

Area 2 Development Control Committee - Tuesday 09 March 2004
Agenda Item No. 03 - Public Supporting Paper

**AREA 2 DEVELOPMENT CONTROL COMMITTEE
HELD ON 10 FEBRUARY 2004
(FROM 4.07 PM TO 7.00 PM)**

PRESENT: Councillor Smith in the Chair. Councillors Bayliss, Fawcett, Hoult, Anne Jones, Chris Lewis, Lumsden, Dr Rothwell, Sturdy and Wilson.

Late Arrivals: Councillor Wilson at 4.27 pm

Early Departures: None

78/03 – **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES:** There were no apologies for absence. Notification had been received that Councillor Dr Rothwell was to act as substitute for Councillor Bean.

79/03 – **DECLARATIONS OF INTEREST:** A declaration of interest was made as detailed in Minutes 82/03(01) and 82/03(02).

80/03 – **MINUTES:**

(a) the Minutes of the meeting of the Committee held on 13 January 2004 were approved as a correct record and signed by the Chair.

(Seven Members voted in favour of the Motion with two abstaining)

(b) Minute 77/03 of the meeting of the Committee arising out of the Joint Meeting of all Development Control Committees held on 26 January 2004 was approved as a correct record and signed by the Chair.

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

81/03 – **EXEMPT INFORMATION:**

There were no exempt information items.

MATTERS WHICH THE COMMITTEE DEALT WITH UNDER DELEGATED POWERS

82/03 – **LIST OF PLANS:**

In accordance with the Scheme of Delegation the Committee considered the undermentioned plans and applications and made the decisions indicated viz:-

APPLICATION NO.: 6.83.57.Q.RENEW

LOCATION:

Interprint Market Flat Lane Scotton Knaresborough North Yorkshire HG5 9JA

PROPOSAL:

Renewal of Unimplemented Planning Permission no 6.83.57.M.FUL for the erection of 3 no B2 industrial units.

APPLICANT: Firecrest Ltd

APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 10.02.2009
- 2 CC03 DEV IN ACCORD WITH DRAWINGS/CONDITIONS
- 3 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 4 HW10 VISIBILITY SPLAYS
- 5 HW18 PROV'N OF APP'VD PARKING/MANOEUVR'G/TURN
- 6 CL02 LANDSCAPING: DETAILS TO BE APPROVED
- 7 CL04 REPLANTING IF ANY TREES/SHRUBS DIE
- 8 CB05A BUNDING OF TANKS
- 9 No development approved by this permission shall be commenced until the applicant has undertaken an investigation to assess the impact of the development of the site on the water environment; identify the risk of pollution and specify any remedial measures required; and a report detailing these measures has been submitted to and approved by the Local Planning Authority. Thereafter the development shall proceed in strict accordance with the measures approved.
- 10 If during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the applicant has submitted and obtained approval from the Local Planning Authority and addendum to the method statement. This addendum must deal with how this unsuspected contamination shall be dealt with.
- 11 Prior to being discharged into any watercourse, surface water sewer or soakaway all surface water drainage shall be passed through an oil interceptor designed and constructed to have capacity compatible with the site being drained. Roof water shall not pass through the interceptor.
- 12 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 desk top study and any diagrammatical representations (Conceptual Model).

Agenda Item No. 03 - Public Supporting Paper

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. a risk assessment to be undertaken relating to ground and surface waters associated on and off the site that may be affected, and
- b. refinement of the Conceptual Model, and
- c. 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.

- 13 A site investigation to assess whether landfill gas is migrating to the site shall be carried out and approved in writing by the Local Planning Authority. Details of the methodology should be agreed with the Councils Health Division prior to commencement of the survey. Details of any gas mitigation measures required should be agreed in writing by the Local Planning Authority prior to the commencement of development unless otherwise agreed in writing by the Local Planning Authority.
- 14 The use hereby approved shall not be carried out other than between the hours of 07.00-18.00 hours Monday to Fridays and 07.00-13.30 hours on a Saturday and shall not be carried out outside these hours, including Sundays and Bank Holidays except in an emergency.

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC03R TO SECURE SATISFACTORY IMPLEMENTATION
- 3 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS
- 4 HW10R ROAD SAFETY REQUIREMENTS
- 5 HW18R ROAD SAFETY REQUIREMENTS
- 6 CL02R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 7 CL04R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 8 CB05AR PREVENT POLLUTION OF WATER ENVIRONMENT
- 9 To assess risks to the water environment; to prevent pollution of the water environment.
- 10 To ensure that the development complies with the approved details in the interests of the protection of controlled waters.
- 11 To protect the groundwater quality in the area.
- 12 To provide a safe environment for the users of the development.
- 13 To provide a safe environment for the users of the development.
- 14 CN01R AMENITIES OF NEIGHBOURS

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 Dr Rothwell declared a prejudicial interest in relation to this item and left the room before the discussion and vote thereon).

(Mr P Richardson (Scotton and Lingerfield Parish Council), Mrs A Richardson (Objector) and Mr T Axe (for Applicant) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

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

CASE NUMBER: 03/03388/FUL
GRID REF: EAST 433627 NORTH 459956

APPLICATION NO.: 6.83.57.R.FUL

LOCATION:

SB Utilities Site Adjacent Interprint Market Flat Lane Scotton Knaresborough North Yorkshire

PROPOSAL:

Erection of 1 no detached industrial unit (Use Class B2- General Industry).

APPLICANT: S+B Utilities Ltd

APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 10.02.2009
- 2 CC03 DEV IN ACCORD WITH DRAWINGS/CONDITIONS
- 3 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 4 HW10 VISIBILITY SPLAYS
- 5 HW18 PROV'N OF APP'VD PARKING/MANOEUVR'G/TURN
- 6 CL02 LANDSCAPING: DETAILS TO BE APPROVED
- 7 CL04 REPLANTING IF ANY TREES/SHRUBS DIE
- 8 CB05A BUNDING OF TANKS
- 9 No development approved by this permission shall be commenced until the applicant has undertaken an investigation to assess the impact of the development of the site

Agenda Item No. 03 - Public Supporting Paper

on the water environment; identify the risk of pollution and specify any remedial measures required; and a report detailing these measures has been submitted to and approved by the Local Planning Authority. Thereafter the development shall proceed in strict accordance with the measures approved.

- 10 If during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the applicant has submitted and obtained approval from the Local Planning Authority and addendum to the method statement. This addendum must deal with how this unsuspected contamination shall be dealt with.
- 11 Prior to being discharged into any watercourse, surface water sewer or soakaway all surface water drainage shall be passed through an oil interceptor designed and constructed to have capacity compatible with the site being drained. Roof water shall not pass through the interceptor.
- 12 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 desk top 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
- 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.

- 13 A site investigation to assess whether landfill gas is migrating to the site shall be carried out and approved in writing by the Local Planning Authority. Details of the methodology should be agreed with the Councils Health Division prior to commencement of the survey. Details of any gas mitigation measures required should be agreed in writing by the Local Planning Authority prior to the commencement of development unless otherwise agreed in writing by the Local Planning Authority.

Area 2 Development Control Committee - Tuesday 09 March 2004

Agenda Item No. 03 - Public Supporting Paper

- 14 The use hereby approved shall not be carried out other than between the hours of 07.00-18.00 hours Monday to Fridays and 07.00-13.30 hours on a Saturday and shall not be carried out outside these hours, including Sundays and Bank Holidays except in an emergency.

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC03R TO SECURE SATISFACTORY IMPLEMENTATION
- 3 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS
- 4 HW10R ROAD SAFETY REQUIREMENTS
- 5 HW18R ROAD SAFETY REQUIREMENTS
- 6 CL02R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 7 CL04R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 8 CB05AR PREVENT POLLUTION OF WATER ENVIRONMENT
- 9 To assess risks to the water environment; to prevent pollution of the water environment.
- 10 To ensure that the development complies with the approved details in the interests of the protection of controlled waters.
- 11 To protect the groundwater quality of the area.
- 12 To provide a safe environment for the users of the development.
- 13 The use hereby approved shall not be carried out other than between the hours of 07.00-18.00 hours Monday to Fridays and 07.00-13.30 hours on a Saturday and shall not be carried out outside these hours, including Sundays and Bank Holidays except in an emergency.
- 14 CN01R AMENITIES OF NEIGHBOURS

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 Dr Rothwell declared a prejudicial interest in relation to this item and left the room before the discussion and vote thereon).

(Mr P Richardson (Scotton and Lingerfield Parish Council), Mrs A Richardson (Objector) and Mr T Axe (for Applicant) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(Seven Members voted in favour of the Motion with two abstaining).

CASE NUMBER: 03/05112/OUT
GRID REF: EAST 435018 NORTH 457671

APPLICATION NO.: 6.100.2310.OUT

LOCATION:

5 Stockwell Grove Knaresborough North Yorkshire HG5 0LN

PROPOSAL:

Outline application for demolition of existing house and erection of 3 no. three bedroom apartments and 6 no. two bedroom apartments with siting and existing access considered (site area 0.09 ha).

APPLICANT: Mr S Peate

WITHDRAWN

At the request of the applicant.

CASE NUMBER: 03/05990/FUL
GRID REF: EAST 443879 NORTH 464712

APPLICATION NO.: 6.72.78.A.FUL

LOCATION:

The Bungalow Lower Dunsforth York North Yorkshire YO5 9RZ

PROPOSAL:

Demolition of existing buildings and erection of 1 no. detached dwelling and 1 no. detached double garage (site area 0.09 ha).

APPLICANT: Yorvik Homes Limited

DEFERRED for the following reason(s):

For re-consideration of housing policy.

(UNANIMOUS DECISION)

CASE NUMBER: 03/05837/FUL
GRID REF: EAST 441460 NORTH 465750

APPLICATION NO.: 6.64.608.FUL

LOCATION:

Keepers House Aldborough York North Yorkshire YO51 9HB

Area 2 Development Control Committee - Tuesday 09 March 2004

Agenda Item No. 03 - Public Supporting Paper

PROPOSAL:

Erection of 1no replacement dwelling incorporating attached car port (Site area 0.065 ha)

APPLICANT: Trustees Of The Aldborough 1997 Settlement

WITHDRAWN

At the request of the applicant.

CASE NUMBER: 03/05899/OUT
GRID REF: EAST 450125 NORTH 451155

APPLICATION NO.: 6.125.20.D.OUT

LOCATION:

Ivy Dene Tockwith Road Long Marston York North Yorkshire YO26 7PQ

PROPOSAL:

Outline application for the erection of 2 no dwellings including siting and access.(Site Area 0.09ha) (Revised Scheme))

APPLICANT: Mr P Robinson

REFUSED. Reason(s) for refusal:-

- 1 The proposed scheme would as a consequence of its layout and location of access drive have a detrimental impact upon the residential amenities of the occupiers of adjacent property in a manner contrary to the provisions of Harrogate District Local Plan Policy GB5 and Policy A1.
- 2 The proposed house type and sizes are unsatisfactory as they fail to provide a mix of units to meet local needs, contrary to the Harrogate District Local Plan (Selective Alteration) Policy H17.

(Mr J Wilson (Objector) and Mr P Robinson (Applicant) attended the meeting and spoke to this item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

CASE NUMBER: 03/06102/FUL
GRID REF: EAST 450973 NORTH 456912

APPLICATION NO.: 6.115.113.C.FUL

LOCATION:

Laburnum Farm Moor Monkton York North Yorkshire YO26 8JA

PROPOSAL:

Erection of 1no block of 3no terraced dwellings, 1no detached block forming 3no garages with storage space above, and formation of new vehicular and pedestrian accesses (site

APPLICANT: Peacock Family

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:

For conclusion of a S106 Agreement to secure affordable housing and commuted sums in respect of open space in compliance with Policy R4.

PROPOSED CONDITIONS:

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 5yrs
- 2 CC02 DEVELOPMENT IN ACCORDANCE WITH DRAWINGS
- 3 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 4 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:-

(ia) the access shall be formed with 4 metre radius kerbs, to give a minimum carriageway width of 4.1 metres, and that part of the access road extending 6 metres into the site shall be constructed in accordance with Standard Detail number E7e 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.

- 5 HW08 ACCESS FROM SPECIFIED ROAD ONLY ... E7e
- 6 HW17 PROV'N OF APP'VD ACCESS/TURNING/PARKING ... No.30
- 7 HW20 PARKING FOR DWELLINGS (MORE THAN ONE)
- 8 HW26 PRECAUTIONS TO PREVENT MUD ON HIGHWAY
- 9 CD14 NO WINDOWS IN DEVELOPMENT ... eastern ... development
- 10 CI02Y PD REST,NO EXTNS,GRGS&ROOF/DORMER WINDS
- 11 CB11 SEPARATE SYSTEM FOUL AND SURFACE WATER
- 12 CB26 MEANS OF FOUL AND SW DRAINAGE TO BE APP
- 13 CB26X NO SW/FOUL DISCHG UNTIL APP WRK COMPLETE
- 14 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.

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC02R COMPLIANCE WITH DRAWINGS
- 3 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS
- 4 HW07R VEHICLE AND PEDESTRIAN SAFETY REQ'MENTS
- 5 HW08R ROAD SAFETY REQUIREMENTS
- 6 HW17R ROAD SAFETY REQUIREMENTS
- 7 HW20R ROAD SAFETY REQUIREMENTS

Area 2 Development Control Committee - Tuesday 09 March 2004

Agenda Item No. 03 - Public Supporting Paper

8 HW26R ROAD SAFETY REQUIREMENTS

9 CD14R PRIVACY AND RESIDENTIAL AMENITY

10 CI02YR PROTECT VISUAL AMENITY

11 CB11R TO PREVENT POLLUTION OF WATER ENVIRONMNT

12 CB26R TO ENSURE DEV CAN BE PROPERLY DRAINED

13 CB26XR TO ENSURE PROPER PROVISION IS MADE

14 To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading.

(Mr A V Gordon (Moor Monkton Parish Council) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

CASE NUMBER: 03/05698/LB

GRID REF: EAST 449943 NORTH 460049

APPLICATION NO.: 6.104.93.B.LB

LOCATION:

Linton Lock, Nun Monkton Harrogate District YO30 2AZ

PROPOSAL:

Listed Building application for the erection of retaining wall abutting salmon ladder, together with the erection of hydropower plant, switchgear house inc inlet channel and tailrace with assoc landscaping work as approved by 6.104.93.A.FUL.

APPLICANT: JR And K Throup & Sons

DEFERRED for the following reason(s):-

For re-publicity and re-consultation.

(UNANIMOUS DECISION)

CASE NUMBER: 03/06040/OUT

GRID REF: EAST 436288 NORTH 451150

APPLICATION NO.: 6.122.245.B.OUT

LOCATION:

King William IV Inn Church Hill Spofforth Harrogate North Yorkshire HG3 1AG

PROPOSAL:

Outline application for the erection 1 no dwelling with access considered. (Site area 0.053 ha).

APPLICANT: Mr & Mrs P Webster

Area 2 Development Control Committee - Tuesday 09 March 2004
Agenda Item No. 03 - Public Supporting Paper
WITHDRAWN

At the request of the applicant.

CASE NUMBER: 03/04024/FUL
GRID REF: EAST 445930 NORTH 456957

APPLICATION NO.: 6.103.123.D.FUL

LOCATION:

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

PROPOSAL:

Erection of 2 no detached dwellings with associated garaging, formation of new vehicular access and demolition of existing farm buildings (site area 0.11ha). (revised scheme)

APPLICANT: M Caidan And James Leather

WITHDRAWN

At request of applicant.

CASE NUMBER: 03/04027/CON
GRID REF: EAST 445930 NORTH 456957

APPLICATION NO.: 6.103.123.E.CON

LOCATION:

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

PROPOSAL:

Conservation Area application for the demolition of existing farm buildings. (resubmission)

APPLICANT: M Caidan And J Leather

WITHDRAWN

At the request of the applicant.

CASE NUMBER: 04/00177/RG4
GRID REF: EAST 438590 NORTH 453220

APPLICATION NO.: 6.123.40.B.RG4

LOCATION:

Area 2 Development Control Committee - Tuesday 09 March 2004

Agenda Item No. 03 - Public Supporting Paper

Land Opposite Garth Cottage And Adjacent To 1 Crimple Avenue And 7 North View
Spofforth Lane Little Ribston Wetherby North Yorkshire

PROPOSAL:

Renewal of Outline Permission No. 6.123.40.A.RG4 for erection of 1no. pair of semi-detached dwellings including siting (site area 0.05ha).

APPLICANT: Harrogate Borough Council

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:

Subject to the receipt of no substantive objections during the site notice consultation period which expires on 13 February 2003.

PROPOSED CONDITIONS:

- 1 CA01 OUTLINE
- 2 CA06 OUTLINE/RESERVED MATTERS ... 16.02.2007 ... 16.02.2009
- 3 Notwithstanding the fact that the siting, number and size of a pair of semi detached dwellings has been included in the submitted application, this permission is for residential development in principle only with details including the number of units being left unspecified.
- 4 CD10 MATERIALS TO BE APPROVED
- 5 The further details to be submitted for condition 1 shall provide for:-
 - * Access - visibility of 2m x 90m in a southerly direction and 2m x the maximum available in a northerly direction.
 - * On site parking provision to be agreed in writing by the Local Planning Authority.
 - * On site turning facilities to be agreed in writing by the Local Planning Authority.
- 6 Any trees, shrubs and/or hedges on or around the site shall not be felled, lopped or removed without the prior written consent of the Local Planning Authority.
- 7 CB11 SEPARATE SYSTEM FOUL AND SURFACE WATER
- 8 CB27 NO SW DISCHARGE UNTIL APP WRKS COMPLETED
- 9 CL12 OPEN SPACE TO BE PROVIDED - POLICY R4
- 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 Standard Detail and the Specification of the Local Highway Authority;

(ii) any gates, barriers or other means of enclosure shall be erected a minimum distance of 4.5metres back from the carriageway of the existing highway and shall open into the site;

(iii) that part of the access(es) extending 4.5 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 IN 10;

Agenda Item No. 03 - Public Supporting Paper

(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.

- 11 Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Reasons for Conditions:-

- 1 CA01R SAFEGUARD RIGHTS OF CONTROL
- 2 CA06R TO COMPLY WITH SECTIONS 91-94
- 3 CA01R SAFEGUARD RIGHTS OF CONTROL
- 4 CD10R INTERESTS OF AMENITY
- 5 To ensure 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.
- 6 CL03R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 7 CB11R TO PREVENT POLLUTION OF WATER ENVIRONMENT
- 8 CB27R TO ENSURE SITE IS PROPERLY DRAINED
- 9 CL12R COMPLIANCE WITH R4 - OPEN SPACE POLICY
- 10 To ensure a satisfactory means of access to the site from the public highway, in the interests of vehicle and pedestrian safety and convenience.
- 11 To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.

(UNANIMOUS DECISION)

CASE NUMBER: 03/02538/FUL
GRID REF: EAST 434870 NORTH 458540

APPLICATION NO.: 6.94.64.F.FUL

LOCATION:

Hazel Heads Farm The Green Scriven Knaresborough North Yorkshire HG5 9EA

PROPOSAL:

Area 2 Development Control Committee - Tuesday 09 March 2004

Agenda Item No. 03 - Public Supporting Paper

Erection of 5 no dwellings and conversion of barns to form 3 no dwellings, with associated garaging, formation of new vehicular access, hard and soft landscaping and the felling of 3 no trees (site area 0.43ha).

APPLICANT: Arncliffe Homes

APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 10.02.2009
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 24.12.2003
- 3 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 4 The site shall be developed with separate systems of drainage for foul and surface water.
- 5 No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing and off-site works have been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.
- 6 Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no building shall be occupied or brought into use prior to the completion of the approved foul drainage works.
- 7 Prior to the commencement of the development hereby permitted, the following drawings and details shall be submitted to, and shall have been approved in writing by the Local Planning Authority in consultation with the Local Highway Authority:-
 - (i) Detailed plans to a scale of not less than 1:250 showing the proposed highway layout, including dimensions of carriageway, footway, verge widths and visibility splays, the proposed buildings and site layout, the proposed floor levels, driveways and the drainage and sewerage system;
 - (ii) Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line and channel lines of each proposed road showing the existing ground level and proposed road level, and full details of surface water drainage proposals;
 - (iii) A typical highway cross-section to a scale of not less than 1:50 showing a specification for the types of construction proposed for carriageways and footways/footpaths and when requested cross-sections along the proposed roads showing the existing and proposed ground levels;
 - (iv) Details of the method and means of surface water disposal;
 - (v) Details of all proposed street lighting;
 - (vi) Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features.

No road works shall commence on site prior to the written approval of these details by the Local Planning Authority.

Agenda Item No. 03 - Public Supporting Paper

The development shall thereafter not be carried out otherwise than in full compliance with the approved drawings and details.

N.B In imposing the above condition it is recommended that before a detailed planning submission is made a draft layout be produced and be the subject of a discussion between the applicant, the Local Planning Authority and the Local Highway Authority, in order to avoid abortive work. The agreed drawings must finally be approved by the Local Planning Authority for the purpose of this condition.

- 8 No dwelling to which this planning permission relates shall be occupied unless or until the carriageway and any footway/footpath from which it gains access is constructed to basecourse macadam level and/or block paved and kerbed and connected to the existing highway network with street lighting installed and in operation.

The carriageway and footway/footpath wearing courses and street lighting shall be completed within three months of the date of commencement of construction of the penultimate dwelling of the development or within two years of the laying of the basecourse whichever is sooner, unless otherwise agreed in writing with the Local Planning Authority.

- 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:-

(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.

- 10 Prior to the commencement of the development hereby permitted visibility splays providing clear visibility of 2.4m x 70m measured down the centre line of the access road and 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.
- 11 Prior to the commencement of the development hereby permitted visibility splays providing clear visibility of 2m x 2m x 1.0m high measured down the edges line of

Agenda Item No. 03 - Public Supporting Paper

the access road and the back of the footway of the major road shall be provided.

Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

- 12 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 L1626/7]. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
- 13 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any subsequent Order, the garage(s) shall not be converted into a habitable room(s) without the express written approval of the Local Planning Authority.
- 14 Details of the precautions to be taken to prevent the deposit of mud on public highways by vehicles travelling from the site shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority. These precautions shall be made available before the development commences on the site and be kept available and in full working order until such time as the Local Planning Authority agrees in writing to their withdrawal.
- 15 Any projection overhanging the footway shall be securely fixed and no part shall be less than 2.1 metres above the footway level and no closer than 0.6 metres from the edge of the carriageway.
- 16 No vehicles associated with on-site works shall be parked outside the application site.
- 17 Prior to the commencement of the development there shall be submitted to and approved by the Local Planning Authority proposals for the provision of an on-site parking area and on-site materials storage area capable of accommodating all staff and sub-contractors vehicles clear of the public highway and all materials required for the operation of the site. The approved compounds shall be made available for use at all times the building works are in operation.
- 18 Notwithstanding the submitted details the garaging to Plot 8 shall be constructed in accordance with details to be submitted for the written approval of the Local Planning Authority which shall reflect the roof form of the buildings which previously stood on the site of the proposed garages and thereafter shall be constructed in accordance with the approved details.
- 19 Notwithstanding the submitted details, revised plans of the footway across the site frontage showing a reduced width commensurate with pedestrian safety, shall be submitted for the written approval of the Local Planning Authority and thereafter constructed in accordance with the approved details.

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC01R ACCORDANCE WITH DRAWINGS
- 3 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS
- 4 In the interests of satisfactory and sustainable drainage.
- 5 To ensure the site can be properly drained.
- 6 To ensure that no foul or surface water discharges take place until proper provision has been made for their disposal.
- 7 To secure an appropriate highway construction to an adoptable standard, in the interests of highway safety and the amenity and convenience of highway users.
- 8 To ensure safe and appropriate access and egress to the properties, in the interests of highway safety and the convenience of prospective residents.

Area 2 Development Control Committee - Tuesday 09 March 2004

Agenda Item No. 03 - Public Supporting Paper

- 9 HW07R VEHICLE AND PEDESTRIAN SAFETY REQ'MENTS
- 10 HW10R ROAD SAFETY REQUIREMENTS
- 11 HW11R ROAD SAFETY REQUIREMENTS
- 12 HW17R ROAD SAFETY REQUIREMENTS
- 13 HW23R ROAD SAFETY REQUIREMENTS
- 14 HW26R ROAD SAFETY REQUIREMENTS
- 15 To protect pedestrians and other highway users.
- 16 In the interests of highway safety.
- 17 In the interests of highway safety.
- 18 In the interests of the amenities of the conservation area.
- 19 In the interests of the amenities of the conservation area and pedestrian safety.

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

CASE NUMBER: 03/02539/CON
GRID REF: EAST 434870 NORTH 458540

APPLICATION NO.: 6.94.64.E.CON

LOCATION:

Hazel Heads Farm The Green Scriven Knaresborough North Yorkshire HG5 9EA

PROPOSAL:

Conservation Area application for the demolition of 1 no barn.

APPLICANT: Arncliffe Homes

APPROVED subject to the following conditions:-

- 1 CA05L LB - DEVELOPMENT SHALL BE BEGUN BEFORE ... 10.02.2009

Reasons for Conditions:-

- 1 CA05LR TO COMPLY WITH SECTION 18

(UNANIMOUS DECISION)

CASE NUMBER: 03/05789/FUL
GRID REF: EAST 436070 NORTH 468110

APPLICATION NO.: 6.46.17.N.FUL

LOCATION:

Rosewood & Philmore Drinks Skelton On Ure Ripon North Yorkshire

PROPOSAL:

Substitution of house type on Plots 1 & 2 of planning permission 6.46.17.M.REM.

APPLICANT: Mr And Mrs Brinkler

REFUSED. Reason(s) for refusal:-

- 1 The proposed revisions to the development results in an over fenestrated rear elevation which is uncharacteristic of surrounding properties and therefore detrimental to the amenities of the area and would conflict with Policy HD20 of the Harrogate District Local Plan.
- 2 The proposal would reduce the mix of accommodation which would not cater for smaller households or first time buyers and therefore would not cater for local needs in conflict with Policy H17 of the Selective Alteration to the Harrogate District Local Plan.

(Mr J Green attended the meeting and spoke to the item as the Agent under the Council's Opportunity to Speak Scheme).

(Eight Members voted in favour of the Motion with one abstaining).

CASE NUMBER: 03/05791/FUL
GRID REF: EAST 436070 NORTH 468110

APPLICATION NO.: 6.46.17.O.FUL

LOCATION:

Rosewood & Philmore Drinks Skelton On Ure Ripon North Yorkshire

PROPOSAL:

Substitution of house type on Plot 9 of planning permission 6.46.17.M.REM.

APPLICANT: Mr And Mrs P Brinkler

REFUSED. Reason(s) for refusal:-

- 1 The proposal would create a five bedroomed dwelling which would not cater for smaller households or first time buyers in the community and would therefore conflict with Policy H17 of the Selective Alteration to the Harrogate District Local Plan.

(Mr J Green attended the meeting and spoke to the item as the Agent under the Council's Opportunity to Speak Scheme).

(Seven Members voted in favour of the Motion with three voting against).

APPLICATION NO.: 6.100.1781.A.SOSLB

LOCATION:

Conyngnam Hall Bond End Knaresborough North Yorkshire HG5 9AX

PROPOSAL:

Listed Building Application for the erection of detached timber building to provide ticket office and storage.

APPLICANT: Harrogate Borough Council

REFERRED to the Secretary of State for determination under Regulation 13.2 of the Planning(Listed Buildings and Conservation Areas) Regulations 1990 with a recommendation that consent be granted subject to the following conditions

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

Reasons for Conditions:-

1 CA05LR TO COMPLY WITH SECTION 18

(UNANIMOUS DECISION)

83/03 – **COUNTY APPLICATIONS:** There were no further applications submitted by North Yorkshire County Council upon which this Council's observations had been sought.

84/03 - **PLANNING APPLICATIONS:** The Head of Planning Services submitted a list of planning applications dealt with under delegated powers, those delegated to himself in consultation with the Chair or Vice Chair and also those determined by the Solicitor following consultation with the Head of Planning Services, which had been approved since the last meeting of the Committee.

RESOLVED (UNANIMOUSLY):

That the report be received.

(D)

85/03 – **TREE PRESERVATION ORDER: 17 BIRKDALE AVENUE, KNARESBOROUGH, TPO NO 23/2003:** The Director of Technical Services submitted a written report which requested confirmation of a provisional Tree Preservation Order at 17 Birkdale Avenue, Knaresborough.

The Committee requested that a letter of thanks be sent to the householders concerned in recognition of the fact that they had preserved and maintained the tree to date.

Area 2 Development Control Committee - Tuesday 09 March 2004
Agenda Item No. 03 - Public Supporting Paper

RESOLVED:

That the consideration of the Tree Protection Order at 17 Birkdale Avenue, Knaresborough be deferred for a site inspection.

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

(D)