

## HARROGATE BOROUGH COUNCIL

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

**DATE: 6 April 2004**

<b>PLAN:</b> 05	<b>CASE NUMBER:</b> 04/00370/FUL
<b>APPLICATION NO.</b> 6.34.39.B.FUL	<b>GRID REF: EAST</b> 437210 <b>NORTH</b> 470640
	<b>DATE MADE VALID:</b> 22.01.2004
	<b>TARGET DATE:</b> 18.03.2004
	<b>WARD:</b> Newby

**APPLICANT:** Mr A Chester

**AGENT:** Paul Waterson Building And Design

**PROPOSAL:** Erection of 1 no. detached dwelling (Site Area 0.125 ha)

**LOCATION:** Newbuildings Farm Marton Le Moor Ripon North Yorkshire

## REPORT

### SITE AND PROPOSAL

The site lies at the edge of the village of Marton le Moor, adjacent to recent development of barn conversions and a new build dwelling. The site comprised a yard area to the farm, with agricultural buildings to two sides (former sheep pens and an open shed), although it is understood that the existing buildings were proposed to be demolished as part of the previous permission, for the recent development adjacent. There is currently access to the site from both Whitegate Lane and Church Lane.

The application proposes demolition of the former farm buildings and erection of a detached bungalow. The proposal is for a large 4 bedroom bungalow, with a full size basement, giving living accommodation over two floors. The bungalow has been designed to resemble a barn and the proposed materials are cobbles with stone strings to the walls and natural blue slate tiles to the roof. Access is proposed from both Whitegate Lane and Church Lane.

### MAIN ISSUES

1. Land Use/Principle
2. Design and Character of the Area
3. Residential Amenity
4. Access
5. Open Space

### RELEVANT SITE HISTORY

6.34.39.FUL - Demolition of farm outbuildings with retention and conversion of 2 barns to form 3 dwellings with 1 new infill dwelling: Allowed on appeal 15.08.2000.

6.34.39.A.FUL - Erection of 1no detached bungalow (site area 0.137Ha) : Refused  
25.02.2003 for the following reasons :

" 1. The development proposed does not lie within the built form of the village, it is not infill or small scale rounding off. The proposal is therefore contrary to Policy H6 of the adopted Local Plan and Policy HX of the Selective Alterations.

2. The layout and design of the proposed bungalow is poor, and not in keeping with the scale or character of the nearby properties or the village as a whole, as such the proposal is contrary to Policies HD20, H13 and A1 of the adopted Local Plan."

## **CONSULTATIONS/NOTIFICATIONS**

### **Parish Council**

Marion-le-Moor

### **Highway Authority**

No objection subject to conditions

### **DLAS - Open Space**

Commuted sum of £561.00 requested

### **Conservation and Design Section**

Refer to assessment of main issues

## APPLICATION PUBLICITY

**SITE NOTICE EXPIRY:** 27.02.2004

**PRESS NOTICE EXPIRY:** 27.02.2004

## REPRESENTATIONS

**MARTON LE MOOR PARISH COUNCIL** - Do not object but make the following comments:

"1. The Parish Council does not want the access onto Chapel Lane to be opened and used. This leads onto a bend around which cars frequently drive far too fast ignoring the 30 mph speed limit. It is also opposite the entrance to the village playing field and could distract drivers attention away from children using the playing field. The Parish Council would like access onto Whitegate Lane only.

2. Is the drainage adequate\_

3. Does the development extend outside the village boundary\_"

**OTHER REPRESENTATIONS** - 2 letters of representation have been received:

Maris Barn, Whitegate Lane - Support the application for the following reasons :

"1. The development would hopefully tidy up the area in question, which we and our

neighbours look out onto. As you are no doubt aware there is currently a metal barn, a cobble-stoned shed with a very precarious looking roof and mounds of earth there.

2. I also think the development would improve the appearance of the village more widely as the area that I have described above is seen when driving towards Marton le Moor from the Dishforth Airfield direction."

Maple Tree Barn, Whitegate Lane - have the following concerns about the application :

"1. The proposed plans require excavation for basement rooms approximately 2.5m in height. This would be only 3.6m from our property. We feel this is a large depth to be digging down so close to our building and have concerns for its foundations.

2. The windows in the roof of the proposed building overlook our property. As the plans stand they are merely for the purpose of light in a single storey building. However the planned building is high and hence has the potential for conversion of the roof space. This would mean that our garden and property would become overlooked resulting in a loss of amenities. We would like to see a restriction in the planning permission to prevent any future conversion of the roof space"

## **VOLUNTARY NEIGHBOUR NOTIFICATION - None undertaken**

### **RELEVANT PLANNING POLICY**

PPG1 Planning Policy Guidance 1: General Policy and Principles

### **ASSESSMENT OF MAIN ISSUES**

**1. LAND USE/PRINCIPLE** - Policy H6 of the adopted Harrogate District Local Plan is permissive of residential development where it lies within the built up confines of the village or constitutes only small scale rounding off or infilling. The application site whilst lying on the edge of the village, is not considered to lie within the built form of the village, it was previously part of a farm, lying on the edge of the village and its development would represent an incursion of built development into the countryside. Whilst there are buildings on the site at present, these are agricultural buildings and appropriate within the countryside, a new build dwelling is not. The proposal is therefore not considered to be either small scale rounding off or infilling and therefore the proposal is contrary to Policy H6. As the proposal is contrary to H6 it is also contrary to Policy HX of the Selective Alterations.

The site area is in excess of 0.1Ha and therefore if the site itself was considered appropriate for residential development, which it is not, there would be a requirement to provide affordable housing under Policy H5 of the Selective Alterations to the Local Plan.

**2. DESIGN AND CHARACTER OF THE AREA** - The application proposes a dwelling which has been designed in order to resemble a long, narrow barn. The application proposes to provide living accommodation over two floors, at basement and ground floor level. It is noted that the roof has a reasonable pitch, and rooflights are shown to the front and rear, raising the possibility that further living accommodation could be provided within the roofspace. The design of the house as a mock barn is not considered appropriate, as it neither resembles a genuine barn nor a house and the proposed fenestration is poor, with a combination of differing window designs to the north east elevation. The proposal is therefore not considered to be in keeping with the character of the area. The proposal is

contrary to Policies H13, HD20 and A1.

**3. RESIDENTIAL AMENITY** - The rear elevation of the proposed bungalow lies on the boundary of the garden of the recently converted barn, however there are no windows proposed to this elevation at all, which precludes the likelihood of overlooking. The neighbour has expressed concerns about the potential for the roof space to be converted to additional living accommodation which would potentially lead to overlooking of their property. Whilst it would not be possible to control the use of the roofspace for additional living accommodation through planning control, permitted development rights could be removed so dormer windows could not be introduced in the future. There are therefore no concerns in relation to impact on residential amenity of neighbours.

There are however concerns about the quality of the living accommodation provided within the basement. Two rooms are shown proposed as bedrooms, and have no natural light or ventilation to them. Similarly other rooms within the basement are described as living accommodation of various sorts, eg gym and billiard room, and again these rooms also have no means of natural light or ventilation. Whilst the residential amenity for the occupants within the ground floor is undoubtedly good, I have strong reservations about a proposal which promotes this extent of living accommodation with unsatisfactory natural light and ventilation.

**4. ACCESS** - Access is proposed from both Whitegate Lane and Chapel Lane. However the advice of the Highway Authority is that visibility onto Chapel Lane is inadequate, at only 2m x 60m whereas 2m x 120m is required. Subject to the blocking up of the access to Chapel Lane there are no highway objections. The Parish Council are also concerned about the use of Chapel Lane for access.

**5. OPEN SPACE** - A commuted payment of £561.00 has been requested towards provision of leisure area, casual play area and youth and adult facilities, allocated to Marton-le-Moor Playing Field, and Village Green. A signed unilateral undertaking has been received in this regard.

**CONCLUSION** - The proposal is not considered to be rounding off or infilling and the site does not lie within the built up confines of the village, and therefore the proposal is therefore contrary to Policies H6 and HX of the Local Plan. The poor design of the proposed bungalow is not in keeping with the character of the village and is unacceptable. Refusal is strongly recommended.

**CASE OFFICER:** Ms Sara Purvis

## RECOMMENDATION

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

- 1 The development proposed does not lie within the built form of the village, it is not infill or small scale rounding off. The proposal is therefore contrary to Policy H6 of the adopted Harrogate District Local Plan and Policy HX of the Selective Alterations.

- 2 The design of the proposed bungalow is poor, being poorly fenestrated and is not in keeping with the character of the nearby properties or the village as a whole, as such the proposal is contrary to Policies HD20, H13 and A1 of the adopted Harrogate District Local Plan.



