

**AREA 2 DEVELOPMENT CONTROL COMMITTEE  
HELD ON 17 MAY 2005  
(FROM 4.00 PM TO 6.25 PM)**

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

**Late Arrivals:** None.

**Early Departures:** Councillor Fawcett at 5.45 pm.

98/04 - **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES:** There were no apologies for absence. Notification had been received that Councillor Mrs Smith was to act as substitute for Councillor Bayliss.

99/04 - **DECLARATIONS OF INTEREST:** Declarations of interest were made as detailed in Minute 103/04.

100/04 - **MINUTES:** The Minutes of the meeting of the Committee held on 12 April 2005 were approved as a correct record and signed by the Chair.

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

101/04 - **EXEMPT INFORMATION:** There were no exempt information items.

**MATTERS DEALT WITH UNDER DELEGATED POWERS**

102/04 - **COUNTY APPLICATIONS:** There were no further applications submitted by North Yorkshire County Council upon which this Council's observations had been sought.

103/04 - **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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**Minute 103/04(01)**

**CASE NUMBER:**

**05/00804/FUL**

**GRID REF: EAST 434872 NORTH 457202**

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**APPLICATION NO.:** 6.100.319.E.FUL

**LOCATION:**

91-93 High Street Knaresborough North Yorkshire HG5 0HG

**PROPOSAL:**

Erection of three storey building to provide retail at ground floor, 2 studio apartments at first and second floors and one 3 storey town house to rear. (Site Area 0.013ha)

**APPLICANT:** Shire Glen Property

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 allow details of design to be agreed and appropriate conditions to be drawn up.

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 26.04.2005

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC01R ACCORDANCE WITH DRAWINGS

(Councillor Anne Jones declared an interest in this item and, on the basis that the interest was prejudicial, left the room and did not participate in the debate and vote thereon. Councillors Smith and Mrs Smith also declared personal 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).

(Mr S Peach (agent who answered questions) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

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**Minute 103/04(02)**

**CASE NUMBER:  
05/00805/CON**

**GRID REF: EAST 434872 NORTH 457202**

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**APPLICATION NO.:** 6.100.319.F.CON

**LOCATION:**

91-93 High Street Knaresborough North Yorkshire HG5 0HG

**PROPOSAL:**

Demolition of three storey building.

**APPLICANT:** Shire Glen Property Ltd

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 allow details of design of replacement building to be agreed and appropriate conditions imposed.

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE
- 2 CM01 NO DEMOLITION BEFORE CONTRACT FOR REDEV

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CM01R VISUAL AMENITY

(Councillor Anne Jones declared an interest in this item and, on the basis that the interest was prejudicial, left the room and did not participate in the debate and vote thereon. Councillors Smith and Mrs Smith also declared personal 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).

(Mr S Peach (agent who answered questions) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

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**Minute 103/04(03)**

**CASE NUMBER:**

**04/02376/FUL**

**GRID REF: EAST 439864 NORTH 450249**

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**APPLICATION NO.:** 6.136.91.A.FUL

**LOCATION:**

Bay Horse Public House Main Street Kirk Deighton Wetherby North Yorkshire LS22 4DZ

**PROPOSAL:**

Retention of re Fridgeration unit to rear elevation within brick covered enclosure.

**APPLICANT:** Karl Mainey

DEFERRED for the following reason(s):-

For further information (parking, ventilation, gas supply and extraction).

(Councillor Anthony Alton declared an interest in this item and, on the basis that the interest was prejudicial, left the room and did not participate in the debate and vote thereon).

(Mr D Scolah (speaking on behalf of 23 objectors) and Mr K Mainey (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 two voting against and two abstaining).

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**Minute 103/04(04)**

**CASE NUMBER:**

**05/01180/FUL**

**GRID REF: EAST 434725 NORTH 457455**

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**APPLICATION NO.:** 6.100.1366.E.FUL

**LOCATION:**

New Row Cottage High Bond End Knaresborough North Yorkshire

**PROPOSAL:**

Erection of replacement outbuilding.

**APPLICANT:** Mr And Mrs Jones

APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 17.05.2010
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 29 April 2005
- 3 CD12 MATERIALS OF EXTN TO MATCH EXISTING
- 4 The window frames and doors of the development hereby permitted shall be constructed in timber and no other materials shall be used without the prior written consent of the Local Planning Authority.

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC01R ACCORDANCE WITH DRAWINGS
- 3 CD12R VISUAL AMENITY
- 4 CD13R VISUAL 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.

(Councillor Anne Jones declared an interest in this item and, on the basis that the interest was prejudicial, left the room and did not participate in the debate and vote thereon. Councillors Chris Lewis, Hoult, Peter Phillips, Mrs Smith and Smith all declared interests, the first three as members of the same political party as the applicant, who was also personally known to them as a fellow Councillor, and the latter two as Members of Knaresborough Town Council but, on the basis that the interests were not prejudicial, they all remained in the meeting and participated in the debate and vote thereon).

(UNANIMOUS DECISION)

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**Minute 103/04(05)**

**CASE NUMBER:**

**05/01217/FUL**

**GRID REF: EAST 445694 NORTH 457017**

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**APPLICATION NO.:** 6.103.99.B.FUL

**LOCATION:**

The Beeches Boroughbridge Road Green Hammerton York North Yorkshire YO26 8AE

**PROPOSAL:**

Erection of 1st floor extension over existing detached garage.

**APPLICANT:** Mr B Halling

APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 17.05.2010
- 2 CC02 DEVELOPMENT IN ACCORDANCE WITH DRAWINGS
- 3 CD12 MATERIALS OF EXTN TO MATCH EXISTING
- 4 No additional roof lights shall be inserted into the roof on the west elevation of the garage without the prior written consent of the Local Planning Authority.
- 5 The first floor of the garage shall be used for purposes incidental to the enjoyment of the main dwelling and shall not become a self contained unit without the prior written approval of the Local Planning Authority.

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC02R COMPLIANCE WITH DRAWINGS
- 3 CD12R VISUAL AMENITY
- 4 CD14R PRIVACY AND RESIDENTIAL AMENITY
- 5 CD14R 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.

(Councillor Chris Lewis declared an interest in this item and, on the basis that the interest was prejudicial, left the room and did not participate in the debate and vote thereon. Councillors Hoult, Chris Lewis and Peter Phillips all declared interests as members of the same political group as the applicant, who was also personally known to them as a fellow Councillor but, on the basis that the interests were not prejudicial, they all remained in the meeting and participated in the debate and vote thereon).

(UNANIMOUS DECISION)

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**Minute 103/04(06)**

**CASE NUMBER:  
05/01069/FUL**

**GRID REF: EAST 435495 NORTH 455905**

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**APPLICATION NO.:** 6.100.59.T.FUL

**LOCATION:**

Amtree House Abbey Road Knaresborough North Yorkshire HG5 8HX

**PROPOSAL:**

Erection of detached house and garage (site area 0.12ha).

**APPLICANT:** Mr T Lindley

WITHDRAWN

At request of the applicant - see file.

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**Minute 103/04(07)**

**CASE NUMBER:  
05/01556/FUL**

**GRID REF: EAST 435171 NORTH 456681**

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**APPLICATION NO.:** 6.100.2439.FUL

**LOCATION:**

3 Stockdale Close Knaresborough North Yorkshire HG5 8EA

**PROPOSAL:**

Demolition of existing bungalow and detached garage and erection of replacement dwelling. (Site area 0.034 ha)

**APPLICANT:** Mr J Nixon

APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 17.05.2010
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 06.05.2005
- 3 CD03 SAMPLES OF MATERIALS TO BE APPROVED

4 CD04Y SAMPLE STONework PANEL

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 CD04YR CONFORM TO REQUIREMENTS OF LOCALITY

**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.

**INFORMATIVE**

The application site may be affected by gas migration and it is therefore recommended that a site investigation is carried out to provide information on soil gas composition, pressures and/or flow rates over a minimum period of eight weeks. The investigation must be carried out in accordance with best practice as, for example described in CIRIA reports 149-152, or updated technical guidance. The investigation should be carried out by a competent Environmental Consultant and the investigation methods, including sampling and analytical strategy, shall be approved in writing by the Local Planning Authority. Details of such methodology should be agreed with the Council's Health Division prior to the commencement of the survey. Dependent on the outcome of the survey, gas mitigation measures may need to be incorporated as detailed in BRE report 1991 – ref CI/SFB(L26)(A3j), in accordance with the Approved Document C2 Dangerous and Offensive Substances.

If a survey is not carried out the following gas mitigation measures should be incorporated to prevent the ingress and build up of landfill gas:

- A concrete floor, if possible
- A gas proof membrane beneath the floor
- Sealing/protection of all services to the buildings.

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



(Nine Members voted in favour of the motion with one abstaining).

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**Minute 103/04(08)**

**CASE NUMBER:**

**05/01314/FUL**

**GRID REF: EAST 434826 NORTH 458571**

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**APPLICATION NO.:** 6.94.75.A.FUL

**LOCATION:**

Land At Grid Ref434826/458571 North Of Applegarth The Green Scriven Knaresborough North Yorkshire

**PROPOSAL:**

Erection of 1 detached dwelling (revised scheme) (site area 0.05ha).

**APPLICANT:** Mr And Mrs Dowbiggin

DEFERRED for the following reason(s):-

For a Committee site visit.

(Ms M Bamford (agent) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

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**Minute 103/04(09)**

**CASE NUMBER:**

**05/01201/FUL**

**GRID REF: EAST 439480 NORTH 466877**

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**APPLICATION NO.:** 6.64.141.C.FUL

**LOCATION:**

Land To The Rear Of The Golden Bite 9/11 Horsefair Boroughbridge York North Yorkshire

**PROPOSAL:**

Erection of 2 detached dwellings & formation of new vehicular access. (Site area 0.032ha)

**APPLICANT:** Mrs J Smith

WITHDRAWN

At request of applicant - see file.

10/6.64/ID:  
HYU4000/0  
10/6.64/ID:  
HYU4000/1

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**Minute 103/04(10)**

**CASE NUMBER:**

**05/01203/FUL**

**GRID REF: EAST 439480 NORTH 466877**

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**APPLICATION NO.:** 6.64.141.B.FUL

**LOCATION:**

Land To The Rear Of The Golden Bite 9/11 Horsefair Boroughbridge York North Yorkshire

**PROPOSAL:**

Conversion of existing commercial outbuilding to form self-contained flat to ground floor, new entrance and stair to existing first floor flat & erection of front porch.

**APPLICANT:** Mrs J Smith

WITHDRAWN

At request of applicant - see file.

11/6.100/1

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**Minute 103/04(11)**

**CASE NUMBER:**

**04/06565/FULMAJ**

**GRID REF: EAST 436460 NORTH 456918**

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**APPLICATION NO.:** 6.100.2420.FULMAJ

**LOCATION:**

Manse Farm York Road Knaresborough North Yorkshire HG5 0SP

**PROPOSAL:**

Conversion of outbuildings, including demolition, to form 12 dwellings, and erection of 4 associated garage blocks (site area 0.44ha).

**APPLICANT:** S & A Abel

The Committee were minded to REFUSE this application on the following basis:-

1. The proposed development does not represent a suitable mix of housing for the needs of Knaresborough;
2. The proposed development has inadequate car parking provision;
3. The access road from the A59 and the junction onto the A59 are considered to be hazardous, with the width of the access road being inadequate to accommodate a footpath, in particular at the narrowest point opposite Gateways;
4. A flood risk assessment should be submitted; and

It be DEFERRED for further consultation with the CM(P), Chief Solicitor and (if there is a costs issue) DF and brought back to another meeting of the Committee for decision.

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

(Mr M Sturgess (objector) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

11/6.100/B/  
HYJ3000/0  
12/6.125/D/  
0HYL3000/  
12/6.125/D/  
0HYL3000/

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**Minute 103/04(12)**

**CASE NUMBER:  
05/01449/FUL**

**GRID REF: EAST 450031 NORTH 451426**

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**APPLICATION NO.:** 6.125.140.FUL

**LOCATION:**

Fox And Hounds Tockwith Road Long Marston York North Yorkshire YO5 8PQ

**PROPOSAL:**

Erection of 1 detached dwelling (site area 0.08ha).

**APPLICANT:** Mr I Foster

**WITHDRAWN**

At request of applicant - see file

13/6.104/04  
2FULMAJ/C  
13/6.104/04  
2FULMAJ/I

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**Minute 103/04(13)**

**CASE NUMBER:  
04/01622/FULMAJ**

**APPLICATION NO.:** 6.104.96.FULMAJ

**LOCATION:**

Land Comprising OS Field 2931 Pool Lane Nun Monkton York North Yorkshire

**PROPOSAL:**

Change of use of agricultural land to form travelling showpersons site, with the formation of access roads and new vehicular access.

**APPLICANT:** Mr W Murphy

REFUSED. Reason(s) for refusal:-

- 1 The proposal would result in a visually intrusive form of development in the open countryside to the detriment of the visual amenities of the area and would conflict with Policies C2 and C15 of the Harrogate District Local Plan.
- 2 The proposal would result in new industrial and business development in the open countryside which is not required for operational reasons harmful to the amenities of the area and would therefore conflict with Policy E8 of the Harrogate District Local Plan.
- 3 The Local Planning Authority considers that the public highway leading to the site is of insufficient width to accommodate the increase in traffic, without serious damage to the carriageway and verges of the highway and loss of amenity value in conflict with Policy A1 of the Harrogate District Local Plan.
- 4 The Local Planning Authority considers that the proposed development would give rise to additional vehicles waiting in the carriageway and leaving and rejoining the traffic stream on an extremely busy stretch of road and would thus cause interference with the free flow of traffic and consequent danger to highway users.

(Councillor Wilson declared an interest in this item, as the family who lived opposite the application site was known to him but, on the basis that the interest was not prejudicial, he remained in the meeting and participated in the debate and vote thereon. Councillor Smith also declared an interest in this item as the owner of a residential caravan park but, on the basis that the interest was not prejudicial, he also remained in the meeting and participated in the debate and vote thereon).

(Mr D Barchard (Nun Monkton Parish Council), Mr J Goodwin (speaking on behalf of numerous objectors) and Mr W Murphy (applicant) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

**APPLICATION NO.:** 6.121.50.K.FUL

**LOCATION:**

Follifoot Hall Pannal Road Follifoot Harrogate North Yorkshire HG3 1DP

**PROPOSAL:**

Conversion of Follifoot Hall to form 1 dwelling, and erection of 1 detached dwelling including the demolition of office premises and outbuildings (site area 0.98ha).

**APPLICANT:** Graycliffe Homes Ltd

Notified to Secretary of State as a Departure the Council is not minded to refuse. HOPS to approve if Secretary of State does not call-in the application for his own determination subject to conditions and any other matters set out below:-

- Completion of a S106 agreement to secure an affordable dwelling and transfer to a Registered Social Landlord.

- The views of the Cabinet Member and Solicitor to the Council be sought in respect of Policy E2 of the Harrogate District Local Plan.

**PROPOSED CONDITIONS:**

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE
- 2 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 3 HW17 PROV'N OF APP'VD ACCESS/TURNING/PARKING ... 742/18
- 4 HW23 GARAGE CONVERSION TO HABITABLE ROOM
- 6 CI02Y PD REST,NO EXTNS,GRGS&ROOF/DORMER WINDS

**Reasons for Conditions:-**

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS
- 3 HW17R ROAD SAFETY REQUIREMENTS
- 4 HW23R ROAD SAFETY REQUIREMENTS
- 6 CI02YR PROTECT VISUAL AMENITY

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

(Mr A Rollinson (for the applicant) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(Eight Members voted in favour of the motion with one voting against).

**GRID REF: EAST 444760 NORTH 461860**

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**APPLICATION NO.:** 6.80.162.A.FUL

**LOCATION:**

Dent House Main Street Great Ouseburn York North Yorkshire YO5 9RG

**PROPOSAL:**

Erection of one dwelling and felling of 1 Horsechestnut tree and a row of Fir trees along the boundary with Poplar View all within the Great Ouseburn Conservation Area. (Site Area 0.052 ha)

**APPLICANT:** Mr And Mrs L J Andrew

REFUSED. Reason(s) for refusal:-

- 1 The proposal for a dwelling within the rear garden of Dent House would result in an unacceptable form of tandem development out of character with the area and would lead to an unacceptable detrimental impact on the living conditions of the adjacent residents in terms of overbearing, overshadowing and overlooking contrary to Policies A1, H6 and H20 of the Harrogate District Local Plan.
- 2 It is considered that a proposed dwelling in this particular location, although located on the site of a former building, would not enhance the character and appearance of the conservation area and would therefore be contrary to Harrogate District Local Plan Policies HD3 and HD12.
- 3 The application in its present form does not allow for the protection of the retained trees on the site and to allow a dwelling on the site would affect the future health of the trees which would be contrary to Harrogate District Local Plan Policy HD13.

(Mr B Horner (speaking on behalf of numerous objectors) and Mr L Andrew (applicant) attended the meeting and spoke to the item under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION)

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**Minute 103/04(16)**

**CASE NUMBER:**

**05/01407/OUT**

**GRID REF: EAST 432912 NORTH 458414**

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**APPLICATION NO.:** 6.100.2438.OUT

**LOCATION:**

7 Scotton Drive Knaresborough North Yorkshire HG5 9HG

**PROPOSAL:**

Outline application for the erection of one dwelling with siting and access considered. (Site area 0.064 ha)

**APPLICANT:** Miss J Croft And Mr M B Clark

APPROVED subject to the following conditions:-

- 1 CA01C OUTLINE - SITING,ACCESS,SEWAGE/SW NOT RM
- 2 CA06 OUTLINE/RESERVED MATTERS ... 17.05.2010 ... 17.05.2007
- 3 CL12 OPEN SPACE TO BE PROVIDED - POLICY R4
- 4 CD14 NO WINDOWS IN DEVELOPMENT ... north east and north west ... dwelling
- 5 CL03 TREES NOT TO BE FELLED
- 6 HW23 GARAGE CONVERSION TO HABITABLE ROOM

Reasons for Conditions:-

- 1 CA01CR SAFEGUARD RIGHTS OF CONTROL
- 2 CA06 OUTLINE/RESERVED MATTERS
- 3 CL12R COMPLIANCE WITH R4 - OPEN SPACE POLICY
- 4 CD14R PRIVACY AND RESIDENTIAL AMENITY
- 5 CL03R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 6 HW23R ROAD SAFETY REQUIREMENTS

**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 Mrs Smith and Smith both declared interests in this item as Members of Knaresborough Town Council where the application had previously been discussed 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)

104/04 - **PLANNING APPLICATIONS:** The Head of Planning Services submitted a list of planning applications submitted 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)

105/04 - **TREE PRESERVATION ORDER: SICKLINGHALL HOUSE, SICKLINGHALL – TPO NO 11, 2003:** The Director of Development Services submitted a written report which requested that a Provisional Tree Preservation Order was not confirmed.

**RESOLVED (UNANIMOUSLY):**

That (1) the Committee find it unnecessary to confirm this Tree Preservation Order at Sicklinghall House, Longlands Lane, Sicklinghall;

(2) the Head of Legal and Democratic Services be authorised to undertake the necessary procedural arrangements.

(D)

106/04 - **TREE PRESERVATION ORDER: STANSFIELD COURT, CHURCH LANE, GOLDSBOROUGH – TPO NO 40, 2003:** The Director of Development Services submitted a written report, which requested that a provisional Tree Preservation Order was not confirmed.

**RESOLVED (UNANIMOUSLY):**

That (1) the Committee find it unnecessary to confirm this Tree Preservation Order at Stansfield Court, Church Lane, Goldsborough; and

(2) the Head of Legal and Democratic Services be authorised to undertake the necessary procedural arrangements.

(D)

107/04 - **TREE PRESERVATION ORDER: SCUTTLE POND COTTAGE, MARTON-CUM-GRAFTON – TPO NO 54, 2004:** The Director of Development Services submitted a written report, which requested confirmation of a provisional Tree Preservation Order on three silver birch trees and a cherry tree, located at the rear of this property.

**RESOLVED (UNANIMOUSLY):**

That (1) the Committee find it expedient, in the interests of amenity to confirm the Tree



Preservation Order at Scuttle Pond Cottage, Marton-cum-Grafton;

(2) the Head of Legal and Democratic Services be authorised to take appropriate action to secure confirmation of the Order; and

(3) the Order be confirmed as the Council of the Borough of Harrogate Tree Preservation Order No 54/2004.

(D)

108/04 - **TREE PRESERVATION ORDER: DENT HOUSE, MAIN STREET, GREAT OUSEBURN – TPO NO 55, 2004:** The Director of Development Services submitted a written report which requested confirmation of a provisional Tree Preservation Order.

**RESOLVED (UNANIMOUSLY):**

That (1) the Committee find it expedient, in the interests of amenity, to confirm the Tree Preservation Order at Dent House, Main Street, Great Ouseburn;

(2) the Head of Legal and Democratic Services be authorised to take appropriate action to secure confirmation of the Order; and

(3) the Order be confirmed as The Council of the Borough of Harrogate Tree Preservation Order No 55/2004.

(D)

109/04 - **TREE PRESERVATION ORDER: THE HEIGHTS, MARTON-CUM-GRAFTON – TPO NO 59, 2004:** The Director of Development Services submitted a written report which requested confirmation of a provisional Tree Preservation Order.

**RESOLVED (UNANIMOUSLY):**

That (1) the Committee find it expedient, in the interests of amenity, to confirm the Tree Preservation Order at The Heights, Marton-cum-Grafton;

(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 59/2004.

(D)