

HARROGATE BOROUGH COUNCIL

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

DATE: 26 October 2004

PLAN: 07	CASE NUMBER: 04/03992/OUT
APPLICATION NO. 6.147.103.F.OUT	GRID REF: EAST 426978 NORTH 447789
	DATE MADE VALID: 06.08.2004
	TARGET DATE: 01.10.2004
	WARD: Spofforth With Lower

Wharfedale

APPLICANT: Mr L Kirwin

AGENT: Mr P Campkin And Associates

PROPOSAL: Outline application for the erection of 1 no detached dwelling with siting and access considered. (site area 0.071 ha)

LOCATION: Long Spinney Crag Lane Huby Leeds North Yorkshire LS17 0EJ

REPORT

SITE AND PROPOSAL

The application site comprises the rear garden of the property known as Long Spinney, which is located on Crag Lane in Huby. Long Spinney occupies a long narrow plot, with the dwelling located approximately equidistant between the road frontage and the rear boundary of the garden. There is a dwelling, The Chestnuts, located immediately to the south of Long Spinney, in what was originally part of the front garden of Long Spinney. A further two storey dwelling, The Hawthornes, lies to the west of Long Spinney, and the private road of Crag View lies to the north and east of Long Spinney. The rear of the site adjoins open countryside. Long spinney itself is a brick built two storey dwelling with a long driveway along its boundary with Crag View, leading to a turning area and detached garages to the rear. The land rises to the rear of the site. The site lies within the Green Belt.

The application proposes erection of 1No. dwelling within the rear garden of Long Spinney. The application is in outline with only siting and access to be determined at this stage. Access is proposed along the existing driveway serving Long Spinney. Revised drawings were submitted on 4th October and now show the proposed dwelling as a bungalow, and propose a 1.8m boundary wall within the site, between the new dwelling and the existing.

MAIN ISSUES

1. Principle
2. Residential Amenity
3. Visual Amenity

4. Access and Parking
5. Open Space

RELEVANT SITE HISTORY

- 6.147.103.OA - Erection of two detached houses - Dismissed on appeal 07.02.1984
- 6.147.103.A.FUL - Erecting detached bungalow with integral garage - Refused 16.10.1990
- 6.147.103.B.FUL - Erecting detached bungalow with integral garage - Allowed on appeal 31.05.1991
- 6.147.103.C.FUL - Erection of detached dwelling and car port - Approved 05.09.1995

CONSULTATIONS/NOTIFICATIONS

Parish Council

Weeton

Highway Authority

Refer to Assessment

Yorkshire Water

No objections subject to conditions

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 10.09.2004

PRESS NOTICE EXPIRY: 10.09.2004

REPRESENTATIONS

WEETON PARISH COUNCIL - No objections, query site density

OTHER REPRESENTATIONS - Three letters of objection received to date, objecting on the following grounds:

- loss of privacy, overlooking
- existing problems with water pressure will be worsened
- danger of accident on Crag Lane due to increased traffic
- proposal in conflict with aim to reduce in-migration
- unnecessary development adversely affecting the character of the village
- gradual deterioration in open semi rural nature to detriment of all residents
- creeping encroachment into the open countryside

VOLUNTARY NEIGHBOUR NOTIFICATION - None undertaken.

RELEVANT PLANNING POLICY

- PPG1 General Policy and Principles
- PPG2 Planning Policy Guidance 2: Green Belts
- PPG3 Planning Policy Guidance 3: Housing
- PPG13 Planning Policy Guidance 13: Transport
- SPE10 North Yorkshire County Structure Plan Policy E10
- LPGB05 Harrogate District Local Plan (2001, as altered 2004) Policy GB5: Development within settlements in Green Belt
- LPGB04 Harrogate District Local Plan (2001, as altered 2004) Policy GB4: Requirements of Development in Green Belt
- 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
- LPH06 Harrogate District Local Plan (2001, as altered 2004) Policy H6: Housing developments in the main settlements and villages
- LPH13 Harrogate District Local Plan (2001, as altered 2004) Policy H13: Housing Density, Layout and Design

ASSESSMENT OF MAIN ISSUES

1. LAND USE PRINCIPLE - The site lies within the Development Limit of Huby. Huby is a village which is washed over by Green Belt, and therefore Policy GB5 applies. Policy GB5 states that new building will be restricted to infilling within the area defined by the development limits for the village. Infilling is defined as the development of a small site which represents a gap in a largely built up frontage or an area of existing development. It is considered that whilst the site lies within the development limits, the proposal does not constitute infilling, as the site does not represent a "gap", but instead is an extension of the built form of the village. Given the proposal is not considered to constitute infilling it is therefore inappropriate development within the Green Belt, and the proposal is therefore contrary to Policy GB5 of the adopted Local Plan.

2. RESIDENTIAL AMENITY - The application effectively proposes tandem development, utilising the existing driveway to Long Spinney which extends along the north east boundary of the site, past the gable end of the existing dwelling. There is a window to a habitable room on the gable adjacent to the driveway and whilst the application has been amended to show proposed screening (of an unspecified type and height) to the side of Long Spinney, it is considered that the additional traffic movements generated by the new dwelling travelling past Long Spinney will cause noise and disturbance, reducing the level of residential amenity enjoyed by the occupants of Long Spinney, contrary to Policy A1 of the Local Plan.

The ground levels rise to the rear of the site, and whilst the application has been amended to propose a bungalow rather than a two storey dwelling it is still considered that the proposed siting of the new dwelling would cause harm to the residential amenity of the existing dwelling due to the potential for overlooking between the two dwellings, contrary to Policy A1 of the Local Plan. Given the reorientation and repositioning of the proposed dwelling as well as its reduction in height to a bungalow, it is considered that the proposal

would not unduly harm the residential amenity of neighbouring residents so long as there are no windows inserted within both side elevations of the dwelling.

3. ACCESS AND PARKING - Access to the new dwelling is proposed along the existing driveway which serves Long Spinney. One of the existing garages is proposed to be allocated to the new dwelling and a separate turning area created for the new dwelling divided by a 1.8m high wall from the turning area for Long Spinney. The Highway Authority have commented that visibility is sub standard in a north easterly direction at 2m x 55m nearside, and 2m x 70m centre line, within a 30mph limit area the necessary visibility is 2m x 90m, and therefore refusal is recommended.

4. OPEN SPACE - The application is in outline only and therefore no calculation can be made at this stage for the open space commuted sum. Should the application be approved a condition should be imposed to ensure compliance with Policy R4 of the Local Plan.

CONCLUSION - The proposal represents inappropriate development within the Green Belt and is considered harmful to residential amenity, the visibility from the proposed access is inadequate, and therefore refusal is recommended.

CASE OFFICER: Ms Sara Purvis

RECOMMENDATION

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

- 1 The site lies within a washed over village within the Green Belt, and the proposal does not constitute infill development, and therefore the proposal is contrary to Policy GB5 of the adopted Harrogate District Local Plan (as amended 2004) and the advice set out in PPG2.
- 2 The proposal represents tandem development, and it is considered that both the use of the driveway adjacent to Long Spinney by traffic generated by the new dwelling, and the siting of the new dwelling, would be detrimental to the residential amenity of the occupants of Long Spinney, due to noise and disturbance, and potential for mutual overlooking, contrary to Policies A1, H6 and HD20 of the adopted Harrogate District Local Plan (as amended 2004).
- 3 The Planning Authority considers that clear visibility of 90m cannot be achieved along the public highway in a north westerly direction from a point 2m from the carriageway edge measured down the centre line of the minor/access road and consequently traffic generated by the proposed development would be likely to create conditions prejudicial to highway safety, contrary to Policy A1 of the adopted Harrogate District Local Plan (as amended 2004).



Harrogate
BOROUGH COUNCIL

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Area 2 DC Committee

26/10/2004

App No.: 6.147.103.F.OUT

Case No.: 04/03992/OUT

Scale: 1:1250 (at A4 size)

Item No: 7

Drawn by J Brown

Site Area: 0.66 hectares

Site



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