

HARROGATE BOROUGH COUNCIL

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

DATE: 23 November 2004

PLAN: 08	CASE NUMBER: 04/03330/FUL
APPLICATION NO. 6.96.162.B.FUL	GRID REF: EAST 444310 NORTH 458047
	DATE MADE VALID: 29.06.2004
	TARGET DATE: 24.08.2004
	WARD: Ouseburn

APPLICANT: Mr C Magson

AGENT:

PROPOSAL: Renovation & extension of 3 terraced & 2 semi-detached cottages, erection of 1 detached dwelling (site area 0.03ha) & block of 3 garages, formation of vehicular access & felling of 1 no Conifer Tree within Whixley Conservation Area (rev sch).

LOCATION: Werribee Cottage & Attached Derelict Cottages (Formerly Rose Cottages)
High Street Whixley York North Yorkshire

REPORT

SITE AND PROPOSAL

The application site lies in the centre of Whixley at the junction of High Street and Church Street. It is roughly triangular in shape. There is a terrace of derelict traditional cottages on the High Street frontage which were listed as Grade II in January 2004. To the rear of the cottages lies another cottage and a number of outbuildings. The property known as Werribee Cottage lies to the rear of the cottages, facing Church Street, with a large garden area to the side enclosed by traditional cobble walls. The site rises from east to west and there are dwellings to the north-west, including listed properties at Barrack Yard, and to the south of the site. A village green lies opposite. The site lies within the Whixley Conservation Area.

There are two parts to the proposal, the renovation and extension of the existing buildings and the erection of a new dwelling:

It is proposed to renovate and extend the listed cottages to provide three small residential units, one three-bed and two two-bed, each with a small yard area. Two of the units are provided with a parking space. The two storey outbuilding to the rear is to be extended to the front and side to provide a three bedroom unit with amenity space and a garage. Werribee Cottage is to be renovated and a single garage attached to the side to provide a three-bedroom property with an enclosed courtyard to the rear and a large front garden.

A detached four bedroom dwelling is proposed, sited in the garden of Werribee Cottage. The dwelling is set back a minimum of 14m from Church Street. The design is traditional

with a steeply pitched roof, a symmetrical front elevation with vertical and Yorkshire sliding sash windows. The accommodation is arranged over two floors with a bedroom within the roofspace. To the rear of the dwelling a single storey projection provides a kitchen with a patio doors leading out into the garden. A double garage is provided to the rear.

A new vehicular access is proposed off Church Street to provide access to Werrabee Cottage, one of the conversions and the proposed new dwelling.

Since the application was submitted amended plans have been received with design changes, in particular to the new dwelling and the listed cottages. Interested parties have been re-notified and the expiry date for representations is 14th November.

MAIN ISSUES

- 1 Policy/Principle
- 2 Residential Development
- 3 Impact on the Conservation Area
- 4 Impact on Listed Buildings
- 5 Access
- 6 Trees
- 7 Open Space Requirements

RELEVANT SITE HISTORY

03/05888/FUL - Renovation and extension to 3no. terraced cottages, two storey extensions & alterations to 1no cottage, erection of 1no single garage and erection of 1 no. detached dwelling and new vehicular access. WDN 23.01.2004

03/05886/CON - Conservation Area application for the demolition of 1no. cottage and outbuildings. PENDING DECISION.

04/03336/LB - Listed Building application for renovation, including demolition and extension, of 3 terraced and 2 semi-detached dwellings with internal and external alterations. PENDING DECISION.

CONSULTATIONS/NOTIFICATIONS

Parish Council

Whixley

Highway Authority

No comments received

DLAS - Open Space

A commuted sum of £1631 has been requested.

H.B.C Land Drainage

Recommend that roof/surface water be discharged to the public sewer in this location.

D.L.A.S Arboricultural Officer

Conifer felling agreeable. No other trees of significance exist on the site.

Housing Development

No comments received

Local Plans Policy

Consider land is previously developed. No policy objection.

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 30.07.2004

PRESS NOTICE EXPIRY: 30.07.2004

REPRESENTATIONS

WHIXLEY PARISH COUNCIL - object to the proposal on the following grounds. Two letters have been received and are summarised below:

- The plans are inaccurate, accurate plans requested
- Proposed dwelling is only 1.75m away from The Old Malt Kiln and appears to be higher than that dwelling. Loss of light to that dwelling will result
- Conversion of cottages does not provide satisfactory level of residential amenity
- No off-street parking provided for one of the cottages, general concern over parking in the village
- New dwelling unacceptable infill within the conservation area
- New dwelling would have adverse effect on the listed buildings
- New dwelling out of scale with the surrounding buildings
- Contrary to policy HD20 (criterion a,b,c,d,g,i)

OTHER REPRESENTATIONS - The following representations have been received to the application as submitted: 5 letters of objection (2 from the same address).

- plans are inaccurate
- should be no new build in the conservation area
- height of the new dwelling excessive
- appearance of new dwelling out of character, over-development and inappropriate development in the conservation area
- out of scale, overbearing and dominant
- new dwelling will prevent access to site to maintain adjacent property
- loss of privacy
- concern over boundary treatments
- support development of existing buildings
- loss of light
- loss of open space
- overhead cables cross the site - how will they be dealt with?

The consultation period on the amended plans expires on 14th November 2004. Any representations received will be reported to Planning Committee.

VOLUNTARY NEIGHBOUR NOTIFICATION - None.

RELEVANT PLANNING POLICY

- PPG1 Planning Policy Guidance 1: General Policy and Principles
- PPG3 Planning Policy Guidance 3: Housing
- LPHD01 Harrogate District Local Plan (2001, as altered 2004) Policy HD1: Statutory list of buildings of special architectural or historic interest
- LPHD03 Harrogate District Local Plan (2001, as altered 2004) Policy HD3: Control of development in Conservation Areas
- LPHD20 Harrogate District Local Plan (2001, as altered 2004) Policy HD20: Design of New Development and Redevelopment
- LPR04 Harrogate District Local Plan (2001, as altered 2004) Policy R4: Open Space Requirements for New Residential Development
- LPA01 Harrogate District Local Plan (2001, as altered 2004) Policy A1: Impact on the Environment and Amenity
- 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
- LPH09 Harrogate District Local Plan (2001, as altered 2004) Policy H9: Sub-division of Dwellings
- LPT01 Harrogate District Local Plan (2001, as altered 2004) Policy T1: The Highway Network
- PPG15 Planning Policy Guidance 15: Planning and the Historic Environment
- LPHD13 Harrogate District Local Plan (2001, as altered 2004) Policy HD13: Trees and Woodlands

ASSESSMENT OF MAIN ISSUES

1. POLICY - As the site lies within the development limit of Whixley there is no objection in principle to residential development. As previously developed land, the proposal is also in accordance with Policy HX of the Selective Alteration. The site area is below 0.5ha, and so there is no requirement for affordable housing under Policy H5. A mix of dwelling types is required under Policy H17.

Policy HD1 does not permit development where it would have an adverse effect on the character, physical fabric or setting of a listed building. Policy HD3 sets out criteria against which development within conservation areas will be assessed. Policy HD20 provides design guidance. Policy A1 states that development should make a positive contribution to the area.

In principle therefore the renovation and conversion of the existing buildings to residential use is acceptable. The erection of a new dwelling is also acceptable and does not conflict with policy.

2. RESIDENTIAL AMENITY - The renovation of the listed cottages will provide three small units, each with a modest but satisfactory level of accommodation including external yard areas. There are rear facing windows on two of the cottages however these lie opposite a blank wall on the adjacent unit. It is therefore considered that the level of residential amenity afforded to future occupiers is acceptable and is commensurate with the historic layout of the buildings. Werribee Cottage and unit 4 to the rear have been carefully designed so as to reduce overlooking between the dwellings. Each is provided with private

external amenity space and the level of accommodation proposed is also considered acceptable.

Concern has been raised over the impact that the proposed dwelling will have on the adjacent properties. The applicant has re-surveyed the site and amended the site plan to reduce inaccuracies. Your officers are satisfied that the proposed site layout is an accurate representation of the situation on the ground. The proposed dwelling is 0.5m less in depth than The Old Malt Kiln and it is sited broadly in line with that property, 3.2m from its side wall which has a slit window at first floor level. The Old Malt Kiln has a single storey projection to the rear forming a dining room with a glazed door leading to the rear garden, 15.8m from the kitchen window on the proposed dwelling. There is a wall on the boundary and due to the difference in levels the proposed dwelling will sit level with Werribee Cottage rather than The Old Malt Kiln, hence at a lower level to The Old Malt Kiln. A 1.8m high screen fence is also proposed on the boundary. It is therefore considered that, as the garden of The Old Malt Kiln would be higher than these kitchen windows that there is unlikely to be an issue of overlooking. The proposal is therefore considered not have a detrimental impact on the residential amenity of the occupants of that dwelling.

As the proposed dwelling sits in line with the rear wall of The Old Malt Kiln, there will not be any impact on the residential amenity of the occupants Barrack Yard as the dwelling is not sited to the rear of those properties.

3. IMPACT ON THE CONSERVATION AREA - The renovation, conversion and redevelopment of the buildings on site is acceptable and will improve the appearance of the conservation area. As the proposed new dwelling is set back at least 14m from Church Lane the feeling of space currently associated with the garden area is retained and the existing views of Barrack Yard retained. It is not considered that there would be any detrimental impact on the character and appearance of the conservation area.

The amended plans show the proposed dwelling as traditional in design with a symmetrical frontage and modest front porch. A mix of brick, cobble and pantiles is proposed. The size of the building is similar to others nearby and its siting, well back from Church Street, reduces the impact that the dwelling would have in the streetscene. The ridgeline of the dwelling is also in line with The Old Malt Kiln. It is not considered that the dwelling appear dominant or over-bearing and it therefore not considered to have a detrimental impact on the character and appearance of the conservation area.

4. IMPACT ON LISTED BUILDINGS - The proposal represents an opportunity to bring back into use a group of historic village buildings. The conversion and restoration of the cottages is sympathetic to the buildings and seeks to retain many features of the buildings.

Listed buildings also lie to the west of the site at Barrack Yard. These are highly visible across Werribee Cottage's garden when approached from the High Street. The proposed new dwelling is set back from Church Street and this retains the view of these buildings and their setting. It is therefore not considered that the proposal would have a detrimental impact on the setting of the listed buildings.

5. ACCESS - Vehicular access already exists to either side of the listed cottages and it is proposed to retain these to provide off- road parking for units 1 and 3. There is no space available for off-road parking for the

central cottage and it is accepted that the occupier would have to park on the road outside. A new vehicular access from Church Street to serve unit 4, Werribee Cottage and the proposed dwelling. No objection is raised to the reuse of the existing accesses although it is acknowledged one of the accesses lies on the junction of Church Street and High Street.

North Yorkshire County Council have verbally raised concerns over the proposed access and have stated that it would be more preferable in highways terms to move the access further west towards Barrack yard. It is acknowledged that moving the access in this direction will take traffic further away from the junction, however it would also bring a vehicular access close to the boundary of the site, the other side of which lies the listed buildings of Barrack Yard. It is considered that an access in this location would have a detrimental impact on the setting of these listed buildings, severing them from open garden area adjacent, and is not acceptable. A written response is awaited from the County Council and will be reported to Planning Committee.

6. TREES - As part of the development it is proposed to fell a conifer tree on the site. The Council's Arboricultural Officer has raised no objection to the proposal.

7. OPEN SPACE REQUIREMENTS - A commuted sum of £1631 has been requested for open space provision and allocation to Whixley Play Area/Millennium Green and Whixley Cricket Club. A signed unilateral undertaking has been received from the applicant agreeing to this payment. The application complies with Policy R4 of the Harrogate District Local Plan.

CONCLUSION - The proposal represents an opportunity to bring back into use a group of vernacular listed buildings which are currently not contributing to the Whixley conservation area. The other buildings on site are also to be re-used in an attractive scheme which uses the existing built form. The proposed dwelling is well designed and is located so as to reduce its impact on neighbouring dwellings, its prominence in the conservation area and impact on the setting on listed buildings. The access and parking arrangements, although not ideal, are considered acceptable given the site's location and historical layout. The application is therefore recommended for approval subject to conditions.

CASE OFFICER: Mrs L Drake

RECOMMENDATION

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

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE ... 5 years
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 7.10.2004
- 3 CD12X SAMPLES OF MATCHING MATERIALS
- 4 CD13 WINDOW FRAME MATERIALS ... 75mm
- 5 CD13X TIMBER VERTICAL SLIDING SASH WINDOWS
- 6 Prior to the commencement of development details of the windows, doors, roof eaves and gable details shall be submitted to and approved in writing by the Local Planning Authority.

- 7 CL02 LANDSCAPING: DETAILS TO BE APPROVED
- 8 CL04 REPLANTING IF ANY TREES/SHRUBS DIE
- 9 Notwithstanding the details submitted, details of the treatment to the boundary of the site and to the boundaries between the individual properties shall be submitted to and approved in writing by the Local Planning Authority and thereafter the approved details be implemented.
- 10 CB11 SEPARATE SYSTEM FOUL AND SURFACE WATER
- 11 HW17 PROV'N OF APP'VD ACCESS/TURNING/PARKING ... site layout received 7.10.2004

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC01R ACCORDANCE WITH DRAWINGS
- 3 CD12XR IN THE INTERESTS OF VISUAL AMENITY
- 4 CD13R VISUAL AMENITY
- 5 CD13R VISUAL AMENITY
- 6 CD13XR DEV IN CHARACTER WITH LOCALITY
- 7 CL02R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 8 CL04R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 9 CL06R INTERESTS OF NEIGHBOURS AMENITY
- 10 CB11R TO PREVENT POLLUTION OF WATER ENVIRONMNT
- 11 HW17R ROAD SAFETY REQUIREMENTS



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Area 2 DC Committee

23/11/2004

App No.: 6.96.162.B.FUL

Case No.: 04/03330/FUL

Scale: 1:1250 (at A4 size)

Item No.: 8

Drawn by: J Brown

Site Area: 0.11 hectares

Site



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

