

63/04(05)

CASE NUMBER: 04/04196/FUL
GRID REF: EAST 434910 NORTH 456534

APPLICATION NO.: 6.100.2400.FUL

LOCATION:

Meat And Poultry Processing Factory Waterside Knaresborough North Yorkshire

PROPOSAL:

Demolition of factory and erection of 3 no. dwellings with new vehicular access. (Site Area 0.077 ha)

APPLICANT: R H Holmes Esq

The application was APPROVED contrary to the Officer's recommendation for the following reasons:-

The height and massing of the proposed new development is not considered to be out of keeping with the surrounding street scene, or harmful to the character of the conservation area;

The positioning of the proposed dwellings within this site, and their proximity to the side boundaries of the site, is not considered to have a detrimental effect upon the residential amenity of the neighbouring dwellings.

And subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 14.12.2009
- 2 The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details, as amended by plans received 09.11.2004 and letter and plan received 23.11.2004 by the Council of the Borough of Harrogate and as modified by the conditions of this consent.
- 3 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 4 CD04Y SAMPLE STONework PANEL
- 5 CD13X TIMBER VERTICAL SLIDING SASH WINDOWS
- 6 CD05 REVEALS: MM ... 100
- 7 CD15A NO FURTHER WINDOWS IN DEVELOPMENT ... side ... dwellings
- 8 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, roof/dormer windows or curtilage structures other than any expressly authorised by this permission shall be erected without the grant of further specific planning permission from the local

planning authority.

9 HW23 GARAGE CONVERSION TO HABITABLE ROOM

10 Notwithstanding the layout and details shown upon the submitted drawing(s) 04/694/01 the development hereby approved shall not be commenced prior to the submission to and approval by the Local Planning Authority in writing of an amended layout and full engineering details to provide for:-

- a) An extension of the existing 1.0m wide service strip and new kerb/surfacing levels which will take into account and accommodate the levels difference with the adjacent site.
- b) Building finished floor levels to achieve a maximum drive gradient of 1 in 12.
- c) More "user friendly" drive alignment.
- d) Wholly internally opening garage doors.

Thereafter the development shall be implemented in accordance with the details approved by the Local Planning Authority.

11 CB11 SEPARATE SYSTEM FOUL AND SURFACE WATER

12 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the Local Planning Authority before development commences.

13 No development approved by this planning permission shall be commenced until:

a) A desktop study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. And using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.

b) A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model). This should be submitted to, and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken relating to groundwater and surface waters associated on and off the site that may be affected, and
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

c) The site investigation has been undertaken in accordance with details approved by the LPA and a risk assessment has been undertaken.

d) A Method Statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters, using the information obtained from the Site Investigation has been submitted to the Local Planning Authority. This should be approved in writing by the Local Planning Authority prior

- to that remediation being carried out on the site.
- 14 If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.
 - 15 Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

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 CD04YR CONFORM TO REQUIREMENTS OF LOCALITY
- 5 CD13XR DEV IN CHARACTER WITH LOCALITY
- 6 CD05R VISUAL AMENITY
- 7 CD15AR PRIVACY AND RESIDENTIAL AMENITY
- 8 In order to protect the visual amenities of the surrounding area in view of the prominence of this site within the Knaresborough Conservation Area.
- 9 HW23R ROAD SAFETY REQUIREMENTS
- 10 HWH35R ROAD SAFETY REQUIREMENTS
- 11 CB11R TO PREVENT POLLUTION OF WATER ENVIRONMNT
- 12 To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading.
- 13 To ensure that the proposed site investigations and remediation will not cause pollution of Controlled Waters.
- 14 To ensure that the development complies with approved details in the interests of protection of Controlled Waters.
- 15 To protect Controlled Waters by ensuring that the remediated site has been reclaimed to an appropriate standard

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 R Bullus (who answered questions on behalf of the applicant), attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)