
Minute 16/05(02)

**CASE NUMBER: 04/02376/FUL
GRID REF: EAST 439864 NORTH 450249**

APPLICATION NO.: 6.136.91.A.FUL

LOCATION:

Bay Horse Public House Main Street Kirk Deighton Wetherby North Yorkshire LS22 4DZ

PROPOSAL:

Retention of re Fridgeration unit to rear elevation within brick covered enclosure.

APPLICANT: Karl Mainey

APPROVED subject to the following conditions:-

- 1 Within 1 calendar month of the date of this decision notice, a sample panel of the brick it is intended to be used to enclose the unit shall be submitted for the prior written approval of the Local Planning Authority and thereafter the structure shall be erected in strict accordance with such details.
- 2 Within 3 calendar months of the date of this decision notice the brick enclosure, roof and parapet walls shall be erected and completed in strict accordance with the details received by the Local Planning Authority on 28 April 2005 and the materials approved under condition 01 of this consent.
- 3 The development hereby permitted shall be used for storage purposes only and not as additional kitchen area for the preparation of food.
- 4 The car parking shown on drawing no. 787 - layout received by the local planning authority on 12 July 2005 shall be laid out in strict accordance with such details within one month of the implementation of this permission and shall thereafter be maintained and retained as such.

Reasons for Conditions:-

- 1 In order to safeguard the character and appearance of the conservation area.
- 2 In order to safeguard the character and appearance of the conservation area.
- 3 In the interests of amenity.
- 4 In the interests of highway safety and 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 Alton 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 E Kiddle (objector speaking on behalf of several other objectors) and Mr S Johnson (agent) 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 one abstaining).