

HARROGATE BOROUGH COUNCIL

PLANNING AREA2 DC COMMITTEE – AGENDA ITEM 5: LIST OF PLANS.

DATE: 10 February 2004

PLAN: 04	CASE NUMBER: 03/05990/FUL
APPLICATION NO. 6.72.78.A.FUL	GRID REF: EAST 443879 NORTH 464712
	DATE MADE VALID: 08.12.2003
	TARGET DATE: 02.02.2004
	WARD: Claro

APPLICANT: Yorvik Homes Limited

AGENT: Michael Courcier And Partners Ltd

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

LOCATION: The Bungalow Lower Dunsforth York North Yorkshire YO5 9RZ

REPORT

SITE AND PROPOSAL

The site is located on the western edge of the village of Lower Dunsforth , and comprises an existing dwelling known as "The Bungalow" together with part of its existing garden area. The bungalow is relatively modest in size, and is well set back from the road frontage, with an extensive open garden area fronting onto Main Street. There is an existing driveway onto Main Street.

The application proposes to demolish the existing dwelling and to build a single two storey dwelling in its place. The house would have 3 bedrooms, with a double detached garage. The dwelling would be built in brick with a slate roof. The application proposes reducing the garden area of the new dwelling, by transferring some to the neighbouring dwelling, West View.

This application is submitted following the refusal at Area 2 Development Control Committee on 27th May 2003 of an application to demolish both The Bungalow and West View, to redevelop the site to provide 3 new dwellings.

MAIN ISSUES

1. Principle
2. Residential and Visual Amenity
3. Access and Parking
4. Flood Risk
5. Open Space

RELEVANT SITE HISTORY

6.72.78.FUL - Demolition of existing buildings and erection of 3 no detached dwellings and

1 no detached double garage (site area 0.33Ha), refused 27.05.2003

The reasons for refusal were as follows:

- "1. The proposal, due to the loss of the openness of the existing garden areas, the height and massing of the proposed dwellings and the design of the proposed dwellings is detrimental to the form and character of the village and will result in a loss of visual amenity thereby being contrary to Policies HD20 and H6 of the adopted Harrogate District Local Plan.
2. The proposed residential development does not constitute either small scale rounding off or infilling and therefore the proposal is contrary to Policy H6 of the adopted Harrogate District Local Plan.
3. The proposed housing development is contrary to the Harrogate District Local Plan Selective Alteration Policy HX to manage housing site release and minimise the level of over-provision. Sufficient sites have been granted planning permission to meet the housing requirement set out in Policy H1 of the County Structure Plan and Harrogate District Local Plan. To grant planning permission for additional sites, outside of those allowed under Policy HX would be contrary to the PPG3 'plan, monitor and manage' approach to the release of housing land and the strategy of the Structure Plan and Local Plan to restrain housing growth in the District.
4. The proposal fails to provide affordable housing for local needs and is therefore contrary to the Harrogate District Local Plan Selective Alteration Policy H5.
5. No confirmation of the applicant's willingness to pay the commuted sum towards provision of open space has been received. Without contribution towards the provision of open space the application is contrary to Policy R4 of the adopted Harrogate District Local Plan."

CONSULTATIONS/NOTIFICATIONS

Parish Council

Lower Dunsforth

Environment Agency

Object in the absence of a flood risk assessment

Highway Authority

No objection subject to conditions

DLAS - Open Space

Open Space commuted sum of £355.00 requested

Claro Internal Drainage Board

Consent is required from the drainage board before any connection can be made to existing drains

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 13.01.2004
PRESS NOTICE EXPIRY: 16.01.2004

REPRESENTATIONS

LOWER DUNSFORTH PARISH COUNCIL - Do not object but make the following comments:

"The pump in front of "The Bungalow", which predates the building is of historic interest and should be retained and restored and if necessary resited. "

OTHER REPRESENTATIONS - None.

VOLUNTARY NEIGHBOUR NOTIFICATION - None undertaken.

RELEVANT PLANNING POLICY

PPG1 Planning Policy Guidance 1: General Policy and Principles
PPG3 Housing
PPG13 Planning Policy Guidance 13: Transport
SPH4 North Yorkshire County Structure Plan Policy H4
LPH06 Harrogate District Local Plan Policy H6: Housing developments in the main settlements and villages
LPHX Harrogate District Local Plan Policy HX: Managed Housing Site Release
LPH05 Harrogate District Local Plan Policy H5: Affordable Housing
LPA01 Harrogate District Local Plan Policy A1: Impact on the Environment and Amenity
LPR04 Harrogate District Local Plan Policy R4: Open Space Requirements for New Residential Development
LPA05 Harrogate District Local Plan Policy A5: Flood Risk Areas
PPG25 Planning Policy Guidance 25: Development and flood risk

ASSESSMENT OF MAIN ISSUES

1. PRINCIPLE - Lower Dunsforth is classed as a smaller village within Policy H6 of the adopted Local Plan. The site lies within the built form of the village and therefore the principle of a replacement dwelling is acceptable, and Policy H20, which concerns replacement dwellings within the countryside, is not relevant. Policy HX of the Selective Alterations to the Local Plan is also permissive of replacement dwellings. The application site area is less than 0.1Ha, due to the reduction in garden area for the new dwelling, and therefore there is no requirement for affordable housing to be provided on this site. There is therefore no objection in principle to the proposal subject to it complying with the other relevant plan policies.

2. RESIDENTIAL AND VISUAL AMENITY - The new dwelling would be sited on a very similar footprint to the existing bungalow, and whilst the dwelling is larger than the bungalow, being two storeys, it is not considered that this will have any undue impact on neighbouring dwellings due to the distances involved. The new dwelling will provide a high

standard of residential amenity for future occupants and there is not considered to be a significant impact on the amenity of neighbours. With regard to visual amenity the design of the new dwelling largely reflects local vernacular, although the dwelling is perhaps rather deep, the appearance of the gable elevations could be improved by widening the chimneys, something which can be required by condition. The existing bungalow whilst relatively unobtrusive is not attractive and it is not considered that there will be no detriment to visual amenity as a result of the proposals. The comments of the Parish Council regarding the pump have been noted, and the applicants have been asked to consider retaining this as part of the scheme. The pump is not listed and therefore we cannot insist on its retention. The proposal is considered to be compliant with local plan policies HD20 and A1.

3. ACCESS AND PARKING - The Highway Authority have commented that the existing access is showing signs of deterioration and it is unlikely to withstand the loading placed upon it by both demolition and construction vehicles and plant. There are no highway objections but it is recommended that conditions are imposed regarding access construction, provision of parking and turning, and prevention of mud on the highway are imposed.

4. FLOOD RISK - The Environment Agency have objected to the application in the absence of a flood risk assessment. The site of the proposed development is within an area that has been subject to flooding but is now protected by flood defences, the Environment Agency consider that in extreme conditions the site could still flood. A flood risk assessment has therefore been requested by the Environment Agency, any measures recommended by the assessment should be incorporated in the proposal, in accordance with the advice contained within PPG25. Subject to the receipt of a satisfactory flood risk assessment the proposal will be compliant with Policy A5 of the adopted Local Plan.

5. OPEN SPACE - A commuted sum of £355.00 has been requested towards provision of leisure area and youth and adult facilities to be allocated to Lower Dunsforth Verges/Village Green and Marton cum Grafton Playing Field. This application however proposes a replacement dwelling and the requirement for commuted sums towards open space payments under Policy R4 of the adopted Local Plan does not extend to replacement dwellings. No commuted sum is therefore required.

CONCLUSION - Subject to the receipt of a satisfactory flood risk assessment the proposal is acceptable and complies with all of the relevant planning policies. It is therefore recommended that the application be deferred to the Head of Planning Services to approve subject to the receipt of a satisfactory flood risk assessment.

CASE OFFICER: Ms Sara Purvis

RECOMMENDATION

That the application be 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:

0 For the receipt of a satisfactory Flood Risk Assessment.

PROPOSED CONDITIONS:

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 5yrs
- 2 CC03 DEV IN ACCORD WITH DRAWINGS/CONDITIONS
- 3 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 4 CD05 REVEALS: MM
- 5 CD13 WINDOW FRAME MATERIALS
- 6 HW07 PRVTE ACCESS/VERGE CROSSINGS CONSTCT REQM ... (ic) ... (v)
- 7 HW17 PROV'N OF APP'VD ACCESS/TURNING/PARKING ... ref: 2974/10 revision D
- 8 HW21 PARKING FOR SINGLE DWELLING
- 9 HW26 PRECAUTIONS TO PREVENT MUD ON HIGHWAY
- 10 Notwithstanding the submitted drawings revised drawings showing wider chimney stacks should be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, once approved this revised chimney design shall be implemented and retained.

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 CD05R VISUAL AMENITY
- 5 CD13R VISUAL AMENITY
- 6 HW07R VEHICLE AND PEDESTRIAN SAFETY REQ'MENTS
- 7 HW17R ROAD SAFETY REQUIREMENTS
- 8 HW21R ROAD SAFETY REQUIREMENTS
- 9 HW26R ROAD SAFETY REQUIREMENTS
- 10 In the interests of visual amenity.

