

**AREA 3 DEVELOPMENT CONTROL COMMITTEE
HELD ON 4 NOVEMBER 2003
(FROM 4.00 PM TO 7.02 PM)**

PRESENT: Councillor Nash in the Chair. Councillors Robin Adderley, Broadbank, Jean Butterfield, Clark, Cooper (in attendance as ex officio, non-voting Cabinet Member for Planning), Goss, Grange, Andrew Jones, Pat Jones, Pat Marsh, Newby, Richards, Simister, Willis and Wren.

Late Arrivals: Councillor Pat Jones at 4.04 pm
Councillor Andrew Jones at 4.15 pm

Early Departures: None

57/03 - APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES:

Notification had been received that Councillor Robin Adderley was to act as substitute for Councillor Heather Adderley, Councillor Clark for Councillor Bury, Councillor Newby for Councillor Webber and Councillor Wren for Councillor de Courcey Bayley.

58/03 - DECLARATIONS OF INTEREST: Declarations of interest were made as detailed in Minutes 61/03 and 62/03.

59/03 – MINUTES: The Minutes of the meeting of the Committee held on 7 October 2003 were approved as a correct record and signed by the Chair.

(Eight Members voted for the motion and there were six abstentions).

60/03 - EXEMPT INFORMATION:

There were no exempt information items.

MATTERS WHICH THE COMMITTEE DEALT WITH UNDER DELEGATED POWERS

Members of the public attended the meeting and spoke to the various applications as detailed below:-

6.79.3557.K.FUL – Former Low Harrogate Tennis and Bowling Club, Victoria Road, Harrogate – Mr Wildblood (applicant's agent) and Mr Avery (supporter);

6.79.6281.E.DVCON – 40 Duchy Road, Harrogate – Dr T Mann (objector) and Mrs Burford (applicant);

6.79.393.N.COUC – Abbotsford Care Home, 15 Kent Road, Harrogate – Ms Davidson (applicant) – for questions only;

6.79.1217.G.FUL – 17A Brunswick Drive, Harrogate – Mr M Patrick (objector).

MATTERS WHICH THE COMMITTEE DEALT WITH UNDER DELEGATED POWERS

61/03 – PLANNING APPLICATION 6.79.3557.K.FUL – ERECTION OF EIGHT TERRACED HOUSES WITH ASSOCIATED GARAGING LANDSCAPING AND NEW VEHICULAR ACCESS (SITE AREA 0.45 HA) FOR SITE AT FORMER LOW HARROGATE TENNIS & BOWLING CLUB, VICTORIA ROAD, HARROGATE:

The Director of Technical Services submitted a written report regarding an application for residential development on land at the former Low Harrogate Tennis and Bowling Club, Victoria Road, Harrogate, under the Council's Special Procedures. This followed consideration of the application by the Area 3 Development Control Committee on 9 September 2003 when Members were minded to approve the application against policies of the Council and officer advice.

RESOLVED:

That the application be deferred and HOPS in consultation with the Chairman be authorised to approve the application conditionally subject to the receipt of commuted sums in respect of open space provision or the completion of a Section 106 Agreement in respect of the same.

Reasons for approval contrary to officer's recommendations

1. The proposed development would create a high quality residential environment commensurate with the objectives in PPG3.
2. The proposed scheme would make a positive contribution to and enhance the Conservation Area.
3. A greater density of development would be harmful to the amenity and character of the Conservation Area.
4. The proposed development is of an appropriate scale and would protect trees and important open space on the site.
5. Within the locality there is a good mix of types and sizes of houses and there is no need to provide a mix on this site.
6. Overall the benefits of this scheme override other policy considerations.

(Councillor Goss declared a personal interest in this item due to his membership of Harrogate Civic Society but, on the basis that the interest was not prejudicial remained at the meeting, took part in the debate and vote thereon).

(Councillor Willis declared a personal interest in this item as he was a freelance journalist which involved him covering the affairs of local sports clubs, including Low Harrogate and Harrogate Rackets Club but, on the basis that the interest was not prejudicial remained in the meeting, took part in the debate and vote thereon).

(Councillor Cooper declared an interest in this item and on the basis that the interest was prejudicial left the meeting during discussion of the item).

(Eight Members voted for the motion and seven voted against).

(D)

Area 3 Development Control Committee - Tuesday 02 December 2003
Agenda Item No. 03 - Public Supporting Paper

62/03 – **LIST OF PLANS:** In accordance with the Scheme of Delegation the Committee considered the undermentioned plans and applications and made the decisions indicated viz:-

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63/03 – **COUNTY APPLICATIONS:** There were no further applications submitted by North Yorkshire County Council upon which this Council's observations had been sought.

64/03 – **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:

That the report be received.

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

(D)

65/03 – **COMPULSORY PURCHASE ORDER: 28 DEVONSHIRE PLACE, HARROGATE:** The Director of Technical Services submitted a written report that sought Authority to withdraw the Compulsory Purchase Order on 28 Devonshire Place, Harrogate, previously authorised by the Committee on 10 December 2002, due to the owner of the building being well advanced in undertaking the repairs required by the Repairs Notice served on him on 30 November 2001.

RESOLVED (UNANIMOUSLY):

That the Head of Planning Services in consultation with the Chairman be authorised to withdraw the Compulsory Purchase Order in respect of 28 Devonshire Place, Harrogate upon completion of the works specified in the repairs notice and restoring the building for occupation as a single family dwelling.

(D)

AMENDMENTS AND ADDITIONS TO PLANS LIST

6.79.6281.E.DVCON

(Councillor Goss declared a personal interest in this item as he was known to an objector to the application, but on the basis that the interest was not prejudicial remained in the meeting, took part in the debate and vote thereon).

This application was refused contrary to the officer's recommendation for the following reason:-

An increase in activity as a result of the additional Pilates sessions would harm residential amenity.

(Twelve Members voted for the motion and three voted against).

6.79.448.I.ADV

(Councillor Jean Butterfield declared an interest in this item and on the basis that the interest was prejudicial left the meeting during discussion of the item).

As per officer's recommendation.

(Eleven Members voted for the motion and there were two abstentions).

6.79.6773.A.FUL

As per officer's recommendation.

(UNANIMOUS DECISION)

6.79.7272.E.CON

Councillors Grange and Simister declared interests in this item and on the basis that their interests were prejudicial left the meeting during discussion of the item.

As per officer's recommendation.

(Nine Members voted for the motion, one voted against and there were three abstentions).

6.79.393.N.COUC

As per officer's recommendation to include modification of condition 3.

(Thirteen Members voted for the motion and two voted against).

(Councillor Willis wished it to be recorded that he had concerns regarding parking arrangements for the proposed development).

6.79.1217.G.FUL

As per officer's recommendation.

(UNANIMOUS DECISION)

6.92.146.C.FUL

As per officer's recommendation.

(UNANIMOUS DECISION)

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