

HARROGATE BOROUGH COUNCIL

PLANNING AREA2 DC COMMITTEE – AGENDA ITEM 6: LIST OF PLANS.

DATE: 31 August 2004

PLAN: 07	CASE NUMBER: 04/03333/FUL
APPLICATION NO. 6.78.71.A.FUL	GRID REF: EAST 438390 NORTH 460900
	DATE MADE VALID: 21.07.2004
	TARGET DATE: 15.09.2004
	WARD: Claro

APPLICANT: Mr & Mrs Milner

AGENT: Jardel Architectural

PROPOSAL: Erection of 1 no detached dwelling (site area 0.23ha).

LOCATION: Land Comprising Part Of OS Field 1800
Adjacent To Long Acre Moor Lane Arkendale Knaresborough North Yorkshire

REPORT

The application site forms part of OS Field 1800 situated adjacent to the village of Arkendale. The field has the benefit of an existing vehicular access onto Moor Lane that is located in the south eastern corner of the site. Residential property is located to the immediate north and east of the site (properties known as Marcourt and Long Acre respectively).

The applicants propose to construct a single detached property comprising of 4- bedroom accommodation and attached double garage on part of the site. The site would be accessed via the existing field gate with a modified access to provide visibility of 2m x 90 metres in westerly direction and 2m x 70 metres in a easterly direction. The site is approximately 0.23 hectares in area.

MAIN ISSUES

1. Land Use
2. Visual Impact
3. Residential Amenity
4. Highway Safety
5. Open Space Provision

RELEVANT SITE HISTORY

6.78.71.FUL - Formation of 4 metre wide track for hardstanding: REFUSED 18.12.2000.

CONSULTATIONS/NOTIFICATIONS

Parish Council
Arkendale

DLAS - Open Space

No comments received

Highway Authority

A legal agreement is required with the neighbour to achieve visibility. Subject to the above no objection subject to the imposition of conditions.

Housing Development

No comments received

Claro Internal Drainage Board

No comments received

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 27.08.2004

PRESS NOTICE EXPIRY: 27.08.2004

REPRESENTATIONS

ARKENDALE, CONEYTHORPE AND CLARETON PARISH MEETING - At the time of writing this report comments from the Parish Meeting area awaited.

OTHER REPRESENTATIONS - At the time of writing this report no comments have been received.

VOLUNTARY NEIGHBOUR NOTIFICATION - No properties notified.

RELEVANT PLANNING POLICY

- PPG1 Planning Policy Guidance 1: General Policy and Principles
- PPG3 Planning Policy Guidance 3: Housing
- PPS7 Planning Policy Statement 7: Sustainable Development in Rural Areas
- PPG13 Planning Policy Guidance 13: Transport
- PPG17 Planning Policy Guidance 17: Planning for open space, sport and recreation
- SPE2 North Yorkshire County Structure Plan Policy E2
- SPH4 North Yorkshire County Structure Plan Policy H4
- SPH5 North Yorkshire County Structure Plan Policy H5
- SPH1 North Yorkshire County Structure Plan Policy H1
- LPH01 Harrogate District Local Plan (2001, as altered 2004) Policy H1: The Housing Requirement
- LPHX Harrogate District Local Plan (2001, as altered 2004) Policy HX: Managed Housing Site Release
- LPH05 Harrogate District Local Plan (2001, as altered 2004) Policy H5: Affordable Housing
- LPH06 Harrogate District Local Plan (2001, as altered 2004) Policy H6: Housing developments in the main settlements and villages
- LPH07 Harrogate District Local Plan (2001, as altered 2004) Policy H7: Housing development in the countryside
- LPH13 Harrogate District Local Plan (2001, as altered 2004) Policy H13: Housing Density, Layout and Design

- LPH17 Harrogate District Local Plan (2001, as altered 2004) Policy H17: Housing Type
- LPHD16 Harrogate District Local Plan (2001, as altered 2004) Policy HD16: Approaches to Settlements
- LPHD20 Harrogate District Local Plan (2001, as altered 2004) Policy HD20: Design of New Development and Redevelopment
- LPA01 Harrogate District Local Plan (2001, as altered 2004) Policy A1: Impact on the Environment and Amenity
- LPR04 Harrogate District Local Plan (2001, as altered 2004) Policy R4: Open Space Requirements for New Residential Development
- LPC15 Harrogate District Local Plan (2001, as altered 2004) Policy C15: Conservation of Rural Areas not in Green Belt

ASSESSMENT OF MAIN ISSUES

1. LAND USE - Harrogate District Local Plan Policy H6 identifies Arkendale as a category 'B' settlement. Within such villages, new residential development will only be considered as acceptable if the site lies within the existing built up confines of the village and in relation to new build consists of either infill or small scale rounding off. The definition of infilling is taken as the filling of a small gap in an otherwise built up frontage and rounding off as the development of a small site (typically under 0.4 hectare) and bounded on three sides by substantial built development.

The site is located outside the built up confines of the village . As a consequence the site cannot be considered to represent an infill plot, nor a development that would constitute rounding off. Whilst it is recognised that residential development is located in close proximity to the site on both the north and eastern boundaries, the Hawthorns situated on the opposite side of Moor lane is some 110 metres from the dwelling. The Hawthorns is a farmhouse with associated agricultural buildings that is considered to lie outside the main built up confines of the settlement. The degree of separation and lack of substantial built development ensures that the scheme cannot be considered as 'rounding off' in the normally accepted sense of the term.

Furthermore , the site represents a 'greenfield' site under the provision of HDLP Policy HX and as such fails to accord with National Planning advice contained within Planning Policy Guidance Note 3: Housing and the sequential approach to housing provision identified by Policy HX.

It is therefore considered that in the absence of any justification to warrant approval of the scheme under HDLP Policy H7, there is a strong land use policy objection to the release of this land for residential purposes.

Notwithstanding the above objection, the site also fails to provide any element of affordable housing, mix of house type, or represent an efficient use of land by failing to meet minimum density targets identified in PPG3 and HDLP Policy H13. The scheme therefore would also fail to meet the provisions of that policy and H5 and H17 of the local plan.

2. VISUAL IMPACT - HDLP Policy C15 seeks to protect the countryside and identifies that existing land uses are for the most part expected to remain undisturbed. The policy does however identify case where development would be acceptable. In the case of residential development this would only be where there is a local need that cannot be met elsewhere (eg an agricultural workers dwelling). No such justification has been put forward in this instance.

It is considered that the scheme would in the absence of any special circumstances further extend the built confines of the village in a westerly direction to the detriment of the rural character and

setting of the locality. HDLP Policy HD16 identifies that development which would have an adverse effect on the character or appearance of the approaches to the districts settlements will not be permitted. The proposed development as a consequence of its unusual design , siting and extent of curtilage would in the opinion of your officer detract from the approach into the village and as such would be contrary to both HDLP Policy C15 ,HD16 and HD20

3. RESIDENTIAL AMENITY - Both the two adjacent residential properties adjacent to the site have windows overlooking the field. Long Acre is a dormer bungalow with a first floor window in the gable elevation. Whilst the proposed new unit would not overlook Long Acre, the proximity of the aforementioned window will overlook the amenity space of the dwelling. Marcourt to the north of the site again has windows overlooking the site. First floor windows in the proposed unit would face this dwelling. It is however, considered that there is sufficient separation distance between the dwellings to ensure that the new dwelling would not have a significant adverse impact upon residential amenity.

4. HIGHWAY SAFETY - Access to the site is to be gained via an existing field gate. The field entrance will be modified by setting the gates 6metres back from the highway and removing part of the field boundary hedge to achieve visibility. The highway authority have been consulted regarding the development and have no objection subject to the imposition of conditions. It is however noted that the highway authority would require the applicant to enter into a legal agreement with the neighbouring property to achieve the required visibility.

5. OPEN SPACE PROVISION - HDLP Policy R4 is applicable in this instance and a commuted sum of £329 is generated for Youth and Adult facilities and allocated to Staveley Cricket Club. The applicants have been informed of the requirement and confirmation is awaited that the applicant will comply with the policy.

CONCLUSION - The proposed development would represent the development of a 'greenfield' site contrary to the provisions of PPG3 and HDLP Policy HX and as a consequence HDLP Policy H1 and H6.

Furthermore the development would extend the built up confines of the settlement into the open countryside to the detriment of the rural character of the locality. In the absence of any special justification to warrant approval of the scheme the development is considered contrary to HDLP Policies C15 and H7 together with Structure Plan Policies H5 and E2.

Notwithstanding the above land use objection, the development represents the inefficient use of land lacking in house mix and size to meet local needs, (including affordable housing). The development is therefore in addition contrary to HDLP Policy H5, H13 and H17.

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

CASE OFFICER: Mr A Hough

RECOMMENDATION

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

- 1 The proposed greenfield housing development is contrary to the Harrogate District Local Plan Selective Alteration Policy HX to manage housing site release and minimise the level of over-provision. Sufficient sites have been granted planning permission to meet the housing requirement set out in Policy H1 of the County Structure Plan and Harrogate District Local Plan. To grant planning permission for additional sites would be contrary to the PPG3 'plan, monitor and manage' approach to the release of housing land and the strategy of the Structure Plan and Local Plan to restrain housing growth in the District. It is therefore also contrary to Policy H6 of the Local Plan.
- 2 The proposed development would extend the built up confines of the settlement into the open countryside to the detriment of the rural character and approach into the village. In the absence of any justification for the dwelling the proposal is contrary to Harrogate District Local Plan Policies H7, C15 and HD16.
- 3 Notwithstanding reasons 1 and 2, the proposed development represents the inefficient use of land lacking in a mix of house type to meet local needs. The proposed development is as consequence contrary to the provisions of Harrogate District Local Plan Policy H5, H13 and H17.

