

**DISTRICT DEVELOPMENT SUB-COMMITTEE  
HELD ON 9 AUGUST 2007  
(FROM 5.30 PM TO 6.25 PM)**

**PRESENT:** Councillors Jean Butterfield, Grange, Hawke, Elwyn Hinchcliffe, Morris Lightfoot, Reg Marsh, Newby, Rothwell, Simms and Geoff Webber.

**Late Arrivals:** Councillor Elwyn Hinchcliffe at 5.42 pm.

**Early Departures:** None.

17/07 - **TO APPOINT A CHAIR:** The Principal Solicitor invited nominations to appoint a Chair for the meeting. On votes being taken in the names of Councillors Simms and Geoff Webber it was

**RESOLVED:** That Councillor Geoff Webber be appointed Chair for the meeting.

**COUNCILLOR WEBBER IN THE CHAIR**

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

18/07 - **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES:** Apologies for absence were received from Councillors Jim Clark, Harrison, Hawkins and Charlie Powell. There was no notification of any substitutes.

19/07 - **DECLARATIONS OF INTEREST:** A declaration of interest was made as detailed in Minute 22/07.

20/07 - **MINUTES:** The Minutes of the meeting of the Sub-Committee held on 26 July 2007 were approved as a correct record and signed by the Chair.

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

21/07 - **EXEMPT INFORMATION:** There were no exempt information items.

**MATTER WHICH THE SUB-COMMITTEE DEALT WITH UNDER  
DELEGATED POWERS**

22/07 - **PLANNING APPLICATIONS REFERRED TO SUB-COMMITTEE FOR DETERMINATION:** The Sub-Committee considered an application made by Mr and Mrs R Staveley, for the erection of a detached dwelling (site area 0.1 ha) at Carr House Farm, Mickley, Ripon, HG4 3JG, which had been referred up from the Planning Committee at its meeting held on 31 July 2007.

The Sub-Committee made the decision indicated viz:-

(D)

**APPLICATION NO.:** 6.19.138.F.FUL

**LOCATION:**

Carr House Farm Mickley Ripon North Yorkshire HG4 3JG

**PROPOSAL:**

Erection of detached dwelling (site area 0.1ha).

**APPLICANT:** Mr And Mrs R Staveley

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:

The retention and restoration of the two traditional cobble walled barns on site and agreement not to use them for residential purposes.

**PROPOSED CONDITIONS:**

- 1 The development hereby permitted shall be begun on or before .
- 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 08.08.2007 and as modified by the conditions of this consent.
- 3 Samples of the materials it is intended shall be used externally in the construction of the roof and walls of the development hereby approved, shall be submitted for the written approval of the Local Planning Authority and the development shall not be started before any such approval.
- 4 All external stonework of the proposed development shall match the stonework of the original building in type, size, colour, dressing and coursing to the satisfaction of the Local Planning Authority.
- 5 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. Once approved the scheme/planting shall thereafter be implemented in accordance with the approved details and timetable.
- 6 In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to survive for a period of five

## DISTRICT DEVELOPMENT SUB-COMMITTEE

years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced by the developer with such live specimens of such species in such number as may be approved by the Local Planning Authority.

- 7 Once the dwelling hereby approved is occupied the existing dwelling on site shall be demolished and the land cleared and restored to an agricultural field and laid to grass.
- 8 Prior to the commencement of any other part of the development hereby permitted, the access or accesses to the site shall be laid out and constructed in accordance with the following requirements
  - ii. any gates, barriers or other means of enclosure shall be erected a minimum distance of 8 metres back from the carriageway of the existing highway and shall open into the site,
  - iv. provision shall be made to prevent surface water from the site or plot discharging onto the existing or proposed highway in accordance with the approved details and or Standard Detail number E7e Rev A 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.

- 9 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 proposed site layout]. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
- 10 No development approved by this permission shall be commenced until:-
  - a) A desk top study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. And using this information a diagrammatical representation (Conceptual Model) for the site of all
  - b) Potential contaminant sources, pathways and receptors has been produced.
  - c) A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model). This should be submitted to, and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:
    - a risk assessment to be undertaken relating to ground and surface waters associated on and off the site that may be affected, and
    - refinement of the Conceptual Model, and

## DISTRICT DEVELOPMENT SUB-COMMITTEE

- the development of a Method Statement detailing the remediation requirements.

d) The site investigation has been undertaken in accordance with details approved by the Local Planning Authority and a risk assessment has been undertaken.

e) A method statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters, using the information obtained from the Site Investigation has been submitted to the Local Planning Authority. This should be approved in writing by the Local Planning Authority prior to that remediation being carried out on the site.

f) The measures approved in the scheme have been implemented.

Thereafter a verification report shall be submitted upon completion of any works.

- 11 The package treatment plant and associated drainage must comply with appropriate guidance BS 6297:1983 and must be installed and maintained in accordance with the manufacturers instructions and recommendations.
- 12 The curtilage of the dwelling hereby approved shall not extend beyond the red application site boundary as shown on the 1:500 "Proposed Site Layout" submitted with the application received on 8th August 2007 by the Local Planning Authority.
- 13 Prior to construction work commencing on the dwelling hereby approved details of the treatment to the frontage and any exposed stanchions of the barn to be retained but reduced in size shall be submitted for the written approval of the Local Planning Authority. Once approved such details shall thereafter be implemented prior to occupation of the dwelling and retained for the life of the development.
- 14 Prior to construction work commencing the farmstead buildings to be removed, as edged blue on the attached plan, shall be demolished and the ground cleared and finished in accordance with a scheme which shall be submitted for the prior written approval of the Local Planning Authority. The final surfacing as thereby approved shall be implemented prior to occupation of the dwelling hereby approved and thereafter retained and maintained for the life of the development.

### Reasons for Conditions:-

- 1 To ensure compliance with Sections 91-94 of the Town and Country Planning Act 1990.
- 2 In order to ensure that the development is carried out in accordance with the approved drawings.
- 3 In order to ensure that the materials used conform to the amenity requirements of the locality.
- 4 In the interests of visual amenity and in order to harmonise with the existing building.
- 5 To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.
- 6 To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

## DISTRICT DEVELOPMENT SUB-COMMITTEE

- 7 In the interests of the openness, character and visual amenity of this area of the AONB.
- 8 To ensure a satisfactory means of access to the site from the public highway, in the interests of vehicle and pedestrian safety and convenience.
- 9 To provide for appropriate on-site vehicle parking facilities with associated access and manoeuvring areas, in the interests of highway safety and the general amenity of the development.
- 10 To provide a safe environment for the users of the development.
- 11 To prevent pollution of the water environment.
- 12 The further extension of domestic curtilage beyond this area would have an adverse landscape impact on the character of the AONB.
- 13 In the interests of visual amenity.
- 14 In the interests of the openness, character and visual amenity of this area of the AONB.

(Councillor Mrs Atkinson attended the meeting and spoke to the item as Ward Member for Kirkby Malzeard under the Council's Opportunity to Speak Scheme).

(Councillor Merrin attended the meeting and spoke to the item as a supporter (on behalf of Azerley Parish Council) under the Council's Opportunity to Speak Scheme).

(Ms Brown attended the meeting and spoke to the item as the applicant's agent under the Council's Opportunity to Speak Scheme).

(Councillor Elwyn Hinchcliffe declared a personal interest in this item on the basis that he was a member of the AONB Joint Advisory Committee, but on the basis that the interest was not prejudicial, he remained in the meeting and took part in the debate and voted thereon).

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