following basis:-

1. The development will constitute an over development of the site due to the proposed size and massing and the number of three storey units which would be overbearing in this area. The proposed design of the three storey units would be out of keeping with the type, size and character of adjacent property. As a result it is contrary to Harrogate District Local Plan Policies H6 and HD20;
2. Although the density of proposed dwellings is within PPG3 Guidance and complies with Policy H13, it is considered that it should be further reduced;

And it be DEFERRED for further consultation with the CM(P), Chief Solicitor and (if there is a costs issue)DF and brought back to another meeting of the Committee for decision.

(Councillor Andy Wright (Knaresborough Successor Parish Council) and Mr J Blackwell (agent) attended the meeting and spoke to the item under the Council's Opportunity to Speak scheme).

(UNANIMOUS DECISION)

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**91/03(15)**

**CASE NUMBER: 03/05081/FULMAJ  
GRID REF: EAST 436266 NORTH 457685**

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**APPLICATION NO.:** 6.100.2309.FULMAJ

**LOCATION:**

Land Comprising OS Field No 2769 & At GR 435833/457570 Hay-a-Park Lane  
Knaresborough

**PROPOSAL:**

Formation of 2 no sports pitches, 40 no car park spaces, new vehicular access and cycle route.

**APPLICANT:** Halfpenny Lane

APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 5 yrs
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 11.02.2004
- 3 Details of the alignment and construction of the new footpath through the Site of Special Scientific Interest shall be submitted for the written approval of the Local Planning Authority and thereafter provided in accordance with the approved details.
- 4 Prior to being discharged to any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas or hardstanding shall be passed through trapped gullies installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority.

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC01R ACCORDANCE WITH DRAWINGS
- 3 To provide a safe route which does not adversely affect the SSSI.
- 4 To prevent pollution of the water environment.

**JUSTIFICATION FOR GRANTING CONSENT:**



In granting permission for this development the local planning authority has taken into account all relevant policies in national Planning Policy Guidance Notes or other statements of Government Policy, Regional Planning Guidance, the local Development Plan, emerging policy and Supplementary Planning Guidance and Documents approved by the Borough Council for development control purposes, and all other material planning considerations, including those arising from the observations of any statutory or non-statutory consultee and representations from the Parish, Town or City Council and the public about the application. On balance, the local planning authority considers the development would not give rise to any unacceptable consequences for sustainable development and economic development; social inclusion; protection of the environment; and prudent use of resources or other public interests of acknowledged importance.

(Councillor Andy Wright (Knaresborough Successor Parish Council) and Mr A B Stevenson (supporter on behalf of Knaresborough Rugby Club) attended the meeting and spoke to this item under the Council's Opportunity to Speak scheme).

(UNANIMOUS DECISION)

**92/03 - PLANNING APPLICATIONS:** The Head of Planning Services submitted a list of planning applications dealt with under delegated powers and those delegated to himself in consultation with the Chair or Vice-Chair, which had been approved since the last meeting of the Committee.

**RESOLVED (UNANIMOUSLY):**

That the report be received.

(D)

**93/03 – TREE PRESERVATION ORDER: 17 BIRKDALE AVENUE, KNARESBOROUGH, TPO NO 23/2003:** The Director of Technical Services submitted a written report which requested confirmation of a provisional Tree Preservation Order at 17 Birkdale Avenue, Knaresborough.

**RESOLVED:**

That the application be deferred for a site visit.

(Six Members voted in favour of the Motion with one voting against).

(D)

**94/03 – TREE PRESERVATION ORDER: THE OLD VICARAGE, CHURCH LANE BOROUGHBIDGE, TPO NO 30/2003:** The Director of Technical Services submitted a written report which requested confirmation of a provisional Tree Preservation Order at The Old Vicarage, Church Lane, Boroughbridge.

**RESOLVED (UNANIMOUSLY):**

That (1) the Committee find it expedient, in the interests of amenity, to confirm the Tree Preservation Order at The Old Vicarage, Church Lane, Boroughbridge;

(2) the Director of Administration be authorised to take appropriate action to secure confirmation; and

(3) the Order be confirmed as The Council of the Borough of Harrogate Tree Preservation Order No 30/2003.

(D)