

**PLANNING COMMITTEE  
HELD ON 29 NOVEMBER 2005  
(FROM 2.00 PM TO 4.15 PM)**

**PRESENT:** Councillor Simms in the Chair. Councillors Anthony Alton, Mrs Atkinson, Chapman, Joan Crowther, Fawcett, Galloway, Goss, Grange, Elwyn Hinchcliffe, Hoult, Nash, Newby, Webber and Willis.

**Late Arrivals:** Councillor Willis at 2.02 pm.

**Early Departures:** None.

15/05 - **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES:** An apology for absence had been received from Councillor Martin. Notification had been received that Councillor Galloway was to act as substitute for Councillor Ellington, Councillor Grange for Councillor Brown, Councillor Hoult for Councillor Freeman, Councillor Newby for Councillor Chris Lewis and Councillor Webber for Councillor Anne Jones.

16/05 - **DECLARATIONS OF INTEREST:** Declarations of interest were made as detailed in Minute 20/05.

17/05 - **MINUTES:**

(a) The Minutes of the meeting of the Committee held on 1 November 2005 were approved as a correct record and signed by the Chair.

(Nine Members voted for the motion and there were five abstentions).

(b) The Minutes of the meeting of the Committee held on 15 November 2005 were approved as a correct record and signed by the Chair.

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

18/05 - **EXEMPT INFORMATION:** There were no exempt information items.

**MATTERS WHICH THE COMMITTEE DEALT WITH UNDER  
DELEGATED POWERS**

19/05 - **COUNTY APPLICATIONS:** There were no further applications submitted by North Yorkshire County Council upon which this Council's observations had been sought.

20/05 - **LIST OF PLANS:** In accordance with the Scheme of Delegation, the Committee considered the undermentioned plans and applications and made the decisions indicated viz:-

## PLANNING COMMITTEE

01/6.94/IN  
1HYC2000

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20/05 (01)

**CASE NUMBER: 05/04966/FUL**  
**GRID REF: EAST 435016 NORTH 458381**

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**APPLICATION NO.:** 6.94.76.A.FUL

**LOCATION:**

Land At The Corner Of Greengate Lane & Greengate Drive Pleasant Row  
Knaresborough North Yorkshire HG5 9EP

**PROPOSAL:**

Erection of 1 new dwelling (site area 0.0298ha).

**APPLICANT:** Mr D Forster

REFUSED. Reason(s) for refusal:-

1. The proposed development would involve the loss of open space which is considered to make a positive contribution to the character of the Scriven Conservation Area, by reason of the open approach it provides to the centre of the village, and the historic layout of the plots associated with the cottages at Pleasant Row. The proposed dwelling would be forward of the established building line and would appear out of keeping with the Conservation Area. The proposed development would therefore be contrary to Policies HD3 and HD20 of the Local Plan.
2. The proposed development would overbear on the bungalow at No. 9 Greengate Drive and the neighbouring gardens, and thus detract from their residential amenities, contrary to Local Plan Policies HD20 and A1.

(Mrs Patterson attended the meeting and spoke to the item as an objector under the Council's Opportunity to Speak Scheme).

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

(Councillor Newby 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).

(UNANIMOUS DECISION).

02/6.100/IC  
VHY03000  
02/6.100/IC  
VHY03000

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20/05 (02)

**CASE NUMBER: 05/05194/FUL**  
**GRID REF: EAST 435932 NORTH 455796**

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**APPLICATION NO.:** 6.100.2091.A.FUL

**LOCATION:**

Abbots Knoll Abbey Road Knaresborough North Yorkshire HG5 8HX

## PLANNING COMMITTEE

### PROPOSAL:

Erection of single storey side extension and single storey side extension to detached garage.

**APPLICANT:** Mr \_ Mrs. J. Smith

APPROVED subject to the following conditions:-

- 1 CA053 DEVELOPMENT SHALL BE BEGUN BEFORE 3 YRS ... 29.11.2008
- 2 CC02 DEVELOPMENT IN ACCORDANCE WITH DRAWINGS
- 3 CD12A MATCHING MATERIALS

Reasons for Conditions:-

- 1 CA053R TO COMPLY WITH SECTIONS 91-94
- 2 CC02R COMPLIANCE WITH DRAWINGS
- 3 CD12AR IN THE INTERESTS OF 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.

(Councillors Anthony Alton, Mrs Atkinson, Fawcett, Galloway, Grange, Hinchcliffe, Nash and Simms declared a personal interest in this item on the basis that the applicant was a fellow Conservative Councillor, but on the basis that the interest was not prejudicial, remained in the meeting and took part in the debate and voted thereon).

(Councillor Willis 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).

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

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**20/05 (03)**

**CASE NUMBER: 05/03497/OUT**  
**GRID REF: EAST 438165 NORTH 473005**

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**APPLICATION NO.:** 6.26.13.B.OUT

## PLANNING COMMITTEE

### LOCATION:

Dishforth Village Hall Back Lane Dishforth York North Yorkshire

### PROPOSAL:

Outline Application for the demolition of existing building and the erection of a pair of semi detached dwellings (Site Area 0.067 ha)

**APPLICANT:** Dishforth Parish Council

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:

If necessary the monies raised from the sale of the village hall be used for the conversion the Church of Christ Church, Dishforth to become the replacement village hall unless the scheme agreed by the Charity Commission in 1993 renders the requirement for a S106 Agreement unnecessary.

- 1 CA063 DATES FOR SUBMISSION OF RM \_ COMMENCEMNT
- 2 CA01 OUTLINE
- 3 CL12 OPEN SPACE TO BE PROVIDED - POLICY R4

Reasons for Conditions:-

- 1 CA063R TO COMPLY WITH SECTIONS 91 - 94
- 2 CA01R SAFEGUARD RIGHTS OF CONTROL
- 3 CL12R COMPLIANCE WITH R4 - OPEN SPACE POLICY

(Councillor David Wells attended the meeting and spoke to the item as Chairman of Dishforth Parish Council under the Council's Opportunity to Speak Scheme).

(UNANIMOUS DECISION).

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**20/05 (04)**

**CASE NUMBER: 05/05207/FUL**  
**GRID REF: EAST 433887 NORTH 455514**

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**APPLICATION NO.:** 6.79.809.A.FUL

### LOCATION:

Fieldhurst Forest Moor Road Harrogate North Yorkshire HG5 8LT

### PROPOSAL:

Erection of replacement detached dwelling and double garage, and formation of 2 replacement vehicular accesses (Site area 0.155 ha)

**APPLICANT:** Mr D Addyman

04/6.79./IO  
HYJ3000/0  
04/6.79./IO  
HYJ3000/1

## PLANNING COMMITTEE

WITHDRAWN

At request of applicant - see file

05/6.79./IO  
HYL3000/0  
05/6.79./IO  
HYL3000/1

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**20/05 (05)**

**CASE NUMBER: 05/05160/FUL  
GRID REF: EAST 430058 NORTH 455459**

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**APPLICATION NO.:** 6.79.10579.A.FUL

**LOCATION:**

Land To The Rear Of 34 - 36 Parliament Street Harrogate North Yorkshire HG1 2RL

**PROPOSAL:**

Erection of 7 self contained apartments with bin storage area and new vehicular access (revised scheme) (site area 0.029ha).

**APPLICANT:** Appleton Estates Ltd

REFUSED. Reason(s) for refusal:-

- 1 The proposed development, by reason of the inadequate loading bay, would be likely to cause significant problems for the free flow of traffic on Union Street, contrary to Local Plan Policy A1.
- 2 The proposed development would not provide a satisfactory level of residential amenity, contrary to Local Plan Policies H6 and A1.
- 3 The proposed development would, by reason of the materials of construction and the use of balconies fronting Union Street, detract from the character and appearance of the Conservation Area, contrary to Local Plan Policy HD3.

(Mr Harman attended the meeting and spoke to the item as an objector under the Council's Opportunity to Speak Scheme).

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

(Councillors Joan Crowther and Goss declared a personal interest in this item on the basis of their membership of Harrogate Civic Society, but on the basis that their interest was not prejudicial, remained in the meeting and took part in the debate and voted thereon).

(Councillors Chapman and Willis declared a personal interest in this item on the basis of their wife's membership of Harrogate Civic Society, but on the basis that the interest was not prejudicial, remained in the meeting and took part in the debate and voted thereon).

(Nine Members voted for the motion and six voted against).

## PLANNING COMMITTEE

06/6.100/IC  
HYJ3000/0  
06/6.100/IC  
HYJ3000/1

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**20/05 (06)**

**CASE NUMBER: 05/05167/FUL**  
**GRID REF: EAST 434325 NORTH 455699**

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**APPLICATION NO.:** 6.100.2474.FUL

**LOCATION:**

Roughstones Forest Moor Road Knaresborough North Yorkshire HG5 8JU

**PROPOSAL:**

Erection of 2 detached dwellings to replace existing dwelling and formation of additional vehicular access onto Forest Moor Road (Site Area 0.1ha)

**APPLICANT:** Mr And Mrs JMH And JK Turner

WITHDRAWN

At request of applicant - see file

07/6.64./IO  
MHYJ3000  
07/6.64./IO  
MHYJ3000

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**20/05 (07)**

**CASE NUMBER: 05/05124/FUL**  
**GRID REF: EAST 441074 NORTH 464939**

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**APPLICATION NO.:** 6.64.641.A.FUL

**LOCATION:**

Keepers Cottage Boroughbridge York North Yorkshire

**PROPOSAL:**

Erection of replacement detached dwelling (Site Area 0.09ha) (Revised Scheme)

**APPLICANT:** Mr M McGrath

APPROVED subject to the following conditions:-

- 1 CA053 DEVELOPMENT SHALL BE BEGUN BEFORE 3 YRS ... 29.11.2008
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 18.11.2005
- 3 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 4 CD13 WINDOW FRAME MATERIALS ... timber
- 5 HW17 PROV'N OF APP'VD ACCESS/TURNING/PARKING
- 6 HW32 PUBLIC RIGHTS OF WAY
- 7 CI02Y PD REST,NO EXTNS,GRGS&ROOF/DORMER WINDS

Reasons for Conditions:-

- 1 CA053R TO COMPLY WITH SECTIONS 91-94
- 2 CC01R ACCORDANCE WITH DRAWINGS

## PLANNING COMMITTEE

- 3 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS
- 4 CD13R VISUAL AMENITY
- 5 HW17R ROAD SAFETY REQUIREMENTS
- 6 HW32R TO PROTECT THE RIGHT OF WAY
- 7 CI02YR PROTECT 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 Grange 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).

(UNANIMOUS DECISION).

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20/05 (08)

CASE NUMBER: 05/04930/FUL  
GRID REF: EAST 424613 NORTH 455835

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**APPLICATION NO.:** 6.99.158.FUL

**LOCATION:**

Land To The East Of Agar Transport & Repairs Penny Pot Lane Felliscliffe Harrogate North Yorkshire

**PROPOSAL:**

Erection of detached dwelling and formation of new access. (Site Area 0.03 ha)

**APPLICANT:** Mr P Agar

REFUSED. Reason(s) for refusal:-

- 1 The proposed development would in the absence of any special justification to warrant approval be contrary to the provisions of Harrogate District Local Plan Policy H7 and North Yorkshire County Structure Plan Policy H4.

## PLANNING COMMITTEE

(Mr Hughes 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 an interest in this item on the basis that he had received a letter in support of the application from a member of the Chartered Insurance Institute who was a friend of his, but on the basis that the interest was not prejudicial, remained in the meeting and took part in the debate and voted thereon).

(Thirteen Members voted for the motion, one voted against and there was one abstention).

09/6.64/IO  
MHYJ3000  
09/6.64/IO  
MHYJ3000

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**20/05 (09)**

**CASE NUMBER: 05/05182/FUL  
GRID REF: EAST 439480 NORTH 466877**

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**APPLICATION NO.:** 6.64.141.D.FUL

**LOCATION:**

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

**PROPOSAL:**

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

**APPLICANT:** Mrs J Smith

DEFERRED for the following reason(s):-

For a site visit by the Planning Committee.

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

(Ten Members voted for the motion, one voted against and there were four abstentions).

10/6.121/IC  
8HYC2000  
10/6.121/IC  
8HYC2000

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**20/05 (10)**

**CASE NUMBER: 05/05113/FUL  
GRID REF: EAST 432398 NORTH 452926**

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**APPLICATION NO.:** 6.121.191.FUL

**LOCATION:**

Home Farm Bungalow Rudding Lane Follifoot Harrogate North Yorkshire HG3 1DQ

**PROPOSAL:**

Erection of replacement dwelling (site area 0.025ha).

**APPLICANT:** Rudding Park Estate Ltd

## PLANNING COMMITTEE

APPROVED subject to the following conditions:-

- 1 CA053 DEVELOPMENT SHALL BE BEGUN BEFORE 3 YRS ... 29.11.2008
- 2 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 3 CI02Y PD REST,NO EXTNS,GRGS&ROOF/DORMER WINDS

Reasons for Conditions:-

- 1 CA053R TO COMPLY WITH SECTIONS 91-94
- 2 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS
- 3 CI02YR PROTECT 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.

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

(UNANIMOUS DECISION).

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**20/05 (11)**

**CASE NUMBER: 05/05303/SOSLB**  
**GRID REF: EAST 434260 NORTH 457390**

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**APPLICATION NO.:** 6.100.1781.D.SOSLB

**LOCATION:**

Conyngnam Hall Bond End Knaresborough North Yorkshire HG5 9AX

**PROPOSAL:**

Listed building application for the removal of 1 internal wall

**APPLICANT:** Harrogate Borough Council

11/6.100/IC  
LPHYJ300  
11/6.100/IC  
LPHYJ300

## PLANNING COMMITTEE

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 CA053 DEVELOPMENT SHALL BE BEGUN BEFORE 3 YRS
- 2 Within one month of the removal of the wall, all architectural joinery and plasterwork shall be re-instated to match the historic fabric in the room unless otherwise approve in writing by the Local Planning Authority.

Reasons for Conditions:-

- 1 CA053R TO COMPLY WITH SECTIONS 91-94
- 2 In order to ensure the satisfactory re-instatement of the room.

(UNANIMOUS DECISION).

12/6.31/JO  
FHYL3000  
12/6.31/JO  
FHYL3000

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20/05 (12)

**CASE NUMBER: 05/05204/SOSLB**  
**GRID REF: EAST 431209 NORTH 471218**

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**APPLICATION NO.:** 6.31.906.O.SOSLB

**LOCATION:**

Town Hall Market Place Ripon North Yorkshire HG4 1DD

**PROPOSAL:**

Listed building application for the installation of replacement internal fire door to first floor.

**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 ... 3 years
- 2 CC02 DEVELOPMENT IN ACCORDANCE WITH DRAWINGS

Reasons for Conditions:-

- 1 CA05LR TO COMPLY WITH SECTION 18
- 2 CC02 DEVELOPMENT IN ACCORDANCE WITH DRAWINGS

(UNANIMOUS DECISION).

## PLANNING COMMITTEE

21/05 - **APPLICATIONS DETERMINED BY OFFICERS:** 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:

That the report be received.

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

(D)

22/05 - **ENFORCEMENT NOTICE: LAND AT THE OLD SWEET SHOP AND COTTAGE, BRIDGE STREET, BOROUGHBIDGE, YORK:** The Head of Planning Services submitted a written report in relation to an Enforcement Notice, which was authorised by the Head of Planning Services on 3 October 2005 in consultation with the Chairman of the Area 2 Development Control Committee with regard to land at the Old Sweet Shop and Cottage, Bridge Street, Boroughbridge, York.

The Committee noted that:-

- (1) An Enforcement Notice was issued and served by the Solicitor to the Council on 5 October 2005;
- (2) The Notice took effect on 16 November 2005; and
- (3) The Notice should be complied with within 2 months from the date this Notice takes effect, by 16 January 2006.

23/05 - **TREE PRESERVATION ORDER: HILLCREST, LITTLE STUDLEY ROAD, RIPON – TPO NO 19, 2005:** The Head of Planning Services submitted a written report, which requested that the Committee confirmed a Tree Preservation Order to protect seven sycamore trees at Hillcrest, Little Studley Road, Ripon.

### RESOLVED:

That (1) the Committee find it expedient in the interests of amenity to confirm the Tree Preservation Order at Hillcrest, Little Studley Road, Ripon;

(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 19, 2005.

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

(D)

