

HARROGATE BOROUGH COUNCIL

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

DATE: 10 February 2004

PLAN: 07	CASE NUMBER: 03/06102/FUL
	GRID REF: EAST 450973 NORTH 456912
APPLICATION NO. 6.115.113.C.FUL	DATE MADE VALID: 08.12.2003
	TARGET DATE: 02.02.2004
	WARD: Ouseburn

APPLICANT: Peacock Family

AGENT: Laverack Associates

PROPOSAL: Erection of 1no block of 3no terraced dwellings, 1no detached block forming 3no garages with storage space above, and formation of new vehicular and pedestrian accesses (site area 0.097ha), Revised scheme.

LOCATION: Laburnum Farm Moor Monkton York North Yorkshire YO26 8JA

REPORT

SITE AND PROPOSAL

Laburnum Farm is located on the southern side of the main street within the village of Moor Monkton. Laburnum Farm consists of a farmhouse and a range of substantial former agricultural buildings to the rear of the dwelling with a cart shed/garage located to the east and adjacent to the joint boundary with the property known as Laburnam Bungalow. Members will recall that planning consent was recently approved for the demolition and replacement of the farmhouse together with the conversion of the agricultural buildings to the rear of the site under application reference number 6.115.113.FUL. Laburnum Bungalow is a dormer bungalow with detached garage situated to the immediate east of the site. Open fields are located to the rear.

The applicants propose to construct a small terrace of three properties on the garden area of Laburnum Farm (to the east of the dwelling) consisting of two affordable units and an open market dwelling. The accommodation would consist of two 2 bedroom units and one 4 bedroom unit. A new access drive would be constructed to serve a garage block to the rear of the site.

MAIN ISSUES

1. Land Use
2. Visual Impact
3. Residential Amenity
4. Highway Safety
5. Open Space Provision

RELEVANT SITE HISTORY

6.115.113.PA - Demolition and rebuilding of existing farmhouse with conversion of existing barn to form 1 dwelling including new package treatment plant. (Site Area 0.15 hectares):
PER 2.7.2003

6.115.113.A.FUL - Erection of 2 No. detached dwellings and formation of new vehicular access: WITHDRAWN 15.08.2003

6.115.113.B.FUL - Erection of 2 No. detached dwellings and formation of new vehicular and pedestrian accesses, (Site Area 0.097ha) Revised Scheme: REFUSED 09.12.2003

This application was refused planning consent for the following reason:

1. The proposed development fails to provide a satisfactory element of affordable housing for local needs and is therefore contrary to the Harrogate District Local Plan (Selective Alteration) Policy H5.

CONSULTATIONS/NOTIFICATIONS

Parish Council

Moor Monkton

The Coal Authority

The property is not within the zone of likely physical influence of any proposed or past underground coal workings

Highway Authority

No objection subject to the imposition of conditions.

Conservation and Design Section

See Assessment

Yorkshire Water

No objection subject to the imposition of a condition

DLAS - Open Space

Confirm a commuted sum of £947.00 generated for leisure area and youth and adult facilities and allocated to Moor Monkton Verges and Long Marston Recreation Area

Housing Development

Confirm a requirement to provide 2 affordable units.

Environmental Health

No objection

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 09.01.2004

PRESS NOTICE EXPIRY: 16.01.2004

REPRESENTATIONS

MOOR MONKTON PARISH COUNCIL - Object to the development on the following grounds:

The Parish Council object very strongly to these plans on the following grounds:

1. The proposed houses are not in character with existing village houses. They resemble modern 'town houses'. They would be the only terrace houses in the village. They are cramped together and the 'bay' window is forward of what appears to be the building line. (We objected to a similar 'bay' window on the farmhouse re-build).
2. The Parish Council also believe that this will be over development of this small piece of land and because they are using the ploy of affordable housing this could create a precedent for future development.
3. The driveway will be the access road to three garages, a large house and the existing farm land behind.
4. This village is hardly suitable for affordable housing as we have no amenities what so ever, it is 1.5 miles to the nearest bus stop, and three miles to the nearest shop.
5. We believe that there is listed building (Church Farm) two properties to the east of the proposed buildings

When the Parish Councillors visited the site, for the original plans, we were told that a bungalow was required for the elderly lady who lives in the old farmhouse at present and we would not have objections to that. It now appears that the elderly lady, who was the wife of the original owner and has lived there for most of her life has been ignored in pursuit of monetary gains by her family who seem determined to build as many houses on this site as possible.

Yorkshire Water have just completed upgrading the sewerage system in the village and stated that the system could only sustain two more properties in the area. Here we are talking of an extra four.

We held an 'open' meeting for local residents before the parish council meeting and during the consultations with parishioners only one resident was in favour of the plans.

The Parish Council would not object to one property being built on this site.

OTHER REPRESENTATIONS 3 letters of objection received on the following grounds:

1. Over development of the site.
2. A terrace of properties would not be in keeping with the village
3. The development would adversely effect the plans already passed
4. The new sewerage system could not cope with four new properties.

5. The development would have an adverse impact upon an adjacent conifer hedge.
6. The design of the units are not in keeping with the vernacular architectural style.
7. The orientation to the main street will most probably mean that refuse storage would be to the front of the properties.
8. The construction of the garages should be done so in a manner so as not to adversely affect the land drain or our garden with drainage problems.
9. Moor Monkton has no local amenities or public transport to satisfy affordable housing.
10. No where for children to play other than on the road.

VOLUNTARY NEIGHBOUR NOTIFICATION

Yes 1 property notified- Laburnum Bungalow

RELEVANT PLANNING POLICY

- PPG1 Planning Policy Guidance 1: General Policy and Principles
- PPG3 Housing
- PPG7 The Countryside: Environmental Quality and Economic and Social Development
- 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
- LPHD20 Harrogate District Local Plan Policy HD20: Design of New Development and Redevelopment
- LPH05 Harrogate District Local Plan Policy H5: Affordable Housing
- LPHX Harrogate District Local Plan Policy HX: Managed Housing Site Release
- 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
- PPG17 Planning Policy Guidance 17: Planning for open space, sport and recreation
- SPGRES Supplementary Planning Guidance: Residential Design Guide

ASSESSMENT OF MAIN ISSUES

1. LAND USE - The application site is centrally located within the existing built up confines of the settlement. Harrogate District Local Plan (HDLP) Policy H6 identifies Moor Monkton as a category 'B' settlement wherein new residential development will be permitted within the built up confines of the village provided that the development would represent either small scale rounding off or as infill. Clearly in this instance the site represents a small gap in an otherwise built up frontage and as such can be considered to represent infill.

Harrogate District Local Plan Selective Alteration First Stage Deposit Draft Policy HX is permissive towards new residential development on previously developed sites providing less than 10 units and smaller than 0.3 hectares in area. The site forms part of the domestic curtilage to Laburnum Farm and as such can be considered as a previously developed site.

Affordable Housing -

Harrogate District Local Plan Selective Alteration Policy H5 advises that 'the site area under consideration is the gross developable area and where this is deliberately sub-divided for release or otherwise reduced in area below the threshold size, the policy will apply to such a site on the basis of the composite or naturally defined larger area available'. In light of the application for the replacement of the Laburnum farmhouse and conversion of the barn approved in July 2003 (Ref No. 6.115.113.FUL), it is considered that current proposals represent deliberate site sub-division.

Proposals in respect of the composite site are for 5 dwellings gross. The site therefore exceeds the threshold of 3 dwellings gross at which affordable housing negotiations are required, subject to evidence of housing need. The Housing Needs Survey Update 2003 identifies an affordable housing need for 15 affordable dwellings per year for the next 5 years in the sub-area of Hammerton, which includes Moor Monkton.

The Council's negotiating target under Policy H5 is 50% in respect of 5 dwellings gross on this site (a target endorsed in Para 4.19 of the Inspector's Report into the Selective Alteration Inquiry). The applicant has indicated that 2 of the 3 dwellings proposed on this part of the site will be made available as affordable housing. Under Policy H5, the provision of 2 affordable dwellings out of a total of 5 dwellings is therefore considered acceptable.

2. VISUAL IMPACT - Harrogate District Local Plan Policies H6 and HD20 identify that new development should be appropriate to the locality by reason of its scale, density, layout and design. HD20 specifically stating that all new development should make a positive contribution to the spatial quality of the area respecting the local distinctiveness of existing buildings. Moor Monkton is itself characterised by a mix of both house sizes and types. The proposed development would introduce a terrace of three units, which in terms of its size and massing would not be out of keeping with the older traditional properties within the village. Although the village is not located within a conservation area the views of the 'in house' conservation and design team were sought regarding this revised scheme. It is considered that the form and design of the proposed units are considered acceptable.

The comments of the Parish council and local residents have been noted regarding the design of the terrace but a reason for refusal could not be substantiated on this issue. In terms of the street scene, your officer does not view the proposal as over development. The provision of affordable unit has resulted in small units, but as stated above the massing of the overall block is considered acceptable. The proximity of the block to adjacent property is not uncommon within a village context. The overall density of the development is constructed at 30.92 units to the hectare. The density of the development accords with advice contained within both Harrogate District Local Plan Selective Alteration Policy H13 and PPG3 which identify that to ensure the efficient use of a site, development should not be less than 30 units per hectare.

3. RESIDENTIAL AMENITY - The scheme would clearly alter the outlook from immediate neighbouring property, particularly Laburnum Bungalow which has a conservatory facing the site. It is however considered that because of the degree of separation between the application site and despite that the third unit would be constructed close to the joint boundary, the development would not have a detrimental impact in terms of either overlooking or overbearing. A condition could be imposed to secure that no windows are inserted within the eastern gable elevation to protect the amenity of the occupiers of

Laburnum Bungalow.

4. HIGHWAY SAFETY - The proposed development would be served via a new access drive that would also serve that part of the site that is presently occupied by the farmhouse and barn. In July 2003, the County Council amended its policy in respect of the number of units that may be served by a private drive (increased to 5). The Highway Authority has been consulted regarding the scheme and has no objection to the development subject to the imposition of conditions.

5. OPEN SPACE PROVISION - Harrogate District Local Plan Policy R4 is applicable in this instance and the development has generated a commuted sum of £947.00. The sum has been generated for Leisure Area and Youth and Adult facilities and is allocated to Moor Monkton Verges and Long Marston Recreation Area. The applicants have confirmed by the completion of a unilateral undertaking that they will comply with this policy.

CONCLUSION - The broad land use principle of this development is acceptable under the provisions of Harrogate District Local Plan Policy H6 and Harrogate District Local Plan Selective Alteration Policy HX. The scheme itself represents the efficient use of a previously developed site as advocated by PPG3 and Harrogate District Local Plan Selective Alteration Policy H13. Furthermore the development provides for a mix of house size and type, which meets an identified local need as advocated by Harrogate District Local Plan Selective Alteration Policy H17. The provision of two affordable housing units complies with Selective Alteration Policy H5 based on the gross development of what has become a sub-divided site.

The comments of both the Parish council and local residents have been taken into account regarding the design and density of the development but it is your officer's opinion that the scheme is in compliance with the development plan in this respect. Conditions can be imposed to ensure that no further windows can be inserted within the eastern gable of the site to ensure that the amenity of the occupiers of Laburnum Bungalow is maintained.

Comment has been made regarding the adequacy of the sewerage system to cope with the additional units and the advice of Yorkshire Water has been sought in this respect. Subject to the imposition of conditions there are no objections to the proposed development.

In conclusion it is considered that the scheme accords with the provisions of the development plan and in the absence of any material considerations to set aside the development plan approval of the application is recommended subject to a S106 Legal Agreement to secure the provision of affordable housing.

CASE OFFICER: Mr A Hough

RECOMMENDATION

That the application be DEFERRED for the following reason(s):-

0 For consideration of whether a Section 106 Agreement is appropriate and, if so, to

ascertain whether the applicant is prepared to be party to such an agreement and the matter to be brought back to the next meeting.

PROPOSED CONDITIONS:

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 5yrs
- 2 CC02 DEVELOPMENT IN ACCORDANCE WITH DRAWINGS
- 3 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 4 Prior to the commencement of any other part of the development hereby permitted, the access(es) to the site shall be laid out and constructed in accordance with the following requirements:-

(ia) the access shall be formed with 4 metre radius kerbs, to give a minimum carriageway width of 4.1 metres, and that part of the access road extending 6 metres into the site shall be constructed in accordance with Standard Detail number E7e and the Specification of the Local Highway Authority;

NOTE:

You are advised that a separate licence will be required from the Local Highway Authority in order to allow any works in the adopted highway to be carried out. The local office of the Local Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

- 5 HW08 ACCESS FROM SPECIFIED ROAD ONLY ... E7e
- 6 HW17 PROV'N OF APP'VD ACCESS/TURNING/PARKING ... No.30
- 7 HW20 PARKING FOR DWELLINGS (MORE THAN ONE)
- 8 HW26 PRECAUTIONS TO PREVENT MUD ON HIGHWAY
- 9 CD14 NO WINDOWS IN DEVELOPMENT ... eastern ... development
- 10 CI02Y PD REST,NO EXTNS,GRGS&ROOF/DORMER WINDS
- 11 CB11 SEPARATE SYSTEM FOUL AND SURFACE WATER
- 12 CB26 MEANS OF FOUL AND SW DRAINAGE TO BE APP
- 13 CB26X NO SW/FOUL DISCHG UNTIL APP WRK COMPLETE
- 14 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the local planning authority before development commences.

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC02R COMPLIANCE WITH DRAWINGS
- 3 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS
- 4 HW07R VEHICLE AND PEDESTRIAN SAFETY REQ'MENTS
- 5 HW08R ROAD SAFETY REQUIREMENTS
- 6 HW17R ROAD SAFETY REQUIREMENTS
- 7 HW20R ROAD SAFETY REQUIREMENTS
- 8 HW26R ROAD SAFETY REQUIREMENTS
- 9 CD14R PRIVACY AND RESIDENTIAL AMENITY
- 10 CI02YR PROTECT VISUAL AMENITY
- 11 CB11R TO PREVENT POLLUTION OF WATER ENVIRONMNT
- 12 CB26R TO ENSURE DEV CAN BE PROPERLY DRAINED
- 13 CB26XR TO ENSURE PROPER PROVISION IS MADE

- 14 To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading.

