

## HARROGATE BOROUGH COUNCIL

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

**DATE: 8 February 2005**

|                                      |  |
|--------------------------------------|--|
| <b>PLAN:</b> 10                      | <b>CASE NUMBER:</b> 04/06487/FUL                 |
| <b>APPLICATION NO.</b> 6.80.27.E.FUL | <b>GRID REF: EAST</b> 444850 <b>NORTH</b> 461840 |
|                                      | <b>DATE MADE VALID:</b> 22.12.2004               |
|                                      | <b>TARGET DATE:</b> 16.02.2005                   |
|                                      | <b>WARD:</b> Ouseburn                            |

**APPLICANT:** Mr D Biggin

**AGENT:**

**PROPOSAL:** Erection of 1 detached dwelling (site area 0.06ha).

**LOCATION:** Prospect Farm House Main Street Great Ouseburn York North Yorkshire  
YO26 9RQ

## REPORT

### SITE AND PROPOSAL

The site comprises the side garden to the two storey house known as Prospect Farm. The site has a frontage to Main Street and Churchfield Lane. Prospect Farm, which is a Grade II listed building, lies immediately adjacent to the northern boundary of the site and is constructed of orange mottled brick with a pantile roof. The whole of the site is surrounded by a wall varying in height from approximately 1.4m to 3m, which is constructed of a mixture of stone, cobbles and brick. There is large walnut tree at the front of the site with trees and shrubs around the perimeter of the site. The side garden is therefore quite well screened from public view. There are dwellings to the north east of the site the nearest being 3 Churchfield Lane. There are also dwellings on the opposite side of Churchfield Lane. Vehicular access to Prospect Farm is from a driveway to the south east of the site off Churchfield Lane.

The proposal is a full planning application for the erection a detached two bed dwelling on the side garden of Prospect Farm. The dwelling would be mainly single storey but with a two storey element close to Prospect Farm. The dwelling would be located along the northern boundary of the site adjacent to the rear access/driveway. This would require the removal of the wall along the northern boundary. Vehicular access to the site would be at the north eastern corner of the site close to the existing driveway's junction with Churchfield Lane. The height of the two storey element would be 6m and the single storey would be 4.8m. The applicant has indicated that the dwelling will be constructed of brick, stone and cobble with clay pantile roof.

### MAIN ISSUES

1. Land use/Principle.
2. Impact on Residential Amenity and Streetscene.

3. Impact on the Conservation Area and the Setting of the Listed Building.
4. Open Space.
5. Highways.

### **RELEVANT SITE HISTORY**

Concurrent listed building application, reference 6.80.27.F.LB, for one dwelling on the site. This application is also on the Agenda for determination.

Various other planning and listed building applications relating to Prospect Farm.

### **CONSULTATIONS/NOTIFICATIONS**

#### **Parish Council**

Great Ouseburn

#### **Highway Authority**

Recommends refusal on the grounds that visibility to the site is restricted and the access is of insufficient width and the intensification of the use would be unacceptable in terms of highway safety.

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

No comments received

#### **Conservation and Design Section**

No comments received

### APPLICATION PUBLICITY

**SITE NOTICE EXPIRY:** 04.02.2005

**PRESS NOTICE EXPIRY:** 04.02.2005

### REPRESENTATIONS

**GREAT OUSEBURN PARISH COUNCIL** - No objections.

**OTHER REPRESENTATIONS** - Mr S Trapnell 3 Churchfield Lane has indicated that he has been provided with a copy of the drawings and I would like to confirm that we are entirely happy with these proposals and fully support this application.

**VOLUNTARY NEIGHBOUR NOTIFICATION** - The applicant notified the residents at Walnut Farm, Main Street, 3 Churchfield Lane and The Vicarage Main Street, Great Ouseburn on the 17 December 2004.

### RELEVANT PLANNING POLICY

PPS1 Planning Policy Statement 1: Delivering Sustainable Communities

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
- 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
- LPHD01 Harrogate District Local Plan (2001, as altered 2004) Policy HD1: Statutory list of buildings of special architectural or historic interest
- LPA01 Harrogate District Local Plan (2001, as altered 2004) Policy A1: Impact on the Environment and Amenity
- LPHD03 Harrogate District Local Plan (2001, as altered 2004) Policy HD3: Control of development in Conservation Areas
- LPR04 Harrogate District Local Plan (2001, as altered 2004) Policy R4: Open Space Requirements for New Residential Development
- PPG3 Planning Policy Guidance 3: Housing
- PPG15 Planning Policy Guidance 15: Planning and the Historic Environment
- LPHD12 Harrogate District Local Plan (2001, as altered 2004) Policy HD12: Amenity Open Space
- SPE4 North Yorkshire County Structure Plan Policy E4

## **ASSESSMENT OF MAIN ISSUES**

**1. LAND USE/PRINCIPLE** - The site lies within the village of Great Ouseburn and there are dwellings surrounding the site. The site falls within classification A, that is, "main settlements and larger villages" within Local Plan Policy H6. The erection of residential development on the site would be acceptable in principle 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/side/ garden of Prospect Farm 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 adjacent residents and future occupants 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. IMPACT ON RESIDENTIAL AMENITY AND STREET SCENE** - PPG3 promotes higher density development and Policies within the Local Plan reflect this. However, it is recognised that some areas and villages 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 plans indicate that the new dwelling will be located at the north eastern end of the site along the alignment of the existing boundary wall. This part of the wall will be removed to accommodate the new dwelling. The remaining part of the side garden will form the new garden for the proposed house except for a small terraced area immediately to the side of Prospect House, which will be formed by a curved screen wall varying in height from 2.1m close to the proposed dwelling and reducing down incrementally to 1.8m, 1.5m, 1.2m and 0.9m at the other end.

The residents that will be affected by the proposed dwelling will be 3 Churchfield Lane and the existing and future occupants of Prospect Farm. No3 has a side door and three secondary windows facing the site, two of which are obscure glazed at ground floor and first floor. The distance in-between No3 and the proposed dwelling is approximately 10m. The elevation facing No3 would have a door and 3 small windows to non-habitable rooms and a velux roof light. It is considered that the proposed new dwelling would not have any significant impact on the living conditions of No3 in terms of overlooking and overbearing to warrant refusing the application.

The applicant currently lives at Prospect Farm. He has indicated that it is his intention, should permission be granted for the dwelling, to occupy the new dwelling. He has stated that he is suffering from a deteriorating muscle condition and requires a new dwelling that can be adapted for disabled living. This matter is not considered to be significant material consideration in the determination of this application. In terms of the impact on the living conditions of the occupants of Prospect Farm it should be noted that there are two side windows and a French door on the side elevation facing the site. Prospect Farm has a rear yard area and a large front garden but the main garden for this property would appear to be the side garden. The proposed dwelling and parking area would take up over a third of this garden area. The main aspect of the dwelling would be across the garden area with windows to bedrooms, a sitting room and dining room which would have a detrimental impact on the living conditions of the existing and future occupants of Prospect Farm in terms of overlooking, overshadowing and overbearing to warrant refusing the application. The proposed dwelling would be partially visible from the Main Street and Churchfield Lane and would be clearly visible from the access road off Churchfield Lane. It is acknowledged that the applicant has sought to reduce the impact of the dwelling on the street scene by proposing a mainly single storey building. There are a mixture of various types of dwellings and buildings within the village and around the site. However it is considered that this new dwelling with a height of approximately 6m to the ridge of the two storey part 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.

The development would therefore be detrimental to residential amenity and the street scene and contrary to Policies H6, A1, H14 and HD20.

### **3. IMPACT ON CONSERVATION AREA AND THE SETTING OF THE LISTED BUILDING**

- In considering proposals which affect a conservation area and a listed building or its setting the Local Planning Authority is required to have special regard to the desirability of preserving or enhancing the character and appearance of the conservation area and to have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic importance which it possesses. Furthermore, Policy HD3 states that: "Development which has an adverse effect on the character or appearance of the conservation area will not be permitted and this includes the following forms of development: B) The erection of buildings out of scale with their surroundings. C) Proposals involving the loss of open space, which contributes to the character of the conservation area."

Also Policy HD12 seeks to safeguard open sites within settlements, which seek to make a significant contribution to the visual amenity and character of the settlement. The Local Plan indicates at paragraph 6.65 that "Amenity open spaces may or may not have public

access."

The proposed single storey part of the dwelling will be located approximately 1m from the north eastern corner of Prospect Farm and the two storey part of the dwelling will be approximately 4.4m from Prospect Farm, which is a Grade II listed building. The proposal will also require the removal of part of the garden wall, which surrounds the site and is clearly within the curtilage of the site. Having carefully assessed the proposed development it is concluded that the development will not preserve the building or its setting and will not enhance the character and appearance of the conservation area. Similarly the site comprises the garden area of Prospect Farm, which contributes in a positive way to the character of this particular village and to grant planning permission for a dwelling on this site would be contrary to the aims of Policies HD3 and HD12.

It is therefore concluded that the proposed development would be contrary to Policies HD12, HD1, HD3 HD20 and A1.

**4. 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.

**5. HIGHWAYS** - At the time of writing the report no observations had been received from the highway officer. Members will be updated on this issue at the Committee.

**CONCLUSION** - It is therefore recommended that the application be refused for the reason indicated at the end of the report.

**CASE OFFICER:** Mr P Jewkes

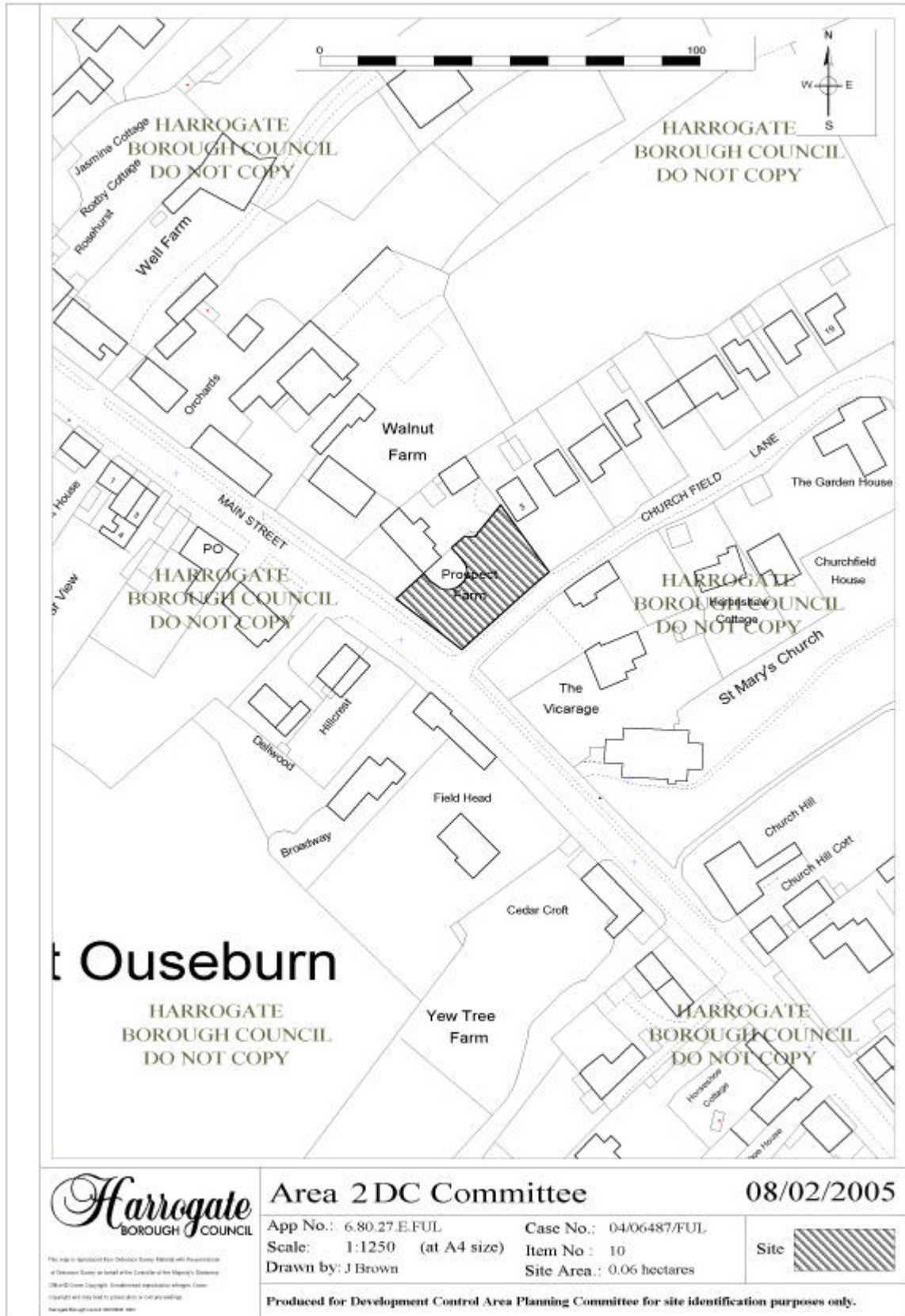
## RECOMMENDATION

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

- 1 It is considered that the proposed development in such close proximity to the adjacent dwelling Prospect Farm would, by reason of overlooking, overshadowing and overbearing result in an unacceptably 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.
- 2 It is considered that the proposed dwelling in this particular location would not preserve the listed building or its setting, will not enhance the character and appearance of the conservation area and would have a detrimental impact on the street scene contrary to Harrogate District Local Plan Policies HD1, HD3, A1, HD12 and HD20 and North Yorkshire Structure Plan Policy E4.
- 3 The existing access, by which vehicles associated with this proposal would leave and rejoin the County Highway is unsatisfactory since the required visibility of 2m x 23m in the south westerly and 2m x 70m in the north easterly direction cannot be achieved at the junction with the County Highway and therefore, in the opinion of the Local

Planning Authority, the intensification of use which would result from the proposed development is unacceptable in terms of highway safety.

The Local Planning Authority considers that the existing access by which vehicles associated with the proposal would leave and rejoin the County Highway is of insufficient width and therefore, the intensification of use which would result from the proposed development is unacceptable in terms of highway safety.



*Harrogate*  
 BOROUGH COUNCIL

**Area 2 DC Committee**

**08/02/2005**

App No.: 6.80.27.E.FUL

Case No.: 04/06487/FUL

Scale: 1:1250 (at A4 size)

Item No: 10

Drawn by: J Brown

Site Area: 0.06 hectares

Site 

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