

## HARROGATE BOROUGH COUNCIL

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

DATE: 23 November 2004

<b>PLAN:</b> 02	<b>CASE NUMBER:</b> 04/05001/OUT
<b>APPLICATION NO.</b> 6.115.121.A.OUT	<b>GRID REF:</b> EAST 451233 NORTH 454882
	<b>DATE MADE VALID:</b> 04.10.2004
	<b>TARGET DATE:</b> 29.11.2004
	<b>WARD:</b> Ouseburn

**APPLICANT:** Jayne And Simon Cocker

**AGENT:**

**PROPOSAL:** Outline application for the erection of 1 no. dwelling with access considered. (Site area 0.034 ha)

**LOCATION:** Rosemeade Church Lane Moor Monkton York North Yorkshire

### REPORT

#### THE SITE AND PROPOSAL

The site comprises the majority of the rear garden of the dwelling known as Rosemeade at Church Lane, Moor Monkton Moor. The settlement is located immediately to the north of the A59 along Church Lane and is a ribbon form of development along Church Lane and the A59. There are existing similar dwellings to the north and south of the site. The garden application site abuts other rear gardens on all sides.

The proposal is an outline application for the erection of a dwelling within the rear garden of the dwelling known as Rosemeade. The applicant is applying for the means access to the site and this is shown on the submitted plan as an access from the existing entrance on Church Road, to be shared with the existing dwelling, with a 4.3m wide driveway to the north of the existing dwelling in-between Rosemeade and Shetlands to the north. There are two windows on the southern gable of the dwelling known as Shetlands to the north. These windows are to a lounge although one is blocked up at the moment from the inside.

#### MAIN ISSUES

1. Impact on the character and appearance of the area and the amenities of adjacent residents.

#### RELEVANT SITE HISTORY

Permission for single storey rear extension approved June 2004.

#### CONSULTATIONS/NOTIFICATIONS

**Parish Council**  
Moor Monkton

**Highway Authority**  
No comments received

APPLICATION PUBLICITY

**SITE NOTICE EXPIRY:** 05.11.2004  
**PRESS NOTICE EXPIRY:** 05.11.2004

REPRESENTATIONS

**MOOR MONKTON PARISH COUNCIL** - The site is within a row linear development and would set a precedent for future development, overlooking of gardens houses, height of hedge is irrelevant due to future laws limiting height of hedges, proposed access is very narrow and close to neighbours properties and it would isolate the gas tank from the original property.

**OTHER REPRESENTATIONS** - Three letters of objection from the residents at Martinvale, Corners and York House Church Lane: Set a precedent for other development within back gardens, tandem development, overlook houses and gardens, detrimental effect on the outlook off our property, traffic problems using shared drive and increased traffic on Church Lane, limited sewerage system, permission for rear extension, proposed driveway would be few feet from our lounge window,

**VOLUNTARY NEIGHBOUR NOTIFICATION** - None.

RELEVANT PLANNING POLICY

PPG1 Planning Policy Guidance 1: General Policy and Principles  
LPH01 Harrogate District Local Plan (2001, as altered 2004) Policy H1: The Housing Requirement  
LPH06 Harrogate District Local Plan (2001, as altered 2004) Policy H6: Housing developments in the main settlements and villages  
LPHX Harrogate District Local Plan (2001, as altered 2004) Policy HX: Managed Housing Site Release  
LPH14 Harrogate District Local Plan (2001, as altered 2004) Policy H14: Housing Amenity  
LPA01 Harrogate District Local Plan (2001, as altered 2004) Policy A1: Impact on the Environment and Amenity  
PPG3 Planning Policy Guidance 3: Housing

**ASSESSMENT OF MAIN ISSUES**

**1. IMPACT ON THE CHARACTER AND APPEARANCE OF THE AREA AND THE AMENITIES OF ADJACENT RESIDENTS** - The site fall within the classification C of Local Plan Policy H6 that is "other small settlements". In fact this small linear settlement is separated from the main part of Moor Monkton to the north by approximately 1 mile.

PPG3 promotes higher densities and Policies within the Local Plan reflect this. However, it is recognised that some areas within Harrogate district have a unique character and Policy H6 aims to ensure that development is "appropriate to the form and character of the settlement" and "provides a satisfactory level of residential amenity".

The proposed dwelling would be sited within the majority of the rear garden of Rosemead leaving a rear garden depth of approximately 6m and a width of approximately 15m, about 90 square metres for the existing dwelling. It is considered that this would not be an appropriate form of development providing a satisfactory level of residential amenity. To allow the development would therefore be contrary to Policy H6.

The proposed access drive to the side of the existing dwelling would be very close to the dwelling known as The Shetlands to the north. There are two windows in the side elevation of this dwelling, although one window is blocked up at the moment and the use of this proposed driveway would lead to an unacceptable loss of privacy in terms of the living conditions for the resident. Similarly the proposed dwelling in this rear garden location would also lead to an unacceptable loss of privacy in terms of overlooking, overshadowing and overbearing in relation to the living conditions of the nearby residents, to warrant refusing the application, which would be contrary to Policy A1.

Furthermore if this application were approved it would lead to a precedent and may lead to pressure for similar developments within the rear gardens of the surrounding houses which would then be difficult to resist.

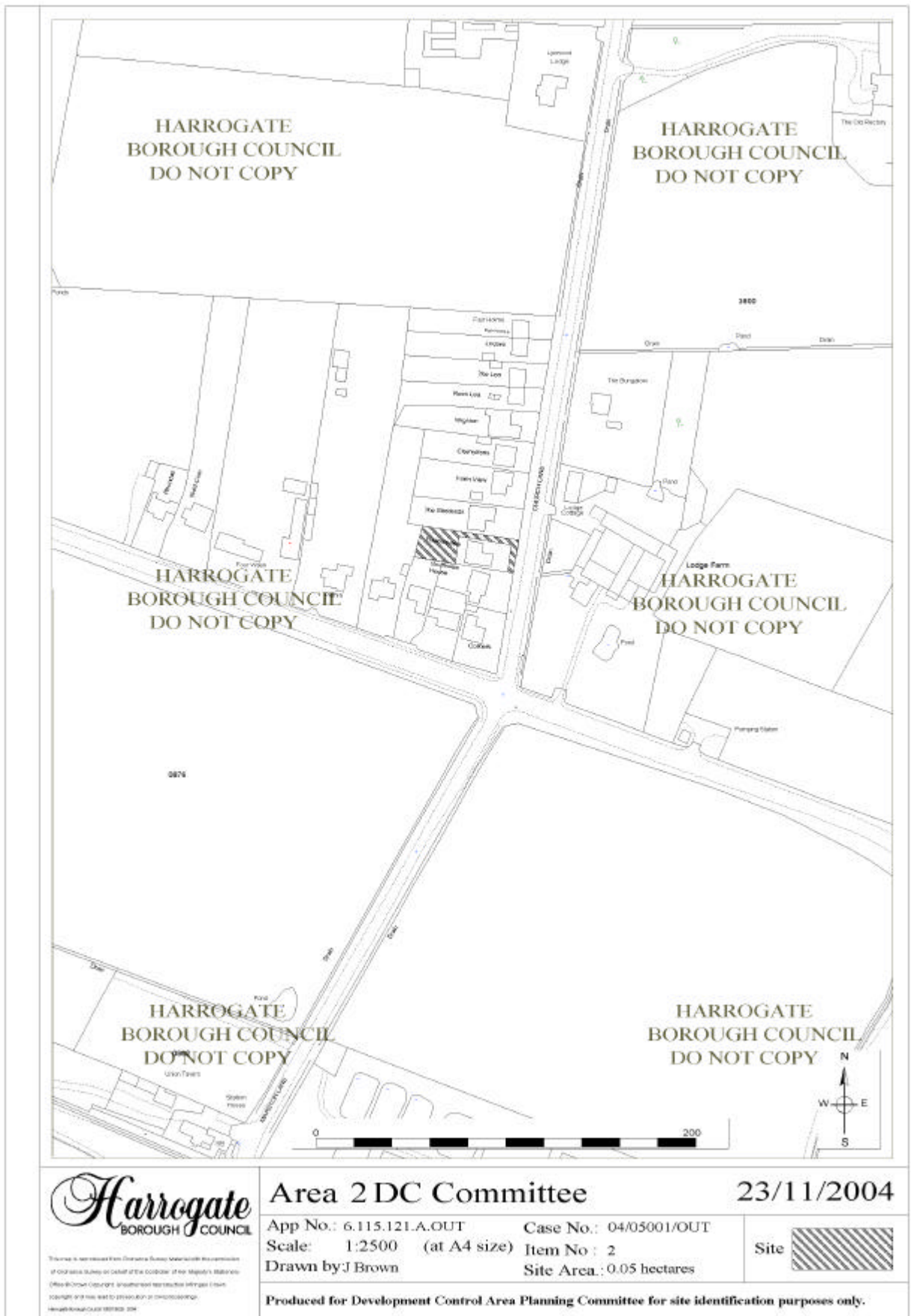
**CONCLUSION** - Therefore a proposed dwelling in the rear garden of Rosemead would be an unacceptable form of tandem development out of character with the area and would lead to an unacceptable detrimental impact on the living conditions of the adjacent residents contrary to Policies A1 and H6.

**CASE OFFICER:** Mr P Jewkes

## RECOMMENDATION

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

- 1 The proposal for a dwelling within the rear garden of Rosemeade would result in an unacceptable form of tandem development out of character with the area and would lead to an unacceptable detrimental impact on the living conditions of the adjacent residents contrary to Policies A1 and H6 of the Harrogate District Local Plan.



**Harrogate**  
 BOROUGH COUNCIL

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**Area 2 DC Committee**

**23/11/2004**

App No.: 6.115.121.A.OUT

Case No.: 04/05001/OUT

Scale: 1:2500 (at A4 size)

Item No: 2

Drawn by: J Brown

Site Area: 0.05 hectares

Site



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

