

## HARROGATE BOROUGH COUNCIL

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

DATE: 11 October 2005

<b>PLAN:</b> 07	<b>CASE NUMBER:</b> 05/04143/OUT
<b>APPLICATION NO.</b> 6.56.140.A.OUT	<b>GRID REF: EAST</b> 438797 <b>NORTH</b> 467625
	<b>DATE MADE VALID:</b> 18.08.2005
	<b>TARGET DATE:</b> 13.10.2005
	<b>WARD:</b> Newby

**APPLICANT:** Claire Tiplady

**AGENT:**

**PROPOSAL:** Outline application for erection of detached dwelling including siting and access. (Site area 0.07 ha)

**LOCATION:** Jaynes House Langthorpe Boroughbridge York North Yorkshire YO51 9BZ

## REPORT

### SITE AND PROPOSAL

Jaynes House is a detached dwelling which fronts onto Skelton Road in Langthorpe. It has a large narrow garden which runs through to Back Lane to the north.

On the Back lane frontage are 2 buildings used for garaging. Whilst in 'outline' form, the setting for a single dwelling is shown a significant distance from Back Lane and adjacent to the substantial outbuildings of the neighbouring property. The existing access / garage position from Back Lane is utilised. Planning Application 05/03232/FUL approved on 13/09/05, related to rear extensions to Jaynes House, and a new vehicular access for that dwelling on to Skelton Road.

The siting of the proposed dwelling is given and a 5 bedroomed house is specified.

### MAIN ISSUES

1. Policy Matters
2. Form and Character of Settlement
3. Highway Safety
4. Impact on Neighbours

### RELEVANT SITE HISTORY

05/03232/FUL - Extension and access to Jaynes House - Approved 13/09/05

### CONSULTATIONS/NOTIFICATIONS

Parish Council

Langthorpe

**Environment Agency**

No comment

**Highway Authority**

Advises 6 conditions

APPLICATION PUBLICITY

**SITE NOTICE EXPIRY:** 23.09.2005

**PRESS NOTICE EXPIRY:** 23.09.2005

REPRESENTATIONS

**LANGTHORPE PARISH COUNCIL** - This development sets a precedent for properties on Skelton Road to develop their gardens with access onto Back Lane. The new properties, whilst being within the planning line would need an access onto Back Lane. Without the improvement which would be necessary for the road and therefore is probably against the planning intention for the southern boundary to Back Lane.

**OTHER REPRESENTATIONS** - None

**VOLUNTARY NEIGHBOUR NOTIFICATION** - None

RELEVANT PLANNING POLICY

- PPS1 Planning Policy Statement 1: Delivering Sustainable Communities
- PPG3 Planning Policy Guidance 3: Housing
- 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
- LPH05 Harrogate District Local Plan (2001, as altered 2004) Policy H5: Affordable Housing
- LPH13 Harrogate District Local Plan (2001, as altered 2004) Policy H13: Housing Density, Layout and Design
- LPR04 Harrogate District Local Plan (2001, as altered 2004) Policy R4: Open Space Requirements for New Residential Development

**ASSESSMENT OF MAIN ISSUES**

**1. POLICY MATTERS** - The site is a 'previously developed' area and therefore complies with Policy HX and PPG3.

The site of the dwelling falls within the village development limits and the principle of development is therefore consistent with Policy H6, (The form of the development is discussed below). The site of 0.07ha is not of a size to trigger an affordable housing requirement under Policy H5 and the long thin nature of the plot renders the site suitable

for one dwelling only and therefore the density required by Policy H13 cannot be achieved. The dwelling applied for is however a more efficient use of land than the current dwelling and larger garden.

The open space requirement of Policy R4 can be addressed at outline stage by a condition.

**2. CHARACTER FORM OF THE SETTLEMENT** - The Parish council has raised concerns regarding the provision of backland development served from the back lane.

Policy H6 of the Local Plan, requires development to be in keeping with the character and form of the settlement and in this respect the proposed siting of the dwelling is appropriate. It is sandwiched between other buildings, particularly a very substantial garage building to the east and other outbuildings/farm buildings to the west. At the western end of Back Lane, a dwelling and garage is accessed from the Back lane, as is a bungalow at the eastern end.

The Caravan site to the rear of the public house on Skelton Road extends up to the Back Lane and a new dwelling is under construction at The Orchards.

These are all shown on the location plan that accompanies this report.

In view of the surrounding development the character of the settlement cannot be said to be totally linear along Skelton Road, and in depth and development nearer to Back Lane already exists.

The dwelling would be located within the development limits but the garden/garage extends beyond it. Had this been a "new" proposal it could be said to be out of character, a garden projecting beyond the village limit.

In this instance however, the garden and garage already exists and any "intrusion" has already occurred.

There would be no greater harm caused by the use of the garage and garden to serve a new dwelling rather than the existing one.

**3. HIGHWAY SAFETY** - The Highway Authority raises no objection and the existing dwelling (whose garage and access is currently on to Back Lane) is to be provided with a new access on to Skelton Road. The garage and access then serves the new dwelling, in effect exchanging the traffic from one dwelling to that of another. Consequently there would be no material increase in traffic on Back Lane and no impact on highway safety.

**4. IMPACT ON NEIGHBOURS AMENITY** - The proposal is in outline form, but from the siting indicated and with careful design, there would be no reason why a dwelling erected on this plot would cause any loss of amenity for neighbours. Amended plans showing a longer rear garden for dwelling have been requested.

**CONCLUSION** - The development is an appropriate one.

**CASE OFFICER:** Mr R Forrester

**RECOMMENDATION**

That the application be DEFERRED and the HOPS be authorised to APPROVE the application subject to the following conditions and such other conditions HOPS considers to be necessary.

REASON FOR DEFERRAL:

- 0 For receipt of amended red line curtilage plans.

PROPOSED CONDITIONS:

- 1 CA06 OUTLINE/RESERVED MATTERS ... 5 yrs  
2 CA01B OUTLINE - SITING AND ACCESS NOT RM  
3 CC01 AMENDED DRAWINGS/LETTERS RECEIVED  
4 The development hereby approved shall no be commenced until such time as the new access/parking arrangement for Jaynes House (approved under application ref 6.56.140.FUL dated 13.09.05)  
5 CL12 OPEN SPACE TO BE PROVIDED - POLICY R4  
6 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 8 metres back from the carriageway of the existing highway and shall open into the site;

(iv) that part of the access(es) extending 5 metres into the site from the carriageway of the existing highway shall be made up and surfaced in accordance with the approved details and/or the Specification of the Local Highway Authority;

(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.

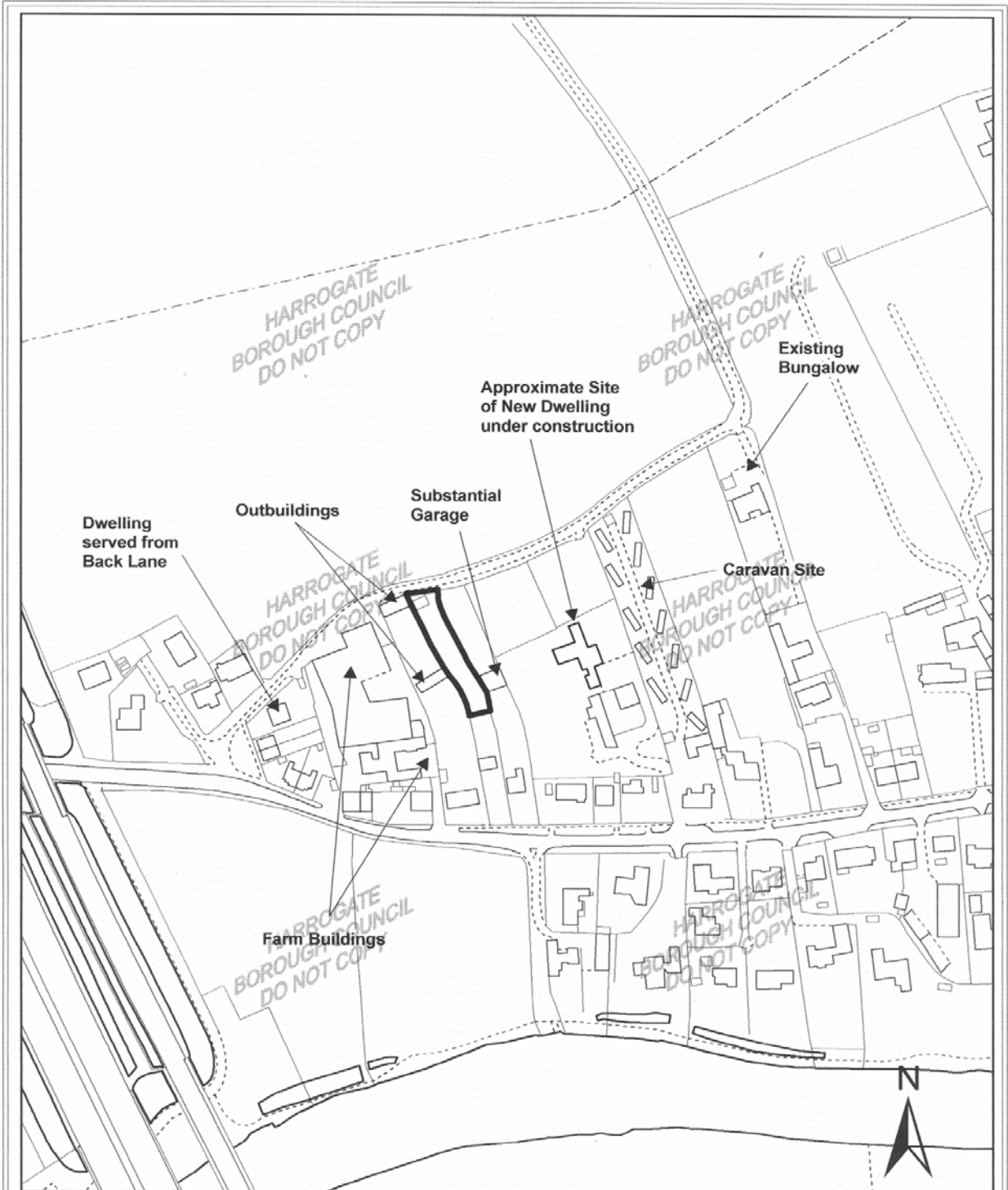
- 7 The new dwelling hereby permitted shall not be occupied until such time as a new vehicle access, parking and turning provision has been constructed onto Skelton Road for the existing dwelling known as 'Jaynes' House. There shall then be no means of vehicular access to or from 'Jaynes' House other than from Skelton Road unless otherwise approved in writing by the Local Planning Authority.  
8 Prior to the occupation of the dwelling a sight line shall be provided at the access to

such dwelling, measured a distance of 2.4 metres back from and parallel to the edge of the existing carriageway along the total site frontage. Thereafter the area between the sight lines and the highway boundary shall remain clear of any obstruction in excess of 1 metre in height above the adjoining carriageway level.

- 9 HW16 DETAILS OF TURNING SPACE
- 10 HW21 PARKING FOR SINGLE DWELLING
- 11 CB23 WKS FOR FOUL AND SW DISCHARGES TO BE APP

Reasons for Conditions:-

- 1 CA06R TO COMPLY WITH SECTIONS 91-94
- 2 CA01BR SAFEGUARD RIGHTS OF CONTROL
- 3 CC01R ACCORDANCE WITH DRAWINGS
- 4 In order to ensure that adequate facilities ??? for the present dwelling in the interest of Highway Safety.
- 5 CL12R COMPLIANCE WITH R4 - OPEN SPACE POLICY
- 6 HW07R VEHICLE AND PEDESTRIAN SAFETY REQ'MENTS
- 7 In the interests of highway safety.
- 8 In the interests of road safety to provide for drivers of vehicles using the access road to the site and the public highway with a standard of inter-visibility commensurate with the vehicular traffic flows and road conditions.
- 9 HW16R ROAD SAFETY REQUIREMENTS
- 10 HW21R ROAD SAFETY REQUIREMENTS
- 11 CB23R TO ENSURE PROPER DRAINAGE



*Harrogate*  
BOROUGH COUNCIL

Department of Development Services

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Harrogate Borough Council, 100019628, 2005.

## AREA 2 DC COMMITTEE

Item No. 7

App No./Case No 6.56.140.A.OUT 05/04143/OUT

Scale (at A4 size) 1:2500

Site Area 0.075 ha

Site Boundary

Drawn MDTT

Date 11/10/2005

