

HARROGATE BOROUGH COUNCIL

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

DATE: 9 March 2004

PLAN: 03	CASE NUMBER: 03/05472/FULMAJ
APPLICATION NO. 6.64.369.Z.FULMAJ	GRID REF: EAST 439320 NORTH 466440
	DATE MADE VALID: 10.12.2003
	TARGET DATE: 10.03.2004
	WARD: Boroughbridge

APPLICANT: McCarthy & Stone (Devs) Ltd

AGENT: The Planning Bureau Ltd

PROPOSAL: Erection of 15 no flats, 26 no Category II sheltered flats, and conversion of existing hotel buildings to form 7 Category II sheltered flats, managers accommodation and separate office block (use class B1)(site area 1.04ha).

LOCATION: Rose Manor Hotel Horsefair Boroughbridge York North Yorkshire YO51 9LL

REPORT

SITE AND PROPOSAL

The Rose Manor Hotel is located on the western side of Horsefair, Boroughbridge. The hotel complex is situated on an elevated site of some 1.04 hectares in area and is located within Boroughbridge conservation area.

Access to the site is gained via Horsefair with an access that is shared by two residential properties located to the north east of the main hotel building. A second access is located on Roecliffe Lane that is presently used as a service and employee entrance. Numerous trees within and adjacent to the site are covered by a Tree Preservation Order No49/1994. Residential development abuts the site on three sides with open fields located to the west.

The hotel currently has 20 guest rooms and has the benefit of an extant planning consent for a 36 bedroom extension. The extension would be located within the landscaped garden that is situated on the southern side of the hotel abutting the rear garden area of properties situated on Mallard Walk. The hotel consists of two main blocks that are connected by a two-storey link building.

The applicants propose the erection of 15 new build affordable flats , to be constructed on the south western corner of the existing landscaped garden. It is also proposed to construct 26 no. Category 2 sheltered flats. These flats would be constructed in two separate blocks , consisting of 15 units in a new block sited adjacent to the affordable units on the southern landscaped garden area and a block consisting of 11 units to the north of the main hotel building.

The applicants also intend to convert the existing principle hotel building to form 7 Category II sheltered flats and managers accommodation. The existing link structure would be demolished and the remaining hotel buildings converted to form office accommodation.

MAIN ISSUES

1. Land Use
2. Visual Impact/Conservation Area
3. Residential Amenity
4. Treescape
5. Highway Safety
6. Open Space Provision

RELEVANT SITE HISTORY

6.64.369.OA - Conversion of hotel to residential dwellings: APPROVED 11.12.1990

6.64.369.A.FUL - Conversion to office accommodation: APPROVED 08.01.1991

6.64.369.M.PA - Construction of 16 no. bedroom wing to hotel: APPROVED 22.03.1993

6.64.369.S.FUL - Erection of 48 no. Bedroom extension with associated car parking:
REFUSED 15.07.1996

6.64.369.T.FUL - Erection of 36 bedroom extension with associated car parking:
APPROVED 02.12.1997

6.64.369.U.FUL - Conversion of hotel to form 11 No Category 2 sheltered flats for the elderly, managers accommodation and separate office block (Use Class B1) and erection of 40 No. Category 2 sheltered flats, landscaping and car parking: REFUSED 26.03.2002.

6.64.369.V.CON - Conservation Area Application for demolition of outbuilding and link structure: REFUSED 19.04.2002

6.64.369.X.FUL - Conversion and extension to form 9 No. affordable units, 9 No Category 2 sheltered flats, managers accommodation , separate office block (Use Class B1), erection of 36 No Category 2 sheltered flats, landscaping and parking: REFUSED 07.05.2003: APPEAL LODGED AND PENDING

6.64.369.Y.CON - Conservation area application for demolition of outbuilding and link structure: REFUSED: APPEAL LODGED AND PENDING

6.64.369.AA.CON - Conservation Area Application for the demolition of 2No. 2 storey sections of existing hotel buildings, 2 no walls and 1 no detached outbuilding: PENDING CONSIDERATION

6.64.369.AB. FUL - Erection of 4 No detached dwellings and conversion of existing hotel buildings to form 5 no. flats and separate office accommodation (Use Class B1) (Site area1.05 hectares): PENDING CONSIDERATION

CONSULTATIONS/NOTIFICATIONS

Parish Council
Boroughbridge

Environment Agency

Objects to the development in its current form. The site may be affected by a 1:100 year flood event and should be supported by a Flood Risk Assessment

Conservation and Design Section

See Assessment

DLAS - Open Space

Confirm a commuted sum of £9376 generated for all facilities and allocated to B/Bridge rec ground_Tutt Woodlane/Druids Meadow and B/Bridge Sports Association/Aldbrough Gate

H.B.C Land Drainage

Please consult Yorkshire Water and the Environment Agency with regard to surface water disposal

Economic Development Officer

Cannot support the proposal - loss of hotel and impact upon tourism

County Education Officer

No comments received

English Heritage

Object to the development. The large extensions and footprint blocks reduce the dominance of the hotel on this site.

Environmental Health

Phase 1 ground contamination survey would be required

Highway Authority

The Highway Authority is concerned regarding the parking provision for the affordable units but on the basis that they could be shared with the office accommodation - no objection subject to conditions.

Housing Development

HDLP Policy H5 is applicable. Affordable housing at 31% in the absence of any financial justification fails to meet the %0% target provision

Private Sector Housing

All kitchen doors need to be fire doors

Yorkshire Water

No objection subject to the imposition of conditions

Claro Internal Drainage Board

CIDB consent will be required if surface water drainage is to connect to River Weaver. All surface water drainage from parking areas should be passed through an oil interceptor

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 09.01.2004
PRESS NOTICE EXPIRY: 23.01.2004

REPRESENTATIONS

BOROUGHBRIDGE TOWN COUNCIL - Object to the development on the following grounds:

- * The Town Council would not like to see the loss of the hotel in the town . If this hotel was lost then there would only be one viable hotel.
- * Control of development in conservation areas
- * Development affecting Archaeological Sites - building close to the site of ancient monuments, the Devil's Arrows.
- * Conservation Area Statement - Openness of the south west side contributes to the appearance and approach to the conservation area of Boroughbridge
- * Development too large in relation to the existing hotel and too high density

OTHER REPRESENTATIONS - 6 letters of objection received on the following grounds:

1. Development is over intensive and too large in relation to the existing hotel and nearby residential property
2. The scheme would have a detrimental visual impact upon the amenity and character of the conservation area.
3. Un-neighbourly and overlooking/overbearing dominant impact upon adjacent residential property
4. increased vehicular traffic and congestion resulting in increased noise and disturbance.
5. Adverse impact upon existing local services eg dentists/doctors
6. Adverse impact upon adjacent archaeological site (Devils Arrows).
7. Loss of amenity open space
8. Boroughbridge does not have an unemployment problem, workers to the relocated office will more than likely commute.
9. Density of the development is too great.

In addition Harrogate Civic Society have also commented stating that they welcome the provision of 15 affordable units but consider that the design of the new blocks are dreadful when set against Rose Manor Hotel.

VOLUNTARY NEIGHBOUR NOTIFICATION -

It would appear that some residents have been informed of the application.

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

- PPG15 Planning Policy Guidance 15: Planning and the Historic Environment
- PPG17 Planning Policy Guidance 17: Planning for open space, sport and recreation
- PPG25 Planning Policy Guidance 25: Development and flood risk
- 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
- LPHD03 Harrogate District Local Plan Policy HD3: Control of development in Conservation Areas
- LPHD20 Harrogate District Local Plan Policy HD20: Design of New Development and Redevelopment
- 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
- LPA05 Harrogate District Local Plan Policy A5: Flood Risk Areas
- LPR04 Harrogate District Local Plan Policy R4: Open Space Requirements for New Residential Development
- PPG4 Industrial and Commercial Development and Small Firms
- SPI6 North Yorkshire County Structure Plan Policy I6
- LPE07 Harrogate District Local Plan Policy E7: New Industrial and Business development in the main settlements and villages
- PPG6 Town Centres and Retail Developments

ASSESSMENT OF MAIN ISSUES

1. LAND USE - The site is located within the development limit of the Town as identified by Harrogate District Local Plan Policy H6. Within the development limit for the town, Harrogate District Local Plan Policy H6 is permissive in broad land use terms to new residential development subject to meeting criteria discussed in more detail below.

Harrogate District Local Plan (Selective Alteration) Policy HX is permissive towards new residential development on previously developed sites of less than 0.3 hectares in site area and providing less than 10 units net. Sites above this threshold will need to demonstrate substantial planning benefits to be permitted. Clearly in this instance, in view of the size and number of units proposed, there is a need to demonstrate planning benefit over and above normal policy requirements. Such an approach is required to provide a more sequential approach to site release and minimise the level of overprovision of housing in the District and locality in general.

In this instance the applicants state that planning benefit will accrue from the mixed use development comprising a mix of both affordable and sheltered accommodation to meet specific identified housing needs within the Borough and through the provision of significant new employment.

It is further stated that the number of sheltered apartments have been reduced to a critical level in terms of sustainability of a successful Category II development whilst the remainder of the site provides the maximum amount of affordable housing that can be satisfactory accommodated.

Harrogate District Local Plan Selective Alteration Policy H5 identifies that there is a requirement to provide an element of affordable housing on the site as the proposal exceeds the threshold of the policy (3 or more dwellings or sites greater than 0.1 of a hectare or more irrespective of the number of dwellings).

The Assistant Director of housing has identified that the Housing Needs Survey update 2003 identifies an affordable housing need arising from 22 households per year, each year from 2003-2008 in the sub-area of Boroughbridge.

In this instance the applicants have provided 15 affordable units out of a total of 49 residential units equating to 31% provision (the provision has increased from 18% provision on the earlier refused application). The Council's affordable housing negotiating target is 50% of overall numbers. Factors which influence the negotiation process and determine the type and amount of affordable housing to be provided on a given site include financial viability and the need to achieve a successful development. The level of provision is unacceptable without financial justification, however no information has been provided by the applicant to demonstrate that provision at a higher level is not viable.

Whilst further development at the site to meet this target would be a concern (see visual impact section) additional units could for example be provided by replacing the existing market flats created in the conversion, with affordable units. This option has not however been pursued with the applicants however, given the other major concerns regarding the scheme and the fact that the applicants have stated that the sheltered units are at the critical level to maintain a viable sheltered scheme.

In terms of the provision of sheltered accommodation HDLP Selective Alteration Policy H17 does identify that new development should provide for a mix of house type so as to provide for local needs. The policy identifies within its justification that inter alia the elderly population of the District is increasing, as is the number of small households, resulting in a greater need for smaller (1 and 2 bedroom units); affordable dwellings and more purpose built dwellings for elderly and disabled persons. Clearly the development extends some way to meet this need, however the majority of the accommodation is to be provided by new build development.

Concern is expressed regarding the impact of the extent of new build development upon both residential amenity and visual character of the conservation area (see Visual Impact).

The third element of the proposal involves the creation of the office space as a consequence of the relocation of McCarthy & Stones regional office. The office space will provide approximately 769 square metres of office space and will in association with the provision of sheltered accommodation result in the closure of the existing hotel.

Harrogate District Local Plan Policy TRX was introduced to protect existing hotels so as to maintain an important supply of visitor accommodation within the District (tourism makes a major contribution to the economy). Such protection extends to hotels with 30 or more lettable rooms. Rose Manor falls below this threshold (although would be clearly larger and hence protected if the extant consent for 36 bedrooms was constructed).

Harrogate District Local Plan Policy E7 offers broad land use support to new industrial and business development within the main settlements. In consideration of the earlier

applications at the site there has been no objection to the creation of the office space. In terms of planning benefit however the Economic Development Officer (EDO) has been consulted regarding the scheme (See Appendix 1). Clearly the proposal has the potential to create jobs, although it should be highlighted that the proposal represent a relocation of the offices from York but this would need to be tempered against the loss of the hotel and its impact upon tourism. The EDO cannot support the application(s). It is therefore questionable whether the creation of the office jobs would represent planning benefit under the provisions of Selective Alteration Policy HX.

2. VISUAL IMPACT/CONSERVATION AREA - The site is located within Boroughbridge Conservation Area. Within such locations there is a general presumption to ensure that development either preserves or enhances the character of the area. This is reflected in both PPG15 and HDLP Policy HD3. The character of the immediate locality is one of low density development interspersed with belts of tree planting. Indeed land immediately adjacent to the site is protected as Amenity Open space By HDLP Policy HD12.

The conservation area statement for Boroughbridge identifies that the southern section of Horsefair is characterised by its sporadic built form and open nature with a number of buildings giving rise to important terminal vistas or acting as important focal points. It is considered that because of its elevated location and open nature Rose Manor falls within this category.

Concern is again expressed that the scheme is overintensive in nature resulting in substantial new build elements detracting from the visual character of the locality and Rose Manor itself. As a consequence of the levels of accommodation required by the applicant and restrictions imposed by existing site characteristics this has resulted in over complex building forms which not only fail to meet the provisions of HD3 but also HD20 which seeks to ensure that new development makes a positive contribution to the spatial quality of the area. Such an impact is recognised within English Heritages consultation response to the scheme. Whilst clearly regard must be taken of the extant consent to extend the hotel accommodation, (this proposed large scale extension but set significantly further back into the plot when viewed from the south east), it is considered that the development would by its substantial built form erode the character of the conservation area.

3. RESIDENTIAL AMENITY - Although the applicant has achieved privacy distances of greater than 21 metres between the proposed new extensions and adjacent property to both the north and south of the site (21 metres is normally accepted as providing a reasonable separation distance to maintain amenity) regard has to be taken of existing site topography. The proposed site is considerably higher than adjacent property and has the ability to create problems of both dominating and overlooking the residential units adjacent to the site. Whilst it is noted that site boundaries are marked by a fence and high conifer screen which to some extent could mitigate the impact of the proposal, any loss of this screening would be wholly unacceptable.

4. LANDSCAPE - The site is located within Boroughbridge Conservation Area and there are trees situated within and adjacent to the site that are protected by Tree Preservation Order. Whilst most of the significant trees will be unaffected by this development, the views of the arboricultural officer are awaited on the scheme.

5. HIGHWAY SAFETY - The Highway Authority is concerned that there are to be 15

affordable houses, but only 9 car parking spaces, however as there may be opportunity for shared or double use of the office parking, the authority do not object in this instance. Subject to minor detailing of the parking and management of the parking spaces the highway authority have no objection subject to the imposition of conditions.

6. OPEN SPACE PROVISION - Harrogate District Local Plan Policy R4 is applicable in this instance and a commuted sum of £9376 is generated for all facilities and allocated to Boroughbridge Recreation Ground/Tutt Woodlane/Druids Meadow and Boroughbridge Sports Association/Aldbrough Gate. The applicants have been informed of this requirement and confirmation is awaited that they would be willing to enter into a S106 Agreement to legally obligate the open space provision.

7. FLOODING - The Environment Agency object to the application. It is stated that the site is within the Indicative Flood plain, suggesting that a 1:100 year flood event may affect the site. It is therefore recommended that a Flood Risk Assessment is submitted in support of the scheme. The risk assessment should address two principal flood issues: Risk to the development itself and Surface water run off. This issue was not raised in previous consultation responses regarding the site, however HDLP Policy A5 advises at sites suspected at risk from flooding for which adequate flood risk information is unavailable, developers will be required to carry out detailed technical investigations to evaluate the extent of risk and to implement any necessary agreed measures.

CONCLUSION - The proposal represents the development of a large previously developed site that falls within the 'development' limits of the town. Although the broad land use principle of development is considered acceptable the scheme would in the opinion of your officers represent an over-development of the site having regard to the impact upon adjacent residential property and visual character and amenity of the locality which lies within a conservation area

Furthermore the applicants have failed to demonstrate substantial planning benefit to allow the release of this site as required under HDLP Policy HX.

It is considered that in the absence of any financial justification to warrant relaxation of the amount of affordable housing provision the scheme is contrary to HDLP Selective Alteration Policy H5.

The scheme would provide new office accommodation within the town but this would be tempered by the loss of the existing hotel accommodation. Given the views of the Economic Development Officer this aspect of the scheme cannot be considered to represent a benefit.

Clearly the scheme provides for some mix of development i.e affordable and elderly accommodation as required by HDLP Selective Alteration Policy H17 however it is considered the adverse impact of the development would outweigh such provision which in itself fails to meet the provisions of H5.

Refusal of the application is again recommended.

CASE OFFICER: Mr A Hough

RECOMMENDATION

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

- 1 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 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. It is therefore also contrary to Policy H6 of the Harrogate District Local Plan.
- 2 The proposal 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.
- 3 The proposal would represent an overintensive form of development which would have a detrimental visual impact upon the open character of this [part of the conservation area in a manner contrary to Policy E4 of the North Yorkshire County structure Plan and Policy HD3 of the Harrogate District Local Plan.
- 4 The proposed development would as a consequence of its design scale and massing have a detrimental overbearing and unneighbourly upon the residential amenity of the occupiers of adjacent residential property in a manner contrary to Harrogate District Local Plan Policies H6, HD20 and A1.

