

HARROGATE BOROUGH COUNCIL

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

DATE: 19 July 2005

PLAN: 04	CASE NUMBER: 05/01314/FUL
APPLICATION NO. 6.94.75.A.FUL	GRID REF: EAST 434826 NORTH 458571
	DATE MADE VALID: 14.03.2005
	TARGET DATE: 09.05.2005
	WARD: Knaresborough Scriven

Park

APPLICANT: Mr And Mrs Dowbiggin

AGENT: David R Bamford Chartered Architects

PROPOSAL: Erection of 1 detached dwelling (revised scheme) (site area 0.05ha).

LOCATION: Land At Grid Ref434826/458571 North Of Applegarth The Green Scriven
Knaresborough North Yorkshire

REPORT

REPORT

This application was considered at the last meeting of the Area 2 Development Control Committee on 21 June 2005, when Members were minded to grant planning permission contrary to the officer's recommendation. Members considered that the proposed development would not affect the approach to the village, would not be highly visible and that the access would be acceptable for two dwellings.

The application therefore needs to be considered under Special Procedures, and the views of the Cabinet Member (Planning) and the Council's Solicitor are set out below:

Cabinet Member - Subjective view up to members.

Solicitor - "This matter is concerned with the subjective assessment of the development's impact upon which members are entitled to come to a different view from officers"

Members also requested that a Tree Preservation Order be served on the trees to the north of the site. The trees have been surveyed and at the time of writing it is anticipated that an order will be served imminently.

SITE AND PROPOSAL

This application was deferred for a site visit at Area 2 Development Control Committee on 17th May 2005.

Applegarth is a detached dormer bungalow with detached double garage sited on the

northern edge of Scriven Village. There is a large garden area mainly laid to lawn to the front and side of the dwelling leading to a small wooded crag. There is a derelict building on the eastern boundary of the site, shown on the plans as a garage. Due to changes in levels the bungalow is at a higher level to the garden and is very visible on the approach to the village from the north. The site is accessed via a 75m long single track road off the village green.

Applegarth lies within the conservation area. The village development limit bisects the site approximately 17m to the north of the bungalow. The application site lies within the development limit.

An application for the erection of 1 dwelling was submitted in 2004. The red edge included land outside of the development limit. The proposal was for a two storey dwelling with the lower ground floor capable of being separated from the rest of the house, access to be via the existing drive. The application was recommended for refusal at Area 2 Development Control Committee on 18th January 2005 but was withdrawn prior to that committee.

This application is a revised scheme for a dwelling on the site. The plans show a two storey building with kitchen, lounge and one bedroom on the ground floor with three further bedrooms (one en-suite) and a house bathroom on the lower ground floor. There is an attached double garage accessed via the existing drive to Applegarth. The design is a double gable fronted dwelling, the same overall height as the previous (7.5m) and the same width (12.2). The applicant states that the land to the side of the dwelling (outside of the development limit) would be retained as wild garden area.

Access to the new dwelling would be via the existing drive with the existing double garage serving Applegarth to be demolished and a new garage be erected to the side of that dwelling.

MAIN ISSUES

- 1 Policy/Principle
- 2 Approach to Settlement
- 3 Impact On Conservation Area
- 4 Highways
- 5 Open Space Requirements

RELEVANT SITE HISTORY

6.94.75.FUL - Erection of 1 detached dwelling (site area 0.093ha). Withdrawn. 13.01.2005.

CONSULTATIONS/NOTIFICATIONS

Parish Council

Response awaited.

Minerals & Waste Planning, NYCC

Comments provided and no objection raised.

English Nature

Do not object to the application but concern that there may be roosting sites for bats.

English Nature do not recommend a bat survey to be carried out but do recommend an informative be attached to any planning permission.

Highway Authority

Recommend refusal. See assessment.

DLAS - Open Space

A commuted sum of £574 is requested for open space provision.

Environmental Health

Site borders an old quarry which may have been filled or partly filled and the site may therefore be affected by landfill gas migration. Recommend a site investigation be carried out or if not then gas mitigation measures be installed.

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 15.04.2005

PRESS NOTICE EXPIRY: 15.04.2005

REPRESENTATIONS

SCRIVEN PARISH COUNCIL - Response awaited.

OTHER REPRESENTATIONS - None.

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
- LPC15 Harrogate District Local Plan (2001, as altered 2004) Policy C15: Conservation of Rural Areas not in Green Belt
- 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
- LPR04 Harrogate District Local Plan (2001, as altered 2004) Policy R4: Open Space Requirements for New Residential Development
- LPT01 Harrogate District Local Plan (2001, as altered 2004) Policy T1: The Highway Network
- LPA01 Harrogate District Local Plan (2001, as altered 2004) Policy A1: Impact on the Environment and Amenity
- 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

LPHD13 Harrogate District Local Plan (2001, as altered 2004) Policy HD13: Trees and Woodlands

ASSESSMENT OF MAIN ISSUES

1. POLICY/PRINCIPLE - Under Policy HX the redevelopment of previously developed sites are permitted in principle subject to satisfying other local plan policies. Policy H6 permits re-development provided the site lies within the development limit, of Knaresborough (including Scriven) in this instance, and is of a scale, density, layout and design appropriate to the locality and is appropriate to the form and character of the settlement.

Policy A1 states that proposals will not be permitted where they would cause significant problems related to access, road safety or traffic flow, or result in a detrimental effect on the visual amenity and character of the area. Policy HD3 does not permit development that would have an adverse effect on the character or appearance of conservation area. Policy HD16 states that proposals which would have an adverse effect on the character and appearance of the approaches to the district's settlements will not be permitted. Policy HD20 states that new buildings should make a positive contribution to the spatial quality of the area and their siting and density should respect the area's character and layout, and should respect the scale, proportions and height of neighbouring buildings.

2. APPROACH TO SETTLEMENT - Policy HD16 states that development which would have an adverse effect on the character or appearance of the approaches to the district's settlements will not be permitted. The policy can apply to the approach to smaller settlements where they form part of the experience of entering a larger settlement. In this instance Scriven forms part of the experience of entering Knaresborough from the north. The openness of the application site and its prominence when entering Scriven contributes greatly to the character and appearance of this approach. The proposal would remove this open feel and would have an adverse effect on the character and appearance of this approach into Scriven, and ultimately Knaresborough, contrary to policy HD16 of the Harrogate District Local Plan.

3. IMPACT ON CONSERVATION AREA - The site lies within the conservation area, which extends beyond the site to the north to include the adjacent fields and allotments. Applegarth is one of the first buildings to be encountered on the entrance to Scriven from the north and due to its elevated position and the existing low boundary treatment is highly visible. The garden area to the side of the dwelling, the application site, provides a soft edge to the village leading into the countryside. The proposed dwelling, by reason of its size and elevated position, would be highly visible and prominent when viewed from the approach from the north. It would extend the village northwards and would have an adverse effect on the character and appearance of the conservation area, contrary to policies A1 and HD3. In addition it would not preserve or enhance the conservation area as required by Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and amplified by PPG15.

3. HIGHWAYS - The driveway to Applegarth is single width and 75m long. Whilst this operates satisfactorily for one dwelling, it is proposed to use the driveway to access the proposed dwelling. North Yorkshire County Council Highways have objected to the proposal on the grounds that the access to the site is unsuitable for the level of traffic that would be generated by the proposal and also that clear visibility at the junction of the driveway with the Green cannot be achieved to highway standards. The highways

authority also objected on the previous application. The applicant's agent has submitted further information in support, however the highways authority remains of the opinion that the proposal would prejudice highway safety. It is contrary to policies T1 and A1 of the Harrogate District Local Plan.

4. OPEN SPACE REQUIREMENTS - A commuted sum of £574.00 has been requested for the provision of open space and allocated Scriven Green and Jacob Smith Park. A signed unilateral undertaking has been received from the applicant agreeing to this payment and therefore policy R4 of the Harrogate District Local Plan is complied with.

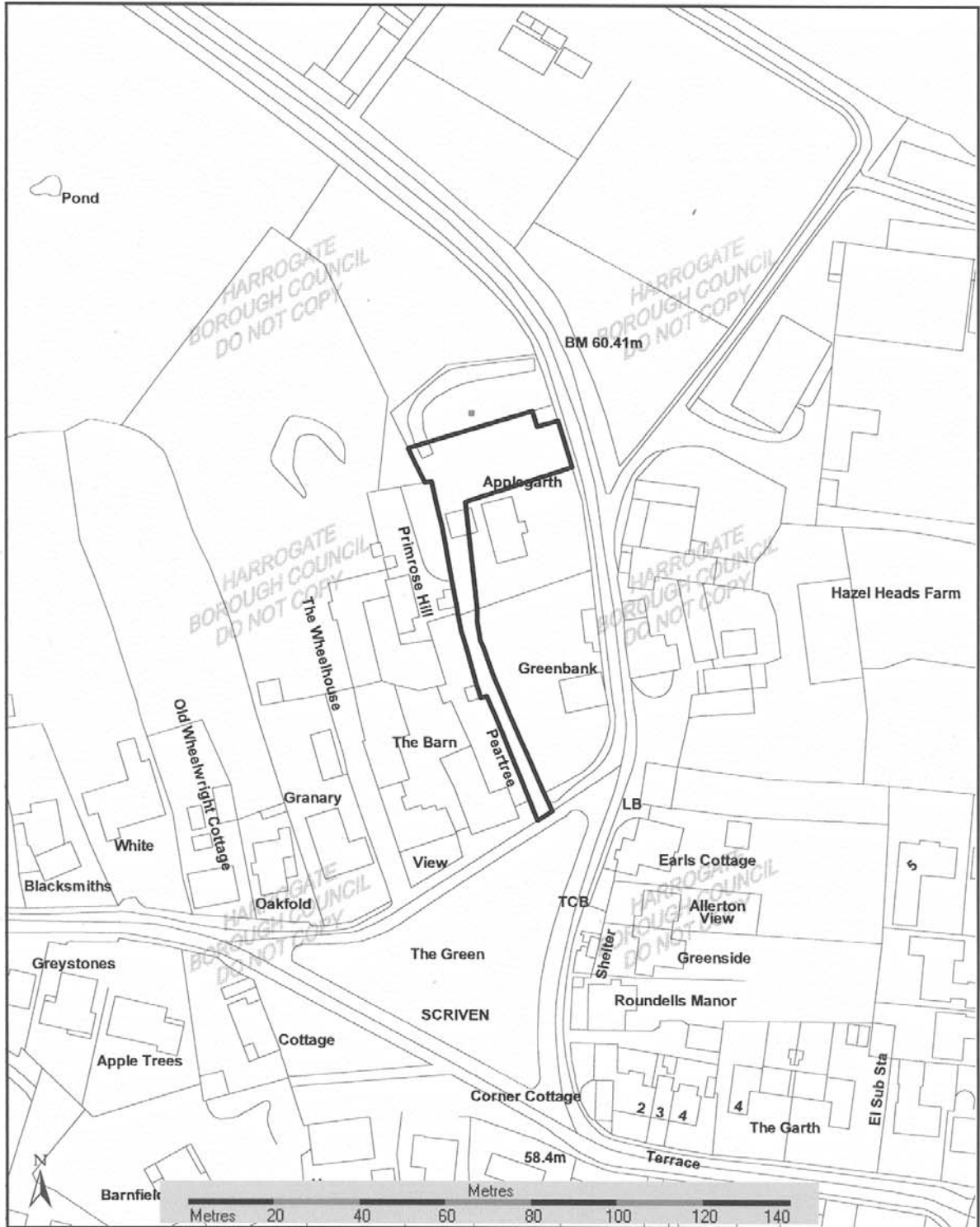
CONCLUSION - The proposed dwelling is unacceptable as it would have an adverse effect on the approach to Knaresborough via Scriven. It would also have an adverse effect on the character and appearance of the conservation area. The access to the site is substandard and unsuitable for an additional dwelling. The application is recommended for refusal for the reasons set out above.

CASE OFFICER: Mrs L Drake

RECOMMENDATION

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

- 1 The proposal would have an adverse effect on the character and appearance of the approach into Scriven, and ultimately Knaresborough, contrary to policy HD16 of the Harrogate District Local Plan.
- 2 The proposed dwelling, by reason of its size and elevated position, would be highly visible and prominent when viewed from the approach from the north. It would have an adverse effect on the character and appearance of the conservation area, contrary to Policies HD3, HD16 and A1 of the Harrogate District Local Plan.
- 3 The access to the site is unsuitable for the level of traffic that would be generated by the proposal and also that clear visibility at the junction of the driveway with the Green cannot be achieved to highway standards. The proposal therefore is not acceptable as it would prejudice highway safety, contrary to Policies T1 and A1 of the Harrogate District Local Plan. Any improvements at the junction with The Green are likely to have an adverse impact on the character of the Conservation Area that would result in conflict with Policies HD3 and A1 of the Harrogate District Local Plan.



Department of Development Services

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Harrogate Borough Council 1000 19628 2005.

AREA 2 DC COMMITTEE

Item No. 4

App No./Case No. 6.94.75.A.FUL 05/01314/FUL

Scale (at A4 size) 1:1250

Site area 0.05 ha

Site boundary

Drawn MDTT

Date 19/07/2005

