

HARROGATE BOROUGH COUNCIL

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

DATE: 18 January 2005

PLAN: 13	CASE NUMBER: 04/04423/OUT
APPLICATION NO. 6.72.82.OUT	GRID REF: EAST 444333 NORTH 463121
	DATE MADE VALID: 29.09.2004
	TARGET DATE: 24.11.2004
	WARD: Claro

APPLICANT: Mrs Carr

AGENT: Robert Burns Designs Associates

PROPOSAL: Outline application for the erection of 1 no dwelling and garage with siting and access considered (site area 0.06ha).

LOCATION: Edgefield Upper Dunsforth York North Yorkshire YO5 9RU

REPORT

SITE AND PROPOSAL

Edgefield is one of 3 modern detached houses situated at the centre of Upper Dunsforth village, an attractive rural settlement.

The dwelling which is to the north-east of the main street has a large side garden which is separated from its neighbour by a public right of way and a minor electrical substation.

There are several mature trees along the boundary which overhang the application site and the applicant has submitted a tree report into their condition and impact.

A detailed plan indicates a dwelling sited in line with Edgefield, with an access drive to the side serving a garage/turning area to the rear.

MAIN ISSUES

1. Policy Matters
2. Affect upon Trees
3. Affect on Amenity of Neighbours
4. Technical Issues - Highways/Drainage

RELEVANT SITE HISTORY

None.

CONSULTATIONS/NOTIFICATIONS

Parish Council
Dunsforth

Highway Authority
Advise 3 conditions.

Claro Internal Drainage Board
No objection - no connection to be made to IDB watercourses without consent.

D.L.A.S Arboricultural Officer
Comments awaited.

Landscape Officer
Comments awaited.

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 05.11.2004
PRESS NOTICE EXPIRY: 05.11.2004

REPRESENTATIONS

UPPER DUNSFORTH PARISH COUNCIL - The Parish Council does not object to or support the applicant but wishes to make comments or seek safeguards as follows:-

Mrs Carr says permission was given in 1976. No evidence of renewal and should be considered afresh.

Criteria applied in 1976 are no longer valid and site does not comply with current policies.

3 residents objected and 2 will send in own objections

2 residents had no objections one being aware that a dwelling would occupy site in the future.

OTHER REPRESENTATIONS - One letter of objection has been received from Hill Top Avenue, Upper Dunsforth which states:-

- i. Access roads to the village are narrow and winding and 2 cars cannot pass in places. Extra dwellings will create extra traffic - major road works will be necessary.
- ii. government are encouraging more people and children to walk to school and the nearest Post Office is Great Ouseburn. Extra traffic will make the road more dangerous.
- iii. Will there be enough room to access the Electric Sub-station by machinery?
- iv. 6 windows including our living room face the plot and have for up to 400 years. Will spoil our view - looking onto a side wall and deprive us of sunlight, light and warmth.

VOLUNTARY NEIGHBOUR NOTIFICATION - None.

RELEVANT PLANNING POLICY

- PPG1 Planning Policy Guidance 1: General Policy and Principles
- 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
- LPH13 Harrogate District Local Plan (2001, as altered 2004) Policy H13: Housing Density, Layout and Design
- 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
- LPHD13 Harrogate District Local Plan (2001, as altered 2004) Policy HD13: Trees and Woodlands
- LPA01 Harrogate District Local Plan (2001, as altered 2004) Policy A1: Impact on the Environment and Amenity

ASSESSMENT OF MAIN ISSUES

1. POLICY MATTERS - The site constitutes the garden or curtilage of Edgefield and is therefore a previously developed site as allowed by Policy HX.

The site is a logical "infill" between Edgefield and Hilltop House and therefore complies with Policy H6 which permits development of an appropriate scale.

Other issues discussed below (trees/highways and amenity) are considered to be acceptable and the proposal does not conflict with the other policies listed above.

The indicated siting continues the 'frontage' linear form of the settlement and is considered to be of an appropriate scale/form in relation to the existing form of the village.

2. AFFECT UPON TREES - The public right of way along the site boundary has a rural appearance due to several trees, mostly Holly and Hawthorne but with occasional Oak, Sycamore, Norway Spruce and Beech and Cypress.

The tree report submitted by the applicant suggests that the driveway be 'surface built' to avoid root damage and that adequate separation between trees and dwellings is achieved, and goes on to say that a method statement for tree protection and construction of the dwellings and services is needed. Whilst the comments of the tree officer are awaited, no objection is anticipated as the position of the dwelling appears to respect the trees.

3. AFFECT ON AMENITY OF NEIGHBOURS - The dwelling is situated some 14-15 metres from the adjoining property, and from the indicated siting, no habitable room windows need face that dwelling. At such a distance, no appreciable loss of privacy or light would result and the existing trees would form a natural screen. It is considered that a detached house/garage in the location shown, of appropriate design, would not cause a significant loss of amenity for the neighbours.

4. TECHNICAL ISSUES - A drive with turning facility is shown and the Highway Authority raises no objections.

No highway danger that would warrant refusal of permission would result.

The applicant has indicated that foul sewage would be connected to the main sewer although as this is an 'outline' application, it is usual for such matters to be the subject of detailed submission and there is invariably a technical solution to drainage matters.

CONCLUSION - The proposal relates to a previously developed site, within the body of the village and a logical 'infill' plot which complies with local plan policy. The indicated siting would not harm the amenity of neighbours or the adjacent trees.

CASE OFFICER: Mr R Forrester

RECOMMENDATION

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

- 1 CA01B OUTLINE - SITING AND ACCESS NOT RM ... 3yrs ... 5yrs
- 2 CA06 OUTLINE/RESERVED MATTERS
- 3 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 30.11.2004
- 4 Prior to the commencement of any other part of the development hereby permitted, the access(es) to the site shall be laid out and constructed in accordance with the following requirements:-

(ic) the crossing of the highway verge and/or footpath shall be constructed in accordance with the approved details and/or Standard Detail number E6 and the Specification of the Local Highway Authority;

(ii) any gates, barriers or other means of enclosure shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway and shall open into the site;

(v) provision shall be made to prevent surface water from the site/plot discharging onto the existing or proposed highway in accordance with the approved details and/or Standard Detail number E6 and the Specification of the Local Highway Authority.

NOTE:

You are advised that a separate licence will be required from the Local Highway Authority in order to allow any works in the adopted highway to be carried out. The local office of the Local Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

- 5 The dwelling shall not be occupied until parking spaces of a size not less than 4.8 metres x 2.4 metres, including one garage or a car parking space capable of

accommodating a garage, have been provided within the curtilage of the dwelling, in accordance with standards set out in the North Yorkshire County Council Parking Transport & Development - A Guide 2003. Any garages shall then be positioned a minimum of 6 metres back from the highway boundary. Once created these parking and garaging areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

6 No development shall take place or any works occur which will create any obstruction, either permanent or temporary, to the public right of way adjacent to the proposed development.

7 CL12 OPEN SPACE TO BE PROVIDED - POLICY R4

8 CL03X PROTECTION OF RETAINED TREES

9 No development shall commence until such time as the following details have been submitted to and approved in writing by the Local Planning Authority:-

i. A method statement indicating how trees are to be protected during the course of construction (to include how scaffolding is to be erected; foundations constructed and sewer pipes/service ducts provided) and:

ii. The position and method of construction of the access drive.

The development shall only be constructed in accordance with the agreed details.

Note: The driveway should be an 'above ground' construction of freely draining material such as geo-web.

10 Notwithstanding the provisions of the Town and Country Planning General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, garages or hardstandings/patios other than any expressly authorised by this permission shall be erected without the grant of further specific planning permission from the local planning authority.

Reasons for Conditions:-

1 CA01BR SAFEGUARD RIGHTS OF CONTROL

2 CA06R TO COMPLY WITH SECTIONS 91-94

3 CC01R ACCORDANCE WITH DRAWINGS

4 HW07R VEHICLE AND PEDESTRIAN SAFETY REQ'MENTS

5 HW21R ROAD SAFETY REQUIREMENTS

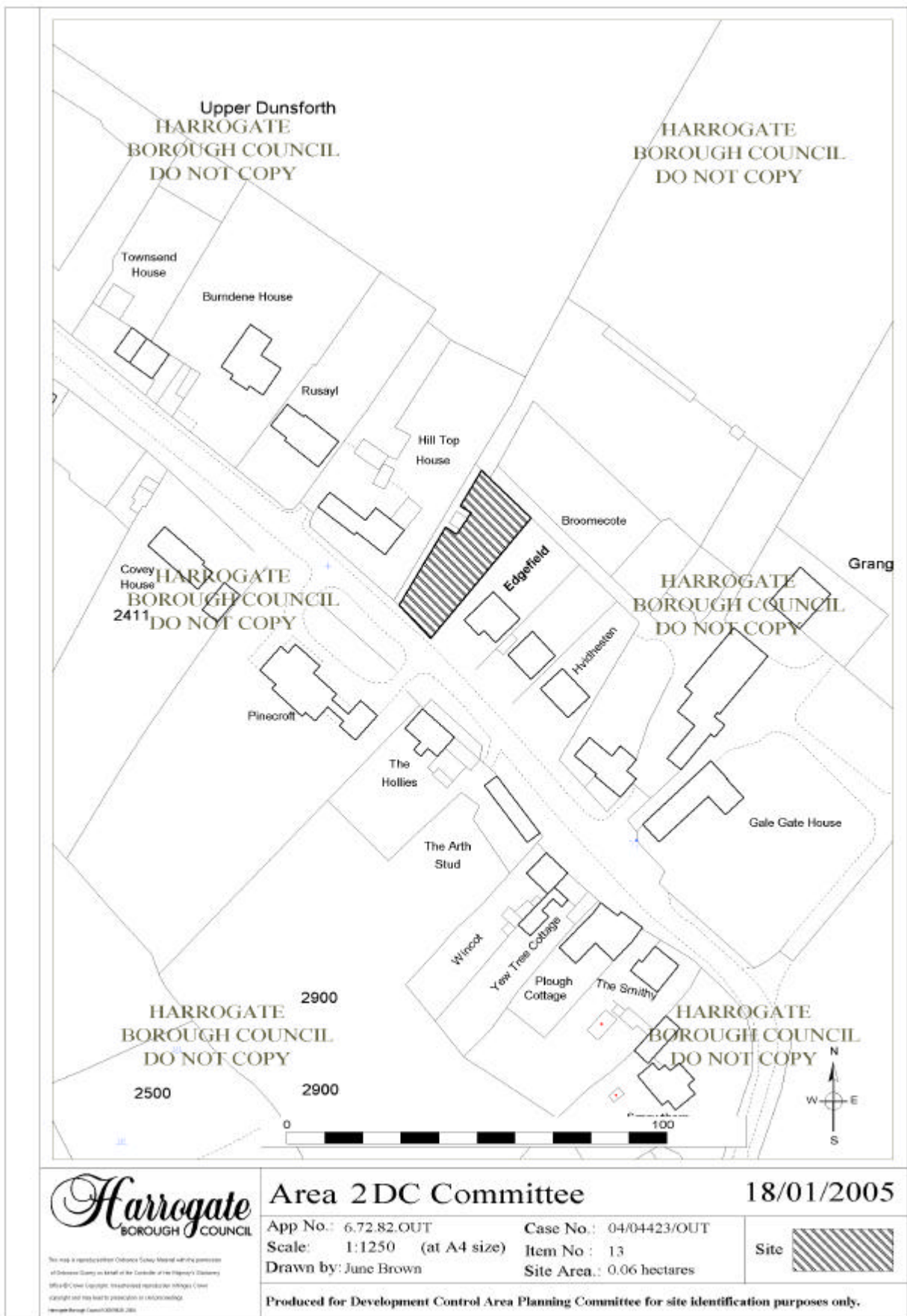
6 To protect the route of the right of way in the interests of and to protect the general amenity for all prospective users.

7 CL12R COMPLIANCE WITH R4 - OPEN SPACE POLICY

8 CL03XR SAFEGUARD RIGHTS OF CONTROL/AMENITY

9 In order to ensure that no harm is caused to the trees on or close to the site and to comply with Policy HD13 of the Harrogate District Local Plan.

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Harrogate
BOROUGH COUNCIL

Area 2 DC Committee

18/01/2005

App No.: 6.72.82.OUT

Case No.: 04/04423/OUT

Scale: 1:1250 (at A4 size)

Item No: 13

Drawn by: June Brown

Site Area.: 0.06 hectares

Site 

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