

Minute 56/04(14)

**CASE NUMBER: 04/04971/COU
GRID REF: EAST 439340 NORTH 450850**

APPLICATION NO.: 6.135.4.H.CO.U

LOCATION:

Woodlands Farm Knaresborough Road North Deighton Wetherby North Yorkshire LS22 4EJ

PROPOSAL:

Change of use of 3 agricultural buildings to Use Class B8 (Storage and Distribution).

APPLICANT: Mr A Alton

APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 23.11.2009
- 2 The use hereby approved shall not be commenced until such time as the buildings shown on the attached plan have ceased to be used for the housing of livestock, and those buildings shall not thereafter be utilised for housing of livestock.
- 3 The buildings the subject of this approval shall not be used for the storage of any hazardous materials (being materials as defined in the Hazardous Substances Act 1990 and associated legislation).
- 4 There shall be no external storage of materials other than in the loadings areas shown in green on the submitted plans and no materials shall be stored at a height exceeding 3m above the ground level adjoining the buildings.
- 5 CL02 LANDSCAPING: DETAILS TO BE APPROVED
- 6 The use hereby approved shall not be carried out other than between the hours of 8.30 - 5.30 in any one day Monday to Fridays and not on Saturdays, Sundays and Public Bank Holidays.
- 7 Before the development hereby permitted commences, a scheme shall be approved in writing with the local planning authority which specifies the provision to be made for the control of noise emanating from the fixed mechanical plant, for heating, cooling, extraction and ventilation on the site. The plant shall be installed and operated in accordance with the approved scheme before the development is first brought into use and no other plant shall be installed.
- 8 CL04 REPLANTING IF ANY TREES/SHRUBS DIE
- 9 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 the Specification of the Local Highway Authority;

(iv) that part of the access(es) extending 3 metres into the site from the carriageway of the existing highway shall be made up and surfaced in accordance with the approved details and/or 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 Prior to the uses hereby approved being brought into operation, the access shall be widened to give 5.5m width for a distance of 20m from the B6164.
- 11 The existing Public Right of Way shall be protected and kept clear of any obstruction until such time as any alternative route has been provided and confirmed under an Order made under the Town and Country Planning Act 1990.

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 In order to ensure a satisfactory level of amenity for persons utilising the storage buildings and to comply with Policy A2 of the Harrogate District Local Plan.
- 3 In order to ensure a satisfactory level of amenity and safety for the occupants of nearby dwellings and the environment in general.
- 4 In the interests of preserving the rural landscape.
- 5 CL02R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 6 CN01R AMENITIES OF NEIGHBOURS
- 7 CN03XR IN THE INTERESTS OF AMENITY
- 8 CL04R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 9 HW07R VEHICLE AND PEDESTRIAN SAFETY REQ'MENTS
- 10 HW07R VEHICLE AND PEDESTRIAN SAFETY REQ'MENTS
- 11 HW32R TO PROTECT THE RIGHT OF WAY

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 Alton declared an interest in this item and, on the basis that it was prejudicial, he left the meeting and did not participate in the debate or vote thereon).

(UNANIMOUS DECISION)