

**AREA 2 DEVELOPMENT CONTROL COMMITTEE
HELD ON 28 SEPTEMBER 2004
(FROM 4.00 PM TO 4.43 PM)**

PRESENT: Councillor Smith in the Chair. Councillors Anthony Alton, Bayliss, Fawcett, Hoult, Chris Lewis, Peter Phillips, Dr Rothwell, Mrs Smith and Wilson.

Late Arrivals: Councillor Mrs Smith at 4.06 pm.

Early Departures: None.

29/04 - **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 Anne Jones and Councillor Mrs Smith to substitute for Councillor Sturdy.

30/04 - **DECLARATIONS OF INTEREST:** Declarations of interest were made as detailed in Minute No 34/04.

31/04 - **MINUTES:** The Minutes of the meeting of the Committee held on 31 August 2004 were approved as a correct record and signed by the Chair.

(Eight Members voted in favour of the motion with one abstaining).

32/04 - **EXEMPT INFORMATION:** There were no exempt information items.

MATTERS WHICH THE COMMITTEE DEALT WITH UNDER DELEGATED POWERS

33/04 - **COUNTY APPLICATIONS:** There were no further applications submitted by North Yorkshire County Council upon which this Council's observations had been sought.

34/04 - **LIST OF PLANS:** In accordance with the Scheme of Delegation, the Committee considered the undermentioned plans and applications and made the decisions indicated viz:-

Minute 34/04(01)

CASE NUMBER:
04/03749/FUL

GRID REF: EAST 434727 NORTH 460346

APPLICATION NO.: 6.84.40.D.FUL

LOCATION:

Part Of OS Field No 6938, South Of Sunnyside Farm Farnham Knaresborough North Yorkshire

PROPOSAL:

Erection of 1 no log cabin for holiday letting use (revised scheme).

APPLICANT: Matthew Clark

APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 28.09.2009
- 2 CC02 DEVELOPMENT IN ACCORDANCE WITH DRAWINGS
- 3 CI01 HOLIDAY USE ONLY
- 4 Prior to the commencement of the development hereby approved, the existing static caravan shall be removed from the site.
- 5 The floor level in the cabin hereby approved shall be 600mm above existing ground level at the application site.
- 6 CL02 LANDSCAPING: DETAILS TO BE APPROVED
- 7 CL04 REPLANTING IF ANY TREES/SHRUBS DIE

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC02R COMPLIANCE WITH DRAWINGS
- 3 CI01R PERMANENT RESIDENTIAL USE UNACCEPTABLE
- 4 In the interests of visual amenity.
- 5 In the interests of residential amenity.
- 6 CL02R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 7 CL04R SAFEGUARD RIGHTS OF CONTROL/AMENITY

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 Smith declared a personal interest in this item as the applicant was known to him but, on the basis that the interest was not prejudicial, he remained in the meeting and took part in the discussion and vote thereon).

(UNANIMOUS DECISION)

02/6.
4./04
3751
UL/0
02/6.
4./04
3751
UL/1

Minute 34/04(02)

CASE NUMBER:

04/03751/FUL

GRID REF: EAST 434747 NORTH 460370

APPLICATION NO.: 6.84.40.E.FUL

LOCATION:

Land Comprising Part Of OS Field 7737, East Of Sunnyside Farm Farnham
Knaresborough North Yorkshire

PROPOSAL:

Erection of 2 no log cabins for holiday letting use.

APPLICANT: Matthew Clark

DEFERRED for the following reason(s):-

To enable a revised report to be prepared for Committee consideration in view of the officer's revised recommendation to refuse the application on landscape impact grounds.

(Councillor Smith declared a personal interest in this item as the applicant was known to him but, on the basis that the interest was not prejudicial, he remained in the meeting and took part in the discussion and vote thereon).

(UNANIMOUS DECISION)

03/6.
6./04
3805
UL/0
03/6.
6./04
3805
UL/1

Minute 34/04(03)

**CASE NUMBER:
04/03805/FUL**

GRID REF: EAST 439165 NORTH 467247

APPLICATION NO.: 6.56.133.A.FUL

LOCATION:

The Ridings Langthorpe Boroughbridge York North Yorkshire YO51 9YA

PROPOSAL:

Demolition of existing bungalow and erection of 1 no replacement dwelling (revised scheme, site area 0.068ha)

APPLICANT: Mr And Mrs N Sadler

APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 28.09.2009
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 28.09.2004
- 3 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 4 CD05 REVEALS: MM ... 50
- 5 HW23 GARAGE CONVERSION TO HABITABLE ROOM
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, garages, curtilage structures and roof/dormer windows other than any expressly authorised by this permission shall be erected without the grant of further specific planning permission from the local planning authority.
- 7 Notwithstanding the provisions of The Town and Country Planning General Permitted Development Order 1995 (or any order revoking and re-enacting that Order with or without modification), no further windows shall be inserted in the side i.e the east and west elevations of the dwelling hereby approved, without the prior written approval of the Local Planning Authority.
- 8 Plans and Sections of the site showing the existing and proposed ground levels and level of the threshold of the proposed building(s) and level of any proposed access shall be submitted to and approved by the Local Planning Authority before any part of the development hereby approved is commenced. Such details shall demonstrate that the floor levels will be no lower than the existing bungalow and be 600mm above the 1 in 100 year flood event level unless otherwise agreed by the Local Planning Authority.
- 9 Prior to commencement on site details of the new front boundary treatment shall be

submitted for the written approval of the Local Planning Authority and, once approved, thereafter implemented prior to occupation of the dwelling and retained and maintained.

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 CD05R VISUAL AMENITY
- 5 HW23R ROAD SAFETY REQUIREMENTS
- 6 CI02YR PROTECT VISUAL AMENITY
- 7 CD15AR PRIVACY AND RESIDENTIAL AMENITY
- 8 In the interests of residential amenity and to ensure accord with Harrogate District Local Plan Policy A5.
- 9 In the interests of residential and visual amenity.

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 Wilson declared a personal interest in this item as the applicant was known to him 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 P Knowles (agent) attended the meeting and answered questions under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

APPLICATION NO.: 6.100.1691.D.FUL

LOCATION:

5 Netheredge Drive Knaresborough North Yorkshire HG5 9DA

PROPOSAL:

Demolition of existing dwelling and erection of 1 no replacement dwelling (Site Area 0.04 ha) (Revised Scheme)

APPLICANT: Mr R Weddall

REFUSED. Reason(s) for refusal:-

- 1 The proposed development would as a consequence of its size, mass and siting represent an over development of this site having a detrimental impact upon both the street scene and residential environment of the occupiers of adjacent residential property in a manner contrary to the provisions of Harrogate District Local Plan Policies H6, HD20 and A1.

(Councillors Smith and Wilson both declared personal interests in this item as the applicant was known to them but, on the basis that the interests were not prejudicial, they remained in the room and participated in the debate and vote thereon).

(UNANIMOUS DECISION)

Minute 34/04(05)

CASE NUMBER:
04/03470/FUL

GRID REF: EAST 428540 NORTH 446660

05/6.
47/0.
3470
UL/0
05/6.
47/0.
3470
UL/1

APPLICATION NO.: 6.147.248.FUL

LOCATION:

Land Comprising Part Of
OS Field No 5072
Mount Pleasant Farm Gallowgate Lane Weeton Leeds North Yorkshire

PROPOSAL:

Erection of 1no dwelling, to replace Mount Pleasant Cottage (to be demolished), and

formation of new vehicular access (site area 0.07ha).

APPLICANT: Mr & Mrs J Walker

DEFERRED for the following reason(s):-

To enable Members to undertake a site visit.

(Ms K Broadbank (agent) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

35/04 – 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)

36/04 – TREE PRESERVATION ORDER: PRIORY LODGE, PLOMPTON ROAD, FOLLIFOOT, TPO No 01/2004: The Director of Technical Services submitted a written report which requested confirmation of a provisional Tree Preservation Order which covered two groups of trees, which were of considerable amenity and wildlife value, on the west and east boundaries of Priory Lodge, Plompton Road, Follifoot.

RESOLVED (UNANIMOUSLY):

That (1) the Committee find it expedient, in the interests of amenity, to confirm the Tree Preservation Order at Priory Lodge, Plompton Road, Follifoot;

(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 01/2004.

(D)

37/04 – TREE PRESERVATION ORDER: 3-9 GREEN LANE, CONEYTHORPE, FOLLIFOOT, TPO No 25/2004: The Director of Technical Services submitted a written report which requested confirmation of a provisional Tree Preservation Order which covered a sugar maple tree located within the grassed courtyard enclosed by 3-9 Green Lane, Coneythorpe.

RESOLVED (UNANIMOUSLY):

That (1) the Committee find it expedient, in the interests of amenity, to confirm the Tree Preservation Order at The Green enclosed by 3-9 Green Lane, Coneythorpe;

(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 25/2004.

(D)

38/04 – TREE PRESERVATION ORDER: THE OLD VICARAGE, NUN MONKTON

TPO No 27/2004: The Director of Technical Services submitted a written report which requested confirmation of a provisional Tree Preservation Order on trees around the perimeter of the garden of The Old Vicarage at Nun Monkton.

RESOLVED (UNANIMOUSLY):

That (1) the Committee find it expedient, in the interests of amenity, to confirm without modification the Tree Preservation Order at The Old Vicarage, Nun Monkton;

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

(3) the Order be confirmed as The Council of the Borough of Harrogate Tree Preservation Order No 27/2004.

(D)

39/04 – TREE PRESERVATION ORDER: MORRISONS, STUMP CROSS,

BOROUGHBRIDGE, TPO No 21/2004: The Director of Technical Services submitted a written report which requested confirmation of a provisional Tree Preservation Order on various trees within the car park and adjacent to Morrisons Supermarket, Stump Cross, Boroughbridge.

RESOLVED (UNANIMOUSLY):

That (1) the Committee find it expedient, in the interests of amenity, to confirm the Tree Preservation Order at Morrisons, Stump Cross, 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 21/2004.

(D)