
Minute 16/05(16)

CASE NUMBER: 05/02697/OUT
GRID REF: EAST 436899 NORTH 451866

APPLICATION NO.: 6.122.286.B.OUT

LOCATION:

Land Comprising Part Of OS Field 0005 Ribston Road Spofforth Harrogate North Yorkshire

PROPOSAL:

Outline application for the erection of detached farmhouse, farm office, workshop and garage with siting and access considered (residential site area 0.09ha).

APPLICANT: G T Heslop Esq

APPROVED subject to the following conditions:-

- 1 CA06 OUTLINE/RESERVED MATTERS
- 2 CA01C OUTLINE - SITING,ACCESS,SEWAGE/SW NOT RM
- 2 CA01CR SAFEGUARD RIGHTS OF CONTROL
- 3 CD01 DWELLING IN TRADITIONAL STYLE
- 4 CL02X PROVISION FOR TREE PLANTING
- 5 CL04 REPLANTING IF ANY TREES/SHRUBS DIE
- 6 The occupation of the proposed dwelling shall be limited to a person solely or mainly employed or permanently retired but last employed in the locality in agriculture, as defined in Section 336 of the Town and Country Planning Act 1990, or in forestry, (including any dependants of such a person residing with him) or a widow or widower of such a person.
- 7 No works shall commence unless and until:-
 - (i) the agricultural building the subject of Prior Notification dated 06.06.2005 has been constructed; and
 - (ii) the agricultural building the subject of planning application dated 06.06.2005 has been constructed.
- 8 The dwelling shall not be occupied unless and until the whole of the beef cattle enterprise referred to in the Agricultural Appraisal has been relocated to Ribston Hill agricultural buildings unless otherwise approved in writing by the Local Planning Authority.
- 9 CI02Y PD REST,NO EXTNS,GRGS&ROOF/DORMER WINDS
- 10 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;

(ii) any gates, barriers or other means of enclosure shall be erected a minimum distance of 14 metres back from the carriageway of the existing highway and shall open into the site;

(iv) that part of the access(es) extending 14 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;

(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 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.

- 11 Prior to the commencement of the development hereby permitted visibility splays providing clear visibility of 2m x 105m measured down the centre line of the access road and the nearside channel line of the major road shall be provided at the junction of the access road with the county highway. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reasons for Conditions:-

- 1 CA06R TO COMPLY WITH SECTIONS 91-94
- 3 CD01R DWELLING BE IN KEEPING WITH OLDER PROPS
- 4 CL02XR SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 5 CL04R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 6 CF01R AGRICULTURAL WORKER ONLY JUSTIFIED
- 7 Unless and until the said agricultural buildings have been erected, there would not be adequate justification for a dwelling.
- 8 Unless and until the said beef cattle enterprise is extant on site, there would not be adequate justification for an agricultural workers dwelling.
- 9 CI02YR PROTECT VISUAL AMENITY
- 10 HW07R VEHICLE AND PEDESTRIAN SAFETY REQ'MENTS
- 11 HW10R ROAD SAFETY REQUIREMENTS

INFORMATIVES

- 1 The size of any dwelling should be commensurate with the established functional requirement of the agricultural enterprise to accord with Harrogate District Local

Plan Policy H7.

- 2 The design of the dwelling should reflect the character of traditional buildings in the locality in terms of scale, form, materials and architectural detail.

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. Councillor Wilson also declared an interest in this item as the applicant was known to him but, on the basis that the interest was not prejudicial, he remained in the meeting and participated in the debate and vote thereon).

(Mr J Goodwin (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 two abstaining).