

HARROGATE BOROUGH COUNCIL

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

DATE: 10 February 2004

PLAN: 10	CASE NUMBER: 03/04024/FUL
APPLICATION NO. 6.103.123.D.FUL	GRID REF: EAST 445930 NORTH 456957
	DATE MADE VALID: 22.08.2003
	TARGET DATE: 17.10.2003
	WARD: Ouseburn

APPLICANT: M Caidan And James Leather

AGENT: Brierley Groom And Associates

PROPOSAL: Erection of 2 no detached dwellings with associated garaging, formation of new vehicular access and demolition of existing farm buildings (site area 0.11ha). (revised scheme)

LOCATION: Village Green Farm The Green Green Hammerton York North Yorkshire YO26 8BQ

REPORT

SITE AND PROPOSAL

The application site relates to a group of brick built agricultural buildings that are situated at Back Lane Green Hammerton. The site is dominated by a two storey brick barn located on the road frontage with a range of smaller barns and outbuildings forming a courtyard to the side and rear. The site is located within Green Hammerton conservation area.

Adjacent land uses are residential. An existing garage block abutting the southern boundary of the plot has an extant consent under planning reference 6.103.50.H.RENEW for the conversion and extension to create a dwelling for a disabled person and carer.

The dwelling known as Normandy to the north of the site has two ground floor windows facing the site. The rear gardens of dwellings situated on The Green abut the western boundary.

The applicants propose to demolish the existing range of agricultural buildings on the site and construct two detached dwellings with associated garaging. Both units would provide 4 bedroom accommodation with additional accommodation within the roofspace. The applicants have reduced the site area to 0.97 hectares in area

Members will recall an earlier application for two residential units having been refused consent under 6.103.123.B.FUL on a slightly larger site area. This scheme is currently pending appeal.

MAIN ISSUES

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

RELEVANT SITE HISTORY

6.103.123.FUL - Demolition of agricultural buildings and erection of 2 no. pairs of semi detached houses comprising 4 no. dwellings with new vehicle access: WITHDRAWN 11.07.2002

6.103.123.A.CON - Conservation Area consent for the demolition of the agricultural buildings: WITHDRAWN 11.07.2002

6.103.123.B.FUL Erection of two detached dwellings: REFUSED 24.04.2003 APPEAL PENDING CONSIDERATION

6.103.123.C.CON - Conservation Area application for the demolition of existing farm buildings: REFUSED 24.04.2003 APPEAL PENDING CONSIDERATION

6.103.123.E.CON - Companion conservation area application pending consideration.

CONSULTATIONS/NOTIFICATIONS

Parish Council

Green Hammerton

Conservation and Design Section

See Assessment

DLAS - Open Space/Commuted Sum

Confirm a commuted sum of £3979 generated for all facilities and allocated to Green Hammerton Playing Field

English Heritage

Consider the retention of the barns within the context of a conversion should be possible. Demolition would result in loss of character to Back Lane. The tests to PPG15 have not been met.

Highway Authority

Recommend refusal -inadequate visibility

Housing Development

No comments received

Yorkshire Water

Recommend the imposition of conditions

H.B.C Land Drainage

No Comments

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 26.09.2003
PRESS NOTICE EXPIRY: 26.09.2003

REPRESENTATIONS

GREEN HAMMERTON PARISH COUNCIL - Object to the development on the following grounds:

1. Size of each house appears large in comparison to the neighbouring properties
2. Overall mass of building and garages in relationship to adjoining properties
3. The Council would prefer to see courtyard style development
4. Design should be more in keeping with conservation area

OTHER REPRESENTATIONS - 3 letters received on the following grounds:

1. The design of the dwellings will dominate Back Lane and erode the character of the conservation area
2. Barns should be retained and converted
3. The dwellings are too large for the site
4. Loss of daylight to adjacent property

VOLUNTARY NEIGHBOUR NOTIFICATION - No properties notified.

RELEVANT PLANNING POLICY

- PPG1 Planning Policy Guidance 1: General Policy and Principles
- PPG3 Housing
- PPG13 Planning Policy Guidance 13: Transport
- PPG15 Planning Policy Guidance 15: Planning and the Historic Environment
- PPG17 Planning Policy Guidance 17: Planning for open space, sport and recreation
- SPH4 North Yorkshire County Structure Plan Policy H4
- SPE4 North Yorkshire County Structure Plan Policy E4
- LPH06 Harrogate District Local Plan Policy H6: Housing developments in the main settlements and villages
- 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
- LPHD20 Harrogate District Local Plan Policy HD20: Design of New Development and Redevelopment
- LPHD03 Harrogate District Local Plan Policy HD3: Control of development in Conservation Areas
- 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

SPGRES
Design Guide

Supplementary Planning Guidance: Residential

ASSESSMENT OF MAIN ISSUES

1. LAND USE - The application site is located within the 'development limit' for Green Hammerton as identified by Harrogate District Local Plan Inset map no. 22. Harrogate District Local Plan Policy H6 is permissive to the broad land use principle of residential development subject to meeting criteria discussed in more detail in the following paragraphs.

The Selective Alteration to the Local Plan under the provisions of Policy HX identifies that new residential development will be permitted on previously developed sites and sites occupied by agricultural buildings of less than 0.3 hectares in site area and providing less than 10 units net. The application site falls within this threshold.

Selective Alteration Policy H5 identifies that on sites providing 3 or more dwellings or sites of 0.1 of a hectare or more irrespective of the number of units will be subject to the provision of an element of affordable housing. The Assistant Director of Housing has identified that there is a need for affordable provision within the Hammerton area (The District Wide Needs Survey 2000 identifies a need from 106 households).

The scheme has been revised following the earlier refused application and the site area has been reduced. The developable area of the site has been restricted to less than 0.1 hectare. On this basis Policy H5 would not be applicable.

It is noted however that as the applicant proposes two substantial properties on the plot, the development fails to meet the minimum density requirement of 30 dwellings per hectare as identified within Selective Alteration Policy H13 and as advocated by PPG3. The site achieves a density of approx 20 dwellings per hectare. Such density requirements were introduced to make more efficient use of land in order to protect greenfield sites and encourage more sustainable development. Given that the principle of residential development on this plot is acceptable, it is considered that any increase in density would likely to result in smaller units and hence possibly a more appropriate mix of development as required under HDLP SA Policy H17.

The site is located within Green Hammerton Conservation Area and any such scheme should seek to preserve or enhance the character of the locality (HDLP Policy HD3). It is recognised that desirability of preserving or enhancing the character of the conservation area is a material consideration that could potentially outweigh the desirability of maximising site density.

2. HIGHWAY SAFETY - The Highway Authority are concerned regarding visibility at the site and it is noted that the sight line for plot 1 crosses over land not within the applicants control (across the property known as Normandy). As a consequence the Highway Authority recommend refusal of the scheme. It should however be noted that there would be some trade off between the existing agricultural use of the site and proposed residential use. It is noted that the existing agricultural access is substandard in terms of visibility.

It is stated however that should the applicants be able to demonstrate that they have an agreement with the owners of Normandy that there will be no obstruction to visibility greater

than 1m in height the highway authority would withdraw their objection (such an approach would in the opinion of your officer require a S106 legal agreement and the agreement of the occupiers of Normandy). As an alternative the Highway Authority suggest the provision of a 2.0m wide footway along the site frontage and resiting the units to achieve better visibility. The latter solution would in the opinion of your officer have a detrimental impact upon both the character of Back Lane and the conservation area.

3. RESIDENTIAL AMENITY - It is considered that there is an adequate privacy distance between the application site and dwellings situated on The Green so as not to create problems of overlooking.

In relationship to the property to the south, regard has to be taken in relation to the extant consent to extend the adjacent garage units into residential accommodation. In this respect it is noted that it is proposed to construct an entrance door and bathroom window within the elevation facing the site. The unit would be constructed within approx 500mm to 1200mm of the joint boundary. The proposed dwelling would be sited approx 1m from the joint boundary. It is considered that the proposed unit would have potentially an overbearing impact upon the occupiers of that property. It is however recognised that given the restricted space between the extant unit and the application site and that a 1.8 high wall will be constructed to the boundary that this would mitigate to some extent the impact of the proposal.

Plot 1 has a first floor bedroom window facing the property known as Normandy (this property has two ground floor windows facing the site). Your officer is however of the opinion that as existing users of the track adjacent to Normandy can overlook the property at present there is no demonstrable harm in this instance.

4. VISUAL IMPACT - The site is located within Green Hammerton conservation area, where the prime objective is to ensure that development seeks to preserve or enhance the character of the locality. The character of Back Lane on the western side of the road is characterised by converted former agricultural buildings or dwellings constructed tight to the road frontage. The existing agricultural buildings on the site are not untypical of the general grain of development.

It is recognised that Normandy is set back from the road frontage but this is not typical of the overall character.

The applicants have proposed two large units facing the lane of similar size to those refused consent under 6.103.123.B.FUL. The applicants have provided a street scene elevation indicating the adjacent properties, however concern is still expressed regarding the domineering impact of the units.

In consideration of the earlier application it was considered that the existing barns, particularly the frontage barn helped contribute towards the character of the conservation area. The applicants have however provided a structural report that concludes the buildings are generally in a poor dilapidated state. Members attention is however drawn to the conclusions of English Heritage who offer a different conclusion stating that with the exception of the covered courtyard, the brick buildings are in a reasonable condition and that the barn on the frontage could be retained in any residential conversion scheme.

English Heritage comment further that they consider the proposed units remain overly large and 'executive' in form and design and consequentially inappropriate for this secondary location.

Clearly there is conflicting evidence regarding the structural condition of the barns. Your officer has no doubt that the barn structure does help contribute towards the character of the conservation area. PPG15 advises that there should be a general presumption in favour of retaining buildings which make a positive contribution and in less clear cut cases consent should not be given unless there are acceptable redevelopment schemes. In this instance your officer still has concern regarding the redevelopment scheme and as such could not agree to the demolition of the barns.

5. OPEN SPACE PROVISION - Harrogate District Local Plan Policy R4 is applicable in this instance and a commuted sum of £3979.00 has been generated for all facilities and allocated to Green Hammerton Playing Field. The applicants have been informed of this requirement but have not completed a Unilateral Undertaking to confirm compliance with the policy. In the absence of any such agreement there is a policy objection to the proposal.

CONCLUSION - The proposed development fails to comply with the provisions of PPG3. The scheme is considered to represent a low density development lacking in a mix of house type and size contributing to a local need. The development fails in this respect to meet HDLP SA Policies H13 and H17.

PPG3 specifically identifies that development at less than 20 to 25 dwelling per hectare should be avoided. The guidance also states that where there is a demonstrable lack of affordable housing to meet local need, planning authorities should seek to include through local plan policies provision for such accommodation on suitable sites.

By reducing the site area the development falls below the threshold requiring affordable housing provision under HDLP SA Policy H5. The density of development is below that identified by HDLP SA H13, although at the very minimum of 20 dwellings per hectare that PPG3 specifically states should be avoided. Clearly any increase in density of the site for example by adding an additional unit would then fall within the threshold of Policy H5 at which affordable units would be required.

The Assistant Director of Housing has identified that there is a need for affordable housing in the Green Hammerton locality.

The proposed development of the two large houses would in the opinion of your officers dominate adjacent property in a manner contrary to HDLP Policy HD20 and HD3. Furthermore in the absence of an acceptable redevelopment scheme it is considered that the proposal would have an adverse impact upon the character of the conservation area through the loss of the agricultural buildings.

In the absence of a satisfactory visibility sight lines the development would be contrary to HDLP Policy A1.

In the absence of a completed Unilateral Undertaking the development is contrary to HDLP Policy R4.

Having taken into account all material considerations , it is considered that the proposed development is contrary to the provision of the development plan and refusal of the application is recommended.

CASE OFFICER:

Mr A Hough

RECOMMENDATION

That the application be REFUSED. Reason(s) for refusal:-

- 1 The density of the proposed housing development is too low, resulting in the inefficient use of land and is contrary to the recommended standards contained in PPG3 and the Harrogate District Local Plan (Selective Alteration) Policy H13.
- 2 The proposed house types and sizes are unsatisfactory as they fail to provide low cost units to meet local needs, contrary to the Harrogate District Local Plan (Selective Alteration) Policy H17.
- 3 It is considered that the proposed dwellings would by reason of their design size and siting have a detrimental impact upon the visual character of the street scene which lies within a conservation area as the development will dominate adjacent property in a manner contrary to the provisions of Harrogate District Local Plan Policies H6, HD3 and HD20.
- 4 The proposed development would have a detrimental impact upon the recreational provision of the locality as the scheme fails to provide adequate off site provision for the open space needs of future residents of the development contrary to the provisions of Harrogate District Local Plan Policy R4.
- 5 In the absence of an acceptable redevelopment scheme the loss of the existing agricultural buildings would have a detrimental impact upon the character of the street scene which lies within Green Hammerton conservation area. The loss of these structures would as a consequence be contrary to the provisions of Harrogate District Local Plan Policy HD3 and North Yorkshire County Structure Plan Policy E4.
- 6 The Local Planning Authority considers that clear visibility of 33 metres cannot be achieved along the public highway in a north easterly direction from a point 2.0metres from the carriageway edge measured down the centre line of the minor/access road and consequently traffic generated by the proposed development would be likely to create conditions prejudicial to highway safety and therefore contrary to Harrogate District Local Plan Policy A1.

