

## HARROGATE BOROUGH COUNCIL

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

**DATE: 14 December 2004**

<b>PLAN:</b> 11	<b>CASE NUMBER:</b> 04/03581/FUL
	<b>GRID REF: EAST</b> 435510 <b>NORTH</b> 458510
<b>APPLICATION NO.</b> 6.100.1491.N.FUL	<b>DATE MADE VALID:</b> 22.11.2004
	<b>TARGET DATE:</b> 17.01.2005
	<b>WARD:</b> Knaresborough Scriven

Park

**APPLICANT:** Mr R F Watson

**AGENT:**

**PROPOSAL:** Siting of static caravan to be used as a dwelling with the installation of new sealed holding tank (site area 0.01ha).

**LOCATION:** Land Comprising Part Of O.S. 5141 F Watson And Son Ltd Boroughbridge Road Knaresborough North Yorkshire

## REPORT

### SITE AND PROPOSAL

The application site is located on part of OS Field 5141 Boroughbridge Road Knaresborough. Access to the site is gained via Bar Lane. The site forms part of an existing nursery business and has at the time of your case officers visit two polytunnels sited on the north western corner of the field with a modern agricultural shed located to the north east.

The applicants propose the siting of a static caravan in the north western corner of the field to the immediate west of the polytunnel. A residential dwelling is located to the west of the site at the junction of Bar Lane and Boroughbridge Road. An existing field boundary hedge of approx 1.7m high is located along the Bar Lane frontage with a high screen hedge between the site and the adjacent dwelling.

### MAIN ISSUES

1. Land Use
2. Visual Impact
3. Highway Safety
4. Residential Amenity
5. Open Space Provision

### RELEVANT SITE HISTORY

None

## **CONSULTATIONS/NOTIFICATIONS**

### **Parish Council**

Knaresborough

### **Minerals & Waste Planning, NYCC**

No objection to the proposal but note that there is an active landfill site approximately 90 metres to the north of the site.

### **Environment Agency**

No comments received

### **Environmental Health**

No comments received

### **DLAS - Open Space**

Confirm a commuted sum of £165 generated for Youth and Adult facilities and allocated to Jacob Smith Park

### **Yorkshire Water**

Refer to the Environment Agency and Environmental Health section for comment on private treatment facilities.

## APPLICATION PUBLICITY

**SITE NOTICE EXPIRY:**

**PRESS NOTICE EXPIRY:**

## REPRESENTATIONS

**KNARESBOROUGH TOWN COUNCIL** - Has no objection to the development

**OTHER REPRESENTATIONS** - At the time of writing this report no representations have been received.

**VOLUNTARY NEIGHBOUR NOTIFICATION** - Yes two properties notified - 80 and 62 Boroughbridge Road.

## RELEVANT PLANNING POLICY

PPG1 Planning Policy Guidance 1: General Policy and Principles

PPG3 Planning Policy Guidance 3: Housing

PPS7 Planning Policy Statement 7: Sustainable Development in Rural Areas

PPG17 Planning Policy Guidance 17: Planning for open space, sport and recreation

SPH5 North Yorkshire County Structure Plan Policy H5

SPE2 North Yorkshire County Structure Plan Policy E2

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
- LPH07 Harrogate District Local Plan (2001, as altered 2004) Policy H7: Housing development in the countryside
- LPC15 Harrogate District Local Plan (2001, as altered 2004) Policy C15: Conservation of Rural Areas not in Green Belt

## **ASSESSMENT OF MAIN ISSUES**

**1. LAND USE** - The application site is located outside the 'development limit' for the town as identified by Harrogate District Local Plan (HDLP) Inset map no.1 and as such is considered to occupy a countryside location. Within such locations HDLP Policy H7 is only permissive towards new residential units that are justified on the needs of agriculture or forestry or where there is special other special justification.

In this instance the applicants have not forwarded an agricultural/forestry justification for the unit but have stated that the caravan is required under personal circumstances for his son.

The site itself represents a greenfield site, where new residential development would not normally be permitted. HDLP Policy HX does however identify under criteria '9' that single dwellings will be permitted on greenfield sites in settlements, where justified by other essential needs, which cannot be met on a previously developed site.

It is therefore considered that there would be a land use policy objection to this development unless the applicants can demonstrate special justification for the scheme. A copy of the applicants justification is attached to this report at Appendix 1.

**2. RESIDENTIAL AMENITY** - The existing hedge to the rear of No. 80 Boroughbridge Road ensures that there is no overlooking impact between that property and the proposed static caravan.

**3. VISUAL IMPACT** - The caravan would be seen from Bar Lane adjacent to the polytunnels directly in front of the site. The polytunnels would themselves act as a screen from vantage points to the east, whilst the dwelling and hedge screen would filter views of the site from the west.

It is however considered that whilst views of the site are restricted this should not be used to justify the scheme, as it is long established government and local plan policy to protect the countryside for its own sake and prevent the sporadic growth of settlements. It is on this basis that new dwellings within the countryside require special justification, as outlined above.

**4. HIGHWAY SAFETY** - The site has the benefit of vehicular access onto Bar Lane. The highway authority have been consulted regarding the proposal but at the time of writing this report no comments have been received. Any response will therefore be reported verbally at the committee meeting.

**5. OPEN SPACE PROVISION** - HDLP Policy R4 is applicable to this proposal and a commuted sum of £165 has been generated for the development. The sum has been

generated for Youth and Adult facilities and allocated to Jacob Smith Park. The applicants have been informed of the requirement and confirmation is at the time of writing the report awaited as to whether they will comply with the provision of the policy.

**CONCLUSION** - The proposed development represents the establishment of a residential unit in the open countryside. Under the provisions of Harrogate District Local plan Policy H7 and North Yorkshire County Structure Plan Policy H5 new residential development will only be permitted if there is an agricultural/forestry need or other special justification to warrant approval.

The justification to policy H7 identifies that such development will need to be accompanied by independent assessment of the need, with the onus placed on the applicant to demonstrate why a site in a nearby town or village is unacceptable or an existing dwelling in the vicinity of the application site is unacceptable. No such justification has been put forward in this instance, other than the personal circumstances of the desirability of the applicants' son to live in a better environment.

In the absence of any planning need for new residential unit (rather than the personal preferences of the applicant), there is a strong land use policy objection to the development and refusal of the scheme is recommended.

Confirmation is awaited from the applicant regarding compliance with HDLP Policy R4. If no confirmation is received prior to the committee meeting an additional reason for refusal will need to be added to the recommendation.

**CASE OFFICER:** Mr A Hough

## RECOMMENDATION

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

- 1 In the absence of any special justification to warrant approval of the scheme, the proposed development would represent the establishment of a new residential unit in the open countryside having a detrimental impact upon the rural character of the locality in a manner contrary to the provisions of North Yorkshire County Structure Plan Policies H5 and E2 and Harrogate District Local Plan Policies H7 and C15.
- 2 The proposed greenfield housing development is contrary to the Harrogate District Local Plan Selective Alteration Policy HX to manage housing site release and minimise the level of over-provision. Sufficient sites have been granted planning permission to meet the housing requirement set out in Policy H1 of the County Structure Plan and Harrogate District Local Plan. To grant planning permission for additional sites would be contrary to the PPG3 'plan, monitor and manage' approach to the release of housing land and the strategy of the Structure Plan and Local Plan to restrain housing growth in the District. It is therefore also contrary to Policy H6 of the Local Plan.



