

## HARROGATE BOROUGH COUNCIL

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

**DATE: 8 February 2005**

<b>PLAN:</b> 15	<b>CASE NUMBER:</b> 04/06380/OUT
<b>APPLICATION NO.</b> 6.63.38.A.OUT	<b>GRID REF: EAST</b> 437805 <b>NORTH</b> 466049
	<b>DATE MADE VALID:</b> 09.12.2004
	<b>TARGET DATE:</b> 03.02.2005
	<b>WARD:</b> Newby

**APPLICANT:** Mr And Mrs Siswick

**AGENT:** Farrar Bamforth Associates Ltd

**PROPOSAL:** Outline application for the erection of 1 detached dwelling with access considered and erection of replacement garage, wall and gate to serve existing dwelling including felling of various trees within Roecliffe Conservation area (site area 0.08ha).

**LOCATION:** Woodlands Roecliffe York North Yorkshire YO5 9LY

## REPORT

### SITE AND PROPOSAL

The site consists of the extensive gardens to "Woodlands", a 20th Century bungalow facing The Green.

The application is in 2 parts being:-

i) The outline erection of a dwelling in the rear garden of Woodlands, and an illustrative drawing shows a property in line with the adjacent dwelling 'The Paddock'. The property would be served from The Green via an existing track and 5 bar farm gate. This access necessitates the removal of a brick outbuilding facing The Green and a modern prefabricated garage. Several fruit trees in the garden would need to be removed.

ii) The second element for a new garage for Woodlands facing The Green (and on the site of the demolished outbuilding). It is of brick/tile construction. A wall with wrought iron railings and gates was proposed along the front boundary. This has been amended to a simple wall and wooden farm gate. The application indicates that the outbuilding/existing front wall is defective.

### MAIN ISSUES

1. Policy Issues in Relation to Dwelling
2. Impact upon Character of Conservation Area
3. Traffic/Access
4. Tree Loss

## 5. Affect on Amenity of Neighbours

### **RELEVANT SITE HISTORY**

No recent history.

### **CONSULTATIONS/NOTIFICATIONS**

#### **Parish Council**

Roecliffe

#### **Highway Authority**

Recommends refusal.

#### **D.L.A.S Arboricultural Officer**

Silver Birch to front should be protected during construction.

#### **Claro Internal Drainage Board**

Not our jurisdiction.

### APPLICATION PUBLICITY

**SITE NOTICE EXPIRY:** 21.01.2005

**PRESS NOTICE EXPIRY:** 21.01.2005

### REPRESENTATIONS

**ROECLIFFE PARISH COUNCIL** - The Parish Council objects on the following grounds:-

1. This property is at the head of the Village Green and is very visible. The proposed boundary wall with wrought iron railings and wrought iron gates doesn't fit in with a Conservation Village. Also position of proposed new "Woodlands" garage impairs the view of the "Woodlands" dwelling from the Village Green.
2. We need more details re development of existing bungalow (Woodlands) before finally deciding this application but would suggest Woodlands is kept as a bungalow rather than converting to a 2 storey building.
3. Plot seems small to allow development of second property, considering this too would exit onto unmade road; especially if each property has multiple cars (space for 6-8 mentioned).
4. Access point from "Woodlands" garage dangerous as very close to three other exits from other properties.

**OTHER REPRESENTATIONS** - 4 letters of objection have been received from, Appletree Cottage, The Orchards, Greenedge House and The Paddocks which state:-

1. Existing dwelling is in keeping with village with beautiful garden to rear and squashing another dwelling is merely for profit.
2. Will cause upset and damage to surrounding area and wildlife.

3. If more properties are permitted it will spoil conservation village.
4. Extra traffic on unmade track across The Green is a concern - already serves 4 dwellings/deliveries etc.
5. Should not be developed at all in Conservation Area.
6. Scale is too large for plot, compared with adjacent dwelling and will cause a loss of amenity.
7. Should be a bungalow with low roof profile to match surroundings.
8. Should be orientated differently as it currently extends to boundary of plot and should be centrally on the plot with land surrounding it on all sides.
9. It is hemmed in and too close to The Paddock - could be reduced by having integral garage or it could be moved closer to Riverside House where there is more space.
10. High wall of dwelling is an imposition. Garaging for 8 cars is inappropriate as children play on the garden.
11. The Green is unsuitable for access - poorly surfaced, has blind spots and it is not possible to access proposed drive without overriding onto the grass.
12. New access next to access to The Paddock is not acceptable and will create potential for accidents.
13. Trees in the garden of Woodlands already make areas of The Paddock slippery and dangerous. New dwelling would make this worse.
14. Will be built over the sewer from the rear of The Paddock - should be referred to Yorkshire Water.

#### **VOLUNTARY NEIGHBOUR NOTIFICATION - None.**

#### **RELEVANT PLANNING POLICY**

- PPS1 Planning Policy Statement 1: Delivering Sustainable Communities
- PPG3 Planning Policy Guidance 3: Housing
- PPG15 Planning Policy Guidance 15: Planning and the Historic Environment
- 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
- LPR04 Harrogate District Local Plan (2001, as altered 2004) Policy R4: Open Space Requirements for New Residential Development
- LPHD03 Harrogate District Local Plan (2001, as altered 2004) Policy HD3: Control of development in Conservation Areas
- 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

#### **ASSESSMENT OF MAIN ISSUES**

**1. POLICY ISSUES** - The site is 'previously developed' where Policy HX and PPG3 encourage new residential development. Policy H6 allows for small scale rounding off/infilling within settlements such as Roecliffe.

Whilst illustrative only, the applicant indicates a potential siting which reflects the disposition of other dwellings in the vicinity of The Green and the proposal therefore respects the built form of the settlement.

The proposal sits comfortably with policy and is an appropriate development.

Policy R4 seeks a contribution to recreational open space provision which can be dealt with at outline stage by a condition.

**2. IMPACT UPON CONSERVATION AREA CHARACTER** - The proposed location for the dwelling follows the built form of the settlement and subject to an appropriate design would preserve the character of the Conservation Area.

The design of the garage being brick/pantile, will be an appropriate replacement for the outbuilding to be demolished and will form a visual end-stop framing The Green. The building will therefore preserve the rural character of The Green and the Conservation Area.

The 1.2m high boundary wall was initially to be replaced with brick wall/piers and wrought iron railings/gates. This is not a traditional feature of boundary treatment in the area which are simple walls/fences and 5 bar wooden gates or hedges. The railings/gates and brick piers are unduly ornate and detract from the character of the Conservation Area. Amended boundary treatment has now been submitted and consists of a 0.9m high wall and 5 bar wooden farm gate and is an acceptable treatment.

**3. TRAFFIC AND ACCESS** - The Highway Authority has recommended refusal on the basis that the access would serve 5 dwellings and should be to adoptable standard and that the current roads across The Green are substandard.

Being a feature of the Conservation Area, it would not be appropriate to upgrade the track across The Green. In any event, there are in effect 2 tracks in a circular system which are in effect 2 private drives and the increase in traffic to the site is not considered to constitute a highway danger.

The proposal utilises an existing access and a new access for Woodlands is proposed. The applicant has indicated that he is aware of the implications for such amended access and has already contacted the Register of Village Greens for the appropriate authority.

It is not considered that a refusal on highway grounds is justified in this instance.

**4. TREE LOSS** - Some elderly fruit trees and 2 other mature trees would be lost from the rear garden of Woodlands. These are not considered to be of high public amenity value and no objection has been received from the Tree Officer.

He is concerned that the Silver Birch fronting The Green is protected during construction.

**5. AMENITY OF NEIGHBOURS** - The proposed dwelling utilises the current access serving Woodlands and there would not be any significant increase in vehicles passing the neighbour - Green Edge House. It merely exchanges the vehicles visiting the existing dwelling for vehicles visiting the new one. The access for the existing dwelling is directly from The Green at the front and has no impact due to the location of the dwelling and drive, it is not considered that any appreciable loss of amenity would result from either traffic movement, overshadowing (loss of light or privacy issues for the surrounding neighbours).

The main cause for concern relates to the impact of the drive to the new house passing close to the existing dwelling - Woodlands.

The access drive would be only 5m away from the western wall of Woodlands which contains a kitchen, porch and w.c window. Whilst the applicant has attempted to minimise the affects of traffic passing by providing a 2m high vertically boarded fence, it is considered that there would be a loss of amenity for the occupants of Woodlands both within the dwelling and whilst enjoying the private rear garden which would be surrounded by the drive/parking/turning area for the new house.

The loss of amenity for that dwelling would not be acceptable and would be contrary to Harrogate District Local Plan Policies A1 and H6.

**CONCLUSION** - Whilst the basic layout of the development, and the new garage/wall are appropriate, the amenity issues arising from the access arrangements are unacceptable.

**CASE OFFICER:** Mr R Forrester

#### RECOMMENDATION

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

- 1 The proposed access drive/parking and turning facilities for the new dwelling are situated in close proximity to the side wall and rear garden of Woodlands and the coming and going of vehicles will result in noise/disturbance for the occupants of that dwelling, whilst within the dwelling and also when enjoying the use of the rear garden. The subsequent loss of residential amenity for the residents of that dwelling are unacceptable and the proposal therefore conflicts with the provisions of criterion (iii) of Policy H6 of the Selective Alteration to the adopted Harrogate District Local Plan and criterion B of Policy A1 of the adopted Harrogate District Local Plan.

