

**AREA 2 DEVELOPMENT CONTROL COMMITTEE
HELD ON 13 SEPTEMBER 2005
(FROM 2.30 PM TO 5.03 PM)**

PRESENT: Councillor Smith in the Chair. Councillors Anthony Alton, Hawkins, Hoult, Anne Jones, Peter Phillips, Mrs Smith, Sturdy and Wilson.

Late Arrivals: None.

Early departures: None.

28/05 – **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES:** An apology for absence was received from Councillor Chris Lewis. Notification had been received that Councillor Hawkins was to act as substitute for Councillor Fawcett and Councillor Mrs Smith to substitute for Councillor Bayliss.

29/05 – **DECLARATIONS OF INTEREST:** Declarations of interest were made as detailed in Minute 33/05.

30/05 – **MINUTES:** The Minutes of the meeting of the Committee held on 16 August 2005 were approved as a correct record and signed by the Chair subject to the following amendments being made:-

- In the third paragraph up from the bottom of page 2 the words “Councillor Alton in the Chair.” to be deleted.
- The second paragraph down on page 11 to have the words “Councillor Alton in the Chair for this item.” added to the end.

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

31/05 – **EXEMPT INFORMATION:** There were no exempt information items.

MATTERS WHICH THE COMMITTEE DEALT WITH UNDER DELEGATED POWERS

32/05 – **COUNTY APPLICATIONS:** There were no further applications submitted by North Yorkshire County Council upon which this Council’s observations had been sought.

33/05 – **LIST OF PLANS:** In accordance with the Scheme of Delegation, the Committee considered the under mentioned plans and applications and made the decisions indicated viz:-

Minute 33/05(01)

**CASE NUMBER: 05/03875/FUL
GRID REF: EAST 446218 NORTH 452511**

APPLICATION NO.: 6.124.196.B.FUL

LOCATION:

25 Fairfax Crescent Tockwith York North Yorkshire YO26 7QX

PROPOSAL:

Erection of bungalow and detached single garage, and demolition of single garage and erection of replacement for existing dwelling (Site Area 0.1099ha).

APPLICANT: Mr And Mrs Marston

REFUSED. Reason(s) for refusal:-

- 1 The proposed development by reason of its siting, which would be close to the northern boundary of the site and in close proximity to No34 The Green and the size and scale of the bungalow, it would result in an unacceptable loss of amenity for the resident at No34 The Green by reason of overshadowing, overbearing and loss of light, which would be contrary to Policies A1, H6 and HD20 of the Harrogate District Local Plan.

(Mr M Lane (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).

Minute 33/05(02)

**CASE NUMBER: 05/03298/OUT
GRID REF: EAST 435099 NORTH 458123**

APPLICATION NO.: 6.100.2456.OUT

LOCATION:

29 Park Avenue Knaresborough North Yorkshire HG5 9ES

PROPOSAL:

Outline application for the erection of 1 detached dwelling with siting considered (site area 0.009 ha).

APPLICANT: Mr J Neill

REFUSED. Reason(s) for refusal:-

- 1 The proposed dwelling by virtue of the narrow nature of the plot frontage and reduced depth, will appear cramped in the street scene. The lack of open space around the dwelling will result in over - development of the plot, and the resulting appearance would be harmful to the character of the locality contrary to Policies H6, HD20 and A1 of the adopted Harrogate District Local Plan.
- 2 The proposed dwelling would have only a minimal area of private amenity space available for use by the occupants of the dwelling and the proposal will result in an unsatisfactory level of residential amenity contrary to the provisions of Policies H6, HD20 and A1 of the adopted Harrogate District Local Plan.

(Councillors Hawkins, Smith and Mrs Smith all declared interests in this item as they were members of Knaresborough Town Council but, on the basis that the interests were not prejudicial, they remained in the meeting and participated in the debate and vote thereon).

(UNANIMOUS DECISION)

03/6.125/1

Minute 33/05(03)

CASE NUMBER: 05/03303/FUL
GRID REF: EAST 450170 NORTH 451217

APPLICATION NO.: 6.125.64.D.FUL

LOCATION:

Cromwell House Tockwith Road Long Marston York North Yorkshire

PROPOSAL:

Erection of 1 detached dwelling (Site Area 0.06 ha) (Revised Scheme).

APPLICANT: Mrs R M Abbey

The Committee were minded to REFUSE this application, contrary to the Officer's recommendation, for the following reasons:-

1. The size and massing of the proposed dwelling is considered to represent over intensive use of the site with the result that it appears cramped on the plot and harmful to the visual amenity of the locality, contrary to policies H13, A1 and HD20 of the Harrogate District Local Plan 2001 (as altered 2004);
 2. The development would result in a loss of private amenity space for Cromwell House and would be harmful to the amenities enjoyed by the occupants of that dwelling contrary to the provisions of policies A1 and GB5 of Harrogate District Local Plan 2001 (as altered 2004);
 3. The size and massing of the proposed dwelling, its proximity to the boundary and the location on the edge of the village, would result in a formal development that would significantly impact upon the open character of the Greenbelt contrary to policies GB2, GB4 and GB5 of the Harrogate District Local Plan 2001 (as altered 2004); and
- It be deferred for further consultation with the CM(P), Chief Solicitor and (if appropriate) DR and brought back to another meeting of the Committee for decision.

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

(Five Members voted in favour of the motion with three voting against and one abstaining).

Minute 33/05(04)

**CASE NUMBER: 05/02346/FUL
GRID REF: EAST 434905 NORTH 458364**

APPLICATION NO.: 6.94.51.H.FUL

LOCATION:

Park Corner Farm Scriven Knaresborough North Yorkshire HG5 9DT

PROPOSAL:

Conversion of barns to form 2 dwellings, extension of stable block to create garaging, erection of four dwellings with associated garages, formation of a new vehicular access with demolition and re-building of boundary wall. (Site area 0.29 ha) (Revised Scheme)

APPLICANT: Executors Of The Estate For The Late Winifred Jacob Smith

APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 13.09.2010
- 2 CC02 DEVELOPMENT IN ACCORDANCE WITH DRAWINGS
- 3 CD10 MATERIALS TO BE APPROVED
- 4 A detailed scheme for landscaping, including the planting of trees and/or shrubs and the use of surface materials shall be submitted to the Local Planning Authority and no development shall take place until the Local Planning Authority have approved a landscaping scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and the timing of implementation of the scheme, including any earthworks required the scheme shall be completed in accordance with the agreed timescales.
- 5 CL04 REPLANTING IF ANY TREES/SHRUBS DIE
- 6 The site shall be developed with separate systems of drainage for foul and surface water on and off site.
- 7 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.
- 8 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 4.5 metres back from the carriageway of the existing highway and shall open into the site;
- (iv) that part of the access(es) extending 4.5 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.

- 9 Prior to the commencement of the development hereby permitted visibility splays providing clear visibility of 2m x 18m at roundabout access measured down the centre line of the access road and the both channel lines 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 higher than 1.05m above carriageway level and retained for their intended purpose at all times.
- 10 Prior to the first use of the development the approved vehicle parking, manoeuvring, turning areas indicated on the submitted drawings [Reference 04/132/02] shall be provided, laid out, hard surfaced, drained, marked out and made available for use. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
- 11 HW23 GARAGE CONVERSION TO HABITABLE ROOM
- 12 CD13 WINDOW FRAME MATERIALS ... painted timber
- 13 CD05 REVEALS: MM ... 50

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC02R COMPLIANCE WITH DRAWINGS
- 3 CD10R INTERESTS OF AMENITY
- 4 CL02R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 5 CL04R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 6 In the interests of satisfactory and sustainable drainage.
- 7 To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overlooking.
- 8 HW07R VEHICLE AND PEDESTRIAN SAFETY REQ'MENTS
- 9 HW10R ROAD SAFETY REQUIREMENTS
- 10 HW18R ROAD SAFETY REQUIREMENTS
- 11 HW23R ROAD SAFETY REQUIREMENTS
- 12 CD13R VISUAL AMENITY
- 13 CD05R VISUAL AMENITY

INFORMATIVES

- 1 This development is subject to a Planning Obligation made under Section 106 of the Town and Country Planning Act 1990.
- 2 Listed Building Consent is also required in respect of this development. You are advised not to start work until such time as an appropriate Notice of Listed Building Consent has been granted and you should ensure that the development is carried out strictly in accordance with the approved plans and the terms and conditions of such a Listed Building Consent.
- 3 This permission relates solely to the conversion of the existing buildings; any demolition and rebuilding (other than as may be approved in writing by the Local Planning Authority) would render the permission inoperable and invalid.
- 4 Please note that bats, who are a species protected by law (as are their roosts), may be present in the buildings and should bats be discovered, you should cease work immediately and contact English Nature for advice.
- 5 Assistance in relation to control of vermin can be obtained from the Councils Environmental Health Department.
- 6 The landscaping details required by condition 4 above shall make provision for grass or very low growing plants (unless hard landscaped) within the visibility splays at the access and provide information as to who will be responsible for maintenance. This is to ensure that the best possible visibility is maintained in the interests of safety as is required by condition 9.

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.

(Councillors Smith and Mrs Smith both declared interests in this item as members of Knaresborough Town Council but, on the basis that the interests were not prejudicial, they remained in the meeting and participated in the debate and vote thereon).

(UNANIMOUS DECISION)

Minute 33/05(05)

CASE NUMBER: 05/03404/LB
GRID REF: EAST 434905 NORTH 458364

APPLICATION NO.: 6.94.51.G.LB

LOCATION:

Park Corner Farm Scriven Knaresborough North Yorkshire HG5 9DT

PROPOSAL:

Listed Building application for the conversion and extension of barns to form 2 dwellings, extension of stable block to create garaging and partial demolition and re-building of boundary wall.

APPLICANT: Executors Of The Estate For The Late Winifred Jacob Smith

APPROVED subject to the following conditions:-

- 1 CA05L LB - DEVELOPMENT SHALL BE BEGUN BEFORE ... 13.09.2010
- 2 CM01 NO DEMOLITION BEFORE CONTRACT FOR REDEV
- 3 Within 6 months of the demolition of the part of the boundary wall allowed by this permission, the new boundary walling shall be erected in accordance with the submitted details and thereafter retained in the approved form unless any variation is approved in writing by the Local Planning Authority.
- 4 No works approved by this permission shall be commenced until the following details have been submitted to and approved in writing by the Local Planning Authority:-
 1. Full joinery details, (including glazing bar sections at a scale of 1/20 or larger) of all doors/windows including sill/lintel detailing, materials and finishes.
 2. Materials for making good any openings, including bonding, coursing and mortar finish.
 3. Eaves treatment and gutter details including materials and method of attachment.
 4. Pier and coping design of the rebuilt wall.
 5. Ridge and verge detailing.

The works shall only be undertaken in accordance with the approved details.

- 5 CD10 MATERIALS TO BE APPROVED
- 6 CD04Y SAMPLE STONework PANEL

Reasons for Conditions:-

- 1 CA05LR TO COMPLY WITH SECTION 18
- 2 CM01R VISUAL AMENITY
- 3 CD13XR DEV IN CHARACTER WITH LOCALITY

- 4 CD13XR DEV IN CHARACTER WITH LOCALITY
- 5 CD13XR DEV IN CHARACTER WITH LOCALITY
- 6 CD13XR DEV IN CHARACTER WITH LOCALITY

JUSTIFICATION FOR GRANTING CONSENT:

In granting Listed Building Consent the local planning authority has taken into account all material matters relating to the building's special architectural or historic interest, 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 special architectural or historic interest of the listed building.

(Councillors Smith and Mrs Smith both declared interests in this item as members of Knaresborough Town Council but, on the basis that the interests were not prejudicial, they remained in the meeting and participated in the debate and vote thereon).

(UNANIMOUS DECISION)

06/6.63.JG
HYC2000/0
06/6.63.JG
HYC2000/1

Minute 33/05(06)

**CASE NUMBER: 05/02038/FUL
GRID REF: EAST 437805 NORTH 466049**

APPLICATION NO.: 6.63.38.C.FUL

LOCATION:

Woodlands Roecliffe York North Yorkshire YO5 9LY

PROPOSAL:

Erection of extensions and attached garage to existing dwelling to form a 2 storey dwelling; erection of replacement 1.2m high front boundary wall and removal of 2 trees within Roecliffe Conservation Area.

APPLICANT: Mr And Mrs D Siswick

APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 13.09.2010
- 2 The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details, amended plans 04/D120/01D, 04/D120/08 and 04/D120/06 Rev A received by the Council of the Borough of Harrogate on the 12 September 2005 and as modified by the conditions of this consent.
- 3 CD10 MATERIALS TO BE APPROVED
- 4 CD13 WINDOW FRAME MATERIALS ... painted timber
- 5 CD05 REVEALS: MM ... 50

- 6 CL03X PROTECTION OF RETAINED TREES
- 7 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 further windows shall be inserted in the SE elevation of the extension hereby approved, without the prior written approval of the Local Planning Authority.
- 8 CI02Y PD REST,NO EXTNS,GRGS&ROOF/DORMER WINDS
- 9 The extension shall be constructed such that the side window to bedroom 1 and the dressing room to bedroom 1, in the S.E elevation of the extension hereby approved shall be of obscure glazing to level 3 of the Pilkington scale of privacy, or equivalent standard, and the level of obscure glazing shall thereafter be so retained.

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC01R ACCORDANCE WITH DRAWINGS
- 3 CD10R INTERESTS OF AMENITY
- 4 CD13R VISUAL AMENITY
- 5 CD05R VISUAL AMENITY
- 6 CL03XR SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 7 CD15AR PRIVACY AND RESIDENTIAL AMENITY
- 8 CI02YR PROTECT VISUAL AMENITY
- 9 In the interest of privacy and residential 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.

(Mr J A K Bolland (Roelcliffe and Westwick Parish Council) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

Minute 33/05(07)

CASE NUMBER: 05/02039/CON
GRID REF: EAST 437805 NORTH 466049

APPLICATION NO.: 6.63.38.D.CON

LOCATION:

Woodlands Roecliffe York North Yorkshire YO5 9LY

PROPOSAL:

Conservation Area application for the demolition of the front boundary wall.

APPLICANT: Mr And Mrs D Siswick

APPROVED subject to the following conditions:-

- 1 CA05L LB - DEVELOPMENT SHALL BE BEGUN BEFORE ... 13.09.2010
- 2 The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details, amended plan 04/D120/01D received by the Council of the Borough of Harrogate on the 12 September 2005 and as modified by the conditions of this consent.
- 3 CM01 NO DEMOLITION BEFORE CONTRACT FOR REDEV

Reasons for Conditions:-

- 1 CA05LR TO COMPLY WITH SECTION 18
- 2 CC01R ACCORDANCE WITH DRAWINGS
- 3 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)

Minute 33/05(08)

CASE NUMBER: 05/03807/FUL
GRID REF: EAST 434342 NORTH 452665

APPLICATION NO.: 6.121.184.C.FUL

LOCATION:

Pinderpound Knaresborough Road Follifoot Harrogate North Yorkshire HG3 1DT

PROPOSAL:

Erection of single storey and two storey extensions, and alterations to access.

APPLICANT: Mr And Mrs Rowbottom

REFUSED. Reason(s) for refusal:-

- 1 The proposed extensions represent a substantial increase in size over and above the size of the original dwelling and the proposal therefore represents inappropriate development, which is harmful to the open character of the green belt as defined in PPG2 - Green Belt. No 'very special circumstances' have been advanced to warrant the granting of permission for inappropriate development. The proposal is therefore contrary to the provisions of Policies GB6, H15, HD20 and A1 of the adopted Harrogate District Local Plan.
- 2 The proposed extensions by virtue of the design and massing, the width across the plot and the extent of window fenestration is harmful to the open views from Plompton Road, and the character of the Follifoot Conservation Area and the proposal is therefore contrary to Policy HD3 of the adopted Harrogate District Local Plan.

(UNANIMOUS DECISION)

Minute 33/05(09)

CASE NUMBER: 05/03768/FUL
GRID REF: EAST 436430 NORTH 450836

APPLICATION NO.: 6.122.211.D.FUL

LOCATION:

Land Between 11 - 13 High Street Spofforth Harrogate North Yorkshire

PROPOSAL:

Erection of one dwelling and detached double garage.(Site area 0.046 ha)

APPLICANT: Mr And Mrs D Roberts

APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 13.09.2010
- 2 The access hereby approved shall only be used to access the proposed dwelling and there shall be no access through the site between 12 Parklands and High Street.
- 3 Prior to the first use of the development the vehicular access, parking and turning facilities shall be formed in accordance with the submitted drawing [Reference 2824-02]. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
- 4 CP02 ARCHAEOLOGICAL INVESTIGATION REQUIRED
- 5 CB26 MEANS OF FOUL AND SW DRAINAGE TO BE APP
- 6 CD10 MATERIALS TO BE APPROVED
- 7 A detailed scheme for landscaping, including the planting of trees and/or shrubs and the use of surface materials shall be submitted to the Local Planning Authority and no development shall take place until the Local Planning Authority have approved a landscaping scheme; such scheme shall specify materials, species, tree and plant sizes, numbers and planting densities, and the timing of implementation of the scheme, including any earthworks required. The approved scheme shall be implemented within the agreed time scale.
- 8 CL04 REPLANTING IF ANY TREES/SHRUBS DIE
- 9 The window frames of the development hereby permitted shall be constructed in painted timber and no other materials shall be used without the prior written consent of the Local Planning Authority.
- 10 All new doors and windows shall be set back a minimum of 50 mm from the external face of the walls to form reveals to the satisfaction of the Local Planning Authority.
- 11 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 further windows shall be inserted in the south east elevations hereby approved, without the prior written approval of the Local Planning Authority.
- 12 Development shall not be begun until a scheme to deal with contamination of the site has been submitted to and approved in writing by the local planning authority. The scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the public when and after the site is developed. Development shall not commence until the measures approved in the scheme have been implemented. The dwelling shall be constructed incorporating any measures identified in the report.

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 In order to avoid an intensification of the use of the access in the interest of highway safety.
- 3 HW17R ROAD SAFETY REQUIREMENTS
- 4 CP02R THE SITE IS OF ARCHAEOLOGICAL IMPORTANCE
- 5 CB26R TO ENSURE DEV CAN BE PROPERLY DRAINED
- 6 CD10R INTERESTS OF AMENITY
- 7 CL02R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 8 CL04R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 9 CD13R VISUAL AMENITY
- 10 CD05R VISUAL AMENITY
- 11 CD15AR PRIVACY AND RESIDENTIAL AMENITY
- 12 CQ03R TO PROVIDE A SAFE ENVIRONMENT FOR USERS

INFORMATIVES

- 1 In order to comply with condition 12, the survey should access the evidence of landfill gas which may be present at the site. Further advice available from Sarah Whittaker telephone (01423 - 556862).
- 2 Please note that bats may be present in the existing building and are a species protected by law along with their habitat. If bats are found to be present you should cease work immediately and contact English Nature for advice.
- 3 This permission relates solely to the conversion of the existing building; any demolition and rebuilding (other than as may be approved in writing by the Local Planning Authority) would render the permission inoperable and invalid.

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.

(UNANIMOUS DECISION)

10/6/96.DG
HYC5000/0
10/6/96.DG
HYC5000/1

Minute 33/05(10)

**CASE NUMBER: 05/03329/FUL
GRID REF: EAST 444300 NORTH 457885**

APPLICATION NO.: 6.96.46.L.FUL

LOCATION:

Oaklands High Street Whixley York North Yorkshire YO26 8AW

PROPOSAL:

Erection of 1 detached dwelling with new vehicular access (site area 0.09 ha) and pruning of a Holly bush and Copper Beech tree and removal of 1 Laurel tree within the Whixley conservation area.

APPLICANT: Mr And Mrs McVicar

WITHDRAWN

At the request of the applicant.

Minute 33/05(11)

**CASE NUMBER: 05/03706/FUL
GRID REF: EAST 445930 NORTH 456957**

APPLICATION NO.: 6.103.123.F.FUL

LOCATION:

Village Green Farm The Green Green Hammerton York North Yorkshire YO26 8BQ

PROPOSAL:

Partial demolition, conversion and extension to existing barns to form two dwellings with associated car parking. Felling of one Sycamore tree within Green Hammerton Conservation Area.(Site area 0.109 ha)

APPLICANT: Mode Residential Ltd

APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 13.09.2010
- 2 CC02 DEVELOPMENT IN ACCORDANCE WITH DRAWINGS
- 3 CD12X SAMPLES OF MATCHING MATERIALS
- 4 CD13 WINDOW FRAME MATERIALS ... timber
- 5 CD15A NO FURTHER WINDOWS IN DEVELOPMENT ... northern ... development
- 6 CI02Y PD REST,NO EXTNS,GRGS&ROOF/DORMER WINDS
- 7 The proposed roof lights shall be constructed flush to the proposed roof slope (conservation type) unless otherwise approved in writing by the local planning authority
- 8 CD05 REVEALS: MM ... 75
- 9 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:-

(i) the crossing of the highway verge and/or footpath shall be constructed in accordance with the approved details and/or Standard Detail number E6c and the Specification of the Local Highway Authority;

(ii) 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 E6c 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.

- 10 HW17 PROV'N OF APP'VD ACCESS/TURNING/PARKING ... SK10-GF
- 11 HW20 PARKING FOR DWELLINGS (MORE THAN ONE)
- 12 Prior to occupation of the dwellings hereby approved 2 replacement trees, (suggested

species Rowan and Scots Pine) being root-balled specimens approximately 3 to 4 metres tall, shall be planted in locations which shall first have received the prior written approval of the Local Planning Authority.

13 CL04X REPLANTING IF TREES DIE

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC02R COMPLIANCE WITH DRAWINGS
- 3 CD12XR IN THE INTERESTS OF VISUAL AMENITY
- 4 CD13R VISUAL AMENITY
- 5 CD15AR PRIVACY AND RESIDENTIAL AMENITY
- 6 CI02YR PROTECT VISUAL AMENITY
- 7 In the interests of visual amenity
- 8 CD05R VISUAL AMENITY
- 9 HW07R VEHICLE AND PEDESTRIAN SAFETY REQ'MENTS
- 10 HW17R ROAD SAFETY REQUIREMENTS
- 11 HW20R ROAD SAFETY REQUIREMENTS
- 12 To secure replacement trees for the Sycamore that is to be felled in order to protect the visual amenity of the area and to provide a treescape for the area in the future.
- 13 CL04XR SAFEGUARD RIGHTS OF CONTROL/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.

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

(UNANIMOUS DECISION)

Minute 33/05(12)

CASE NUMBER: 05/03714/CON
GRID REF: EAST 445930 NORTH 456957

APPLICATION NO.: 6.103.123.G.CON

LOCATION:

Village Green Farm The Green Green Hammerton York North Yorkshire YO26 8BQ

PROPOSAL:

Partial demolition of existing barns

APPLICANT: Mode Residential Ltd

APPROVED subject to the following conditions:-

- 1 CA05L LB - DEVELOPMENT SHALL BE BEGUN BEFORE ... 5yrs
- 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)

Minute 33/05(13)

**CASE NUMBER: 05/02382/OUT
GRID REF: EAST 432793 NORTH 458614**

APPLICATION NO.: 6.83.17.J.OUT

LOCATION:

Scotton Service Station Ripley Road Scotton Knaresborough North Yorkshire HG5 9HF

PROPOSAL:

Outline application for demolition of existing filling station and workshops to provide for residential development with access considered (site area 0.1864 ha).

APPLICANT: Mr P Linfoot

REFUSED. Reason(s) for refusal:-

- 1 The proposed development will result in the loss of an existing employment generating site contrary to the provision of Harrogate District Local Plan Policy E2.

(Councillor Smith and Mrs Smith both declared interests in this item and, on the basis that the interests were prejudicial, they left the room and did not participate in the debate and vote thereon. Councillor Alton in the Chair for this item).

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

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

Minute 33/05(14)

**CASE NUMBER: 05/03681/FUL
GRID REF: EAST 439676 NORTH 466601**

APPLICATION NO.: 6.64.642.FUL

LOCATION:

Poultry House Church Lane Boroughbridge York North Yorkshire YO51 9BA

PROPOSAL:

Demolition of existing outbuilding and erection of one dwelling with integral carports.(site area 0.046 ha.)

APPLICANT: Mr G Farrer

DEFERRED and the HOPS be authorised to APPROVE the application subject to the following

conditions and such other conditions HOPS considers to be necessary. REASON FOR DEFERRAL:

To receive the completed and signed unilateral undertaking in respect of payment of a commuted sum in lieu of Public Open Space provision.

PROPOSED CONDITIONS:

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE
- 2 CC03 DEV IN ACCORD WITH DRAWINGS/CONDITIONS
- 3 CD12X SAMPLES OF MATCHING MATERIALS
- 4 CD06 NO PRT OF DEV TO PROJECT B'YND CURTILAGE
- 5 CD13 WINDOW FRAME MATERIALS ... timber
- 6 CD15A NO FURTHER WINDOWS IN DEVELOPMENT ... western ... development
- 7 CI02Y PD REST,NO EXTNS,GRGS&ROOF/DORMER WINDS
- 8 CP02 ARCHAEOLOGICAL INVESTIGATION REQUIRED ... within the application area
- 9 CB09 SOAKAWAYS
- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any subsequent Order, the car ports hereby approved shall not be enclosed, otherwise altered, or converted into habitable room(s) without the express written approval of the Local Planning Authority.
- 11 HW17 PROV'N OF APP'VD ACCESS/TURNING/PARKING ... F/05/02/EG05
- 12 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 Transport and 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.
- 13 HW26 PRECAUTIONS TO PREVENT MUD ON HIGHWAY

Reasons for Conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE
- 2 CC03R TO SECURE SATISFACTORY IMPLEMENTATION
- 3 CD12XR IN THE INTERESTS OF VISUAL AMENITY
- 4 CD06R NO DETRIMENT TO ADJOINING PROPERTY
- 5 CD13R VISUAL AMENITY
- 6 CD15AR PRIVACY AND RESIDENTIAL AMENITY
- 7 CI02YR PROTECT VISUAL AMENITY
- 8 CP02R THE SITE IS OF ARCHAEOLOGICAL IMPORTANCE
- 9 CB09R POLLUTION PREVENTION
- 10 HW23R ROAD SAFETY REQUIREMENTS
- 11 HW17R ROAD SAFETY REQUIREMENTS
- 12 HW21R ROAD SAFETY REQUIREMENTS
- 13 HW26R ROAD SAFETY REQUIREMENTS

(Councillor Phillips declared an interest in this item as a member of Boroughbridge Town Council but, on the basis that the interest was not prejudicial, he remained in the meeting and participated

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in the debate and vote thereon).

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

(UNANIMOUS DECISION)

15/6.64.DH
Y030000
15/6.64.DH
Y030001

Minute 33/05(15)

**CASE NUMBER: 05/03369/FUL
GRID REF: EAST 441074 NORTH 464939**

APPLICATION NO.: 6.64.641.FUL

LOCATION:

Keepers Cottage Boroughbridge York North Yorkshire

PROPOSAL:

Demolition of existing dwelling and erection of replacement detached dwelling (Site Area 0.098 ha).

APPLICANT: Mr M McGrath

WITHDRAWN

At the request of the applicant.

34/05 – **PLANNING APPLICATIONS:** The Head of Planning Services submitted a list of planning applications determined under delegated powers and also those delegated to himself, in consultation with the Chair and Vice-Chair which had been approved since the last meeting of the Committee.

RESOLVED (UNANIMOUSLY):

That the report be received

(D)

35/05 – **TREE PRESERVATION ORDER: BUILDERS YARD TO WEST OF THE LODGE, SWINDON LANE, KIRKBY OVERBLOW – TPO NO. 24/20005:** The Director of Development Services submitted a written report which requested confirmation of a provisional Tree Preservation Order on a group of twelve Scots Pine Trees in the Kirkby Overblow Conservation Area.

RESOLVED (UNANIMOUSLY):

That (1) the Committee find it expedient, in the interests of amenity, to confirm the initial Tree Preservation Order No. 24/2005 at Builders Yard to the west of the Lodge, Swindon Lane, Kirkby Overblow;

(2) the Head of Legal and Democratic Services 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. 24/2005.

(D)

36/05 – **TREE PRESERVATION ORDER: ORCHARD FARM, CHURCH LANE, MOOR MONKTON – TPO NO. 32/20005:** The Director of Development Services submitted a written report which requested confirmation of a provisional Tree Preservation Order on an ash tree at Orchard Farm, Church Lane, Moor Monkton.

RESOLVED:

That the Tree Preservation Order 32/2005 at Orchard Farm, Church Lane, Moor Monkton be not confirmed as the Sub-Committee considers that the Ash tree in question is too close to the existing outbuilding (for which planning permission has been granted for conversion to a dwelling) in view of the propensity of Ash trees to shed their limbs without warning.

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

(D)