

HARROGATE BOROUGH COUNCIL

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

DATE: 10 February 2004

PLAN: 06	CASE NUMBER: 03/05899/OUT
APPLICATION NO. 6.125.20.D.OUT	GRID REF: EAST 450125 NORTH 451155
	DATE MADE VALID: 26.11.2003
	TARGET DATE: 21.01.2004
	WARD: Marston Moor

APPLICANT: Mr P Robinson

AGENT: Sally Kirk Walker RIBA

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

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

REPORT

SITE AND PROPOSAL

The application site forms part of the domestic curtilage to the property known as Ivy Dene, Tockwith Road Long Marston. The site which is primarily rectangular in shape and some 0.125 hectares in area is bound by an agricultural field to the west with residential development on the three remaining sides. Properties abutting the site are all of two storey construction. The site to the immediate east of the plot is presently under construction following the granting of planning consent for two dwellings.

The application is submitted in outline form with all matters other than siting and access reserved for subsequent approval. Access to the site would be gained via the use of the existing driveway serving Ivy Dene. In order to achieve access it will be necessary to utilise part of the garden area belonging to the adjacent property known as Highfield. The access itself will require the removal of a timber outbuilding within the grounds of Ivy Dene.

Long Marston is itself located on land designated as green belt.

The proposal represents a revised scheme following the withdrawal of an earlier application submitted for residential development under planning reference 6.125.20.C.OUT.

MAIN ISSUES

1. Land Use
2. Residential Amenity
3. Highway Safety
4. Visual Impact

RELEVANT SITE HISTORY

6.125.20.PA - Re-siting garage and constructing a new vehicular access: PER 10.03.1976

6.125.20.A.PA - Extending to provide dining room and bedroom: PER 03.03.1978

6.125.20.B.PA - Extensions and alterations to Ivy Dene: PER 09.05.1980

6.125.20.C.OUT - Outline application for the erection of 2 no dwellings including siting and access: WITHDRAWN 21.07.2003.

CONSULTATIONS/NOTIFICATIONS

Parish Council

Long Marston

The Coal Authority

The site is not within the zone of likely physical influence on past or present underground mining

Highway Authority

No objection subject to the imposition of conditions.

Yorkshire Water

Recommend the imposition of conditions.

Marston Moor Internal Drainage Board

Recommend the imposition of conditions.

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 26.12.2003

PRESS NOTICE EXPIRY: 26.12.2003

REPRESENTATIONS

LONG MARSTON PARISH COUNCIL - The Parish Council do not object to the development but have the following comments to make:

1. Having studied this application in depth, Councillors have reservations about the vehicular access.
2. Whilst it is noted that outline permission is sought for 2 x 4 bedroom properties, members of the Council are concerned that the size of the properties should be in proportion to the size of the plots.

OTHER REPRESENTATIONS - 2 letters of representation received objecting to the development on the following grounds:

1. the development will have an adverse impact upon the character of the countryside and detract from the rural character of the village
2. the new houses will overlook our property
3. the development will have an overbearing impact
4. the new houses will have an overshadowing impact
5. additional noise and disturbance
6. the dwellings are disproportionate to the size of the plot
7. development would not be in keeping with the older established properties in the area.

VOLUNTARY NEIGHBOUR NOTIFICATION - No properties notified.

RELEVANT PLANNING POLICY

- PPG1 Planning Policy Guidance 1: General Policy and Principles
- PPG3 Housing
- PPG2 Planning Policy Guidance 2: Green Belts
- PPG7 The Countryside: Environmental Quality and Economic and Social Development
- PPG17 Planning Policy Guidance 17: Planning for open space, sport and recreation
- PPG13 Planning Policy Guidance 13: Transport
- SPE10 North Yorkshire County Structure Plan Policy E10
- LPH05 Harrogate District Local Plan Policy H5: Affordable Housing
- LPGB05 Harrogate District Local Plan Policy GB5: Development within settlements in Green Belt
- LPH13 Harrogate District Local Plan Policy H13: Housing Density, Layout and Design
- LPH17 Harrogate District Local Plan Policy H17: Housing Type
- 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
- LPHD20 Harrogate District Local Plan Policy HD20: Design of New Development and Redevelopment
- LPHX Harrogate District Local Plan Policy HX: Managed Housing Site Release

ASSESSMENT OF MAIN ISSUES

1. LAND USE - The application site is located within the development limit for the village as identified by Harrogate District Local Plan Inset Map No.31. The plot, as domestic garden represents a previously developed site under the provisions of PPG3 and HDLP Selective Alteration Policy HX. Although the site is located within green belt HDLP Policy GB5 is permissive towards new residential development within the development limit of the village. In broad land use policy terms the principle of development is acceptable.

The scheme provides two dwellings on a plot size of approximately 0.125 hectares in area. It is stated that the dwellings will both provide for 4 bedroom accommodation. The proposal achieves a density of 16 units per hectare, which is below the minimum guidance as identified by PPG3 and HDLP Selective Alteration Policy H13. This policy identifies that unless site circumstances indicate otherwise new housing should be constructed at not less than 30 dwellings per hectare. As both units are intended to be of 4 bedroom construction, it could also be argued that the scheme fails to provide a mix of house type as required under the provisions of HDLP Selective Alteration Policy H17.

Given the size of the site and under the provision of HDLP Policy H5 an element of affordable housing should be provided at the site. Negotiation would commence at 50 % provision. No such provision has been provided.

The Assistant Director of housing has commented that the Housing Needs Survey Update 2003 identifies an affordable housing need arising from 6 households per year, each year from 2003 -2008 in the sub-area of Marston Moor, which includes the parish of Long Marston. Within the village the provision should be in the form of subsidised rented accommodation managed by a housing association. The scheme therefore fails to provide any affordable provision to meet a local need and as such is contrary to both H5 and H17.

2. RESIDENTIAL AMENITY - The proposed access to the site would be gained via the existing but improved access drive serving Ivy Dene. The access is immediately adjacent to the gable elevation of Ivy Dene, but would also require the removal of the garage and front boundary treatment to the adjacent dwelling. The applicants have indicated that an existing window within Ivy Dene that overlooks the driveway will be blocked up. Whilst this is noted, Ivy Dene would still have an entrance and a number of both ground and first floor windows facing the drive. Concern is still expressed however that users of the driveway would by reason of increased activity and level of disturbance have a detrimental impact upon the residential amenity of the occupiers of that property. Such an impact would in the opinion of your officer be contrary to the provisions of HDLP Policy GB5 criterion C and HDLP Policy A1. Such an impact would be increased if minimum density requirements were applied to this site.

The application is submitted in outline form and as such there are no details of how the units will appear. The applicants have however provided a plan indicating the siting of the proposed units. South View, which is a two story dwelling and located approx 7 to 7.5 metres from the joint boundary of the site has three first floor windows facing the plot. Concern is expressed that the proposed unit sited on the western portion of the plot would be only 5m from this boundary. It is considered that this would prejudice residential amenity. Dwellings are currently being constructed on land to the immediate south of the site and whilst the plot closest to Ivy Dene would appear to have sufficient privacy distance, concern is again expressed regarding the impact upon the dwelling proposed on the western plot. The unit is sited approx 4.5m from the joint boundary and the plot to the rear is constructed approx 15 -13m from the boundary.

3. HIGHWAY SAFETY - Following the withdrawal of the earlier application at this site, the applicants have amended the access arrangements to provide improved visibility to the site. The removal of the hedge and brick pier will enable visibility criteria to be met and the drive to be widened. The Highway Authority would wish to see the short length of verge between Ivy Dene and Highfield hard surfaced as it will otherwise become very unsightly.

Subject to the imposition of conditions the highway authority have no objection to the development.

4. VISUAL IMPACT - The scheme is submitted in outline form with all matters other than means of access and siting reserved for subsequent approval. No details of the external design or appearance have been submitted as part of this proposal.

In terms of the form and character of the settlement, it considered that the proposal having

no street frontage would represent backland development at variance with the essentially linear character of Tockwith Road to the north west. It is however noted that the development would be seen against the development currently under construction at Well House. The site is located at the nucleus of the village where the linear nature of the settlement is much less in evidence. Development has taken place in depth on the opposite side of the road and farm buildings extend in depth at Hall Farm. Given the location of development situated on the opposite side of the Wetherby Road/Tockwith Road crossroads, it is considered that development would not have an adverse impact upon the character of the settlement.

CONCLUSION - Although the site is located within the development limit for the village as identified by HDLP Inset Map No.31 and that the broad lands use principle of development is permissive under HDLP Policy GB5, it is considered that the detrimental impact of the scheme upon the occupiers of adjacent residential property would be contrary to criterion C of Policy GB5 and HDLP Policy A1.

The development fails to provide a mix of house type and size and in the absence of any affordable provision would be contrary to HDLP Selective Alteration Policy H5 and H17.

Whilst it is recognised that the scheme would be constructed at low density and significantly lower than the minimum density requirements recognised by PPG3 and HDLP SA Policy H13 any increase in units would further exacerbate the residential amenity issue for residents living in the frontage building overlooking the entrance drive.

In the absence of any material considerations to set aside the provisions of the development plan refusal of the application is recommended.

CASE OFFICER: Mr A Hough

RECOMMENDATION

That the application be 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 proposal fails to provide any affordable housing for local needs and is therefore contrary to the Harrogate District Local Plan (Selective Alteration) Policy H5.
- 3 The proposed house type and sizes are unsatisfactory as they fail to provide a low cost units to meet local needs, contrary to the Harrogate District Local Plan (Selective Alteration) Policy H17.

