

HARROGATE BOROUGH COUNCIL

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

DATE: 1 June 2004

PLAN: 13	CASE NUMBER: 04/01770/FUL
APPLICATION NO. 6.122.238.C.FUL	GRID REF: EAST 439014 NORTH 448154
	DATE MADE VALID: 05.04.2004
	TARGET DATE: 31.05.2004
	WARD: Spofforth With Lower

Wharfedale

APPLICANT: Mr & Mrs I Mortimer

AGENT: Stott Thompson Architects

PROPOSAL: Erection of 1 no replacement detached dwelling (site area 0.93ha)

LOCATION: Sheepfold Sicklinghall Road Sicklinghall Wetherby North Yorkshire LS22
6AA

REPORT

SITE AND PROPOSAL

Sheepfold is a detached property with a large attached flat-roofed garage located at the edge of Wetherby. The site is elevated in relation to the road (Sicklinghall Road) with open fields located opposite and substantial detached residential property to both the side and rear. The site slopes down in an easterly direction. The dwelling to the immediate rear of the site (Sheepfold Barn) has a single storey extension and garage of pitched roof construction along the joint boundary with the site. Claddagh Lodge to the east is set at a lower level and has a 'granny annexe' abutting the eastern boundary of the application site.

The applicant seeks consent to demolish the existing property and construct a replacement dwelling with detached double garage. Access to the site would be gained via the existing vehicular access already serving the site.

The proposed dwelling would provide 4-bedroom accommodation and would be sited on the existing footprint of the house. The existing house has an extant consent to be extended under 6.122.238.A.FUL (demolition of existing garage and erection of two storey side extension and detached double garage- approved 2 December 2002).

The application site lies within the statutory green belt.

MAIN ISSUES

1. Land Use
2. Residential Amenity
3. Visual Impact

4. Highway Safety

RELEVANT SITE HISTORY

6.122.238.FUL - Demolition of existing detached garage with erection of two storey side extension and detached double garage /workshop. REFUSED 25.06.2001 for the following reason:

(1) The proposed development, as a direct result of its size, scale and mass would harm the openness, purposes and visual amenity of this part of the West Yorkshire Green Belt contrary to Policies A1,GB6, GB4 and H15 of the Harrogate District Local Plan.

6.122.238.A.FUL - Demolition of existing garage and erection of two storey side extension and detached double garage (revised scheme). PERMITTED 02.12.2002

6.122.238.B.FUL - erection of conservatory to side extension and revised siting of detached double garage (6.122.238.A.FUL) REFUSED 10.11.2003 for the following reason:

(1) The approval of this proposal in addition to the scheme permitted under planning permission reference 6.122.238.A.FUL would increase the overall size of the original property in a manner harmful to the openness, purpose and visual amenity of the green belt; contrary to Policies A1, H15, GB4 and GB6 of the Harrogate District Local Plan and advice contained within the Planning Policy Guidance Note 2 'Green Belts'.

CONSULTATIONS/NOTIFICATIONS

Parish Council

Spofforth with Stockheld

Highway Authority

No objection subject to the imposition of a condition

Policy Dev Unit NYCC

No comments received

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 07.05.2004

PRESS NOTICE EXPIRY: 07.05.2004

REPRESENTATIONS

SPOFFORTH WITH STOCKELD PARISH COUNCIL - Has no objection.

OTHER REPRESENTATIONS - Two letters received objecting to the development on the following grounds:

1. Object to the reinstatement of the ground floor extension (western elevation) which would be built as before, right up against the boundary of Sheepfold and Sheepfold Barn and windows overlooking our property and boundary. We feel that this would be an intrusion of privacy and any repairs or window cleaning would have to be done from the land of Sheepfold Barn.
2. object to the additional upper floor windows in the north elevation which would overlook Sheepfold barn. Presently there is only one small bathroom window in the elevation.
3. The new construction is considerably larger than the original building and possibly too large for the site.
4. We understand planning practise requires 1.5 metres between boundaries to allow for repairs and suchlike to be done on site and also for reasons of privacy.
5. Concern regarding the siting of the proposed garage as it will dominate our property.

VOLUNTARY NEIGHBOUR NOTIFICATION -

Claddagn Lodge Sicklinghall Road, Wetherby
Sheepfold Barn, Sicklinghall Road, Wetherby
6 Field Close, Wetherby
7 Field Close, Wetherby

RELEVANT PLANNING POLICY

PPG1 Planning Policy Guidance 1: General Policy and Principles
PPG3 Housing
PPG2 Planning Policy Guidance 2: Green Belts
SPH4 North Yorkshire County Structure Plan Policy H4
LPGB06 Harrogate District Local Plan Policy GB6: Existing Dwellings in the Green Belt
LPH20 Harrogate District Local Plan Policy H20: Replacement Dwellings in the Countryside
LPA01 Harrogate District Local Plan Policy A1: Impact on the Environment and Amenity

ASSESSMENT OF MAIN ISSUES

1. LAND USE - The dwelling although falling within Spofforth and Stockeld Parish clearly relates to Wetherby due to its siting at the edge of the town. The site is however located on land designated as green belt. HDLP Policy GB6 identifies that within the green belt, replacement dwellings will be permitted in accordance with policy H20 of the local plan.

HDLP Policy H20 is permissive towards the replacement of existing dwellings provided that inter alia it is no larger than the existing unit. In this instance the dwelling is larger than the dwelling currently occupying the plot, but regard has to be taken of the extant consent to construct a two storey side extension approved under 6.122.238.A.FUL. In this respect, the proposed replacement dwelling is of similar proportions to the extended dwelling approved under that consent. As such your officer considers that the scheme complies with the broad principle of HDLP Policy H20. The scheme would not adversely affect the openness of green belt or the purposes of including land within it. It is however recommended that given the site history of the site, permitted development rights are removed so as to protect both residential amenity and the openness and purpose of including land within green belt.

2. RESIDENTIAL AMENITY - The comments of local residents have been noted regarding the position of windows within the new dwelling. Members attention is however drawn to the existing situation whereby ground floor windows of a single storey side extension

already overlook the garden area of Sheepfold Barn. As this situation is repeated with the proposed development, no demonstrable harm can be demonstrated.

In terms of the first floor windows facing Sheepfold Barn these are restricted to bathroom, dressing and landing windows which if obscurely glazed would have no additional impact to that approved under 6.122.238.A.FUL. The first floor bedroom windows facing Sheepfold Barn are again repeated but at a slightly shallower angle. It is however noted that the existing outbuilding situated along the joint boundary will screen the development to a large extent. It is not considered that the development would have an adverse impact upon the living conditions of the occupiers of sheepfold Barn over and above the existing situation.

In relation to the proposed siting of the garage, it is noted that the application site is set at a higher level than the adjacent property and concern is expressed that the proposed siting could impact upon the occupiers of the adjacent annex. Given that a detached double garage was approved under 6.122.238.A.FUL in a similar location to the proposed, it is considered that a condition could be imposed to secure the final siting of the structure. Such control will ensure no adverse impact upon the occupiers of that unit.

3. VISUAL IMPACT - The dwelling would be constructed of natural stone under a clay pantile roof. The use of such materials would not be out of keeping with the locality (the existing property is constructed of stone under a stone slate roof). The design and form of the house is not dissimilar to that already existing (including extension) although it is noted that the house now incorporates gables instead of hips. The alterations will clearly alter the outlook from adjacent property but would not have an adverse impact upon the character of the locality. The character of the locality is one of large houses set in large plots.

4. HIGHWAY SAFETY - The applicants intend to access the site by utilising the existing access. The Highway Authority have been consulted and have no objection subject to the imposition of a condition to secure access, parking and turning facilities within the site.

CONCLUSION - The proposed scheme is considered to be in accordance with the provision of the Harrogate District Local Plan Policy H20. Whilst overlooking of adjacent property would occur as a result of the flat roof projection on the western elevation, this is repeating a situation that already occurs with the existing house. In the absence of demonstrable harm, refusal of the application on this ground cannot be substantiated.

In the absence of any material considerations to set aside the provisions of the development plan approval of the application is recommended.

CASE OFFICER: Mr A Hough

RECOMMENDATION

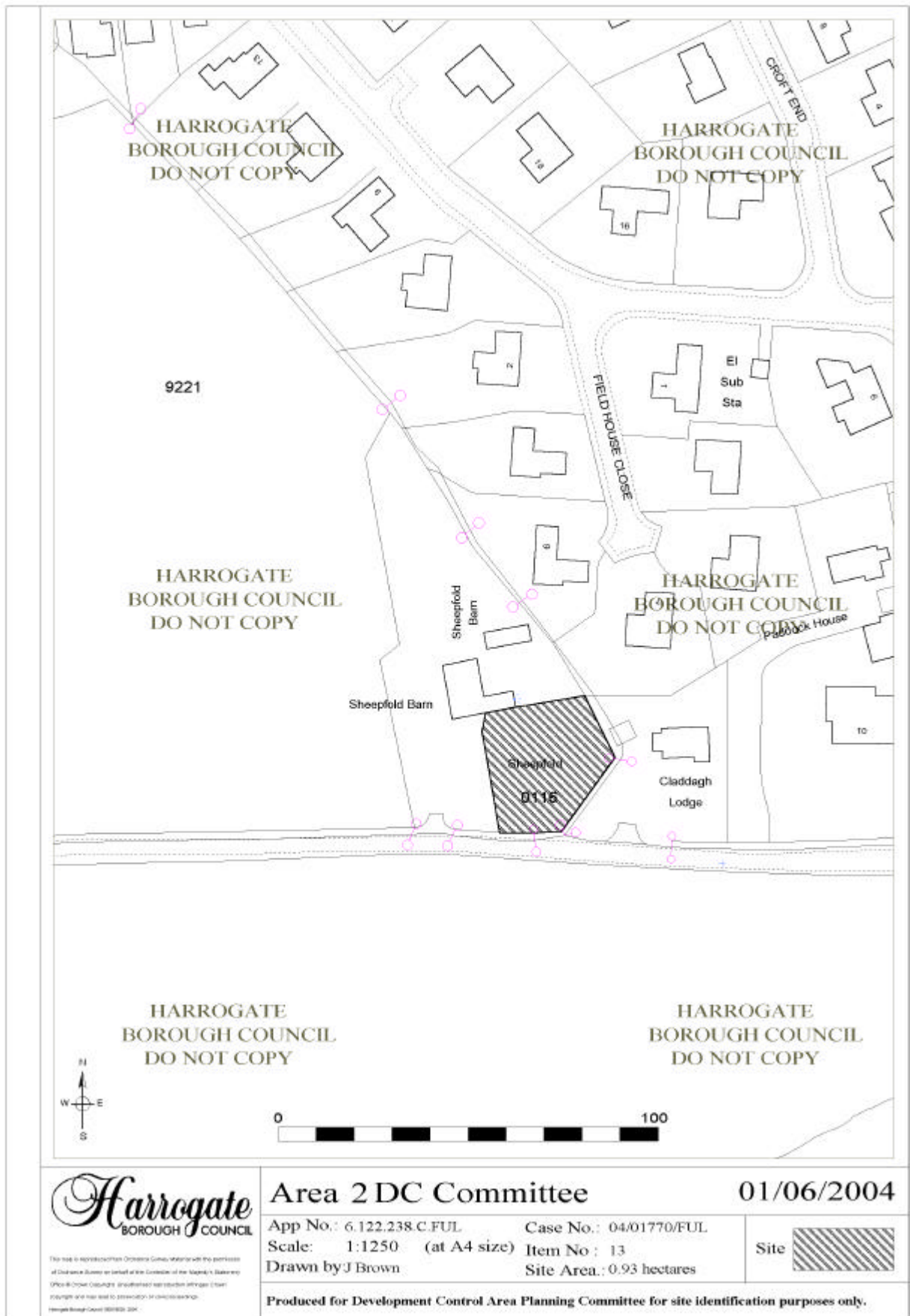
That the application be APPROVED subject to the following conditions:-

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE
- 2 CC03 DEV IN ACCORD WITH DRAWINGS/CONDITIONS

- 3 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 4 Notwithstanding the submitted details and prior to the commencement of the development hereby approved the final siting of the proposed garage shall as may be approved in writing by the Local Planning Authority.
- 5 Prior to the first use of the development the vehicular access, parking and turning facilities shall be formed in accordance with the submitted drawing [Reference 264/07/08 Site plan 1:200 and as amended by condition 4]. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
- 6 CI02Y PD REST,NO EXTNS,GRGS&ROOF/DORMER WINDS

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91 -94
- 2 CC03R TO SECURE SATISFACTORY IMPLEMENTATION
- 3 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS
- 4 In the interests of residential amenity.
- 5 HW17R ROAD SAFETY REQUIREMENTS
- 6 CI02YR PROTECT VISUAL AMENITY



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Area 2 DC Committee

01/06/2004

App No.: 6.122.238.C.FUL Case No.: 04/01770/FUL
 Scale: 1:1250 (at A4 size) Item No: 13
 Drawn by J Brown Site Area: 0.93 hectares



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

