

Area 2 Development Control Committee - Tuesday 18 January 2005
Agenda Item No. 03 - Public Supporting Paper

**AREA 2 DEVELOPMENT CONTROL COMMITTEE
HELD ON 14 DECEMBER 2004
(FROM 4.13 PM TO 7.38 PM)**

PRESENT: Councillor Smith in the Chair. Councillors Anthony Alton, Bayliss, Fawcett, Hoult, Anne Jones, Chris Lewis, Dr Rothwell, Sturdy and Wilson.

Late Arrivals: None.

Early Departures: Councillor Sturdy at 7.12 pm.

58/04 - **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 a substitute for Councillor Phillips.

59/04 - **DECLARATIONS OF INTEREST:** Declarations of interest were made as detailed in Minute 63/04.

60/04 - **MINUTES:** The Minutes of the meeting of the Committee held on 23 November 2004 were approved as a correct record and signed by the Chair.

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

61/04 - **EXEMPT INFORMATION:** There was no exempt information.

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

62/04 - **COUNTY APPLICATIONS:** There were no further applications submitted by North Yorkshire County Council upon which this Council's observations had been sought.

63/04 - **LIST OF PLANS:** In accordance with the Scheme of Delegation, the Committee considered the undermentioned plans and applications, and made the decisions indicated viz:-

63/04(01)

01/6.101/1

CASE NUMBER: 04/00626/DVCON
GRID REF: EAST 438360 NORTH 456050

APPLICATION NO.: 6.101.12.X.DVCON

LOCATION:

Goldsborough Hall Church Street Goldsborough Knaresborough North Yorkshire HG5 8NR

PROPOSAL:

Variation of Condition no 3 of planning permission 6.101.12.M.PA to state the premises shall only be used for a use falling within Class C2 of The Town & Country Planning (Use Classes) Order 1987.

APPLICANT: BUPA Care Homes (GL) Ltd

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

The proposal would have an adverse effect on the environment and fabric of the listed building;

The proposal would have an adverse effect on the local community, especially the residents of Stansfield Court;

The additional traffic which the proposal would generate would be detrimental to the amenity of residents of Stansfield Court;

The proposed lighting and fencing would have a detrimental effect upon the setting of the listed building; 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 a decision.

(Mr J Search (Goldsborough and Flaxby Parish Council), Mr D James (objector speaking on behalf of Goldsborough Residents' Group) and Mr S Sadler (agent who answered questions) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(Eight Members voted in favour of the motion with two voting against).

CASE NUMBER: 04/00912/LB
GRID REF: EAST 438360 NORTH 456050

APPLICATION NO.: 6.101.12.Y.LB

LOCATION:

Goldsborough Hall Church Street Goldsborough Knaresborough North Yorkshire HG5 8NR

PROPOSAL:

Listed Building application for various internal alterations including the erection of polycarbonate sheeting to protect windows, raising of chandeliers, replacement of existing wall lights; and erection of boundary fences and gates.

APPLICANT: The Senad Group Ltd

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

The adverse effect which the proposal would have on the listed building and the setting of the conservation area; 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.

(Mr J Search (Goldsborough and Flaxby Parish Council), Mr D James (objector speaking on behalf of Goldsborough Residents' Group) and Mr S Sadler (agent who answered questions) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(Eight Members voted in favour of the motion with two voting against).

63/04(03)

CASE NUMBER: 04/00905/FUL
GRID REF: EAST 438360 NORTH 456050

APPLICATION NO.: 6.101.12.Z.FUL

LOCATION:

Goldsborough Hall Church Street Goldsborough Knaresborough North Yorkshire HG5 8NR

PROPOSAL:

Erection of boundary fence and entrance gates, formation of childrens hard play area, installation of childrens play equipment, and formation of increased hardstanding within

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existing car park.

APPLICANT: The Senad Group Ltd

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

The detrimental effect which the proposal would have on the setting of the listed building; 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.

(Mr J Search (Goldsborough and Flaxby Parish Council), Mr D James (objector speaking on behalf of Goldsborough Residents' Group) and Mr S Sadler (agent who answered questions) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(Eight Members voted in favour of the motion with two voting against).

63/03(04)

03/6.101/04009
05FUL/0
04/6.63./1

CASE NUMBER: 04/04775/COU
GRID REF: EAST 438816 NORTH 466179

APPLICATION NO.: 6.63.68.AN.CO

LOCATION:

Unit 7 & 7A Becklands Close Bar Lane Roecliffe York North Yorkshire

PROPOSAL:

Change of Use from Cycling Equipment Storage unit to Childrens Play Centre (Use Class D2).

APPLICANT: Victoria Pope

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

Policy R5 of the Local Plan welcomes the provision of new sports and recreational facilities, of which there is a distinct lack in the area generally, particularly for under 5 year olds and, since the proposal would also provide employment opportunities in the area, greater weight can be attached to Policy R5 than Policy E2;

The proposal would not create any traffic problems and parking is well catered for;

A condition would be added to the effect that, if the business fails or moves elsewhere, then the unit would revert back to its original use; and

It be DEFERRED for further consultation with the CM(P), Chief Solicitor and (if there is a

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costs issue) DF and brought back to another meeting of the Committee for decision.

(Ms V Pope (applicant) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(Nine Members voted in favour of the motion with one voting against).

63/04(05)

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

04/6.63/040477
5COU/0
05/6.100/04041
96FUL/0
05/6.100/04041
96FUL/1

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

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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

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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).

63/04(06)

CASE NUMBER: 04/04573/CON
GRID REF: EAST 434910 NORTH 456534

APPLICATION NO.: 6.100.2400.A.CON

LOCATION:

Meat And Poultry Processing Factory Waterside Knaresborough North Yorkshire

PROPOSAL:

Conservation Area application for the demolition of the Meat and Poultry Processing Factory.

APPLICANT: R H Holmes Esq

This application was APPROVED contrary to the Officer's recommendation for the following reason:-

A satisfactory replacement scheme exists, therefore the proposal to demolish the existing buildings is not contrary to Policy HD3 of the adopted Harrogate District Local Plan and the advice contained in PPG15

And subject to the following conditions:-

- 1 CA05L LB - DEVELOPMENT SHALL BE BEGUN BEFORE ... 14.12.2004
- 2 CM01 NO DEMOLITION BEFORE CONTRACT FOR REDEV

Reasons for Conditions:-

- 1 CA05LR TO COMPLY WITH SECTION 18
- 2 CM01R VISUAL AMENITY

JUSTIFICATION FOR GRANTING CONSENT:

In granting Conservation Area Consent the local planning authority has taken into account all material matters relating to the building's contribution to the architectural or historic interest of the area and the wider effects of alterations extension or demolition, 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 the observations of any statutory or non-statutory consultee, Amenity Society and representations from the Parish, Town or City Council and the public about the application. On balance, the local planning authority considers the proposal would not give rise to any unjustified consequences for the character and appearance of the Conservation Area.

(UNANIMOUS DECISION)

63/04(07)

CASE NUMBER: 04/04571/OUT
GRID REF: EAST 433881 NORTH 450131

APPLICATION NO.: 6.122.280.A.OUT

LOCATION:

Parks Farm Park Lane Spofforth Harrogate North Yorkshire HG3 1BY

PROPOSAL:

Outline application for the erection of 1 no dwelling, with access (Site Area 0.069 ha).

APPLICANT: Mrs A Addyman

DEFERRED and HOPS be authorised to APPROVE the application contrary to the Officer's recommendation for the following reason:-

The proposed development would support the diversification of the farming business and permit the business to grow, by allowing additional workers to be located on site, recognising the need for this, due to the specialised nature of the business in this extremely rural and isolated setting;

And subject to the following conditions and such other conditions as HOPS considers to be necessary and following the completion of a S106 Agreement requiring:

The linkage of the new dwelling and existing farmhouse both to the equine therapy business and to the farming enterprise.

PROPOSED CONDITIONS:

- 1 CA06 OUTLINE/RESERVED MATTERS
- 2 CA01A OUTLINE - ACCESS NOT RM
- 3 At the same time as submission of reserved matters as required by condition 2 above
 - i. Full details of public open space to serve the development in accordance with Policy R4 of the Harrogate District Local Plan shall be submitted to and approved by the Local Planning Authority and agreement reached with the Local Planning Authority as to the provision of the same and its subsequent management and maintenance.
 - ii. Alternative arrangements for the provision of open space shall be submitted to and approved in writing by the Local Planning Authority.
- 4 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 CA06R TO COMPLY WITH SECTIONS 91-94
- 2 CA01AR SAFEGUARD RIGHTS OF CONTROL

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3 CL12R COMPLIANCE WITH R4 - OPEN SPACE POLICY
4 HW32R TO PROTECT THE RIGHT OF WAY

INFORMATIVES

1 This development is subject to a Planning Obligation made under Section 106 of the Town and Country Planning Act 1990.

(Councillor Sturdy declared an interest in this item and, on the basis that the interest was prejudicial, left the room and did not participate in the debate and vote thereon).

(Ms L Hartson (agent) 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).

63/04(08)

CASE NUMBER: 04/04631/FULMAJ
GRID REF: EAST 440260 NORTH 461560

08/6.71./040463
1FULMAJ0
08/6.71./040463
1FULMAJ1

APPLICATION NO.: 6.71.102.F.FULMAJ

LOCATION:

Rougham Farm Great North Road Arkendale Knaresborough North Yorkshire HG5 0RA

PROPOSAL:

Erection of replacement building & retention of existing building to form meat cutting, processing & packing premises with the seasonal killing & preparation of poultry and game, 2 storey extension to existing dwelling & vehicular access.

APPLICANT: P Hutton Ltd

WITHDRAWN

63/04(09)

CASE NUMBER: 04/03751/FUL
GRID REF: EAST 434747 NORTH 460370

09/6.84./040375
1FUL0
09/6.84./040375
1FUL1

APPLICATION NO.: 6.84.40.E.FUL

LOCATION:

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

PROPOSAL:

APPLICANT: Matthew Clark

REFUSED. Reason(s) for refusal:-

- 1 The proposed development would harm the visual amenity and character of the landscape, together with the setting of the Conservation Area, contrary to Policies TR4 and HD3.
- 2 The Local Planning Authority considers that clear visibility of 90m cannot be achieved along the public highway in an easterly direction from a point 2m from the carriageway edge measured down the centre line of the minor road and consequently traffic generated by the proposed development would be likely to create conditions prejudicial to highway safety contrary to Harrogate District Local Plan Policy A1.

(Mr A Turner (objector) and Mr M Clark (applicant who answered questions) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

63/04(10)

10/6.84/040143
9FUL/0
10/6.84/040143
9FUL/1

CASE NUMBER: 04/01439/FUL

GRID REF: EAST 434715 NORTH 460375

APPLICATION NO.: 6.84.40.B.FUL

LOCATION:

Sunnyside Farm Farnham Knaresborough North Yorkshire HG5 9JD

PROPOSAL:

Reinstatement of Sunnyside Cottage including demolition of outbuildings and erection of two storey extension (site area 0.01ha).

APPLICANT: Matthew Clark

REFUSED. Reason(s) for refusal:-

- 1 The proposed development represents extensive alteration and extension to this rural building, and is of a scale and design such that it would detract from the character and appearance of the building, contrary to Policy C16.
- 2 The scale of the proposed extension is such that it would be tantamount to the erection of a new dwelling. This site is in the open countryside, outside the development limit of any settlement, and a new dwelling would be contrary to Local Plan Policy H7 and Government advice in PPS7.
- 3 The local planning authority considers that clear visibility of 90m cannot be achieved along the public highway in an easterly direction from a point 2m from the carriageway edge measured down the centre line of the access road and consequently traffic generated by the proposed development would be likely to

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create conditions prejudicial to highway safety.

(Mr A Turner (objector) and Mr M Clark (applicant 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 one voting against and three abstaining).

63/04(11)

CASE NUMBER: 04/03581/FUL
GRID REF: EAST 435510 NORTH 458510

11/6.100/04035
81FUL/0
11/6.100/04035
81FUL/1

APPLICATION NO.: 6.100.1491.N.FUL

LOCATION:

Land Comprising Part Of O.S. 5141 F Watson And Son Ltd Boroughbridge Road
Knaresborough North Yorkshire

PROPOSAL:

Siting of static caravan to be used as a dwelling with the installation of new sealed holding tank (site area 0.01ha).

APPLICANT: Mr R F Watson

WITHDRAWN

At the request of the applicant.

63/04(12)

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

12/6.125/04011
57FUL/0
12/6.125/04011
57FUL/1

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. holiday dwelling, 2 no dwellings, alterations to vehicular access and installation of a package treatment plant. (Site Area 0.075)(Revised Scheme)

APPLICANT: The Trustees Of E C York 1997 Settlement

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:

To secure the applicant retains control of the site and the third unit is used for holiday purposes only.

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 5 years
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 19.11.2004
- 3 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 4 Prior to the commencement of the development details of two passing places required along the unclassified county road number BT88, leading to the site shall be submitted to and approved by the Local Planning Authority in consultation with the Local Highway Authority.
- 5 HW28 COMPLETION OF WORKS IN HIGHWAY-COMMENCE ... the passing places
- 6 HW17 PROV'N OF APP'VD ACCESS/TURNING/PARKING ... 1722-12
- 7 HW19 PRKG SPACES TO REMAIN AVAIL'BL FOR VEH PRKG
- 8 HW20 PARKING FOR DWELLINGS (MORE THAN ONE)
- 9 HW23 GARAGE CONVERSION TO HABITABLE ROOM
- 10 The proposed unit(s) shall not be used for any purpose other than holiday accommodation and shall not be occupied for periods exceeding one calendar month at a time by the same occupant and shall not be used as permanent residential accommodation.
- 11 CI02Y PD REST, NO EXTNS, GRGS&ROOF/DORMER WINDOWS
- 12 CB11 SEPARATE SYSTEM FOUL AND SURFACE WATER
- 13 Prior to the commencement of the development hereby approved, revised fenestration detailing of the northern elevation of the two storey barn shall be submitted for the written approval of the local planning authority. Thereafter the approved details shall be implemented and retained as such unless otherwise approved in writing by the local planning authority.

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 HW27R ROAD SAFETY REQUIREMENTS
- 5 HW28R ROAD SAFETY REQUIREMENTS
- 6 HW17R ROAD SAFETY REQUIREMENTS
- 7 HW19R ROAD SAFETY REQUIREMENTS
- 8 HW20R ROAD SAFETY REQUIREMENTS
- 9 HW23R ROAD SAFETY REQUIREMENTS
- 10 CI01R PERMANENT RESIDENTIAL USE UNACCEPTABLE
- 11 CI02YR PROTECT VISUAL AMENITY
- 12 CB11R TO PREVENT POLLUTION OF WATER ENVIRONMENT
- 13 In the interests of visual amenity

INFORMATIVES

- 1 This development is subject to a Planning Obligation made under Section 106 of the Town and Country Planning Act 1990.

(Mr P Roth and Mr J Goodwin (agents who answered questions) attended the meeting

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and spoke
to the item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

63/04(13)

13/6.122/04047
62FUL/0
13/6.122/04047
62FUL/1

CASE NUMBER: 04/04762/FUL
GRID REF: EAST 435665 NORTH 450270

APPLICATION NO.: 6.122.255.A.FUL

LOCATION:

Park Lane Stables Park Lane Spofforth Harrogate North Yorkshire HG3 1BY

PROPOSAL:

Demolition and removal of all buildings and erection of 1 detached dwelling and detached double garage. (Site Area 0.148 ha)

APPLICANT: F J Moss

APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 14.12.2009
- 2 CC02 DEVELOPMENT IN ACCORDANCE WITH DRAWINGS
- 3 CI02Y PD REST,NO EXTNS,GRGS&ROOF/DORMER WINDS
- 4 CI02Z PD RESTRICTION, NO ... buildings within curtilage
- 5 CI07 RESTRICTED GARDEN AREA
- 6 CD04Y SAMPLE STONework PANEL
- 7 CD12X SAMPLES OF MATCHING MATERIALS
- 8 Prior to commencement of the development hereby approved, all existing buildings shall be removed from the site.
- 9 HW23 GARAGE CONVERSION TO HABITABLE ROOM

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC02R COMPLIANCE WITH DRAWINGS
- 3 CI02YR PROTECT VISUAL AMENITY
- 4 CI02ZR PROTECT VISUAL AMENITY
- 5 CI07R INTRUSION INTO AGRICULTURAL AREA
- 6 CD04YR CONFORM TO REQUIREMENTS OF LOCALITY
- 7 CD12XR IN THE INTERESTS OF VISUAL AMENITY
- 8 In the interests of visual amenity and retaining the openness of the Green Belt.
- 9 HW23R ROAD SAFETY REQUIREMENTS

JUSTIFICATION FOR GRANTING CONSENT:

In granting permission for this development the local planning authority has taken into

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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.

(Six Members voted in favour of the motion, with two voting against and one abstaining).

63/04(14)

14/6.100/04043
43FUL/0
14/6.100/04043
43FUL/1

CASE NUMBER: 04/04343/FUL
GRID REF: EAST 435727 NORTH 457456

APPLICATION NO.: 6.100.2387.A.FUL

LOCATION:

1 Park Lane Knaresborough North Yorkshire HG5 0DQ

PROPOSAL:

Conversion of 1 no dwelling to form 2 no dwellings, including the erection of two storey side extension and detached single garage.

APPLICANT: Harrogate Property Investment

DEFERRED for the following reason(s):-

- a) To enable this application to be considered in the knowledge of the recent application received for the adjacent land;
- b) To request additional information in respect of levels and as to how the parking area and any ramping requirements would work in the light of the Chief Engineers observations.

(Councillor Hoult declared an interest in this item as a Governor of Forest School which had objected to the proposals but, on the basis that the interest was not prejudicial, he remained in the meeting and participated in the debate and vote thereon).

(Mr R F Larwood (objector) and Mr R Thickett (agent who answered questions) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

63/04(15)

CASE NUMBER: 04/05087/OUT
GRID REF: EAST 435968 NORTH 456730

APPLICATION NO.: 6.100.133.E.OUT

LOCATION:

The Pines 11 Wetherby Road Knaresborough North Yorkshire HG5 8LG

PROPOSAL:

Outline application for the erection of 1 dwelling and detached garage with siting and access considered. (Site Area 0.048)

APPLICANT: Mr And Mrs B O'Grady

REFUSED. Reason(s) for refusal:-

- 1 The proposed bungalow, which would be built very close to the rear boundary of the site, would constitute an over-intensive use of the site, which would have an unacceptably harmful effect upon the reasonable enjoyment of the two dwellings at Nos3 and 5 Wetherby Road by reason of overshadowing and overbearing. The proposed development would therefore be contrary to Harrogate District Local Plan Policies A1, HD20 and H14.
- 2 The provision for parking and turning facilities within the site is inadequate and will lead to vehicles reversing, if not parking on York Road, which is unacceptable and would be contrary to Harrogate District Local Plan Policies T2 and A1.

(UNANIMOUS DECISION)

63/04(16)

CASE NUMBER: 04/02317/OUT
GRID REF: EAST 442736 NORTH 452473

APPLICATION NO.: 6.124.26.C.OUT

LOCATION:

Former Parish Hall, Adjacent Bungalow And Garages To Rear Oak Road Cowthorpe Wetherby North Yorkshire

PROPOSAL:

Outline application for the demolition of existing dwellings and garages and erection of 2no. dwellings (site area 0.094ha).

APPLICANT: David & Martin Newis

- 1 CA06 OUTLINE/RESERVED MATTERS ... 14.12.2006 ... 14.12.2009
- 2 CA01 OUTLINE
- 3 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:-

(ib) the existing access shall be improved in accordance with Standard Detail number E7 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 highway.

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.

- 4 HW16 DETAILS OF TURNING SPACE
- 5 HW19 PRKG SPACES TO REMAIN AVAIL'BL FOR VEH PRKG
- 6 No dwelling shall be occupied until parking spaces of a size not less than 4.8 metres x 2.6 metres, including one garage or a car parking space capable of accommodating a garage, have been provided within the curtilage of that dwelling, in accordance with standards set out in the North Yorkshire County Council Parking Design Guide. Any garages shall then be positioned a minimum of 6 metres back from the highway boundary. Once created these parking and garaging areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
- 7 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any subsequent Order, the garage(s) shall not be converted into a habitable room(s) without the express written approval of the Local Planning Authority.
- 8 CL12 OPEN SPACE TO BE PROVIDED - POLICY R4

Reasons for Conditions:-

- 1 CA06R TO COMPLY WITH SECTIONS 91-94
- 2 CA01R SAFEGUARD RIGHTS OF CONTROL
- 3 HW07R VEHICLE AND PEDESTRIAN SAFETY REQUIREMENTS
- 4 HW16R ROAD SAFETY REQUIREMENTS
- 5 HW19R ROAD SAFETY REQUIREMENTS
- 6 HW20R ROAD SAFETY REQUIREMENTS
- 7 HW23R ROAD SAFETY REQUIREMENTS
- 8 CL12R COMPLIANCE WITH R4 - OPEN SPACE POLICY

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

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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 J Goodwin (agent who answered questions) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

64/04 - **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.

(D)

65/04 - **TREE PRESERVATION ORDER: 22 BELMONT AVENUE, CALCUTT, KNARESBOROUGH: TPO NO 35/2004:** The Director of Technical Services submitted a written report which requested confirmation of a provisional Tree Preservation Order on a willow tree at 22 Belmont Avenue, Calcutt, Knaresborough.

RESOLVED:

That (1) the Committee find it expedient, in the interests of amenity, to confirm the Tree Preservation Order at 22 Belmont Avenue, Calcutt, Knaresborough;

(2) the Acting 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 35/2004.

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

(D)

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66/04 - **ENFORCEMENT NOTICE: LITTLE PADDOCKS, MAIN STREET,**

SICKLINGHALL: The Director of Technical Services submitted a written report regarding an Enforcement Notice which had been authorised by the Head of Planning Services, in consultation with the Chair, requiring the removal of an unauthorised tennis pavilion in its entirety, including the hardsurface base from the land, and the reinstatement of land to its pre-existing form. The Notice would take effect on 24 December 2004, with compliance within three months from this date, unless an appeal was made against it beforehand.

RESOLVED (UNANIMOUSLY):

That the Enforcement Notice be noted.

(D)