

HARROGATE BOROUGH COUNCIL

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

DATE: 11 October 2005

PLAN: 04	CASE NUMBER: 05/02202/OUT
APPLICATION NO. 6.100.133.F.OUT	GRID REF: EAST 435968 NORTH 456730
	DATE MADE VALID: 31.08.2005
	TARGET DATE: 26.10.2005
	WARD: Knaresborough King

James

APPLICANT: Mr And Mrs B O'Grady

AGENT: Mr P Campkin And Associates

PROPOSAL: Outline application for the erection of 1 dwelling, with siting and access considered (Revised Scheme) (Site Area 0.05 ha).

LOCATION: The Pines 11 Wetherby Road Knaresborough North Yorkshire HG5 8LG

REPORT

SITE AND PROPOSAL

The site comprises a roughly triangular parcel of land, which is currently the side garden of 11 Wetherby Road a stone bungalow. There are a number of trees on the site. There is a 2m fence and trees along the northern boundary. There is a 1.8m wall along the rear south western boundary. The site is surrounded on all sides by residential development and the houses at 3 and 5 Wetherby Road are set at an angle to the south western boundary of the site. The vehicular access to No11 is from York Road. The site lies within the development limits of Knaresborough.

This is an outline application for the erection of a dwelling. The applicant is applying for the siting of the dwelling and the means of access to the site. Access to the site will be from York Road at the north western corner of the site with the provision of a turning area within the site. The applicant's agent has provided a cross section of the site indicating how the dwelling would relate to the houses, Nos3 and 5 Wetherby Road, at the rear of the site. See Appendix 1.

MAIN ISSUES

1. Land Use Principle.
2. Is The Site Large Enough To Satisfactorily Accommodate A Dwelling? Impact On The Privacy And Amenities Of Adjacent Residents.
3. Highway Safety.

RELEVANT SITE HISTORY

Refusal for one bungalow and garage on the site on the 4 April 1986. Reference

6.100.133.D.OA. Subsequent appeal to the then Department of the Environment and Transport dismissed on the 17 September 1987.

Members will recall that a similar application for a dwelling and garage on the site was considered at the A2 DC Committee Meeting on the 14 December 2004 and planning permission was refused for the following reasons.

"The proposed bungalow, which would be built very close to the rear boundary of the site, would constitute an over-intensive use of the site, which would have an unacceptably harmful effect upon the reasonable enjoyment of the two dwellings at Nos3 and 5 Wetherby Road by reason of overshadowing and overbearing. The proposed development would therefore be contrary to Harrogate District Local Plan Policies A1, HD20 and H14."

"The provision for parking and turning facilities within the site is inadequate and will lead to vehicles reversing, if not parking on York Road, which is unacceptable and would be contrary to Harrogate District Local Plan Policy T2 and A1."

CONSULTATIONS/NOTIFICATIONS

Parish Council
Knaresborough

Chief Engineer (H and T)
Approve subject to conditions.

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 07.10.2005
PRESS NOTICE EXPIRY: 07.10.2005

REPRESENTATIONS

KNARESBOROUGH PARISH COUNCIL - No objections.

OTHER REPRESENTATIONS - None at the time of writing the report.

VOLUNTARY NEIGHBOUR NOTIFICATION - None.

RELEVANT PLANNING POLICY

PPS1 Planning Policy Statement 1: Delivering Sustainable Communities
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
LPA01 Harrogate District Local Plan (2001, as altered 2004) Policy A1: Impact on the Environment and Amenity

- LPHD20 Harrogate District Local Plan (2001, as altered 2004) Policy HD20: Design of New Development and Redevelopment
- PPG3 Planning Policy Guidance 3: Housing
- LPR04 Harrogate District Local Plan (2001, as altered 2004) Policy R4: Open Space Requirements for New Residential Development

ASSESSMENT OF MAIN ISSUES

1. LAND USE PRINCIPLE - The site lies within the development limits of Knaresborough as identified by the Harrogate District Local Plan No1 and is surrounded on all sides by existing residential development. In terms of Local Plan Policy H6 the erection of residential development within the urban area would be acceptable in principle 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 side garden of the bungalow at 11 Wetherby Road and is therefore a brownfield site and the principle of one dwelling on the site would accord with Local Plan Policies H6 and HX. The development of the site would also be in accordance with the requirements of PPG3. However in reaching a decision on the application the size of the site and the potential impact of the development on the living conditions of nearby residents must be taken into account.

CHANGES TO THIS APPLICATION FROM THE PREVIOUS REFUSAL - The proposed siting of the bungalow on the recent refusal in December 2004 is shown on the attached plan - Appendix 2. The siting of the bungalow for this revised current application is shown on the attached plan - Appendix 3. It is clear from the details submitted by the agent that the applicant has sought to address the Council's reasons for refusing the last application for a bungalow. The proposed bungalow has been turned through 90 degrees to face the side elevation of No11. The side of the proposed bungalow would align roughly with the rear (south western) boundary of the site. The vehicular access would be roughly in the same position as previously proposed and the plan shows an increased turning space to enable vehicles to turn round in the site. The plan or form does not specify a garage/parking space. The plan also indicates additional planting around the site is required.

2. IS THE SITE LARGE ENOUGH TO SATISFACTORILY ACCOMMODATE A DWELLING? IMPACT ON THE PRIVACY AND AMENITIES OF ADJACENT RESIDENTS

- The proposal would entail the loss of the majority of the side garden of No11 but the existing bungalow No11 would still retain a reasonable and useable sized garden to the front and rear. The majority of the front portion of the site would be given over to a turning space, although there would be a small garden area to the north of the proposed bungalow adjacent to York Road and a larger area of garden to the front of the bungalow along the western and south-western boundary of the site. There would be no garden space at the rear of the proposed bungalow. Therefore the result of the proposed development would be that for future occupants there would be no outlook from the rear of the development. It is assumed that the proposed bungalow would be of a special design with no aspect at the rear and with the main aspect of the dwelling to the front and sides. It is considered that the proposed bungalow would look very cramped on such a small site in comparison with the relative spaciousness of the gardens of the other dwellings immediately to the east, south and west and would therefore be out of character with the area. Please see OS plan. It is therefore concluded that the site would not be of sufficient size to satisfactorily accommodate a bungalow and the development would therefore be contrary to Policies A1,

H6 and HD20.

In terms of the impact of the proposed bungalow on the living conditions of the adjacent residents it is recognised that the applicant's agent has sought to reduce the impact on the residents at Nos3 and 5 Wetherby Road by turning the bungalow through 90 degrees. The proposed bungalow at its nearest point would be approximately 21m to Nos3 and 5. It should be noted that there is a 1.8m wall along the rear boundary of the site and there are some trees and shrubs along part of this boundary. The agent's cross-section shows the relationship of the proposed bungalow to Nos3 and 5. See Appendix 1. It is acknowledged that the impact of the bungalow in terms of overshadowing and overbearing would be limited but there may be some overlooking of the adjacent gardens and houses from the bungalow. However the rear of the proposed bungalow would be located approximately 1.5m from the joint boundary with No11 and would be approximately 3.5m from the side elevation of No11. The side elevation of the proposed bungalow would align roughly with front projection of the bungalow at No11. Similarly the gable end of the proposed bungalow would be approximately 3m from the joint boundary with No5. At the present time the rear gardens of Nos3, 5, 7 and 11 are secluded and private. It is considered that if planning permission were granted for a bungalow on the site and the development was implemented the feeling of seclusion and privacy would be seriously impaired by the construction of a new bungalow so close to the joint boundaries of No5, 7 and 11. It is therefore concluded that the development would have an unacceptably harmful effect upon the reasonable enjoyment and living conditions of the dwellings to the side and rear, which would be contrary to Policies A1, H6 and HD20.

3. HIGHWAY SAFETY - The Highway Officer recommends approval and therefore there are no highway reasons to oppose the application.

CONCLUSION - Members are reminded that an application for a bungalow on the same site was refused by the Council in November 1986 and a subsequent appeal was dismissed by the Planning Inspector in September 1987. Although this was 18 years ago it is felt that this is still a significant relevant material planning consideration in determining this application and following the adoption of the Council's Local Plan in February 2001 the relevant Policies relating to safeguarding residential amenity are clear and precise. Members are also reminded of their decision to refuse the earlier application for a bungalow on the site on the 14 December 2004. It is therefore recommended that the application be refused for the reasons indicated.

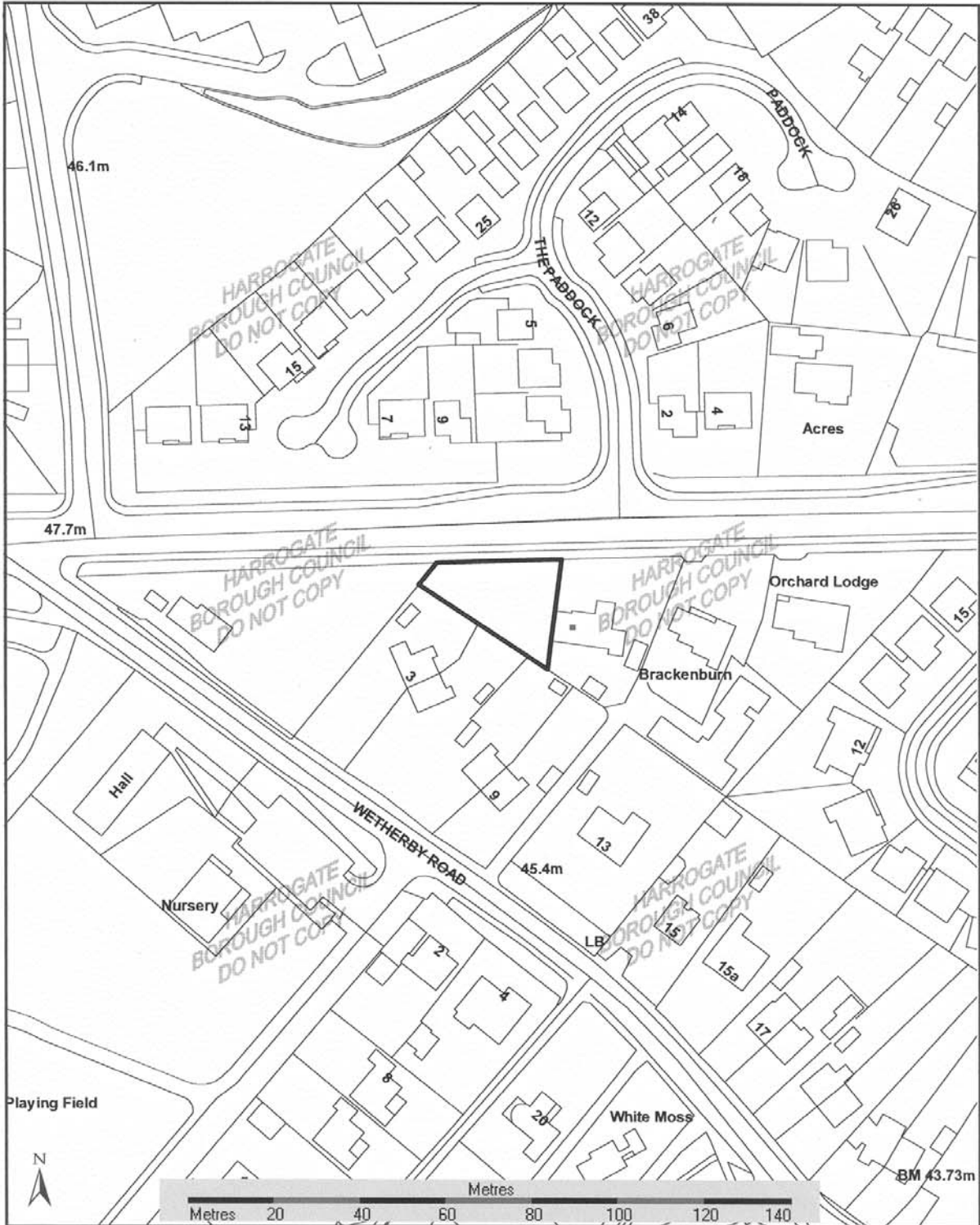
CASE OFFICER: Phil Jewkes

RECOMMENDATION

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

- 1 The proposed bungalow, which would be built very close to the eastern and south-western boundaries of the site, would constitute an over-intensive use of the site, which would be out of character with the area and would have an unacceptably harmful effect upon the reasonable enjoyment and living conditions of the existing and

future occupants of the dwellings at Nos11 and to a lesser extent Nos7, 5 and 3 Wetherby Road by reason of overshadowing and overbearing. The proposed development would therefore be contrary to Harrogate District Local Plan Policies A1, HD20 and H6.



Harrogate
BOROUGH COUNCIL

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.	05/02202/OUT	6.100.133.F.OUT	
Scale (at A4 size)	1:1250	Site area	0.05ha
Drawn	MDTT	Site boundary	
Date	11/10/2005		

