

HARROGATE BOROUGH COUNCIL

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

DATE: 4 May 2004

PLAN: 06	CASE NUMBER: 04/01393/OUT
APPLICATION NO. 6.72.81.OUT	GRID REF: EAST 444206 NORTH 464746
	DATE MADE VALID: 22.03.2004
	TARGET DATE: 17.05.2004
	WARD: Claro

APPLICANT: Mrs BS Jackson

AGENT: Country Builders

PROPOSAL: Outline application for the erection of 1no. dwelling and garage with siting and access considered (site access 0.1 ha).

LOCATION: Land At Grid Ref 444206,464746 Between The Bungalow And Greenfield Farm Lower Dunsforth York North Yorkshire

REPORT

SITE AND PROPOSAL

The application site forms part of the garden area to Greenfield Farm Lower Dunsforth. The site, which is rectangular in shape, is approximately 0.063 hectares in area and has a road frontage of approximately 15 metres. An existing timber post and rail fence marks the frontage to the site beyond which is a conifer hedge.

Greenfield Farm and its associated farm buildings are located to the east of the site with a property known as the Bungalow to the west. A field access track is located to the immediate east of the site together with a range of single storey structures incorporating stables. The bungalow has both a ground floor window and first floor window facing the site (the first floor window is located within the roofspace). The ground floor window is glazed with obscure glass. An existing path crosses the site from Greenfield farm to the adjacent bungalow.

The applicant seeks outline permission for the erection of 1 No. dwelling and garage with siting and access to be considered at this stage. A new driveway will be constructed in the north western corner of the plot, with the proposed dwelling sited so as not to project forward of the adjacent Bungalow. It is stated that the unit would provide 4 bedroom accommodation.

MAIN ISSUES

- 1.LAND USE
- 2.HIGHWAY SAFETY
- 3.RESIDENTIAL AMENITY

- 4.VISUAL IMPACT
- 5.OPEN SPACE PROVISION
- 6.FLOOD PREVENTION

RELEVANT SITE HISTORY

None

CONSULTATIONS/NOTIFICATIONS

Parish Council

Dunsforth

Environment Agency

Object to the development as submitted. The proposal should be supported with a Flood Risk assessment in line with guidance contained in PPG25.

Highway Authority

No highway objections subject to the imposition of conditions.

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 23.04.2004

PRESS NOTICE EXPIRY: 23.04.2004

REPRESENTATIONS

LOWER DUNSFORTH PARISH MEETING - The Parish Council do not object but have the following comments to make:

This outline application proposes a dwelling for Mrs Jackson's son and the owner does not intend to sell the plot with planning permission.

All neighbours have been advised and have no objection.

OTHER REPRESENTATIONS - No other representations received at the time of writing this report. Any representations received will be reported verbally at the committee meeting.

VOLUNTARY NEIGHBOUR NOTIFICATION - Two properties notified:
Pinewood and Tynningame.

RELEVANT PLANNING POLICY

PPG1 Planning Policy Guidance 1: General Policy and Principles
PPG3 Housing

- 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
- PPG25 Planning Policy Guidance 25: Development and flood risk
- 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
- LPHX Harrogate District Local Plan Policy HX: Managed Housing Site Release
- LPH05 Harrogate District Local Plan Policy H5: Affordable Housing
- 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

ASSESSMENT OF MAIN ISSUES

1.LAND USE - The application site is located within the existing built up confines of the village. Harrogate District Local Plan Policy H6 identifies Lower Dunsforth as a smaller village wherein new residential development will be permissive if inter alia it lies within the built-up confines of the settlement and in relation to new development, constitutes only small scale rounding-off or infilling only.

The site is located between Green Field farm, which is located on the road frontage and The Bungalow and as such is considered to represent an infill plot.

The site forms part of the domestic curtilage to Greenfields Farm and as such represents a previously developed site under the provision of HDLP selective Alteration policy HX.

The application site is fractionally greater than 0.1 hectare in area and as such HDLP Selective Alteration Policy H5 is applicable. Sites greater than 0.1 hectares in area will require an element of affordable housing. In this instance the site is relatively long and narrow and your officer is of the opinion that the plot could not support two units. On this basis it is considered that the provisions of the policy can be relaxed. Such an approach would also be relevant to site density issues (PPG3 and Selective Alteration Policy H13 require a density of at least 30 units per hectare - unless site characteristics indicate otherwise, whilst H17 requires a mix of house type to be provided). As the site can only support 1 unit clearly a mix of house type cannot be achieved.

The broad land use principle of residential development is considered to be acceptable.

2.HIGHWAY SAFETY - The applicants propose the construction of a new vehicular entrance to serve the site at the northwest corner of the plot. The highway authority have been consulted and have no objection to the development subject to the imposition of conditions.

3.RESIDENTIAL AMENITY - The proposed plot is sited adjacent to the property known as The bungalow and it is this dwelling that is most affected by the proposed development.

Although the scheme is submitted in outline form the applicants do wish siting and access to be considered as part of the scheme. In this instance the proposed dwelling has been sited so as not to project beyond the existing gable of the adjacent bungalow and has been sited 4metres from that property. No details of the external appearance and design of the proposed unit has been submitted, it is however clearly evident that by restricting the proposed gable width of the unit, the proposal would not have a detrimental overbearing/overshadowing impact upon the amenity space of the adjacent property.

The bungalow has an obscurely glazed ground floor window facing the site and a window within the roofspace. Both of these windows would directly face the proposed dwelling. If members were minded to approve the scheme a condition could be imposed to ensure that no windows were inserted in the proposed unit to ensure that there was no overlooking between the two units.

4.VISUAL IMPACT - Details of the external appearance and design of the proposed dwelling have not been submitted for consideration as part of this scheme and as such would form part of the reserved matters submission. The receipt of such details can be controlled by condition.

Lower Dunsforth is characterised by dwellings interspersed with open spaces (including paddocks) linking the village to the open countryside beyond the houses. The proposed development would result in the loss of such an open space. It is however considered that because of the very domestic appearance of the site frontage and the close proximity of both The Bungalow and farm buildings belonging to Greenfield Farm, that the development of this site would not be harmful to the character of the village.

5.OPEN SPACE PROVISION - HDLP Policy R4 is applicable, however as the scheme is submitted in outline form it is not possible to calculate the commuted sum generated by the proposal. If members are minded to approve the scheme a condition could be imposed to secure a contribution towards off site open space provision.

6.FLOOD PREVENTION - The application site is located within land identified as a floodplain. Advice contained within PPG25 (Development and Flood Risk) and HDLP Policy A5 (flood risk areas) requires developers to supply adequate flood risk information (Flood Risk Assessment -FRA) to evaluate the extent of the risk. No such information has been supplied as part of the scheme.

In the absence of a FRA the Environment Agency object to the development. The site has been subject to flooding in the past but is now protected to an appropriate standard as defined in PPG25. It is therefore considered that in this instance it may be possible to overcome the Agency's objection. The applicant has been informed of the need to provide a FRA but at the time of writing this report no such information has been received.

CONCLUSION - The broad land use principle of this development is considered acceptable under the provisions of HDLP Policy H6.

The site area is fractionally greater than 0.1 hectare in area and as such under the provisions of HDLP Selective Alteration Policy H5 an element of affordable housing would be required at the site. Negotiations for such provision would commence at 50% provision. It is however considered that because of the constraints of the site, i.e its long narrow

shape and relationship to adjacent property that the site could not readily accommodate two units and as such the provisions of the policy can be relaxed in this instance. Such an approach would also allow relaxation of HDLP Selective Alteration Policies H13 and H17.

The applicant has not however provided evidence to demonstrate that the site and surrounding area will not be at risk of flooding as required by PPG25 and HDLP Policy A5. On this basis the Environment Agency have objected to the development. It is however recognised that as flood defences protect the site, it may be possible to overcome the Environment Agencies objection and on this basis the applicant has been requested to provide further information through a FRA. At the time of writing this report however no such information has been received to overcome the objection. It is however anticipated that the information will be received prior to the committee meeting.

On the basis that the applicant will provide the required FRA information as requested by the Environment Agency and in the absence of any other objections to the scheme, it is recommended that the application be recommended for approval subject to conditions and upon receipt and approval of the FRA information.

CASE OFFICER: Mr A Hough

RECOMMENDATION

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

- 0 Deferred for the Head of Planning Services to approve the scheme Subject to the receipt and approval of a Flood Risk Assessment.
- 1 CA06 OUTLINE/RESERVED MATTERS
- 2 CA01A OUTLINE - ACCESS NOT RM
- 3 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:-
 - (i) the crossing of the highway verge and/or footpath shall be constructed in accordance with the approved details and/or Standard Detail number E6 and the Specification of the Local Highway Authority;
 - (ii) any gates, barriers or other means of enclosure shall be erected a minimum distance of 6metres back from the carriageway of the existing highway and shall open into the site;
 - (iii) provision shall be made to prevent surface water from the site/plot discharging onto the existing or proposed highway in accordance with the approved details and/or Standard Detail number E6 and the Specification of the Local Highway Authority.

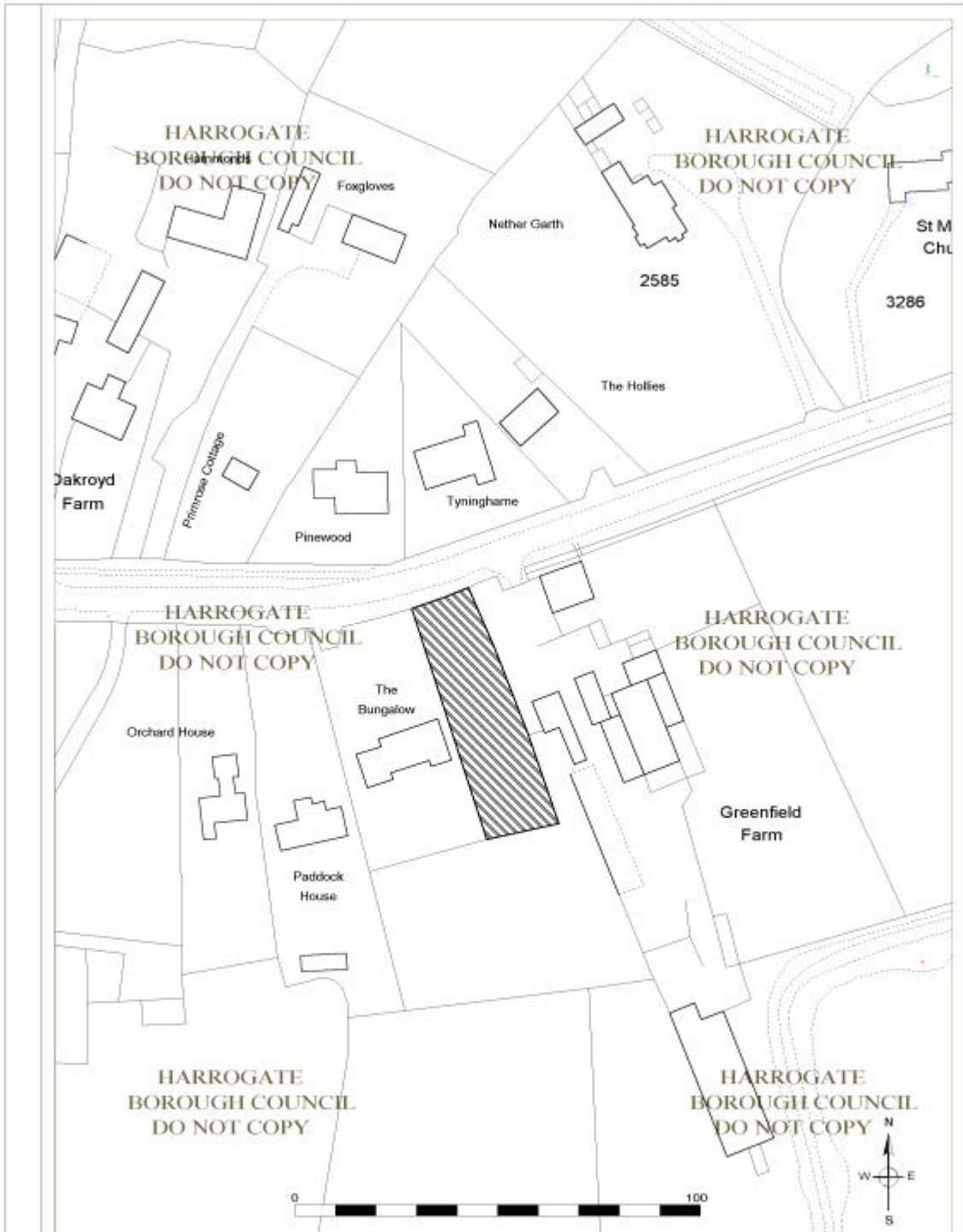
NOTE:

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.

- 4 HW16 DETAILS OF TURNING SPACE
- 5 HW21 PARKING FOR SINGLE DWELLING
- 6 CD14 NO WINDOWS IN DEVELOPMENT ... western ... development
- 7 CL12 OPEN SPACE TO BE PROVIDED - POLICY R4

Reasons for Conditions:-

- 1 CA06R TO COMPLY WITH SECTIONS 91 -94
- 2 CA01AR SAFEGUARD RIGHTS OF CONTROL
- 3 HW07R VEHICLE AND PEDESTRIAN SAFETY REQ'MENTS
- 4 HW16R ROAD SAFETY REQUIREMENTS
- 5 HW21 PARKING FOR SINGLE DWELLING
- 6 CD14R PRIVACY AND RESIDENTIAL AMENITY
- 7 CL12R COMPLIANCE WITH R4 - OPEN SPACE POLICY



Harrogate
BOROUGH COUNCIL

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Area 2 DC Committee

04/05/2004

App No.: 6.72.81.OUT

Case No.: 04/01393/OUT

Scale: 1:1250 (at A4 size)

Item No : 6

Drawn by J Brown

Site Area: 0.1 hectares

Site 

Produced for Development Control Area Planning Committee for site identification purposes only.