

HARROGATE BOROUGH COUNCIL

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

DATE: 1 June 2004

PLAN: 17	CASE NUMBER:	02/02355/REMMAJ
	GRID REF: EAST	435760 NORTH 457830
APPLICATION NO. 6.100.1685.G.REMMAJ		DATE MADE VALID:
09.05.2003	TARGET DATE:	08.08.2003
	WARD:	Knareborough Scriven

Park

APPLICANT: Halfpenny Lane

AGENT: Cunnane Town Planning

PROPOSAL: Reserved matters application under Outline permission 6.100.1685.C.OUT for the erection of 175 dwellings with associated hard and soft landscaping, new vehicular access and diversion of Public Right Of Way..(AMENDED SCHEME)

LOCATION: Former Nursery Site Off Halfpenny Lane Knareborough North Yorkshire

REPORT

INTRODUCTION

This application is now the subject of an appeal for non determination and will be determined following a public inquiry. Therefore Members must now consider how the Committee would have been minded to make a formal decision.

Members will recall considering the application in January 2004 when the proposal was for 180 dwellings, including 3 storey properties. A decision was deferred and the Committee sought revisions to the scheme to reduce the density on the site, delete the 3 storey properties, reconsider the provision of affordable housing and for the conclusion of a Section 106 Agreement to address open space provision, manage the affordable housing and secure highway works.

The scheme was subsequently amended to provide 175 dwellings, still with 3 storey properties, no increase in affordable housing and no completed Section 106 Agreement. That application was reported to Committee on 9 March 2004. Members were minded to refuse the application and the Special Procedure was invoked. The views of the Cabinet Member and Solicitor were sought which supported the Committee decision (except on the issue of affordable housing which was controlled by the original Section 106 Agreement). In view of the clear guidance given by Members at that meeting amended Plan 5 were received on 29 March 2004 deleting all three and two- and-a-half storey properties and

reducing the density to 156 dwellings (30 per hectare).

Immediately prior to the Committee meeting on 6 April 2004 the application was further revised by the applicant to revert back to 175 dwellings, providing 138 open market dwellings of which 97 (70%) have accommodation in the roofspace and 37 affordable units. Members were advised to defer consideration to enable reconsultation to take place. The Town Council, Chief Engineer (Highways), the Director of Housing and the Conservation and Design section have now been reconsulted.

SITE AND PROPOSAL

This is a reserved matters application for 175 dwellings on 6.1ha (5.22ha net) of land at Halfpenny Lane Knaresborough.

The site is bordered by Halfpenny Lane, the former railway embankment and Breary Flat Lane. Hay a Park SSSI lies to the east of the site. The site was previously used as a nursery and is within the development limit of Knaresborough.

The scheme now proposes 138 units for sale and 37 affordable units. The breakdown is now as follows:-

- 1 no 1 bed (an affordable unit)
- 41no 2 bed (of which 23 are affordable)
- 32no. 3 bed (of which 13 are affordable)
- 94no 4 bed
- 7no 5 bed

There are eight different house types for sale and five different affordable house types. 97 of the 138 (70%) houses for sale have accommodation in the roofspace. These are house types 2, 3, 4 and 8.

The basic road layout and on site open space provision remains as Members have previously considered.

MAIN ISSUES

1. Land Use
2. Design
3. Highway Issues
4. Open Space
5. Affordable Housing

RELEVANT SITE HISTORY

6.100.1685.C.OUT - Outline Planning permission granted 10 May 1999 including S106 Agreement.

CONSULTATIONS/NOTIFICATIONS

KNARESBOROUGH TOWN COUNCIL

Knaresborough Town Council

The British Horse Society

Reply awaited

D.L.A.S Arboricultural Officer

Is satisfied with the conclusions in a tree report identifying works required

DLAS - Open Space

Advise of a commuted sum of £80,105 Final comments on the acceptability of the open space provision is awaited and Members will be updated at the meeting

H.B.C Land Drainage

Requires full drainage details

Environment Agency

No objections

County Education Officer

Requested a commuted sum, but this cannot be now applied to a reserved matters application

Environmental Health

Requires a desk top assessment of contaminated land

Chief Engineer (H and T)

Recommends refusal

Housing Development

In accordance with S106 attached to the outline a mix of tenures is proposed with 27 rented homes & 8 provided for discounted house ownership. A supplemental S106 is req'd to ensure discount applied to 1st sale is applied in perpetuity.

Claro Internal Drainage Board

Require full details of surface water disposal

Minerals & Waste Planning, NYCC

No specific comments in respect of this reserved matters application

Ramblers Association

Are satisfied with the revised details

Yorkshire Water

Have no observations

Local Plans Policy

See Assessment

Landscape Officer

Requires further details

Police Architectural Liaison Officer

Reply awaited

Conservation and Design Section

See Assessment

Policy Dev Unit NYCC

No comments received

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 12.07.2002

PRESS NOTICE EXPIRY: 12.07.2002

REPRESENTATIONS

KNARESBOROUGH TOWN COUNCIL - Object to the proposal:-

Further to detailed consideration of these new amended plans , the Town Council retains its previously expressed objections:

1. single file traffic through the bridge is unacceptable without traffic lights
2. three storey buildings proposed are considered to be out of keeping with the surrounding area
3. the Town Council wishes to see additional open space provided within the site
4. the development is on the edge of the Town, beyond which there is unlikely to be any further development, and the Town Council considers the housing density should be reduced to reflect the 'move' from urban to rural area
5. the plans supplied do not illustrate the existing right of way or the proposed diversion

The Town Council further comments that:

- i) should the total number of dwellings on the site be reduced would seek to ensure this is not to the detriment of the provision of the lower cost and affordable housing
- ii) the Town Council welcomes the mix of housing proposed on site

and further objects on the grounds that the Council are very disappointed to see, on the amended plans, that the height of 2 storey buildings, with rooms in the roofspace, are taller than the previous 3 storey dwellings, to which the Council strongly objected and there has been an increase in the number of this type.

OTHER REPRESENTATIONS - Only one letter of representation has been received to the revised scheme expressing concern about the emergency access to Colebrook Meadow, traffic and the visual impact of three storey properties.

A representation from the Chairman of Governors of the Forest School on Park Lane has been received since the January meeting expressing concern about the traffic generation from this development with a suggestion that the scale of the development be reduced and/or improvements to the junction of Halfpenny Lane/Chain Lane/Park Lane.

VOLUNTARY NEIGHBOUR NOTIFICATION - None.

RELEVANT PLANNING POLICY

- PPG1 Planning Policy Guidance 1: General Policy and Principles
- PPG3 Housing
- PPG13 Planning Policy Guidance 13: Transport
- PPG17 Planning Policy Guidance 17: Planning for open space, sport and recreation
- SPH1 North Yorkshire County Structure Plan Policy H1
- SPH8 North Yorkshire County Structure Plan Policy H8
- SPT9 North Yorkshire County Structure Plan Policy T9
- SPR6 North Yorkshire County Structure Plan Policy R6
- LPC11 Harrogate District Local Plan Policy C11: Landscaping of Development Sites
- 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
- LPR11 Harrogate District Local Plan Policy R11: Rights of Way
- LPA01 Harrogate District Local Plan Policy A1: Impact on the Environment and Amenity
- LPA08 Harrogate District Local Plan Policy A8: Contaminated Land
- LPH01 Harrogate District Local Plan Policy H1: The Housing Requirement
- LPH05 Harrogate District Local Plan Policy H5: Affordable Housing
- LPH06 Harrogate District Local Plan Policy H6: Housing developments in the main settlements and villages
- LPH13 Harrogate District Local Plan Policy H13: Housing Density, Layout and Design
- LPH17 Harrogate District Local Plan Policy H17: Housing Type
- LPHX Harrogate District Local Plan Policy HX: Managed Housing Site Release
- LPT17 Harrogate District Local Plan Policy T17: Cycle Parking
- LPT21 Harrogate District Local Plan Policy T21: Foot and Cycle Access
- LPIMP2 Harrogate District Local Plan Policy IMP2: Provision of Infrastructure Needs Generated by Development

ASSESSMENT OF MAIN ISSUES

1. LAND USE - As an approval of reserved matters within the defined period of the outline permission, the principle of housing on this site has been established and its release is not contrary to Policy HX of the selective alteration.

Affordable housing with only 37 of the 175 units is low and contrary to Policy H5 of the adopted plan and the Selective Alteration however, the Section 106 agreement of the outline only required the provision of 2 acres of land for affordable housing and this proposal complies with that requirement.

Density on the site falls just under 30 dwellings/ha (28.6 dwellings/ha) but if the net density is considered (excluding the on-site open space) the density is 37 dwellings/ha which complies with Policy H13 and PPG3 guidance.

There is only a limited number of smaller 1 and 2 bedroomed dwellings to fully satisfy Policy H17 but there is only 19 no. 3 bedroomed properties for sale.

The open space provision complies with Policy R3(g) and commuted sums would be required for the maintenance. Off-site open space provision is to be provided on the site

allocated under Policy R3(h) - see application 6.100.2309.FUL.

No commuted sums in respect of education can be retrospectively applied to this site.

2. DESIGN - The advice of the Conservation and Design Manager is as follows:-

This application cannot be supported for the following reasons:-

1. The layout at 1:500 is very basic, units, garages, paths, plots just don't seem to work. It is essential to have typical areas worked up in detail at 1:200, 1:100 and 1:50 so that details/layout can be appreciated alongside the quality of the hard and soft landscaping details
2. The actual layout does not really relate to a Knaresborough style /feeling. It really is a "just anywhere" proposal.
3. The units do have a basic palette of window types and materials but they don't relate to any feeling of Knaresborough. The windows have no illustrated opening lights or what type of opening method. Rooflights are rather large/often double type, these should be single and typical width of spar/rafter/frames. Dormers are over large and out of keeping. Double patio doors look wrong and out of place. A single door with long windows either side and a window seat would look much better. Glazing bars on the double doors look totally out of character. Triple rooflights on garage units are totally out of character. No cross sections provided.
4. A total rethink is needed to relate to Knaresborough.

3. HIGHWAY ISSUES - The Chief Engineer (Highways) has provided very detailed comments on the scheme and concludes that the proposal if approved and implemented would be prejudicial to the safety and convenience of highways users and would result in unsafe movements of vehicles and pedestrians, obstruction of the highway and damage to the highway and fails to comply with the spirit and requirements of both PPG13 and the Residential Highway Design Guide of North Yorkshire County Council

4. OPEN SPACE - Policy R3(g) of the local plan identifies the need for 0.9ha on site. In addition the railway embankment is to be "gifted" to the school. This has been subject to separate negotiation between the site owner, the developer and the school. The increased scale of the development requires off site provision and this is dealt with by a separate application (see 6.100.2309.FUL). It is essential that if granted these two permissions are linked together by a Section 106 Agreement.

There would be a requirement for a supplemental S106 agreement to cover commuted sums for open space maintenance.

5. AFFORDABLE HOUSING - The scheme provides for 37 dwellings on 2 acres of land. Current policy requirement would provide for a significantly higher number but the "2 acre" requirement was embodied in the original Section 106 Agreement on the site.

There will be a need for a supplemental S106 agreement to secure its management.

CONCLUSION - The site has the benefit of an outline permission and is subject to a S106 agreement covering the following:

1. £15,000 for a light controlled pedestrian crossing in the vicinity of Meadowside School
2. £35,000 towards traffic calming on Halfpenny Lane
3. The provision of 2 acres of land for affordable housing of which no less than 75% shall be for rental
4. Access requirements

Members are reminded that they are now not in a position to formally determine this application as the applicants have now appealed for non determination and the decision will now be made by an Inspector (or the First Secretary of State) following a public inquiry.

Notwithstanding the fact that the site has the benefit of outline planning permission it is considered that this latest scheme by virtue of its design, layout, form and massing would be inappropriate in this location on the edge of Knaresborough and be in direct conflict with policy HD20 of the Local Plan and the Highway Design guidance of the County Council.

CASE OFFICER: Mr R N Watson

RECOMMENDATION

That the application be Determined at appeal and the Secretary of State be notified that the local planning authority were minded to Refuse. Reason(s) for refusal:-

- 1 The proposed development by virtue of its design, layout form and massing would be inappropriate in this location on the edge of Knaresborough and would therefore conflict with Policy HD20 of the Harrogate District Local Plan.
- 2 The proposed residential estate layout would be prejudicial to the safety and convenience of highway users and would result in unsafe movements of vehicles and pedestrians, obstruction of the highway and damage to the highway. The proposal would therefore conflict with Policy A1 of the Harrogate District Local Plan and the North Yorkshire County Council Residential Highway Design Guide.



