

**AREA 2 DEVELOPMENT CONTROL COMMITTEE**

**HELD ON 6 JULY 2004  
(FROM 4.00 PM TO 5.52 PM)**

**PRESENT:** Councillor Smith in the Chair. Councillors Anthony Alton, Fawcett, Hoult, Anne Jones, Chris Lewis, Peter Phillips, Mrs Smith and Wilson.

**Late Arrivals:** None.

**Early Departures:** None.

The Chair welcomed Councillors Alton, Peter Phillips and Wilson to their first meeting of the Committee.

01/04 - **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES:** An apology for absence was received from Councillor Sturdy. Notification had been received that Councillor Mrs Smith was to act as a substitute for Councillor Bayliss.

02/04 - **DECLARATIONS OF INTEREST:** Members of the Committee were reminded of the letter, dated 22 June 2004, which had been sent to all Members sitting on Planning Committees by the Chief Solicitor concerning declarations of interest in cases where a Member also sat on a Parish Council. There had been a recent change in the law, which now meant that Members were under an obligation to declare an interest if an application came before the Committee which their own Parish Council had previously considered and commented upon.

Declarations of interest were made as detailed in Minute 06/04.

03/04 - **MINUTES:** The Minutes of the meeting of 1 June 2004 were approved as a correct record and signed by the Chair.

(Five Members voted in favour of the motion with four abstaining).

04/04 - **EXEMPT INFORMATION:** There were no exempt information items. At this point, it was noted that the headings on Agenda Items 8 and 9 had incorrectly identified the reports as exempt.

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

05/04 - **COUNTY APPLICATIONS:** There were no further applications submitted by North Yorkshire County Council upon which this Council's observations had been sought.

06/04 - **LIST OF PLANS:** In accordance with the Scheme of Delegation, the Committee considered the undermentioned plans and applications and made the decisions indicated viz:-

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**Minute 06/04(01)**

**CASE NUMBER: 04/00094/COU**  
**GRID REF: EAST 446362 NORTH 452371**

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**APPLICATION NO.:** 6.124.397.A.COU

**LOCATION:**

Land At Grid Ref 446362/452371 Between 89-91 Prince Rupert Drive Tockwith York North Yorkshire

**PROPOSAL:**

Change of use of unused verge to form extension to domestic curtilage of 21 Westfield Green (revised scheme).

**APPLICANT:** DG And DA Coulthard

The application was REFUSED contrary to the Officer's recommendation for the following reason(s):-

- 1 The proposal to include the land within the curtilage of 21 Westfield Green would not serve the purpose of the house in some useful and intimate way and would be injurious to the visual and residential amenities of the area in conflict with Policy A1 of the Harrogate District Local Plan and the advice in the Landscape Design Guide approved November 2002.

(Mr W Bowyer (Tockwith-with-Wilstrop Parish Council), Mr D Rose (objector) and Mr D Coulthard (applicant) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

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**Minute 06/04(02)**

**CASE NUMBER: 04/02439/OUT**  
**GRID REF: EAST 436055 NORTH 448416**

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**APPLICATION NO.:** 6.149.55.D.OUT

**LOCATION:**

Crackhill Farm Main Street Sicklinghall Wetherby North Yorkshire LS22 4BD

**PROPOSAL:**

Outline application for the erection of 1 no. dwelling with siting and access considered. (Site Area 0.095 ha)

**APPLICANT:** Mr And Mrs D Salkeld

WITHDRAWN

As requested by applicant.

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**Minute 06/04(03)**

**CASE NUMBER: 04/01157/FUL**  
**GRID REF: EAST 451229 NORTH 448936**

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**APPLICATION NO.:** 6.125.99.B.FUL

**LOCATION:**

Chapel Hill Farm (Formerly Hutton Grange) Angram York North Yorkshire YO23 3PA

**PROPOSAL:**

Conversion of redundant farm buildings to form 1 no. long term let holiday dwelling, 2 no dwellings, alterations to vehicular access and installation of a package treatment plant. (Site Area 0.486ha)(Revised Scheme)

**APPLICANT:** The Trustees Of E C York 1997 Settlement

DEFERRED for the following reason(s):-

For further consultation with the Director of Health and Housing in respect of affordable housing.

(Mr P Roth (agent) and Mr I McCartney (Manager who answered questions) 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 voting against).

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**Minute 06/04(04)**

**CASE NUMBER: 04/02474/FUL**  
**GRID REF: EAST 436300 NORTH 455800**

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**APPLICATION NO.:** 6.500.133.C.FUL

**LOCATION:**

The Lido Caravan Park Wetherby Road Knaresborough North Yorkshire HG5 8LR

**PROPOSAL:**

Change of use of part of area approved for touring caravans to permit the siting of 21no. static caravans and formation of associated access track.

**APPLICANT:** Lido Leisure Parks Ltd

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

1. The proposed development would be unduly prominent and consequently detrimental to the character of the surrounding area and would therefore be in conflict with Policy R10 of the approved North Yorkshire County Structure Plan;
2. OS Field 2153 lies outside the limits of the built-up area of Knaresborough and its development for 21static caravans would detract from the visual amenities of the area,

contrary to Policies R3 and R10 of the North Yorkshire County Structure Plan;

3. The proposal takes no account of the view from the north;
4. Structure Plan Policy R11 clearly identifies a presumption in favour of touring sites, rather than statics; 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.

(Both Councillors Smith and Mrs Smith declared personal and prejudicial interests in relation to this item and left the room prior to the discussion and vote thereon. In the absence of the Vice-Chair, Councillor Hoult was proposed, seconded and unanimously agreed as Chair. Councillor Hoult therefore assumed the Chair for this item).

(Mr M Southerton (agent) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

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**Minute 06/04(05)**

**CASE NUMBER: 04/01925/FUL  
GRID REF: EAST 444729 NORTH 460688**

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**APPLICATION NO.:** 6.88.73.FUL

**LOCATION:**

Land Between Beech House And The White House Main Street Little Ouseburn York North Yorkshire

**PROPOSAL:**

Erection of 2 no detached dwellings and the felling of 5 no trees within the Little Ouseburn Conservation Area (site area 0.11ha).

**APPLICANT:** C/o Stephenson

WITHDRAWN

As requested by applicant.

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**Minute 06/04(06)**

**CASE NUMBER: 04/02295/FUL  
GRID REF: EAST 449750 NORTH 451620**

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**APPLICATION NO.:** 6.125.133.A.FUL

**LOCATION:**

The Bungalow Tockwith Road Long Marston York North Yorkshire YO26 7PJ

**PROPOSAL:**

Demolition of existing bungalow and erection of replacement dwelling. (Site Area 0.056 ha)  
(Revised Scheme)

**APPLICANT:** Mr P Calpin

APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 06.07.2009
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 05.05.2004
- 3 CI02Z PD RESTRICTION, NO ... extensions, windows, dormer windows or garden structures
- 4 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 5 The stone wall to the front of the application site shall be retained unless otherwise agreed in writing with the Local Planning Authority.
- 6 Prior to the occupation of the dwelling hereby approved the existing access shall be blocked up by the extension of the wall which runs along the frontage of the property. The materials shall match the existing wall and shall be approved in writing by the Local Planning Authority prior to commencement of works.
- 7 Prior to the commencement of any other part of the development hereby permitted, the access(es) to the site shall be laid out and constructed in accordance with the following requirements:-

(ic) the crossing of the highway verge and/or footpath shall be constructed in accordance with the approved details and/or Standard Detail number E6a and the Specification of the Local Highway Authority;

(iii) that part of the access(es) extending 6m metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 5;

(iv) that part of the access(es) extending 6mmetres into the site from the carriageway of the existing highway shall be made up and surfaced in accordance with the approved details and/or Standard Details number E6a and the Specification of the Local Highway Authority;

(v) provision shall be made to prevent surface water from the site/plot discharging onto the existing or proposed highway in accordance with the approved details and/or Standard Detail number E6a and the Specification of the Local Highway Authority.

**NOTE:**

You are advised that a separate licence will be required from the Local Highway Authority in order to allow any works in the adopted highway to be carried out. The local office of the Local Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

- 8 HW16 DETAILS OF TURNING SPACE
- 9 HW21 PARKING FOR SINGLE DWELLING
- 10 The windows on the south-east elevation of the dwelling (to the lounge, family room and bedroom 3), shall be obscure glazed and shall be retained as obscured unless otherwise agreed in writing by the Local Planning Authority.
- 11 CA03X LEVELS TO BE APPROVED

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC01R ACCORDANCE WITH DRAWINGS
- 3 CI02ZR PROTECT VISUAL AMENITY
- 4 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS
- 5 CD05R VISUAL AMENITY
- 6 CL10R VISUAL AMENITY
- 7 HW07AR VEHICLE AND PEDESTRIAN SAFETY REQ'MENTS
- 8 HW16R ROAD SAFETY REQUIREMENTS
- 9 HW21R ROAD SAFETY REQUIREMENTS
- 10 In the interests of residential amenity and to prevent overlooking of the neighbouring property.
- 11 CA03XR ENSURE AMENITY AND ACCESS REQUIREMENTS

**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.

(UNANIMOUS DECISION)

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**Minute 06/04(06)**

**CASE NUMBER: 04/02295/FUL  
GRID REF: EAST 449750 NORTH 451620**

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**APPLICATION NO.:** 6.125.133.A.FUL

**LOCATION:**

The Bungalow Tockwith Road Long Marston York North Yorkshire YO26 7PJ

**PROPOSAL:**

Demolition of existing bungalow and erection of replacement dwelling. (Site Area 0.056 ha)  
(Revised Scheme)

**APPLICANT:** Mr P Calpin

APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 06.07.2009
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 05.05.2004
- 3 CI02Z PD RESTRICTION, NO ... extensions, windows, dormer windows or garden structures

4 CD03 SAMPLES OF MATERIALS TO BE APPROVED

5 The stone wall to the front of the application site shall be retained unless otherwise agreed in writing with the Local Planning Authority.

6 Prior to the occupation of the dwelling hereby approved the existing access shall be blocked up by the extension of the wall which runs along the frontage of the property. The materials shall match the existing wall and shall be approved in writing by the Local Planning Authority prior to commencement of works.

7 Prior to the commencement of any other part of the development hereby permitted, the access(es) to the site shall be laid out and constructed in accordance with the following requirements:-

(ic) the crossing of the highway verge and/or footpath shall be constructed in accordance with the approved details and/or Standard Detail number E6a and the Specification of the Local Highway Authority;

(iii) that part of the access(es) extending 6m metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 5;

(iv) that part of the access(es) extending 6mmetres into the site from the carriageway of the existing highway shall be made up and surfaced in accordance with the approved details and/or Standard Details number E6a and the Specification of the Local Highway Authority;

(v) provision shall be made to prevent surface water from the site/plot discharging onto the existing or proposed highway in accordance with the approved details and/or Standard Detail number E6a and the Specification of the Local Highway Authority.

NOTE:

You are advised that a separate licence will be required from the Local Highway Authority in order to allow any works in the adopted highway to be carried out. The local office of the Local Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

8 HW16 DETAILS OF TURNING SPACE

9 HW21 PARKING FOR SINGLE DWELLING

10 The windows on the south-east elevation of the dwelling (to the lounge, family room and bedroom 3), shall be obscure glazed and shall be retained as obscured unless otherwise agreed in writing by the Local Planning Authority.

11 CA03X LEVELS TO BE APPROVED

Reasons for Conditions:-

1 CA05R TO COMPLY WITH SECTIONS 91-94

2 CC01R ACCORDANCE WITH DRAWINGS

3 CI02ZR PROTECT VISUAL AMENITY

4 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS

5 CD05R VISUAL AMENITY

6 CL10R VISUAL AMENITY

7 HW07AR VEHICLE AND PEDESTRIAN SAFETY REQ'MENTS

8 HW16R ROAD SAFETY REQUIREMENTS

9 HW21R ROAD SAFETY REQUIREMENTS

10 In the interests of residential amenity and to prevent overlooking of the neighbouring property.

**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.

(UNANIMOUS DECISION)

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**Minute 06/04(08)**

**CASE NUMBER: 03/06112/FULMAJ  
GRID REF: EAST 437468 NORTH 460577**

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**APPLICATION NO.:** 6.78.83.FULMAJ

**LOCATION:**

Land Comprising Part Of OS Field No 4657 Moor Lane Arkendale Knaresborough North Yorkshire

**PROPOSAL:**

Application for the formation of a maize maze with associated car park and courtyard facilities area (site area 5.39ha approx).

**APPLICANT:** Andrew Cumming

APPROVED subject to the following conditions:-

- 1 CE04 USE TO CEASE BEFORE ... 30.09.2005
- 2 The use hereby permitted shall not be open to customers outside the following times 10.00 hrs and 18.00 hrs between 17 July and 1 September and 10.00 hrs and 18.00 hrs on Saturdays and Sundays in September.
- 3 HW17 PROV'N OF APP'VD ACCESS/TURNING/PARKING ... CMM04/Poplars Farm 04.2500
- 4 HW32 PUBLIC RIGHTS OF WAY
- 5 All temporary structures including the victory bridge, rope maze, haybale maze and toilets shall be removed from the site within 14 days of the final harvesting of the maize crop.
- 6 Prior to the maze first being open to the public a minimum of two passing places shall be constructed on the access track from Moor Lane and signed accordingly. Each passing place shall be 6m long to give a total road width at the passing place of 4.1m.

Reasons for Conditions:-



- 1 CE04R USE TO BE SUBJECT TO FUTURE REVIEW ... amenity and to assess traffic generation
- 2 In the interests of amenity.
- 3 HW17R ROAD SAFETY REQUIREMENTS
- 4 HW32R TO PROTECT THE RIGHT OF WAY
- 5 In the interests of the visual amenities of the area.
- 6 In the interests of road safety.

#### **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.

(Mr A Cumming (applicant who answered questions), attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

07/04 - **PLANNING APPLICATIONS:** The Head of Planning Services submitted a list of planning applications dealt with under delegated powers and also 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.

08/04 - **TREE PRESERVATION ORDER: LAND ADJACENT TO CHERRY COURT, SCRIVEN, TPO NO: 8/2004:** The Director of Technical Services submitted a written report, which requested confirmation of a provisional Tree Preservation Order at Cherry Court, Scriven, Knaresborough.

#### **RESOLVED (UNANIMOUSLY):**

That (1) the Committee find it expedient, in the interests of amenity, to confirm the Tree Preservation Order on land adjacent to Cherry Court, Scriven, Knaresborough;

(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 8/2004.

(D)

**09/04 - TREE PRESERVATION ORDER: 41B ABBEY ROAD,**

**KNARESBOROUGH, TPO NO: 28/2003:** The Director of Technical Services submitted a written report, which requested confirmation of a provisional Tree Preservation Order at 41B Abbey Road, Knaresborough.

**RESOLVED (UNANIMOUSLY):**

That (1) the Committee find it expedient, in the interests of amenity, to confirm the Tree Preservation Order at 41B Abbey Road, Knaresborough;

(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 28, 2003.

(D)

**10/04 - ENFORCEMENT NOTICE: SICKLINGHALL HOUSE, LONGLANDS LANE,**

**SICKLINGHALL:** The Director of Technical Services submitted a written report which informed Members that, on 22 March 2004, an Enforcement Notice had been authorised by the Head of Planning Services, in consultation with the Chair of the Area 2 Development Control Committee, with regard to the above mentioned location. The Notice required the cessation of the unauthorised use of land as domestic curtilage.

**RESOLVED (UNANIMOUSLY):**

That the report be noted.

(D)