

HARROGATE BOROUGH COUNCIL

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

DATE: 26 October 2004

PLAN: 05	CASE NUMBER: 04/04069/OUT
APPLICATION NO. 6.124.196.A.OUT	GRID REF: EAST 446170 NORTH 452507
	DATE MADE VALID: 15.09.2004
	TARGET DATE: 10.11.2004
	WARD: Marston Moor

APPLICANT: Mr And Mrs G J Marston

AGENT:

PROPOSAL: Outline application for the erection of 1 no dwelling, including siting and access and erection of new detached garage for No 25 (Site Area 0.05 ha).

LOCATION: 25 Fairfax Crescent Tockwith York North Yorkshire YO26 7QX

REPORT

SITE AND PROPOSAL

The site comprises a large narrow L shaped flat parcel of land which is currently the side/rear garden of 25 Fairfax Crescent. The parcel of land is in an unkempt condition. There are trees and shrubs within the garden. The boundary of the garden is defined by fences/shrubs and trees. The site lies within a modern residential estate. Fairfax Crescent consists of semi-detached houses. There are bungalows immediately to the north of the site. 34 The Green lies immediately to the north west of the site and 17 The Green lies to the north. There is a double garage adjacent to No17 and a single garage adjacent to this for No.34. There is a reasonable hedge/tree screen along the boundary that separates Nos34 and 17 from 25 Fairfax Crescent, which helps to maintain the privacy for the residents. There is a kitchen window and toilet window on the side of No34 facing the proposed bungalow site. To the south is the unkempt garden of 23 Fairfax Crescent. Part of this garden is also the subject of a separate outline planning application for a bungalow, which was submitted to the Council at the same time, reference 6.124.267.A.OUT.

The proposal is for outline planning permission for a bungalow on the site. The applicant has applied for the siting of the bungalow, including a garage and replacement garage for No25 and the means of access to the bungalow off Fairfax Crescent. The proposed bungalow would be located adjacent to the boundary with No34 a bungalow and approximately 4m from the nearest point of No34, which is set at angle to the site. The proposed bungalow projects beyond the rear of No 34 The new double garage would also be located adjacent to the boundary with No34 in-between No34 and their garage. The new garage would be approximately 4m from the corner of the front elevation of No34. The proposed siting of the bungalow and garage would require the removal of trees and shrubs

from the northern boundary of the site. The existing garage will be demolished and an access and turning area provided to the front of the site. See Appendix A which indicates the siting the bungalow and the proposal for the adjacent bungalow reference 6.124.267.A.OUT

MAIN ISSUES

1. Land use/principle.
2. Impact on residential amenity and the street scene.
3. Highway/traffic.

RELEVANT SITE HISTORY

None.

CONSULTATIONS/NOTIFICATIONS

Parish Council

Tockwith

Highway Authority

None received at the time of writing the report.

Environmental Health

No comments received

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 20.10.2004

PRESS NOTICE EXPIRY: 22.10.2004

REPRESENTATIONS

TOCKWITH PARISH COUNCIL - None received at the time of writing the report.

OTHER REPRESENTATIONS - At the time of writing the report a letter of objection dated 21 August 2004 has been received from Mrs Hughes 34 The Green.

The proposed bungalow and garage will be situated very close to the house (34 The Green is a bungalow) and will be adjacent to the fence. It will cut off light to the garden and will be able to be seen from the back of the house. Use of bungalow will increase the amount of general noise.

VOLUNTARY NEIGHBOUR NOTIFICATION - The applicant has confirmed that the following neighbours have been notified: J Hughes The Green notified on the 3 August 2004. O Hogg The Green and S Haddersley 27 Fairfax Crescent notified on the 10 August 2004.

RELEVANT PLANNING POLICY

PPG1	General Policy and Principles
LPA01	Harrogate District Local Plan (2001, as altered 2004) Policy A1: Impact on the Environment and Amenity
LPH06	Harrogate District Local Plan (2001, as altered 2004) Policy H6: Housing developments in the main settlements and villages
LPH14	Harrogate District Local Plan (2001, as altered 2004) Policy H14: Housing Amenity
PPG3	Planning Policy Guidance 3: Housing
LPHD20	Harrogate District Local Plan (2001, as altered 2004) Policy HD20: Design of New Development and Redevelopment

ASSESSMENT OF MAIN ISSUES

1. LAND USE/PRINCIPLE - The site lies within the development limits of the village as identified in the Harrogate District Local Plan and Policy H6 states, inter alia, that development will be permitted if it:

- "i) IS OF A SCALE, DENSITY, LAYOUT AND DESIGN APPROPRIATE TO THE LOCALITY.
- ii) IS APPROPRIATE TO THE FORM AND CHARACTER OF THE SETTLEMENT.
- iii) PROVIDES A SATISFACTORY LEVEL OF RESIDENTIAL AMENITY.
- iv) WILL NOT RESULT IN THE LOSS OF OPEN SPACE OF RECREATION OR AMENITY VALUE IN CONFLICT WITH POLICIES R1 AND HD12 OF THIS PLAN.
- v) WILL NOT PREJUDICE THE OVERALL HOUSING STRATEGY OF THE LOCAL PLAN.
- vi) ACCORDS WITH ALL OTHER RELEVANT POLICIES OF THIS PLAN."

The site forms part of the domestic curtilage of the No25 and therefore is classified as previously developed land as defined in PPG3 Housing and Local Plan Policy HX.

Furthermore in relation to Policy H6 the site lies within the development limits of the village and in this case due to the size of the site, 0.05 hectare there is no conflict with Policies HX and H5 of the Local Plan.

Therefore subject to amenity, space about buildings and traffic issues the use of the site for residential purposes is acceptable in principle since it is surrounded on three sides by existing residential development.

2. IMPACT ON RESIDENTIAL AMENITY AND THE STREET SCENE - The main issue to consider in the determination of this application is would the granting of a planning permission for a bungalow and garage on the site unacceptably impact on the amenities of the existing adjacent residents to warrant refusing the application. The residents that would be affected by this application would be the resident of No34 The Green and the current and future occupants of 23 and 25 Fairfax Crescent. The bungalow at 17 The Green is approximately 15m from the proposed new garage and approximately 20m from the proposed bungalow and it is therefore considered that the amenities of this resident would not be affected by the proposed development.

The main impact of this proposal would be on the residents at 34 The Green. The proposed bungalow and garage would be situated very close to the boundary with No34 and would involve the removal of trees and shrubs. The proposed bungalow and garage would be approximately 4m from the existing bungalow at No34 and would also project

beyond the rear elevation of No34. It is therefore considered that the proposed bungalow in such close proximity to the existing bungalow would have a significant detrimental impact on the amenities of No34 in terms of the overshadowing of the garden and bungalow to warrant refusing the application. Furthermore the general activities associated with the proposed development in terms of the noise that would be generated close to the side garden of No34 would lead to an unacceptable loss of amenity to warrant refusing the application.

Similarly the proposed new development and the provision of a new access arrangement for the existing houses, 23 and 25 Fairfax Crescent, and the two new bungalows with new garage provision would it is considered lead to an intensification in the use of the access, which would be detrimental to the amenities of the existing and future occupants of 23 and 25 Fairfax Crescent. The general increase in activity to the side and front of 23 and 25 Fairfax Crescent would result in a significant loss of amenity for the existing and future residents of Nos23 and 25 to warrant refusing the application.

3. HIGHWAY/TRAFFIC - At the time of writing the report no formal response has been received from the Highway Officer. However following a pre-application consultation with the Highway Officer for residential development on the site on the 12 February 2004 he raised no objections to the proposal subject to conditions. Therefore there are no highway reasons to oppose the development.

CONCLUSION - The applicant has indicated that the proposed bungalow is "seen as a necessity in the near future to solve aged persons needs and requirements."

The Councils is mindful of the applicant's personal circumstances but the decision to approve or refuse the application must be based on planning and/or highway reasons, although the information supplied by the applicant will of course be taken into account before a decision is made. It is considered that in this case for the reason indicated in the report that application cannot be supported and the application is recommended for refusal on the grounds that the proposed development would result in an unacceptable loss of amenities to the existing and future occupants of the adjacent dwellings.

CASE OFFICER: Mr P Jewkes

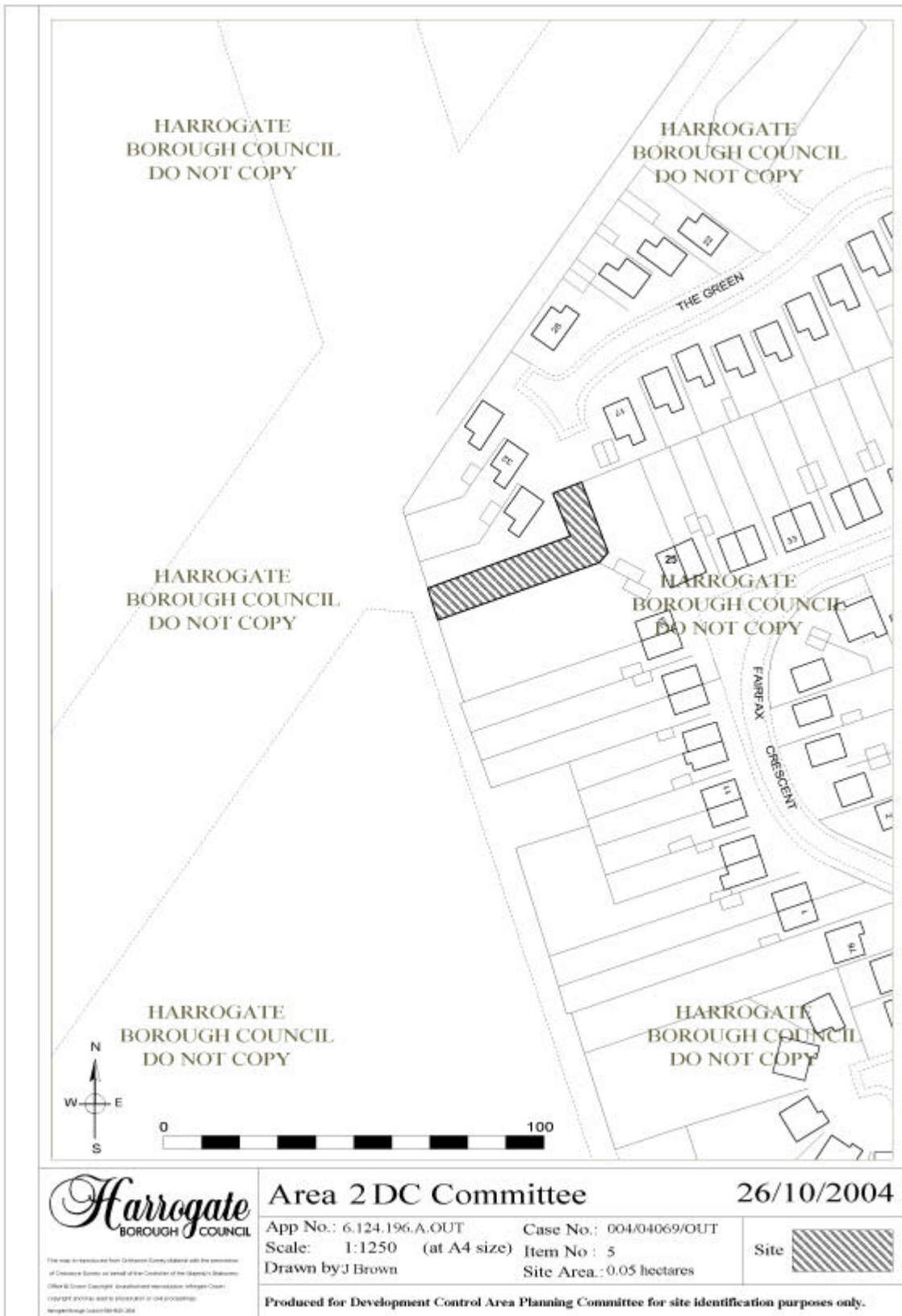
RECOMMENDATION

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

- 1 The proposed development by reason of its siting which would be close to the northern boundary of the site and in close proximity to No34 The Green and the size and scale of the bungalow it would result in an unacceptable loss of amenity for the resident at No34 The Green by reason of overshadowing and loss of light, which would be contrary to Policies A1 and HD20 of the Harrogate District Local Plan.

Furthermore the proposed development would lead to an intensification in the use of the means of vehicular access on to Fairfax Crescent which would result in an

unacceptable loss of amenity for the existing and future occupants of 23 and 25 Fairfax Crescent, and No34 The Green, which would be contrary to Policies A1 and HD20 of the Harrogate District Local Plan.



Harrogate
BOROUGH COUNCIL

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Area 2 DC Committee

26/10/2004

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Scale: 1:1250 (at A4 size)

Item No : 5

Drawn by J Brown

Site Area : 0.05 hectares

Site



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