

**AREA 2 DEVELOPMENT CONTROL COMMITTEE
HELD ON 18 JANUARY 2005
(FROM 4.30 PM TO 6.30 PM)**

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

Late Arrivals: None.

Early Departures: Councillor Hoult at 5.35 pm.
Councillor Bayliss at 6.15 pm.

67/04 - **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES:**
There were none.

68/04 - **DECLARATIONS OF INTEREST:** Declarations of interest were made as detailed in Minute No 72/04.

69/04 - **MINUTES:** The Minutes of the meeting of the Committee held on 14 December 2004 were approved as a correct record and signed by the Chair.

(Nine Members voted for the motion and there was one abstention).

70/04 - **EXEMPT INFORMATION:** There were no exempt information items.

MATTERS WHICH THE COMMITTEE DEALT WITH UNDER DELEGATED POWERS

71/04 - **COUNTY APPLICATIONS:** There were no further applications submitted by North Yorkshire County Council upon which this Council's observations had been sought.

72/04 - **LIST OF PLANS:** In accordance with the Scheme of Delegation, the Committee considered the undermentioned plans and applications and made the decisions indicated viz:-

Area 2 Development Control Committee - Tuesday 08 February 2005
Agenda Item No. 03 - Public Supporting Paper

72/04 (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

This application was REFUSED contrary to the Officer's recommendation for the following reasons:-

- 1 The proposal would have an adverse effect on the environment and fabric of this listed building contrary to Policy HD1 of the Harrogate District Local Plan (adopted 2001, altered 2004);
- 2 The proposal would have an adverse effect on the local community especially the residents of the adjoining dwellings at Stansfield Court and would be contrary to Policy A1 of the Harrogate District Local Plan (adopted 2001, altered 2004);
- 3 The additional traffic which would be generated by the proposal would have a detrimental effect on the amenity of the residents of Stansfield Court contrary to Policy A1 of the Harrogate District Local Plan (adopted 2001, altered 2004); and
- 4 The proposal lighting and fencing which would result from an unrestricted use of the premises would have a detrimental effect on the setting of the listed building contrary to Policy HD20 of the Harrogate District Local Plan (adopted 2001, altered 2004).

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

(Eight Members voted for the motion and there were two against).

72/04(2)

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

Area 2 Development Control Committee - Tuesday 08 February 2005
Agenda Item No. 03 - Public Supporting Paper

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

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

- 1 The proposal would have an adverse effect on the physical fabric and setting of the listed building and character of the Conservation Area contrary to Policies HD1 and HD3 of the Harrogate District Local Plan (adopted 2001, altered 2004).

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

(Eight Members voted for the motion and there were two against).

72/04(3)

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 existing car park.

APPLICANT: The Senad Group Ltd

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

- 1 The proposals would have a detrimental effect on the setting of the listed building contrary to Policy HD1 of the Harrogate District Local Plan (adopted 2001, altered 2004).

(Eight Members voted for the motion and there were two against)

Area 2 Development Control Committee - Tuesday 08 February 2005
Agenda Item No. 03 - Public Supporting Paper

72/04(4)

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

APPLICATION NO.: 6.63.68.AN.COU

LOCATION:

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

PROPOSAL:

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

APPLICANT: Victoria Pope

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

1. Policy R5 of the Harrogate District 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;
2. The proposal would not create any traffic problems and parking is well catered for; and
3. 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 subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE
- 2 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) no use other than that expressly authorised by this permission shall be carried out without the prior written approval of the Local Planning Authority and following any cessation of use of the premises by the authorised use, the use of the premises shall revert to a use falling within B1 of the Town and Country Planning Use Classes Order (or any Order revoking and re-enacting that Order).

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 To ensure the future retention of the premises in business use should the approved use cease.

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

Area 2 Development Control Committee - Tuesday 08 February 2005
Agenda Item No. 03 - Public Supporting Paper

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.

(Mrs Pope (applicant) attended the meeting to answer questions under the Council's Opportunity to Speak Scheme).

(Unanimous Decision)

72/04(5)

CASE NUMBER: 04/05525/FUL
GRID REF: EAST 435435 NORTH 457897

APPLICATION NO.: 6.100.2352.A.FUL

LOCATION:

25 Pasture Crescent Knaresborough North Yorkshire HG5 0PF

PROPOSAL:

Erection of two storey side extension (Revised Scheme).

APPLICANT: Mr And Mrs A Newband

APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 18.01.2010
- 2 The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details, as amended by letter and/or drawings received by the Council of the Borough of Harrogate on the 20 December 2004 and as modified by the conditions of this consent.
- 3 CD12A MATCHING MATERIALS

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC01R ACCORDANCE WITH DRAWINGS
- 3 CD12AR IN THE INTERESTS OF 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

Area 2 Development Control Committee - Tuesday 08 February 2005
Agenda Item No. 03 - Public Supporting Paper

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.

(At the commencement of the meeting Councillor Hoult declared a prejudicial interest in this item and advised that he would not participate in the debate or vote. However, in any event, at the time of the item he was not present)

(Mr Kirk (applicant's agent) and Mr Newband (applicant) attended the meeting to answer questions under the Council's Opportunity to Speak Scheme).

(Unanimous Decision)

72/04(6)

CASE NUMBER: 04/06331/FUL
GRID REF: EAST 435191 NORTH 458152

APPLICATION NO.: 6.100.2374.B.FUL

LOCATION:

Scriven Womens Institute Park Avenue Knaresborough North Yorkshire HG5 9ES

PROPOSAL:

Demolition of existing buildings and erection of 4 terraced dwellings and community hall (revised scheme, residential site area 0.04ha)

APPLICANT: David Collins

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:

- i) the completion of the community facility prior to occupation of the residential dwellings,
- ii) a satisfactory management arrangement for the community facility,
- iii) the payment of the commuted sum for open space provision of £4893

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE
- 2 CC03 DEV IN ACCORD WITH DRAWINGS/CONDITIONS
- 3 CD15A NO FURTHER WINDOWS IN DEVELOPMENT ... gable ... residential development
- 4 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 5 CD13 WINDOW FRAME MATERIALS ... timber (finish to be agreed in writing with the LPA)
- 6 Prior to the commencement of any other part of the development hereby permitted,

Area 2 Development Control Committee - Tuesday 08 February 2005
Agenda Item No. 03 - Public Supporting Paper

the access(es) to the site shall be laid out and constructed in accordance with the following requirements:-

(i) the crossing of the highway verge and/or footpath shall be constructed 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.

7 Notwithstanding the layout and details shown upon the submitted drawing(s) SMU/FG/501; 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) the upgrading of the existing surfacing to the back/side street to provide a metalled surface

b) the installation of covered cycle stands and access thereto

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

8 **CB11 SEPARATE SYSTEM FOUL AND SURFACE WATER**

9 No development shall take place until details of the proposed means of surface water drainage, including details of any balancing works or off site works, have been submitted to and approved by the local planning authority

10 Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to completion of the approved surface water drainage works.

11 **CN03Y NOISE REPORT TO BE SUBMITTED**

12 Prior to the commencement of development full details of all proposed boundary treatments shall be submitted to and agreed in writing by the local planning authority. Such details shall provide for the retention of the existing boundary hedge on the eastern boundary of the site, and elsewhere as shown on the submitted drawings. Once agreed the approved boundary treatments shall be implemented and retained, unless otherwise agreed in writing by the local planning authority.

13 **CL02 LANDSCAPING: DETAILS TO BE APPROVED**

14 **CL04 REPLANTING IF ANY TREES/SHRUBS DIE**

15 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, outbuildings, garden buildings or any other development normally permitted under Class A and Class E of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995; other than any expressly authorised by this permission shall be erected without the grant of further specific planning permission from the local planning authority.

16 **HW19 PRKG SPACES TO REMAIN AVAIL'BL FOR VEH PRKG**

Area 2 Development Control Committee - Tuesday 08 February 2005
Agenda Item No. 03 - Public Supporting Paper

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC03R TO SECURE SATISFACTORY IMPLEMENTATION
- 3 CD15AR PRIVACY AND RESIDENTIAL AMENITY
- 4 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS
- 5 CD13R VISUAL AMENITY
- 6 HW07CR VEHICLE AND PEDESTRIAN SAFETY REQ'MENTS
- 7 HWH35R ROAD SAFETY REQUIREMENTS
- 8 CB11R TO PREVENT POLLUTION OF WATER ENVIRONMNT
- 9 To ensure that the development can be properly drained.
- 10 To ensure that no surface water discharges take place until proper provision has been made for its disposal.
- 11 CN03YR IN THE INTERESTS OF AMENITY
- 12 In the interests of visual amenity.
- 13 CL02R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 14 CL04R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 15 In the interests of residential and visual amenity
- 16 HW19R ROAD SAFETY REQUIREMENTS

(Mr Collins (applicant's agent) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(Unanimous Decision)

72/04(7)

CASE NUMBER: 04/00034/FUL
GRID REF: EAST 447865 NORTH 456030

APPLICATION NO.: 6.113.3.D.FUL

LOCATION:

Land To The Rear Of The Former Little Chef York Road Green Hammerton York North Yorkshire

PROPOSAL:

Erection of detached single storey building to be used as farm shop and distribution unit and associated car parking (revised scheme).

APPLICANT: Ainsty Farms Direct

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

1. The application supports the local economy;
2. The application complies with Policies E8, C15 and S4; and
3. A Section 106 Agreement to control the amount of retail floor space, the range of the goods sold and the geographical areas from which they are sources be completed.

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.

Area 2 Development Control Committee - Tuesday 08 February 2005
Agenda Item No. 03 - Public Supporting Paper

(Mr Porter (objector) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(Mr Blacker (applicant) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(Councillor Wilson 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).

(Eight Members voted for the motion and there was one abstention).

72/04(8)

CASE NUMBER: 04/05640/FUL
GRID REF: EAST 434817 NORTH 456057

APPLICATION NO.: 6.100.643.D.FUL

LOCATION:

22 Belmont Avenue Calcutt Knaresborough North Yorkshire HG5 8JH

PROPOSAL:

Demolition of existing bungalow and erection of 1 pair of semi-detached dwellings and 3 terraced houses, and formation of new vehicular access (revised scheme, site area 0.13ha).

APPLICANT: Major Property Ltd

REFUSED. Reason(s) for refusal:-

- 1 The proposed development for five dwellings would result in an overintensive development which is out of character with the rest of Belmont Avenue due to a poor design and a substantial use of hardstanding. It would be detrimental to the character of Belmont Avenue and the appearance of the streetscene, contrary to Policies HD20, H6 and A1 of the Harrogate District Local Plan.

(Mrs Harcourt (objector) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

Mr Powell (applicant's agent) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme.

(Councillor Smith 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).

(Councillor Anthony Alton, Vice Chair, in the Chair for this item).

(Unanimous Decision)

Area 2 Development Control Committee - Tuesday 08 February 2005
Agenda Item No. 03 - Public Supporting Paper

72/04(9)

CASE NUMBER: 04/05999/FUL
GRID REF: EAST 434826 NORTH 458571

APPLICATION NO.: 6.94.75.FUL

LOCATION:

Land At Grid Ref434826/458571 North Of Applegarth The Green Scriven
Knaresborough North Yorkshire

PROPOSAL:

Erection of 1 detached dwelling (site area 0.093 ha).

APPLICANT: Mr And Mrs Dowbiggin

WITHDRAWN

At the request of the applicant - see file

72/04(10)

CASE NUMBER: 04/05282/OUT
GRID REF: EAST 435018 NORTH 457671

APPLICATION NO.: 6.100.2310.B.OUT

LOCATION:

5 Stockwell Grove Knaresborough North Yorkshire HG5 0LN

PROPOSAL:

Outline application for the demolition of existing house and erection of three town houses and one pair of semi detached houses with siting and existing access considered (revised scheme, site area 0.09 ha).

APPLICANT: Mr S Peate

REFUSED. Reason(s) for refusal:-

- 1 The proposed development represents an over-intense use of the site, which would be out of scale with its surroundings and consequently would detract from the character and appearance of the streetscene, contrary to Local Plan Policies HD20, A1 and H6.
- 2 The parking for the proposed development would, by reason of its proximity and intensity, detract from the residential amenities of neighbours through noise disturbance, contrary to Local Plan Policies HD20 and A1.
- 3 The proposed building would detract from the residential amenities of adjacent properties through unacceptable overbearing and potential additional overlooking and overshadowing compared to the existing property. This would be contrary to Policies HD20 and A1, and consequently Policy H6, of the adopted Harrogate District Local Plan.
- 4 The proposed development would cause harm to a protected tree, contrary to

Area 2 Development Control Committee - Tuesday 08 February 2005
Agenda Item No. 03 - Public Supporting Paper

Local Plan Policy HD13.

(Mr Gallico (objector) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(Unanimous Decision)

72/04(11)

CASE NUMBER: 04/05835/FUL
GRID REF: EAST 442216 NORTH 450074

APPLICATION NO.: 6.136.1.R.FUL

LOCATION:

Sugden Wood House, Ingmanthorpe Hall York Road Ingmanthorpe Wetherby North
Yorkshire LS22 5HL

PROPOSAL:

Alterations and extensions to existing dwelling, alterations to vehicular access, erection of boundary fencing and erection of detached triple garage to replace existing garage (site area 0.008ha).

APPLICANT: Mr A Baskind

DEFERRED and the HOPS in consultation with the Chairman be authorised to APPROVE the application subject to the following condition(s) and such other conditions HOPS considers to be necessary. REASON FOR DEFERRAL:

For the receipt of amended plans showing revision to the roof of the garage.

PROPOSED CONDITIONS:

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 5 yrs
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 9.12.2004
- 3 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 4 CI02Y PD REST,NO EXTNS,GRGS&ROOF/DORMER WINDS
- 5 CL03 TREES NOT TO BE FELLED

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 CI02YR PROTECT VISUAL AMENITY
- 5 CL03R SAFEGUARD RIGHTS OF CONTROL/AMENITY

(Unanimous Decision)

Area 2 Development Control Committee - Tuesday 08 February 2005
Agenda Item No. 03 - Public Supporting Paper

72/04(12)

CASE NUMBER: 04/06108/FUL
GRID REF: EAST 438561 NORTH 453473

APPLICATION NO.: 6.123.5.C.FUL

LOCATION:

Hillcrest Knaresborough Road Little Ribston Wetherby North Yorkshire LS22 4ET

PROPOSAL:

Erection of 1 detached dwelling (site area 0.095ha).

APPLICANT: Mr & Mrs Lucking

WITHDRAWN

At the request of the applicant.

72/04(13)

CASE NUMBER: 04/04423/OUT
GRID REF: EAST 444333 NORTH 463121

APPLICATION NO.: 6.72.82.OUT

LOCATION:

Edgefield Upper Dunsforth York North Yorkshire YO5 9RU

PROPOSAL:

Outline application for the erection of 1 no dwelling and garage with siting and access considered (site area 0.06ha).

APPLICANT: Mrs Carr

APPROVED subject to the following conditions:-

- 1 CA01B OUTLINE - SITING AND ACCESS NOT RM ... 18.01.2010 ... 18.01.2008
- 2 CA06 OUTLINE/RESERVED MATTERS
- 3 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 30.11.2004
- 4 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 Standard Detail number E6 and the Specification of the Local Highway Authority;

(ii) any gates, barriers or other means of enclosure shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway and shall open into the site;

Area 2 Development Control Committee - Tuesday 08 February 2005
Agenda Item No. 03 - Public Supporting Paper

(v) provision shall be made to prevent surface water from the site/plot 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.

- 5 The dwelling shall not be occupied until parking spaces of a size not less than 4.8 metres x 2.4 metres, including one garage or a car parking space capable of accommodating a garage, have been provided within the curtilage of the dwelling, in accordance with standards set out in the North Yorkshire County Council Parking Transport & Development - A Guide 2003. 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.
- 6 No development shall take place or any works occur which will create any obstruction, either permanent or temporary, to the public right of way adjacent to the proposed development.
- 7 CL12 OPEN SPACE TO BE PROVIDED - POLICY R4
- 8 CL03X PROTECTION OF RETAINED TREES
- 9 No development shall commence until such time as the following details have been submitted to and approved in writing by the Local Planning Authority:-

- i. A method statement indicating how trees are to be protected during the course of construction (to include how scaffolding is to be erected; foundations constructed and sewer pipes/service ducts provided) and:
- ii. The position and method of construction of the access drive.

The development shall only be constructed in accordance with the agreed details.

Note: The driveway should be an 'above ground' construction of freely draining material such as geo-web.

- 10 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 or hardstandings/patios other than any expressly authorised by this permission shall be erected without the grant of further specific planning permission from the local planning authority.

Reasons for Conditions:-

- 1 CA01BR SAFEGUARD RIGHTS OF CONTROL
- 2 CA06R TO COMPLY WITH SECTIONS 91-94
- 3 CC01R ACCORDANCE WITH DRAWINGS
- 4 HW07R VEHICLE AND PEDESTRIAN SAFETY REQ'MENTS
- 5 HW21R ROAD SAFETY REQUIREMENTS
- 6 To protect the route of the right of way in the interests of and to protect the general amenity for all prospective users.

Area 2 Development Control Committee - Tuesday 08 February 2005
Agenda Item No. 03 - Public Supporting Paper

- 7 CL12R COMPLIANCE WITH R4 - OPEN SPACE POLICY
- 8 CL03XR SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 9 In order to ensure that no harm is caused to the trees on or close to the site and to comply with Policy HD13 of the Harrogate District Local Plan.
- 10 In order to ensure that no harm is caused to the trees on or close to the site and to comply with Policy HD13 of the Harrogate District Local Plan.

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.

(Mr Reid (objector) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(Eight Members voted for the motion and there was one abstention)

72/04(14)

CASE NUMBER: 04/05114/OUT
GRID REF: EAST 446665 NORTH 452390

APPLICATION NO.: 6.124.385.C.OUT

LOCATION:

Ferncliffe House 41 Westfield Road Tockwith York North Yorkshire YO26 7PY

PROPOSAL:

Outline application for the erection of 1 dwelling with detached garage, including access (Site Area 0.054 ha).

APPLICANT: Mr And Mrs McEvoy

REFUSED. Reason(s) for refusal:-

- 1 The proposed development would by reason of its location to the rear of dwellings fronting Westfield Road and having no road frontage, represent backland development having a harmful visual impact upon both the historical setting of the vicarage and church, which is Grade II listed and the general form and character of development within the conservation area. The residential development of this plot would therefore be contrary to the provisions of Harrogate District Local Plan

Area 2 Development Control Committee - Tuesday 08 February 2005
Agenda Item No. 03 - Public Supporting Paper

Policies H6, HD3 and HD1.

- 2 The proposed development would result in an intensification of use of the existing driveway in close proximity to residential property. The increased disturbance and activity generated by users of the drive would have a detrimental impact upon the living conditions of the occupiers of No.43 Westfield Road in a manner contrary to the provisions of Harrogate District Local Plan Policies H6 and A1.

(Mr McEvoy (applicant) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(Seven Members voted for the motion and there was one abstention)

Area 2 Development Control Committee - Tuesday 08 February 2005
Agenda Item No. 03 - Public Supporting Paper

73/04 – **PLANNING APPLICATIONS:** The Head of Planning Services submitted a list of planning applications dealt with under the 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)

74/04 - **TREE PRESERVATION ORDER: MERRYWOOD FARM, ST JOHNS ROAD, SCOTTON, TPO No 50, 2004:** The Director of Technical Services submitted a written report which requested confirmation of a Provisional Tree Preservation Order on a number of trees at Merrywood Farm, St Johns Road, Scotton.

RESOLVED (UNANIMOUSLY):

That (1) the Committee find it expedient in the interests of amenity to confirm the Tree Preservation Order at Merrywood Farm, St Johns Road, Scotton;

(2) the Acting 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 50, 2004.

(D)

