

Mr S Kunz  
c/o J C Robinson Ltd  
Mr J Robinson  
The Old Twine Mill  
Low Laithe  
HARROGATE  
HG3 4BU

Our ref: 19/03512/FUL  
Your ref:  
Date: 4 March 2020

**NOTICE OF DECISION ON PLANNING APPLICATION**

**TOWN AND COUNTRY PLANNING ACT 1990**

**PROPOSAL:** Demolition of existing dwelling and erection of replacement dwelling (Revised scheme)  
**LOCATION:** The Limes Weeton Lane Weeton Leeds North Yorkshire LS17 0AN  
**APPLICANT:** Mr S Kunz

Harrogate Borough Council being the Local Planning Authority for the purposes of the application received on 16 August 2019 for Full Planning Permission, as described above, have resolved to  
**GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS.**

The conditions to which the permission is subject are as follows:

- 1 The development hereby permitted shall be begun on or before 04.03.2023.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:  
  
Proposed site plan Dwg No: 4493 Dated 12.02.2020  
Proposed drawings Dwg NO: 4493 Dated 12.02.2020
- 3 Before the first use of any materials in the external construction of the roof and walls of the development hereby approved, samples of those materials shall have been made available on site for inspection by, and the written approval of, the Local Planning Authority and the development shall be carried out in strict accordance with the approved details.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions, garages, outbuildings, roof or dormer windows other

than any expressly authorised by this permission shall be erected without the grant of further specific planning permission from the local planning authority.

- 5 An electric vehicle infrastructure strategy and implementation plan shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the dwelling hereby permitted. The plan shall contain details of the number and location of all electric vehicle charging points which shall be of Mode 3 type (specific socket on a dedicated circuit with a minimum current rating of 16 Amp). Buildings and parking spaces that are to be provided with charging points shall not be brought into use until associated charging points are installed in strict accordance with approved details and are operational. The charging point installed shall be retained thereafter.

#### 6 REPORTING OF UNEXPECTED CONTAMINATION

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and approved in writing by the Local Planning Authority.

Where remediation is necessary a remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise approved in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

The reasons for the conditions are shown below:-

- 1 To ensure compliance with Sections 91-94 of the Town and Country Planning Act 1990.
- 2 For the avoidance of doubt and to safeguard the control of the Local Planning Authority, in accordance with Core Strategy Policy SG4 of the Harrogate District Local Development Framework.
- 3 In the interests of visual amenity; in accordance with Core Strategy Policies SG4 and EQ2 of the Harrogate District Local Development Framework.
- 4 In the interests of visual and spatial amenity to protect the openness of the Green Belt and visual amenity of the area; in accordance with the guidance in the NPPF and Core Strategy Policies SG4 and EQ2 of the Harrogate District Local Development Framework.

- 5 In the interests of air quality; in accordance with the guidance set out in the NPPF Paragraph 110e) and Core Strategy Policy EQ1 of the Harrogate District Local Development Framework.
- 6 To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policies SG4 and EQ1 of the Harrogate District Core Strategy.

#### INFORMATIVES:

- 1 This development is subject to a Planning Obligation made under Section 106 of the Town and Country Planning Act 1990.
- 2 All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 41 (1) of the Conservation of Habitats and Species Regulations 2010. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and in the first instance contact the National Bat Helpline on 0845 1300 228. Developers/contractors may need to take further advice from Natural England on the need for a European Protected Species Licence in order to continue the development in a lawful manner. Natural England can be contacted at [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk), or by calling 0300 060 3900, or Natural England, Consultation Service, Hornbeam House, Crewe Business Park, Electra Way, Crewe, Cheshire, CW1 6GJ.

You can see the officer's report on the application at [www.harrogate.gov.uk/publicaccess](http://www.harrogate.gov.uk/publicaccess). Alternatively, you can contact Customer Services Tel No: 01423 500600 or e-mail [customerservices@harrogate.gov.uk](mailto:customerservices@harrogate.gov.uk).

#### STATEMENT OF COMPLIANCE WITH ARTICLE 31 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

In dealing with this planning application Harrogate Borough Council as the Local Planning Authority has adopted a positive and proactive manner. The Council offers a pre-application service for planning proposals and applicants are encouraged to undertake this. Proposals are assessed against the National Planning Policy Framework, the documents that form the Development Plan, and Supplementary Planning Documents, which have been subject to proactive publicity and consultation prior to their adoption, and are referred to in this notice of decision. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed through seeking solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant/agent as necessary.

Signed:



John Worthington  
Chief Planner

Date of Decision: 4 March 2020

Date of Issue: 4 March 2020

**NOTE:** No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the proposed development is situated, or of obtaining approval under any other bye-laws, local acts, orders, regulations and statutory provisions in force, and no part of the proposed development should be commenced until such further approval has been obtained.

**Discharging Conditions** – A fee is payable for the discharge of conditions attached to planning and other applications. Applications must be made in writing clearly identifying the application number and the conditions. The standard application form can be used but is not mandatory. The scale of fees can be found on the planning website [www.harrogate.gov.uk/planning](http://www.harrogate.gov.uk/planning). Please note a fee is payable for each separate request and applications should be determined within 8 weeks of a valid request being received.

**NOTE TO APPLICANT/AGENT:** The Borough Council posted a site notice publicising this application. If it is still on display, please remove it.

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES SET OUT OVERLEAF.

## **NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS**

### **Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Where this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- Otherwise, if an enforcement notice is subsequently served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- Appeals can be made online at <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of an appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.uk](#).