

## HARROGATE BOROUGH COUNCIL

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

**DATE: 18 January 2005**

<b>PLAN:</b> 12	<b>CASE NUMBER:</b> 04/06108/FUL
<b>APPLICATION NO.</b> 6.123.5.C.FUL	<b>GRID REF: EAST</b> 438561 <b>NORTH</b> 453473
	<b>DATE MADE VALID:</b> 24.11.2004
	<b>TARGET DATE:</b> 19.01.2005
	<b>WARD:</b> Ribston

**APPLICANT:** Mr & Mrs Lucking

**AGENT:** Architectural Alchemy

**PROPOSAL:** Erection of 1 detached dwelling (site area 0.095ha).

**LOCATION:** Hillcrest Knaresborough Road Little Ribston Wetherby North Yorkshire  
LS22 4ET

## REPORT

### SITE AND PROPOSAL

The site comprises the front garden of Hillcrest a dormer bungalow constructed of red brick and red tiles. The dwelling is located to the rear of the plot and the main aspect is east/west. The front garden is therefore much larger than the rear garden. The existing driveway to the dwelling is located at the south eastern end of the site, although planning permission was approved on the 7 September 2004 to relocate the access drive to the north eastern corner. This has not been implemented. There is a stone wall along the front of the site and there are two medium size trees immediately behind the stone wall. A dormer dwelling known as Old Tom's Cottage lies immediately to the north of the site and Moss Cottage a house lies to the south of the site. Old Tom's Cottage lies close to the joint boundary and there are windows and a french door at ground level in the side elevation facing the application site. Moss Cottage to the south does not lie close to the joint boundary and there are no windows in the side elevation facing the site. The site clearly lies within the development limits of Little Ribston.

This is a full application for a detached four bedroom house with a double garage and a bedroom over the garage. The dwelling would be constructed of rustic facing brick with pantiles. Vehicular access to the site will be from the recently approved new access at the north eastern end of the site.

The applicant's agent has stated in a letter dated 22 November 2004 submitted with the application the following:

"The building has been set back from the street frontage to maintain the open character of the plot."

"The dwelling has angled to reduce the overlooking of Hillcrest and Old Tom's Cottage."

"The front garden to Hillcrest has been elevated, the new dwelling lowered and boundary planting introduced to reduce overlooking."

The first floor windows in the gable ends are small high level windows to prevent overlooking."

### **MAIN ISSUES**

1. Principle.
2. Impact on Residential Amenity and the Streetscene.
3. Open Space.
4. Highways

### **RELEVANT SITE HISTORY**

6.123.5.B.FUL - Formation of new vehicular access at the north eastern end of the site:  
Approved 7 September 2004.

### **CONSULTATIONS/NOTIFICATIONS**

#### **Parish Council**

Little Ribston

#### **DLAS - Open Space**

Commuted sum of £574.00 for youth and adult facilities at Little Ribston Village Hall.

#### **Highway Authority**

Recommends that permission be refused for the reasons indicated at the end of the report.

### **APPLICATION PUBLICITY**

**SITE NOTICE EXPIRY:** 31.12.2004

**PRESS NOTICE EXPIRY:** 31.12.2004

### **REPRESENTATIONS**

#### **LITTLE RIBSON PARISH COUNCIL -**

**OTHER REPRESENTATIONS** - Letter of objection from Mr S Sanderson Old Tom's Cottage. The village layout comprises of average sized houses on large plots, this development would be out of keeping with this theme by creating two substantial houses on two small plots. Impact on my residential amenity from this overbearing development to the south of my property will obstruct daylight for periods of the day. Privacy on my patio and southern aspect of my house will be comprised.

**VOLUNTARY NEIGHBOUR NOTIFICATION** - The applicant notified the owners of Old Tom's Cottage and Moss Cottage Knaresborough Road Little Ribston on the 22 November

2004.

## 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
- 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
- PPG3 Planning Policy Guidance 3: Housing
- LPT02 Harrogate District Local Plan (2001, as altered 2004) Policy T2: Vehicle Access

## ASSESSMENT OF MAIN ISSUES

**1. PRINCIPLE** - The site lies within the village of Little Ribston and there are dwellings on either side. The site falls within classification B, that is, "smaller villages" within Local Plan Policy H6. The erection of residential development on the site would be acceptable in land use terms 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 front garden of Hillcrest and is therefore a brownfield site. However in reaching a decision on the application the size of the site, the potential impact on the living conditions of the adjacent residents and the character of the area must be taken into account as well as the context of surrounding development. Subject to these considerations the development would accord with Policies H6 and HX and advice in PPG3.

**2. RESIDENTIAL AMENITY AND IMPACT ON THE STREET SCENE** - PPG3 promotes higher density development 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, inter alia, 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 front garden of Hillcrest leaving a distance varying from approximately 16 to 19 metres in-between the front of Hillcrest and the proposed dwelling. The front garden of Hillcrest would obviously be significantly reduced in length and the rear garden of the proposed dwelling would, it is considered, not be of a sufficient depth that would normally be expected of a large detached house as proposed within this village. The applicant has attempted to reduce the impact of the proposed house on the amenities of the residents of Hillcrest by siting the dwelling at an angle to Hillcrest, increasing the level of the front garden and reducing the levels of the proposed house. However it is concluded that the proposed development would result in an unacceptable level of overlooking, overshadowing and overbearing which would have a detrimental impact on the living conditions of existing and future

occupiers of both dwellings to warrant refusing the application.

It is acknowledged that the applicant's agent has also sought to reduce the impact of the proposed dwelling on the living conditions of the occupiers of Old Tom's Cottage by siting the dwelling behind the alignment of the rear of their dwelling and siting the dwelling at an angle to Old Tom's Cottage. High level windows are proposed in both gables to prevent overlooking of Old Tom's Cottage and Moss Cottage. The dwelling to the south known as Moss Cottage is approximately 9m from the joint boundary. It should be noted that there are single storey outbuildings within the front garden of Moss Cottage on the joint boundary. The proposed garage with bedroom over, at 6.8m high, will at the nearest point be approximately 2m from the joint boundary with Moss Cottage. This part of the proposed dwelling will be lower than the main ridge of the proposed dwelling, 8.6m high, and it is therefore considered that the development will not have any significant impact on the amenities of the occupier of Moss Cottage to warrant refusing the application. However in relation to the living conditions of the residents at Old Tom's Cottage, which is approximately 2.5m from the joint boundary, it is considered that there will be a detrimental impact on their amenities. Although the proposed dwelling is set at an angle to Old Tom's Cottage there will be a degree of overlooking from the ground and first floor of the new dwelling, which is considered to be unacceptable. The proposed house would also result in an unacceptable level of overshadowing and overbearing for the occupiers of Old Tom's Cottage. Furthermore the use of the approved access by the occupants of both Hillcrest and the proposed new dwelling will also result in an increase in levels of noise and disturbance to the residents of Old Tom's Cottage which is considered to be unacceptable on planning grounds.

It is acknowledged that the proposed dwelling has been set back from the road frontage by approximately 20m to reduce the impact on the street scene. There are a mixture of various types of dwellings and buildings within the village. However it is considered that this new large dwelling with a height of approximately 8.6m would in this particular location be out of character with the area and will therefore have a detrimental impact on the street scene to warrant refusing the application on those grounds.

It is therefore concluded that the proposed development would be contrary to Policy H6, H14, HD20 and A1.

**3. OPEN SPACE** - At the time of writing the report the applicant had not signed the unilateral undertaking in relation to the commuted sum for a contribution to open space within the locality in accordance with Policy R4. Members will be updated on this issue at the Committee.

**4. HIGHWAYS** - The Highway Officer considers that clear visibility of 90m cannot be achieved along the public highway in either direction from a point 2m from the carriageway and traffic generated by the development would be likely to create conditions prejudicial to highway safety. The application cannot be supported from a highway point of view and would be contrary to Policy T2.

**CONCLUSION** - It is recommended that the application be refused for the reason indicated.

**CASE OFFICER:**

Mr P Jewkes

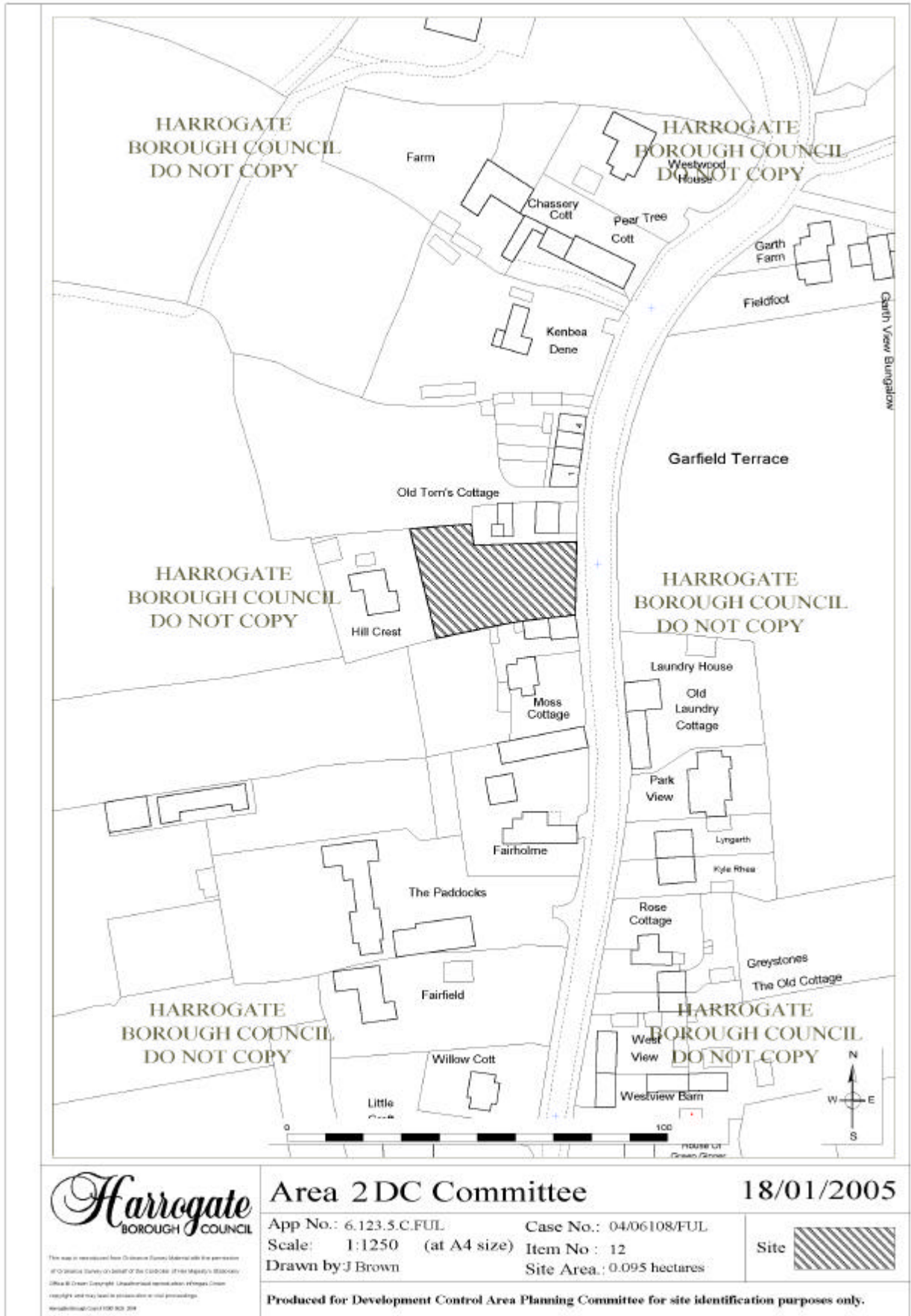
## RECOMMENDATION

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

- 1 It is considered that the proposed development in such close proximity to Hillcrest and Old Tom's Cottage would, by reason of overlooking, overshadowing, overbearing and the noise and disturbance that would be generated from the use of the access drive, result in an unacceptable detrimental impact on the living conditions of existing and future residents. The development would be contrary to Harrogate District Local Plan Policies H6, H14, HD20, and A1.

It is considered that this proposed large house in this particular location would be out of character with the area and have a detrimental impact on the street scene contrary to Harrogate District Local Plan Policies A1, H14 and HD20.

Clear visibility of 90m cannot be achieved along the public highway in either direction from a point 2m from the carriageway and traffic generated by the development would be likely to create conditions prejudicial to highway safety contrary to Harrogate District Local Plan Policies T2 and A1.



**Harrogate**  
BOROUGH COUNCIL

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**Area 2 DC Committee**

**18/01/2005**

App No.: 6.123.5.C.FUL

Case No.: 04/06108/FUL

Scale: 1:1250 (at A4 size)

Item No.: 12

Drawn by J Brown

Site Area: 0.095 hectares

Site



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

