

**Area 2 Development Control Committee - Tuesday 28 September 2004**  
**Agenda Item No. 03 - Public Supporting Paper**

**AREA 2 DEVELOPMENT CONTROL COMMITTEE**  
**HELD ON 31 AUGUST 2004**  
**(FROM 4.00 PM TO 5.03 PM)**

**PRESENT:** Councillor Smith in the Chair. Councillors Anthony Alton, Bayliss, Fawcett, Hoult, Ann Jones, Chris Lewis, Peter Phillips, Dr Rothwell and Sturdy.

**Late Arrivals:** Councillor Dr Rothwell at 4.03 pm.

**Early Departures:** None.

22/04 - **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES:** There were no apologies for absence. Notification had been received that Councillor Dr Rothwell was to act as substitute for Councillor Wilson.

23/04 - **DECLARATIONS OF INTEREST:** Declarations of interest were made as detailed in Minute No 27/04.

24/04 - **MINUTES:** The Minutes of the meeting of the Committee held on 3 August 2004 were approved as a correct record and signed by the Chair.

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

25/04 - **EXEMPT INFORMATION:** There were no exempt information items.

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

26/04 - **COUNTY APPLICATIONS:** There were no further applications submitted by North Yorkshire County Council upon which this Council's observations had been sought.

27/04 - **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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**CASE NUMBER: 04/03184/FUL**  
**GRID REF: EAST 436074 NORTH 468664**

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**APPLICATION NO.:** 6.46.16.A.FUL

**LOCATION:**

No 1 North End Skelton On Ure Ripon North Yorkshire HG4 5AG

**PROPOSAL:**

Erection of 1 no dwelling including alterations to existing vehicular access (Site Area 0.04 ha).

**APPLICANT:** Mr And Mrs J Saynor

APPROVED, contrary to the Officer's recommendation, for the following reason(s):-

- 1 The size and massing of the proposed development does not represent an over intensive form of development and the scale is not considered to be detrimental to the street scene.
- 2 The objections originally raised by the Highway Authority concerning inadequate visibility and a lack of on site parking have now been overcome and the Highway Authority no longer has any objections to the proposed development.

and subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 31.08.2009
- 2 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 3 HW18 PROV'N OF APP'VD PARKING/MANOEUVR'G/TURN ... Drawing Site Plan 1/200
- 4 CI02Y PD REST,NO EXTNS,GRGS&ROOF/DORMER WINDS
- 5 The existing boundary walls shall be retained unless otherwise approved in writing by the Local Planning Authority.

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS
- 3 HW18R ROAD SAFETY REQUIREMENTS
- 4 CI02YR PROTECT VISUAL AMENITY
- 5 In the interests of the amenities of the area.

**INFORMATIVES**

- 1 This permission does not grant approval for the use of the land to the west of the application site for domestic purposes.

**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.

(Mrs S Saynor (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 four abstaining).

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**CASE NUMBER: 04/02825/FUL**

**GRID REF: EAST 435191 NORTH 458152**

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**APPLICATION NO.:** 6.100.2374.FUL

**LOCATION:**

Scriven Womens Institute Park Avenue Knaresborough North Yorkshire HG5 9ES

**PROPOSAL:**

Demolition of existing building and erection of two and three storey building comprising 5no. terraced dwellings, 4no. flats and new community hall (site area 0.076ha).

**APPLICANT:** Mr D Collins & Mr D Robinson

WITHDRAWN

At request of applicant - see file

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**CASE NUMBER: 04/03503/FUL**  
**GRID REF: EAST 434817 NORTH 456057**

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**APPLICATION NO.:** 6.100.643.C.FUL

**LOCATION:**

22 Belmont Avenue Calcutt Knaresborough North Yorkshire HG5 8JH

**PROPOSAL:**

Demolition of existing bungalow and erection of 1no. pair of semi-detached dwellings and 4no. terraced town houses, and formation of new vehicular access (site area 0.13 ha).

**APPLICANT:** Major Property Limited

REFUSED. Reason(s) for refusal:-

- 1 The proposed development for six dwellings would result in over-development of the site in a location that is dominated with other bungalows, resulting in the loss of the spacious feel of this part of Belmont Avenue. The design of the dwellings is out of character with Belmont Avenue and detrimental to the appearance of the streetscene. The proposal would be contrary to policies H6, HD20 and A1 of the Harrogate District Local Plan.
- 2 The development does not comply with highway standards and would be detrimental to highway safety, contrary to policies A1 and T1 of the Harrogate District Local Plan.

(Councillor Smith declared an interest in this item and, on the basis that the interest was prejudicial, left the room prior to discussion of the item. Councillor Sturdy therefore assumed the Chair for this item).

(Councillor P Guest (Knaresborough Town Council), Mr J Forster (objector and spokesperson for Belmont Avenue residents) and Mr N Powell (agent) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

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**CASE NUMBER: 04/02113/FUL**  
**GRID REF: EAST 447040 NORTH 452260**

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**APPLICATION NO.:** 6.124.243.E.FUL

**LOCATION:**

East House Farm Tockwith York North Yorkshire

**PROPOSAL:**

Conversion of farm buildings to form 1 no. dwelling and garage block with studio workroom over and erection of 1 no. dwelling with altered vehicular access. (Site area 0.178 ha)

**APPLICANT:** Maxett P.L.C.

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:

The construction of the affordable housing and availability for occupation under 6.124.4.8.FUL prior to the first occupation of the dwellings under 6.124.243.E.FUL.

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 5 years
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 05.08.2004
- 3 CI02Z PD RESTRICTION, NO ... additional windows, extensions, alterations, garages
- 4 The garden of the converted barns and the garden of the new dwelling shall not extend any further than the area shown edged green on the attached plan.
- 5 The area edged blue on the attached plan shall be left as pasture and no building or enclosure be erected upon it without the grant of further specific planning permission from the Local Planning Authority.
- 6 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any subsequent Order, the garage(s) and studio/playroom (s) shall not be converted into a habitable room(s) without the express written approval of the Local Planning Authority.
- 7 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 8 CD05 REVEALS: MM ... 75
- 9 Prior to the commencement of any other part of the development hereby permitted, the access to the site shall be laid out and constructed in accordance with the following requirements:-

(ib) the existing access shall be improved to give a minimum carriageway width of 4.1m, and that part of the access road extending 1 into the site shall be constructed in accordance with Standard Detail Number E6 and the Specification of the Local Highway Authority;

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(ii) any gates, barriers or other means of enclosure shall be erected a minimum distance of 10 metres back from the carriageway of the existing highway and shall open into the site;

(v) provision shall be made to prevent surface water from the site discharging onto the existing or proposed highway in accordance with the approved details and/or Standard Detail Number E6 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.

- 10 HW17 PROV'N OF APP'VD ACCESS/TURNING/PARKING ... M67/9
- 11 HW20 PARKING FOR DWELLINGS (MORE THAN ONE)
- 12 HW26 PRECAUTIONS TO PREVENT MUD ON HIGHWAY
- 13 CB09 SOAKAWAYS
- 14 CB13 S W DRAINAGE WORKS TO BE APPROVED
- 15 CL02 LANDSCAPING: DETAILS TO BE APPROVED
- 16 CL04 REPLANTING IF ANY TREES/SHRUBS DIE
- 17 CL06 SCREEN WALLS/FENCES TO BE CONSTRUCTED

**Reasons for Conditions:-**

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC01R ACCORDANCE WITH DRAWINGS
- 4 To define the limits of residential activity at the site.
- 5 The land shown blue on the attached plan lies outside the development limit of Tockwith and its use for garden purposes would be an unwarranted intrusion of domestic activity into the essentially agricultural surroundings of the site.
- 6 HW23R ROAD SAFETY REQUIREMENTS
- 7 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS
- 8 CD05R VISUAL AMENITY
- 9 HW07R VEHICLE AND PEDESTRIAN SAFETY REQ'MENTS
- 10 HW17R ROAD SAFETY REQUIREMENTS
- 11 HW20R ROAD SAFETY REQUIREMENTS
- 12 HW26R ROAD SAFETY REQUIREMENTS
- 13 CB09R POLLUTION PREVENTION
- 14 CB13R TO PREVENT INCREASED RISK OF FLOODING
- 15 CL02R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 16 CL04R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 17 CL06R INTERESTS OF NEIGHBOURS AMENITY

**INFORMATIVES**

- 1 This development is subject to a Planning Obligation made under Section 106 of the Town and Country Planning Act 1990.
- 2 This permission relates solely to the conversion of the existing buildings; any

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- demolition and rebuilding (other than as may be approved in writing by the Local Planning Authority) would render the permission inoperable and invalid.
- 3 Under the terms of the Land Drainage Act 1991 and the Marston Moor Internal Drainage Board's Byelaws the prior written consent of the Board is required for any proposed works or structures in, under, over or within 9 metres of the top of the bank of any watercourse.
  - 4 Under the Marston Moor Internal Drainage Board's Byelaws the prior written consent of the Board is required prior to any discharge being made into any watercourse within the Board's district.
  - 5 The applicant should be aware of his responsibilities to ensure that the proposals do not interfere with riparian owner's Common Law rights to receive water undiminished in quantity or quality. If any watercourse crossing the site are interrupted or diverted then, notwithstanding the need for any statutory Consents or Licence, it is the applicant's responsibility to take appropriate steps to protect the rights of the riparian owners, for which he has a liability.

(Councillor Sturdy declared an interest in this item and, on the basis that the interest was prejudicial, left the room prior to discussion of the item).

(Mr D Marshall (developer) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

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**CASE NUMBER: 04/02114/FUL**  
**GRID REF: EAST 447111 NORTH 452310**

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**APPLICATION NO.:** 6.124.408.FUL

**LOCATION:**

Land To East Of East House Marston Road Tockwith York North Yorkshire

**PROPOSAL:**

Erection of 3 no. terraced dwellings with detached garage and 3 no. parking spaces with new vehicular access. (Site area 0.067 ha)

**APPLICANT:** Maxett P.L.C.

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:

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The construction of the affordable housing and availability for occupation under 6.124.4.8.FUL prior to the first occupation of the dwellings under 6.124.243.E.FUL.

**OTHER REASONS FOR DEFERRAL:**

The resiting of the dwellings to avoid any impact on site frontage trees.

**PROPOSED CONDITIONS:**

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 5 years
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 05.08.2004
- 3 CI02Y PD REST,NO EXTNS,GRGS&ROOF/DORMER WINDS
- 4 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 5 CD05 REVEALS: MM ... 75
- 6 CD13X TIMBER VERTICAL SLIDING SASH WINDOWS
- 7 The windows on side elevation of the four-bedroom house facing East House shall be obscure glazed and retained as such to the satisfaction of the Local Planning Authority.
- 8 HW17 PROV'N OF APP'VD ACCESS/TURNING/PARKING ... M67/19A
- 9 CB09 SOAKAWAYS
- 10 CB13 S W DRAINAGE WORKS TO BE APPROVED
- 11 CL02 LANDSCAPING: DETAILS TO BE APPROVED
- 12 CL04 REPLANTING IF ANY TREES/SHRUBS DIE
- 13 CL06 SCREEN WALLS/FENCES TO BE CONSTRUCTED

**Reasons for Conditions:-**

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE
- 2 CC01R ACCORDANCE WITH DRAWINGS
- 3 CI02YR PROTECT VISUAL AMENITY
- 4 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS
- 5 CD05R VISUAL AMENITY
- 6 CD13XR DEV IN CHARACTER WITH LOCALITY
- 7 CL06R INTERESTS OF NEIGHBOURS AMENITY
- 8 HW17R ROAD SAFETY REQUIREMENTS
- 9 CB09R POLLUTION PREVENTION
- 10 CB13R TO PREVENT INCREASED RISK OF FLOODING
- 11 CL02R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 12 CL04R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 13 CL06R INTERESTS OF NEIGHBOURS AMENITY

(Councillor Sturdy declared an interest in this item and, on the basis that the interest was prejudicial, left the meeting prior to discussion of the item).

(Councillor W J Bowyer (Tockwith with Wilstrop Parish Council), Mr S Otley (objector) and Mr

D Marshall (developer) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).



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(UNANIMOUS DECISION)

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**CASE NUMBER: 04/03355/FUL**  
**GRID REF: EAST 447485 NORTH 446861**

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**APPLICATION NO.:** 6.150.61.FUL

**LOCATION:**

Land At Grid Ref 447485/446861, Between 1 And 1A Church Lane Wighill Tadcaster  
North Yorkshire

**PROPOSAL:**

Erection of 2no. detached dwellings and formation of new vehicular access (site area 0.09  
ha).

**APPLICANT:** PJ Swale & A Johnson

WITHDRAWN

At the request of the applicant.

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**CASE NUMBER: 04/03333/FUL**  
**GRID REF: EAST 438390 NORTH 460900**

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**APPLICATION NO.:** 6.78.71.A.FUL

**LOCATION:**

Land Comprising Part Of OS Field 1800 Adjacent To Long Acre Moor Lane Arkendale  
Knaresborough North Yorkshire

**PROPOSAL:**

Erection of 1 no detached dwelling (site area 0.23ha).

**APPLICANT:** Mr & Mrs Milner

WITHDRAWN

At the request of the applicant.

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**CASE NUMBER: 04/03307/FUL**  
**GRID REF: EAST 438295 NORTH 461100**

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**APPLICATION NO.:** 6.78.47.I.FUL

**LOCATION:**

Hazel Head Farm Arkendale Knaresborough North Yorkshire HG5 0RG

**PROPOSAL:**

Erection of 1 no replacement detached dwelling (revised scheme, site area 0.084ha).

**APPLICANT:** Mr R Bailey

APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 31.08.2009
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 29.07.2004
- 3 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 4 Notwithstanding the submitted information, details of the proposed boundary treatment to the domestic curtilage shall be submitted for the written approval of the Local Planning Authority. The approved details shall thereafter be implemented in full prior to the occupation of the dwelling and retained as such unless otherwise agreed in writing by the Local Planning Authority.
- 5 CI02Y PD REST,NO EXTNS,GRGS&ROOF/DORMER WINDS
- 6 Prior to the first use of the development 4 parking spaces (min size 4.8 m x 2.4m) shall be provided, laid out, hard surfaced, drained, marked out and made available for use. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
- 7 CB11 SEPARATE SYSTEM FOUL AND SURFACE WATER

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 CI02YR PROTECT VISUAL AMENITY
- 6 To provide appropriate on-site vehicle parking facilities with associated access and manoeuvring areas, in the interests of highway safety and general amenity of the development.
- 7 CB11R TO PREVENT POLLUTION OF WATER ENVIRONMNT

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**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 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 R Bailey (applicant who answered questions) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

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28/04 - **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, and those determined by the Solicitor following consultation with the Head of Planning Services which had been approved since the last meeting of the Committee.

**RESOLVED (UNANIMOUSLY):**

That the report be received.

(D)