

## HARROGATE BOROUGH COUNCIL

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

**DATE: 1 June 2004**

<b>PLAN:</b> 02	<b>CASE NUMBER:</b> 04/01483/FUL
<b>APPLICATION NO.</b> 6.32.141.A.FUL	<b>GRID REF: EAST</b> 432615 <b>NORTH</b> 471249
	<b>DATE MADE VALID:</b> 30.03.2004
	<b>TARGET DATE:</b> 25.05.2004
	<b>WARD:</b> Newby

**APPLICANT:** D Dale, W Dale & C Lucas

**AGENT:** Turley Associates

**PROPOSAL:** Reinstatement of former farmhouse including conversion of detached barn to form ancillary work space and installation of new package treatment plant, site area 0.26ha (Revised scheme).

**LOCATION:** Low Farm Sharow Ripon North Yorkshire

## REPORT

### SITE AND PROPOSAL

The site comprises a group of dilapidated buildings at Low Farm and an adjacent building approximately 900m along an agricultural track from Sharow Lane.

The proposal is for alterations and change of use of the dilapidated buildings to form a four bedroom house and to alter and change the use of the adjacent building other to form ancillary work space.

The proposal is to scrape that part of the access between the buildings and Lowfield Lane, fill potholes and construct twin tracks of compacted limestone chippings.

Accompanying the application is a planning statement prepared by the agent and a report of a visual inspection carried out by McGregor Lang Limited, Consulting Structural Engineers.

### MAIN ISSUES

1. Structure
2. Residential Use
3. Affordable Housing
4. Landscape
5. Unstable Land
6. Sustainability
7. Open Space

## **RELEVANT SITE HISTORY**

6.32.141.FUL - reinstatement of former farmhouse and conversion of detached barn to form two dwellings, installation of new package treatment plant, and alterations to access: Refused 4.08.2003.

Subsequent appeal withdrawn.

## **CONSULTATIONS/NOTIFICATIONS**

### **Parish Council**

Sharow

### **Conservation and Design Section**

See Assessment of Main Issues

### **DLAS - Open Space**

Reply awaited

### **Environment Agency**

No objections but recommend conditions relating to conveyance of foul drainage

### **Environmental Health**

Reply awaited

### **Highway Authority**

Recommend conditions relating to provision of retention of parking spaces and protection of the public footpath along Lowfield Lane

### **Housing Development**

See Assessment of Main Issues

### **Yorkshire Water**

No objections

## **APPLICATION PUBLICITY**

**SITE NOTICE EXPIRY:** 30.04.2004

**PRESS NOTICE EXPIRY:** 30.04.2004

## **REPRESENTATIONS**

**SHAROW PARISH COUNCIL** - Does not object but wishes to comment:

The Council endorses this application as it will bring back into use a historic site and if occupied will bring more security to the area.

An unoccupied farmstead at the moment, alteration we believe can be carried out without

any major rebuilding or extensions and does not constitute a new dwelling.

In location terms the siting in our opinion is sustainable to the village and the access is from an established right of way, and there should be no technical objections from the Highway authority.

Balancing the issues presented and the obvious enhancement of the area together with the safety of occupancy, the Council fully support the proposal and believe that restoration falls within the guidelines of the County and DEFRA in the conversion of agricultural buildings to residential use.

**OTHER REPRESENTATIONS** - County Councillor P Richardson has written stating the application is supported by the local community as well as the Parish Council and is baffled by the lack of communication and positiveness by the Local Planning Authority.

**VOLUNTARY NEIGHBOUR NOTIFICATION** - None.

#### RELEVANT PLANNING POLICY

- PPG1 Planning Policy Guidance 1: General Policy and Principles
- PPG3 Housing
- PPG7 The Countryside: Environmental Quality and Economic and Social Development
- SPH5 North Yorkshire County Structure Plan Policy H5
- SPE2 North Yorkshire County Structure Plan Policy E2
- LPC02 Harrogate District Local Plan Policy C2: Landscape Character
- LPC09 Harrogate District Local Plan Policy C9: Special Landscape Areas
- LPC15 Harrogate District Local Plan Policy C15: Conservation of Rural Areas not in Green Belt
- LPC16 Harrogate District Local Plan Policy C16: The Re-use and Adaptation of Rural Buildings
- LPHD20 Harrogate District Local Plan Policy HD20: Design of New Development and Redevelopment
- LPR04 Harrogate District Local Plan Policy R4: Open Space Requirements for New Residential Development
- LPA01 Harrogate District Local Plan Policy A1: Impact on the Environment and Amenity
- LPA07 Harrogate District Local Plan Policy A7: Unstable Land
- LPH06 Harrogate District Local Plan Policy H6: Housing developments in the main settlements and villages
- LPH07 Harrogate District Local Plan Policy H7: Housing development in the countryside
- LPHX Harrogate District Local Plan Policy HX: Managed Housing Site Release
- LPH03 Harrogate District Local Plan Policy H3: Renewal of Planning Permission for Housing
- PPG14 Planning Policy Guidance 14: Development on Unstable Land

#### ASSESSMENT OF MAIN ISSUES

**1. STRUCTURE** - The principal building was once a small house with adjoining agricultural building. In the mid 1960's that part that had previously been residential, was altered with the removal of the staircase and first floors. Subsequently there was a fire in the building, believed to be arson, resulting in the loss and damage of the roof over the farm buildings and most of the house and this has resulted in the ingress of water causing decay to some

of the remaining roof timbers including wall plates, rafter ends and joists.

The structural report confirms that the roof of the property is in poor repair and a large proportion requires replacement. The conclusion was that part of the walls need repair with only small areas requiring rebuilding. It was also noted that some trees are growing within the building.

I conclude that for over 30 years, a substantial part of the roof of this building has been missing and much of the remainder is in poor repair. In my opinion to "re-instate" a building which has had such an extensive area of roof missing for over 30 years would result in substantial reconstruction which would be contrary to Policy C16.

**2. RESIDENTIAL USE** - The agent advises that the property was last occupied in the late 1970's early 1980's since when it has been redundant and unoccupied save for a period of illegal occupation. However, one of the applicants, the then owner of the property, wrote in 1983 that the cottage was last lived in till 1964 after which it was used briefly for temporary farm workers, after which it had been used continuously for storage, limited to agriculture since the beginning of 1966. The then owner was advised at that time that because:

1. The internal floors/walls and staircase had been removed from the former dwelling;
2. The windows had been boarded over;
3. The residential doors had been replaced by agricultural type stable doors;
4. The former dwelling had no recognisable garden or curtilage; and
5. The building was utilised for hay/straw/manure storage; the former use of the dwelling had been abandoned and the then use of the building in planning terms was agricultural storage

While there are references in the title of the application and in the agent's statement referring to conversion of a former dwelling, the former dwelling formed only a small part of the proposed dwelling. The former dwelling was gutted of internal floors and the whole building has for nearly 40 years been in agricultural use, or not used at all. Therefore the proposal is for a new dwelling in the countryside. Government advice, Structure Plan and Local Plan Policies all resist new houses in the countryside unless there is a special justification for a dwelling in the proposed location. In this case there is no special justification and therefore the proposal is contrary to Structure Policy H5 and Local Plan Policy H7.

The Council's Conservation and Design Manager criticises the details of the proposed development the lack of indication of how the structural "observations" might be implemented and, because the structure is in a poor state, full illustrations in plan, sections and elevations of all remedial works. Furthermore he comments that the elevational design is totally out of character proposing side hung windows and large double style patio doors on both buildings. Consequently the proposal is contrary to Policy HD20.

**3. AFFORDABLE HOUSING** - The Director of Health and Housing has advised that under Policy C16, there is a presumption in favour of affordable housing, and where there is a local need for affordable housing and the buildings are suitable for this use, development will not be permitted unless any proposal involved in the reuse and adaptation of rural buildings addresses this fact. The site is of a size that affordable housing is required under Policy H5 and that there is a need for 22 affordable homes a year over the next 5 years in

the sub area which includes the parish of Sharow.

The Director advises that the one dwelling unit proposed is very large and two units could be provided by sub division of the property making one available for affordable housing, the most appropriate form being discounted home ownership.

Clearly if members considered that the site was in a sustainable location and the buildings were capable of conversion without significant rebuild, planning permission should still be refused as the buildings will be capable of conversion to form affordable housing in accordance with Policies C16 and H5.

**4. LANDSCAPE** - The buildings have been used for agricultural purposes since the mid 60's and as far back as the 1980's there has been no discernable curtilage. Policy C15 requires existing land uses to remain for the most part undisturbed. The site is also within a Special Landscape Area within which the landscape has been identified as both important to the landscape setting and of a high quality in its own right and that as such its long term protection is considered to be essential. Policy C9 resists development which would have an adverse impact upon the character of the landscape or the landscape setting of Ripon.

Even though the curtilage around the two buildings has been drawn fairly closely, the proposed changes of use would introduce a large dwelling and workplace into this otherwise agricultural countryside scene. The changes of use would introduce a completely different character to the area including the introduction of an improved access, residential curtilage, residential paraphernalia including vehicles, services such as overhead electricity and telephone supplies together with all the external paraphernalia connected with such uses and these would significantly change and harm the present agricultural setting. Consequently the development would be contrary to Local Plan Policies C9, C2, C15 and C16.

**5. UNSTABLE LAND** - The site is within an area which maybe potentially subject to localised subsidence hazard associated with both existing cavities and with the on-going dissolution of gypsum deposits in areas affected by ground water moving towards the Ure Valley. The site is within an area of particular localised subsidence and if members were minded to grant consent a ground stability report would be essential. The structural engineer in his report has addressed this question stating that there are no guarantees that the dissolution of gypsum may not affect the property and that normally deep reinforced concrete foundations would have to be provided but that this would not be possible within an existing building and consequently there may be a risk if movement occurred. In this location if no reasonable precautions against subsidence can be taken, permission for the development should be refused in accordance with Policy A7.

**6. SUSTAINABILITY** - Government guidance in PPG1 which relates to general policy and principles states that a sustainable planning framework should shape new development patterns in a way which minimises the need to travel (para 5) and states that for housing, the key objectives for the location of development outside urban or village areas is to promote land for housing in locations which are or will be well served by public transport and with good access to employment and a range of services including leisure, shopping, education and health facilities (para 24).

The government's draft PPS7 states that residential use of rural buildings "will not normally be appropriate where the buildings are remote from settlements and services" (para 19). Although only a draft document at this stage, PPS7 may be material to decisions on individual planning applications.

The proposal is seeking a dwelling some 900m along farm tracks from Sharow Lane, the nearest road. While Sharow is a village that does have a school, church and public house, it cannot be described as a village with a range of services such as leisure, shopping, health facilities. The agent comments that these facilities are available within a relatively short distance.

The agent states that there are thirteen bus services per weekday between Sharow and Ripon but the bus services are so far from Low Farm that public transport will not be convenient or practical.

The agent states that the development amounts to the provision of a live/work unit which has the potential to be both a sustainable form of employment provision and to benefit the local economy. Even if the suggestion that the occupant will use the adjacent barn as work unit, and there is no certainty that such the situation would pertain for any period of time, government advice on sustainability is not restricted to residential use. A work unit will generate a need to import "raw materials" and export "product". It is more likely that a dwelling and work unit will each generate traffic which, in this location, would almost certainly be vehicular traffic with a significant trip generation. Consequently the development fails to satisfy government guidance which requires the shape of new development patterns in ways which minimise the need to travel, particularly by car.

**7. OPEN SPACE** - Provision of recreation and open space would be required if permission were granted in accordance with Policy R4.

**CONCLUSION** - The proposed development is in an unsustainable location a considerable distance from the village of Sharow in the countryside remote from services; would involve extensive demolition and/or rebuilding works; would result in a new dwelling in the countryside which, with all the associated changes and paraphernalia normally associated with residential/work place use would adversely harm the character of the countryside in the Special Landscape Area.

No provision is made for affordable housing and the development would be at risk from subsidence.

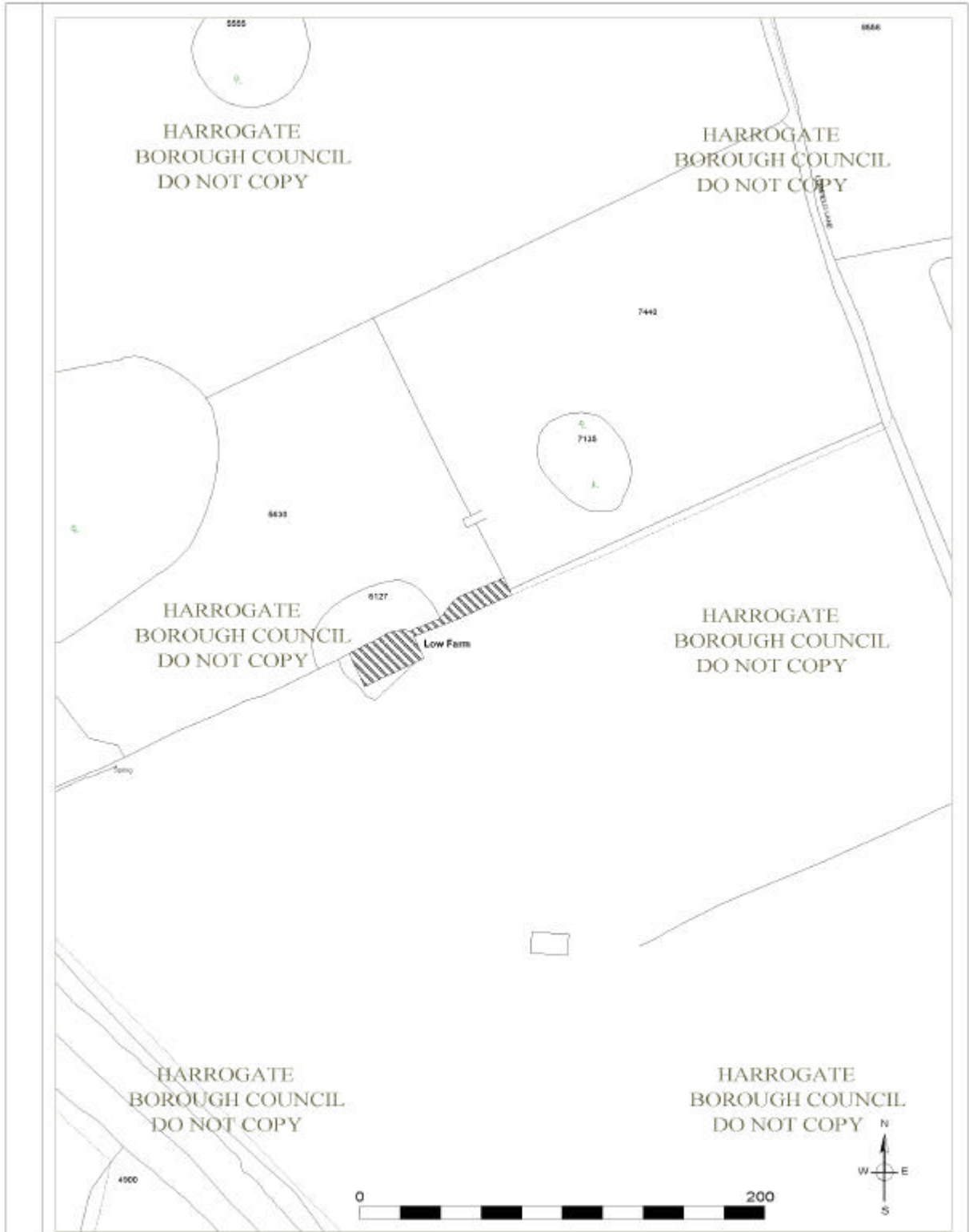
Consequently the development would be contrary to Structure and Local Plan Policies and planning permission should be refused.

**CASE OFFICER:** Mr M A Warden

## RECOMMENDATION

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

- 1 The proposed development is in an unsustainable location a considerable distance from the village of Sharow, in the countryside with a long and poor vehicular access and no nearby services including supply of electricity or telephone, would involve extensive demolition and/or re-building works; would result in a new dwelling/work place in the countryside which, including all associated changes and paraphernalia normally associated with such use, would seriously and adversely harm the character of the countryside in a Special Landscape Area and consequently the development will be contrary to the North Yorkshire County Structure Plan Policy H5 and Harrogate District Local Plan Policies C2, C9, C15, C16, H6 and H7.
- 2 The proposal makes no provision for affordable housing and consequently would be contrary to the Selective Alteration of Harrogate District Local Plan Policy H5.
- 3 The proposed development is in an area which may be potentially subject to localised subsistence hazard and, because of the effects of such instability cannot reasonably be overcome, the development would be contrary to Harrogate District Local Plan Policy A7.



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**Area 2 DC Committee**

**01/06/2004**

App No.: 6.32.141.A.FUL

Case No.: 04/01483/FUL

Scale: 1:2500 (at A4 size)

Item No : 2

Drawn by J Brown

Site Area.: 0.096 ha. (access not included)



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



