

HARROGATE BOROUGH COUNCIL

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

DATE: 14 December 2004

PLAN: 15	CASE NUMBER: 04/05087/OUT
	GRID REF: EAST 435968 NORTH 456730
APPLICATION NO. 6.100.133.E.OUT	DATE MADE VALID: 02.11.2004
	TARGET DATE: 28.12.2004
	WARD: Knaresborough King

James

APPLICANT: Mr And Mrs B O'Grady

AGENT: Mr P Campkin And Associates

PROPOSAL: Outline application for the erection of 1 dwelling and detached garage with siting and access considered. (Site Area 0.048)

LOCATION: The Pines 11 Wetherby Road Knaresborough North Yorkshire HG5 8LG

REPORT

SITE AND PROPOSAL

The site comprises a roughly rectangular parcel of land, which is currently the side garden of 11 Wetherby Road a stone bungalow. There are a number of trees on the site. There is a 2m fence along the northern boundary. The site is surrounded on all sides by residential development and the houses at 3 and 5 Wetherby Road are set at an angle to the south western boundary of the site. The vehicular access to No11 is from the York Road. The site lies within the development limits of Knaresborough.

This is an outline application for the erection of a bungalow and garage. The applicant is applying for the siting of the dwelling and the means of access to the site. Access will be from the York Road with the provision of a turning area within the site.

MAIN ISSUES

1. Land Use Principle.
2. Is The Site Large Enough To Satisfactorily Accommodate A Dwelling And Garage?
3. Impact On The Privacy And Amenities Of Adjacent Residents.
4. Highway Safety.

RELEVANT SITE HISTORY

Refusal for one bungalow and garage refused on the 4 April 1986. Reference 6.100.133.D.OA. Subsequent appeal to the then Department of the Environment and Transport dismissed on the 17 September 1987.

CONSULTATIONS/NOTIFICATIONS

Parish Council
Knaresborough

Chief Engineer (H and T)

The provision for parking and turning is inadequate and will lead to vehicles reversing, if not parking on York Road, which is unacceptable.

APPLICATION PUBLICITY

SITE NOTICE EXPIRY:

PRESS NOTICE EXPIRY:

REPRESENTATIONS

KNARESBOROUGH PARISH COUNCIL - No objections.

OTHER REPRESENTATIONS - David Fletcher 5 Wetherby Road: Location of the dwelling would have significant impact on our property, seclusion and loss of privacy. Reduce sunlight. Dwelling would be very close to our boundary. Disruption and noise from construction of dwelling.

VOLUNTARY NEIGHBOUR NOTIFICATION - None.

RELEVANT PLANNING POLICY

- PPG1 Planning Policy Guidance 1: General Policy and Principles
- 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
- LPA01 Harrogate District Local Plan (2001, as altered 2004) Policy A1: Impact on the Environment and Amenity
- LPH14 Harrogate District Local Plan (2001, as altered 2004) Policy H14: Housing Amenity
- LPHD20 Harrogate District Local Plan (2001, as altered 2004) Policy HD20: Design of New Development and Redevelopment
- PPG3 Planning Policy Guidance 3: Housing

ASSESSMENT OF MAIN ISSUES

1. LAND USE PRINCIPLE - The site lies within the development limits of Knaresborough as identified by the Harrogate District Local Plan No1 and is surrounded on all sides by existing residential development. In terms of Local Plan Policy H6 the erection of residential development within the urban area would be acceptable in principle subject to various criteria, in particular; the site would be within the development limits, is appropriate to the form and character of the settlement and provides a satisfactory level of residential amenity. The site is currently the side garden of the bungalow at 11 Wetherby Road and is therefore a brownfield site and the principle of one dwelling on the site would accord with Local Plan Policies H6 and HX. The development of the site would also be in accordance

with the requirements of PPG3. However in reaching a decision on the application the size of the site and the potential impact of the development on the living conditions of nearby residents must be taken into account.

2. IS THE SITE LARGE ENOUGH TO SATISFACTORILY ACCOMMODATE A DWELLING AND GARAGE ON THE SITE? - The applicant's submitted plan indicates the siting of the proposed bungalow and means of access to the site from York Road with internal reversing facilities within the site. The proposal would entail the loss of a substantial part of the side garden of No11 but the existing bungalow would still retain a reasonable and useable size garden to the front and rear. It is considered that the amenities of the existing dwelling would be largely unaffected by the loss of part of the side garden. However the siting of the proposed dwelling would be very close to the rear (southern) boundary of the site approximately 4m at its nearest point and it is considered that the future occupants of the proposed bungalow would have very little outlook at the rear and would also be relatively close the main road at the front of the site. Furthermore, the proposed bungalow would look very cramped on such a small site in comparison with the relative spaciousness of the gardens of the other dwellings immediately to the east and south and would therefore be out of character with the area. It is therefore concluded that the site would not be of sufficient size to satisfactorily accommodate a bungalow and garage on this particular site. The development would therefore be contrary to Policies A1, HD20 and H14.

3. IMPACT ON PRIVACY AND AMENITIES OF ADJACENT RESIDENTS -

The site is reasonably well screened particularly at the front of the site with some trees and shrubs to the rear. There are some trees/shrubs along boundary adjacent to No3 but the boundary to No5 is open. The dwellings to the rear Nos 3, 5 and 7 Wetherby Road would be particularly affected by the proposed development. These dwellings have reasonably large gardens. Nos 3 and 5 are set at an angle to the rear boundary of the application site. The distance from the rear of No3, the nearest dwelling to the site, to the rear of the proposed bungalow would be approximately 16m at the nearest point. The applicant's agent has indicated that:

"The proposal is for a dormer bungalow thus keeping the height down and preventing overshadowing and a domineering effect in respect of adjacent properties, particularly those to the rear i.e. numbers 3 and 5 Wetherby Road. The siting of the building is such that there is no direct overlooking and the provision of additional planting, if so required, would provide the necessary screening."

The proposed new bungalow would be approximately 4m at its nearest point to the rear boundary of the site. At the present time the rear gardens of Nos 3, 5 and 7 are secluded and private. It is considered that if planning permission were granted for a bungalow on the site and the development was implemented the feeling of seclusion and privacy would be seriously impaired by the construction of a new bungalow so close to the joint boundary. It is therefore concluded that the development would have an unacceptably harmful effect upon the reasonable enjoyment and living conditions of the dwellings to the rear, which would be contrary to Policies A1, HD20 and H14

4. HIGHWAY SAFETY - The highway officer has indicated that provision for parking and turning is inadequate and will lead to vehicles reversing, if not parking on York Road, which is unacceptable. The development is therefore unacceptable from a highway point of view.

CONCLUSION - Members are reminded that an application for a bungalow on the same site was refused by the Council November 1986 and a subsequent appeal was dismissed by the Planning Inspector in September 1987. Although this was 17 years ago it is felt that this is still a significant relevant material planning consideration in determining this application and following the adoption of the Council Local Plan in February 2001 the relevant Policies relating to safeguarding residential amenity are clear and precise. It is therefore recommended that the application be refused for the reasons indicated.

CASE OFFICER: Mr P Jewkes

RECOMMENDATION

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

- 1 The proposed bungalow, which would be built very close to the rear boundary of the site, would constitute an over-intensive use of the site, which would have an unacceptably harmful effect upon the reasonable enjoyment of the two dwellings at Nos3 and 5 Wetherby Road by reason of overshadowing and overbearing. The proposed development would therefore be contrary to Harrogate District Local Plan Policies A1, HD20 and H14.

The provision for parking and turning facilities within the site is inadequate and will lead to vehicles reversing, if not parking on York Road, which is unacceptable and would be contrary to Harrogate District Local Plan Policy T2.

