

HARROGATE BOROUGH COUNCIL

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

DATE: 14 December 2004

PLAN: 13	CASE NUMBER: 04/04762/FUL
APPLICATION NO. 6.122.255.A.FUL	GRID REF: EAST 435665 NORTH 450270
	DATE MADE VALID: 19.10.2004
	TARGET DATE: 14.12.2004
	WARD: Spofforth With Lower

Wharfedale

APPLICANT: F J Moss

AGENT: Andrew Reaks, AFR Design

PROPOSAL: Demolition and removal of all buildings and erection of 1 detached dwelling and detached double garage. (Site Area 0.148 ha)

LOCATION: Park Lane Stables Park Lane Spofforth Harrogate North Yorkshire HG3 1BY

REPORT

SITE AND PROPOSAL

The application site is about 1km along Park Lane, an unmade track which leads west out of Spofforth. As well as the application site, Park Lane serves two properties further out of the village. A bridleway runs along Park Lane.

The site is within the Green Belt.

The application site sits behind a tall hedge on the north side of the Lane. The site is occupied by a group of buildings; a large metal clad shed with a prefabricated accommodation attached, a static caravan and a touring caravan.

The accommodation has been occupied by the applicant for many years, and in April 2003, a Lawful Development Certificate (Ref 6.122.255.CLEUD) was granted for the use of part of the prefabricated accommodation as a domestic dwelling. The Lawful Development Certificate made the following uses on the site lawful:

- i) the erection of the large shed
- ii) the use of part of the building as a domestic dwelling
- iii) the use of the shed as storage and workspace ancillary to the dwelling
- iv) the siting of the static caravan as guest accommodation ancillary to the dwelling
- v) the use of the whole site as domestic curtilage.

It is propose to remove all existing buildings from the site and erect a detached house and garage. The proposed house would sit slightly to the east of the present buildings, with the

garage on the east side, on the site of the current dwelling.

The proposed house would be built of stone with a blue slate roof. It would take the form of a 3-bedroomed dormer bungalow, with ridge height of 6m. The house would be served by a septic tank. The existing access off Park Lane would be used.

MAIN ISSUES

1. Policy
2. Green Belt
3. Public Open Space

RELEVANT SITE HISTORY

6.122.255.CLEUD - Certificate of Lawfulness for use of land and buildings as 1 no. dwelling. Granted 25.04.2003

CONSULTATIONS/NOTIFICATIONS

Parish Council

Spofforth

Environment Agency

No comments received

Environmental Health

No comments received

DLAS - Open Space

No comments received

Claro Internal Drainage Board

No comments received

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 26.11.2004

PRESS NOTICE EXPIRY: 26.11.2004

REPRESENTATIONS

SPOFFORTH WITH STOCKELD PARISH COUNCIL - Objects on the following grounds:

- this is a new dwelling in the Green Belt. Out of keeping with traditional building materials.

VOLUNTARY NEIGHBOUR NOTIFICATION - None undertaken.

RELEVANT PLANNING POLICY

PPG1 Planning Policy Guidance 1: General Policy and Principles

- PPG2 Planning Policy Guidance 2: Green Belts
- PPS7 Planning Policy Statement 7: Sustainable Development in Rural Areas
- LPGB02 Harrogate District Local Plan (2001, as altered 2004) Policy GB2: The control of development in Green Belt
- LPGB04 Harrogate District Local Plan (2001, as altered 2004) Policy GB4: Requirements of Development in Green Belt
- LPH15 Harrogate District Local Plan (2001, as altered 2004) Policy H15: Extensions to Dwellings
- LPH20 Harrogate District Local Plan (2001, as altered 2004) Policy H20: Replacement Dwellings in the Countryside
- 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

ASSESSMENT OF MAIN ISSUES

1. POLICY - The Lawful Development Certificate granted in 2003 recognised that the use of some of the buildings on site as a dwelling was lawful. The application is therefore effectively for the erection of a replacement dwelling in the open countryside, which needs to be considered under Local Plan Policy H20. This Policy sets out 6 criteria which should be met, and these are considered separately below.

A) The new dwelling is located on the site of, or close to, the existing dwelling to be cleared.

The proposed dwelling would be on the site of the static caravan, close to the existing buildings which would be cleared. The proposed garage would be on the site of the existing buildings. By moving the buildings to the west, they would be less visible through the gap formed by the access.

B) The new dwelling is no larger than the existing dwelling.

The proposed dwelling would occupy about the same ground floor area as the existing dwelling (including the static caravan). However, the addition of the second storey means that the new dwelling represents an 80% increase in floorspace.

The justification to Policy H16 states that extensions to dwellings in the countryside of more than 50% of the ground floor area will not normally be permitted. This policy is designed to prevent large extensions to existing dwelling becoming tantamount to new dwellings. The proposed new dwelling here falls within these guidelines, as despite the increase in floor area, the ground floor area would remain the same.

C) The new dwelling has satisfactory access arrangements.

The proposed dwelling would be served by the existing access which has served the current dwelling. As there would be no change in the use of the site, there is no objection to this arrangement continuing.

D) The new dwelling is of a design which in terms of scale, mass, materials and architectural detail is sympathetic to the local vernacular.

The proposed dwelling is a modest dormer bungalow, built of stone with a slate roof. While it could be argued that a dormer bungalow is not sympathetic to the local vernacular, it does have the advantage of keeping the roof height down, thus making the dwelling less prominent in public views from the Lane.

E) The new dwelling is sited to preclude retention of the existing dwelling or there is a condition or legal obligation to ensure its demolition on completion of the new dwelling.

The proposed dwelling is partly on the site of the existing buildings, but a condition requiring the removal of all existing buildings would be imposed on any planning permission granted.

F) The existing dwelling is not a listed building.

The existing building is not listed.

In summary, the proposed dwelling is considered to be in accordance with Policy H20.

The site is within the Green Belt, and this issue is considered below.

2. GREEN BELT - Policy GB4 states that proposals for development or re development which area considered appropriate in the Green Belt will only be permitted where it can be shown that the scale, location and design of any building would not detract from the open character and visual amenity of the Green Belt or prejudice the purposes for which it was designated.

As discussed above, the proposed development is considered appropriate, being a replacement dwelling which accords with Policy H20.

The proposed dwelling and garage would take up about half the area occupied by the existing buildings; about 141 square metres compared to 285 square metres. The proposed buildings would appear less prominent in public views. At present, although the high roadside hedge screens most of the buildings, the gable of the large shed can clearly be seen next to the access track. The proposed house would have a lower roof than the shed. The proposed development would therefore enhance the openness of the Green Belt.

The domestic curtilage would remain as it is. However, conditions could be added to any permission granted removing permitted development rights from the dwelling and its curtilage. This would give the local planning authority control on what happens on the site where none exists at present. The proposed development therefore offers the opportunity of greater protection for the openness of the Green Belt in the longer term.

3. PUBLIC OPEN SPACE - The applicant has signed a unilateral undertaking, agreeing to make a payment of £364 towards the provision of off-site public open space.

CONCLUSION - The proposed development is considered to be a suitable replacement dwelling in accordance with Policy H20. It is also considered to represent appropriate development in the Green Belt which will enhance the openness of the Green Belt and allow the Council greater control over the site in the future.

CASE OFFICER: Mr M Williams

RECOMMENDATION

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

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE
- 2 CC02 DEVELOPMENT IN ACCORDANCE WITH DRAWINGS
- 3 CI02Y PD REST,NO EXTNS,GRGS&ROOF/DORMER WINDS
- 4 CI02Z PD RESTRICTION, NO ... buildings within curtilage
- 5 CI07 RESTRICTED GARDEN AREA
- 6 CD04Y SAMPLE STONework PANEL
- 7 CD12X SAMPLES OF MATCHING MATERIALS
- 8 Prior to commencement of the development hereby approved, all existing buildings shall be removed from the site.
- 9 HW23 GARAGE CONVERSION TO HABITABLE ROOM

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC02R COMPLIANCE WITH DRAWINGS
- 3 CI02YR PROTECT VISUAL AMENITY
- 4 CI02ZR PROTECT VISUAL AMENITY
- 5 CI07R INTRUSION INTO AGRICULTURAL AREA
- 6 CD04YR CONFORM TO REQUIREMENTS OF LOCALITY
- 7 CD12XR IN THE INTERESTS OF VISUAL AMENITY
- 8 In the interests of visual amenity and retaining the openness of the Green Belt.
- 9 HW23R ROAD SAFETY REQUIREMENTS

