

## HARROGATE BOROUGH COUNCIL

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

**DATE: 31 August 2004**

<b>PLAN:</b> 08	<b>CASE NUMBER:</b> 04/03307/FUL
<b>APPLICATION NO.</b> 6.78.47.I.FUL	<b>GRID REF: EAST</b> 438295 <b>NORTH</b> 461100
	<b>DATE MADE VALID:</b> 25.06.2004
	<b>TARGET DATE:</b> 20.08.2004
	<b>WARD:</b> Claro

**APPLICANT:** Mr R Bailey

**AGENT:** A Sharpe Associates

**PROPOSAL:** Erection of 1 no replacement detached dwelling (revised scheme, site area 0.084ha).

**LOCATION:** Hazel Head Farm Arkendale Knaresborough North Yorkshire HG5 0RG

## REPORT

### SITE AND PROPOSAL

Members will recall that this application was deferred consideration at Harrogate Borough Councils Planning Area 2 Committee of 3 August 2004 following the receipt of revised plans and to allow for further consideration and re-consultation of the plans.

Hazel Head Farm lies on the edge of the village of Arkendale. The application site comprises an old farmhouse and an area of land to the east of the existing house, the site is located immediately to the north of an area of common land known as The Mar. The site is accessed by Moor Lane, passing the Mar, and there is also a vehicular access to the farm from West Field Lane. The farm is comprised of a range of buildings including an agricultural workers dwelling approved in 1994, and two agricultural buildings which have recently gained planning permission for conversion to holiday lets, there is no longer any farming activity.

The application proposes the demolition of the old farmhouse and its replacement with a new 5 bedroom dwelling and parking area to accommodate two vehicle spaces. The scheme represents a revised development following the withdrawal of application under 6.78.47.H.FUL. The dwelling will be constructed of stone/cobble under a slate roof. The proposed garden area will be marked by hedgerow/cobble wall and 3 rail timber fence.

Following the initial submission of the scheme the applicant has amended the proposal by reducing the height and footprint of the proposed dwelling.

### MAIN ISSUES

1. Land Use
2. Visual Amenity

3. Residential Amenity
4. Highway Safety
5. Open Space Provision

### **RELEVANT SITE HISTORY**

6.78.47.PA - Erecting new farmhouse: Refused 01.06.1990

6.78.47.A.OA - Outline application : Erection of a new agricultural workers dwelling: Refused 21.06.1994

6.78.47.B.OA - Construction of agricultural workers dwelling: Approved 06.12.1994

6.78.47.D.REM - Erection of 1 No agricultural workers dwelling: Approved 14.05.1996

6.78.47.E.FUL - Erection of a pig unit with boar pen and feed store: Approved 17.05.1999

6.78.47.F.FUL - Erection of extension to general purpose agricultural building: Refused 20.03.2000

6.78.47.G.FUL - Conversion of disused Sow House to form 1 No holiday cottage and conversion of disused granary to form 1No holiday flat: Approved 30.06.2003

6.78.47.H.FUL - Erection of 1 No. replacement dwelling, including integral garage (site Area 0.13 hectares). WITHDRAWN 15.08.2003.

### **CONSULTATIONS/NOTIFICATIONS**

#### **Parish Council**

Arkendale

#### **Highway Authority**

No objection subject to the imposition of conditions.

### **APPLICATION PUBLICITY**

**SITE NOTICE EXPIRY:** 30.07.2004

**PRESS NOTICE EXPIRY:** 30.07.2004

### **REPRESENTATIONS**

**ARKENDALE PARISH COUNCIL** - Supports the application.

**OTHER REPRESENTATIONS** - Three letters were received prior to the receipt of amended plans on the following grounds:

1 letter in support of the scheme but would oppose the re-instatement of an old track.

1 letter objecting to the development as a consequence of the size of the replacement dwelling,

introduction of a track and possible (non residential) use of the building

1 letter received whilst not objecting to the replacement dwelling highlighting concerns and restrictions regarding access and site boundaries.

All three have been re-notified of the receipt of amended plans.

**VOLUNTARY NEIGHBOUR NOTIFICATION** - No properties notified.

#### RELEVANT PLANNING POLICY

- PPG1 Planning Policy Guidance 1: General Policy and Principles
- PPG3 Planning Policy Guidance 3: Housing
- PPG7 The Countryside: Environmental Quality and Economic and Social Development
- PPG17 Planning Policy Guidance 17: Planning for open space, sport and recreation
- LPHX Harrogate District Local Plan (2001, as altered 2004) Policy HX: Managed Housing Site Release
- 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
- LPH05 Harrogate District Local Plan (2001, as altered 2004) Policy H5: Affordable Housing
- LPH20 Harrogate District Local Plan (2001, as altered 2004) Policy H20: Replacement Dwellings in the Countryside
- 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
- SPH5 North Yorkshire County Structure Plan Policy H5
- LPC15 Harrogate District Local Plan (2001, as altered 2004) Policy C15: Conservation of Rural Areas not in Green Belt
- SPE2 North Yorkshire County Structure Plan Policy E2

#### ASSESSMENT OF MAIN ISSUES

**1. LAND USE** - The site lies outside of the built up confines of the village of Arkendale. The relevant policy concerning the replacement dwellings within the countryside is Policy H20 of the adopted Harrogate District Local Plan. Policy H20 is permissive of replacement dwellings where a range of criteria are met. The proposal does meet a number of these criteria, ie the new dwelling is located on the site of or close to the existing dwelling to be cleared, the new dwelling is sited to preclude the retention of the existing dwelling, and the existing dwelling is not a listed building.

Policy H20 does however identify that the replacement dwelling should be no larger than the existing dwelling. This is to ensure that the existing landscape is protected. The replacement dwelling as amended is still larger (albeit reduced in size to both the initial submission and the scheme submitted under 6.78.47.H.FUL).

The existing dwelling occupies a footprint of 14m x 7m (with a single storey side extension of 3m x 4.2m), whilst the proposed revised dwelling is of dimensions 15.5m x 8.4m resulting in an increased footprint of approx 19 square metres (the existing dwelling occupies 111 square metres compared to the proposal which occupies 130 square metres). In addition the overall height will be

increased by approx 1.5m. The dwelling therefore fails to comply with HDLP Policy H20.

The purpose of the policy is however to protect the existing landscape. In this instance the development is seen against the backdrop of existing substantial brick built structures that are in use as holiday lets. Although still larger, it is difficult to substantiate that the building would have a harmful impact upon the landscape in its revised form.

The existing structure is of a particular low construction and your officer would not in this instance object to the small increase in height of the replacement dwelling (the overall height of the replacement dwelling is 7.5 metres increasing to 8.5 metres due to the fall in the land). The height of the replacement structure is not considered excessive. Similarly the frontage, whilst larger than the main block is actually smaller when the single storey side extension is taken into account. Given that the frontage is the most prominent elevation when viewed from The Mar and the site is seen against an existing built up background, your officer is satisfied that the scheme in its revised form would not prejudice the purposes of H20. Clearly as the development is larger it will be necessary to remove permitted development rights from the property and this can be controlled by condition.

HDLP selective Alteration policy HX is permissive towards replacement dwellings. The site area is greater than 0.1 hectares in area and as such HDLP Selective Alteration Policy H5 is applicable. Given that the scheme represents the replacement of an existing structure the requirement to provide 50% affordable provision cannot be justified in this instance.

**2. VISUAL IMPACT** - The existing farmhouse is of two storey construction and modest in scale. The building is built into the hillside, with a high retaining wall to the rear of the property. The dwelling is located in a particularly prominent and sensitive location overlooking the Mar.

Policy H20 seeks to ensure that in order to protect the existing landscape, replacement dwellings are of a similar or smaller size to the original.

The proposed dwelling in its revised form is considered to be of a similar size albeit still larger than that to be replaced. Subject to the removal of permitted development rights it is considered that the revised scheme would not have a harmful impact upon the landscape or setting of the Mar itself.

**3. RESIDENTIAL AMENITY** - It is considered that the proposal would not have a significant impact on the residential amenity of nearby residents, and the accommodation would provide sufficient residential amenity for future residents.

**4. HIGHWAY SAFETY** - The access is proposed from the existing track which leads from Moor lane to the Farm. No garaging is proposed as part of this scheme, although a parking area is indicated to the west of the dwelling. It would not be unreasonable to expect a dwelling of the size proposed (5 bedrooms) to provide garage accommodation. Such provision would clearly have implications in respect of HDLP Policy HD20 (it is however noted that in this respect the existing dwelling has no garage accommodation). No such provision forms part of this scheme.

The Highway Authority have been consulted and have no objection to the development subject to the imposition of conditions.

The comments of local residents have been noted regarding the introduction of an access track. As the applicants intend to utilise the existing farm track, it is assumed that this reference is in respect of a track to the south of the dwelling. This track does not form part of the application site and

cannot therefore be considered as material to the determination of this application.

**5. OPEN SPACE PROVISION** - Under the provisions of HDLP Policy R4 a commuted sum is not required in this instance as the development represents a replacement dwelling.

**CONCLUSION** - The broad land use principle of the replacement dwelling is considered acceptable under the provisions of HDLP Policy H20 and HDLP Selective Alteration Policy HX.

The revised dwelling is marginally larger than the existing dwelling. In this respect the dwelling is contrary to HDLP Policy H20. Regard has to be taken however of the landscape impact of the development. In this respect, whilst the site occupies a prominent and sensitive location, the development would have no greater impact upon the landscape setting than the existing property. Due to differing land levels the dwelling would be seen against the backdrop of existing substantial built development. Subject to a controlling condition to secure the removal of permitted development rights, it is considered that approval of the application can in this instance be supported.

**CASE OFFICER:** Mr A Hough

## RECOMMENDATION

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

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 29.07.2004
- 3 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 4 Notwithstanding the submitted information, details of the proposed boundary treatment to the domestic curtilage shall be submitted for the written approval of the Local Planning Authority. The approved details shall thereafter be implemented in full prior to the occupation of the dwelling and retained as such unless otherwise agreed in writing by the Local Planning Authority.
- 5 CI02Y PD REST,NO EXTNS,GRGS&ROOF/DORMER WINDS
- 6 Prior to the first use of the development 4 parking spaces (min size 4.8 m x 2.4m) shall be provided, laid out, hard surfaced, drained, marked out and made available for use. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
- 7 CB11 SEPARATE SYSTEM FOUL AND SURFACE WATER

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC01R ACCORDANCE WITH DRAWINGS
- 3 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS
- 4 In the interests of visual amenity.
- 5 CI02YR PROTECT VISUAL AMENITY
- 6 To provide appropriate on-site vehicle parking facilities with associated access and manoeuvring areas, in the interests of highway safety and general amenity of the development.

7      CB11R TO PREVENT POLLUTION OF WATER ENVIRONMNT

