

HARROGATE BOROUGH COUNCIL

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

DATE: 11 October 2005

PLAN: 08	CASE NUMBER: 05/03680/FUL
APPLICATION NO. 6.72.60.B.FUL	GRID REF: EAST 443917 NORTH 464700
	DATE MADE VALID: 22.08.2005
	TARGET DATE: 17.10.2005
	WARD: Claro

APPLICANT: D Holmes Properties Ltd

AGENT: Robert Burns Designs Associates

PROPOSAL: Demolition of farmhouse and various buildings and erection of three dwellings and a two storey triple garage block. (Site Area 0.24 ha).

LOCATION: Prospect House Farm Lower Dunsforth York North Yorkshire YO26 9RZ

REPORT

SITE AND PROPOSAL

Prospect House Farm is situated at the western end of the village and consists of a farmhouse with garden to the north and with ranges of farm buildings/paddocks to the east and south.

There are 2 existing accesses one on to each road frontage.

The proposal relates to the demolition of all of the farm buildings and farmhouse which is in poor condition. The development consists of 3 elements being:-

1. The replacement of the farmhouse with a new dwelling served from the southern access and the erection of a substantial garage to replace farm buildings.
2. The erection of a new dwelling (on the former front garden of the farmhouse) with a barn like appearance and served from the northern access and
3. A further dwelling on the site of the farm buildings, also styled as a farm outbuilding and served from the northern access.

This dwelling is to be an affordable unit.

The applicant has indicated the following:-

"In essence we are demolishing the existing red brick 1960's style farm house and all the concrete and asbestos former pig buildings and replacing these with a Yorkshire vernacular style farmhouse and garage/implement shed built using traditional methods and materials. To the village side of this replacement dwelling and within the domestic curtilage of the

former farmhouse we are proposing a further dwelling to look and have the feel of a barn conversion, this dwelling we have deliberately kept to one side and at a great distance from the Village Street to satisfy the Appeal Decision which recognised the open aspect of the site. The third dwelling will be a shared equity home for purchase by a local person and is sighted behind the garage of Briar House. As with the farmhouse the style and design is in the vernacular with traditional materials used throughout".

MAIN ISSUES

1. Policy
2. Form of the Development
3. Highway Safety
4. Amenity of Neighbours
5. Flood Risk

RELEVANT SITE HISTORY

Outline dwelling: Refused 14.11.1989.

Outline dwelling/garage: Refused 14.11.1994 - Appeal Dismissed 21.11.1995.

CONSULTATIONS/NOTIFICATIONS

Parish Council

Lower Dunsforth

Environment Agency

Object - within flood risk area

DCS - Open Space

Requires commuted sum of £1503 to be allocated to Lower Dunsforth verges and Marton-cum-Grafton playing field.

Housing Department

One affordable dwelling acceptable.

Yorkshire Water

Advises 4 conditions.

Highway Authority

Advises 2 conditions.

Claro Internal Drainage Board

Should be no connection to village drain without Internal Drainage Board consent.

Environmental Health Contaminated Land

No comments received

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 23.09.2005

PRESS NOTICE EXPIRY:

23.09.2005

REPRESENTATIONS

DUNSFORTH PARISH MEETING - Object on following grounds:-

The village meeting objects to the application proposals on the grounds that the principal access, in this instance the only access, to one of the dwellings is taken from Tom Lane (to the south of the site).

At present only secondary accesses to dwellings are taken from Tom Lane. If successful, this application would set a precedent for potentially extensive development along the Tom Lane frontage.

The village meeting was adamant that the existing pattern of development, that is, ALL residential properties in the village being served by Mary Lane (the village street) should not be altered.

The village meeting was also concerned that there would be an unacceptable level of amenity for the residents in the design as proposed if the access to the more southerly of the three dwellings were to be altered to Mary Lane.

The Planning Authority is respectfully reminded that in the past planning permission has only been granted in the village where shared private drives have served converted as opposed to new build dwellings.

It is also reminded that in the past a planning refusal for development on the Mary Lane frontage was upheld at appeal on the grounds of the value of the 'open' character of this location.

OTHER REPRESENTATIONS - 5 letters of objection have been received from Glebe Fold, Briar House, Orchard House, West View Bungalow and Bramley Cottage which state:-

1. Contrary to Structure Plan Policy H4 - extends beyond the settlement.
2. Too much development on site of cow sheds - overdevelopment and out of character.
3. Object to use of Tom Lane for access - no other houses have such access.
4. Only a replacement dwelling should be allowed as was stated when farm was sold a year ago.
5. Village should be protected from this form of development.
6. Drive is close to our lounge and kitchen and will cause noise and be obstructive.
7. Overlooking of gardens will occur.
8. Unacceptable 'back filling' and will set precedent.
9. Radical departure as dwellings are on north-south alignment and others in area are on east-west.
10. Garage is essentially a fourth dwelling - should be single storey.
11. We will lose valuable open space around our dwelling - previously dismissed on appeal.
12. Wall of dwelling is close to our boundary and we will be faced with 120 sqm of brick wall - will be obtrusive and affect light to our back garden.

13. Use of our conifers as a screen is unacceptable - we intend to remove them and replace with a beech hedge.

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
LPH05	Harrogate District Local Plan (2001, as altered 2004) Policy H5: Affordable Housing
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
LPA05	Harrogate District Local Plan (2001, as altered 2004) Policy A5: Flood Risk Areas
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
LPH20	Harrogate District Local Plan (2001, as altered 2004) Policy H20: Replacement Dwellings in the Countryside
LPHD11	Harrogate District Local Plan (2001, as altered 2004) Policy HD11: Townscape and Environmental Improvement

ASSESSMENT OF MAIN ISSUES

1. POLICY MATTERS - The proposal consists of a replacement dwelling (which is permitted by Policy H20 - being of similar size) and the redevelopment of the farm buildings and garden - which is permitted under Policy HX.

The village is a 'smaller' settlement without a development limit as defined in Policy H6, where infillings and small scale rounding off are permitted.

The smaller of the 2 new dwellings is on the site of former buildings and designed with the appearance of farm buildings and is a logical rounding off. The larger new dwelling is on the former garden and constitutes infilling.

The form of this development is discussed below.

Policy H5 requires that affordable dwellings are provided, and the smaller (3 bedroomed) house is to be an 'affordable' unit. A Section 106 Agreement will be necessary for such control.

The Section 106 obligation for commuted open space provision has not been returned but is anticipated (Policy R4). Other policy issues are discussed below.

2. FORM OF THE DEVELOPMENT - Policy H6 requires that the development be in keeping with the form and character of the settlement.

Whilst the replacement dwelling is a 'backland' situation, it replaces an existing dwelling in a similar location.

Its design is considered to be appropriate. Its substantial garage replaces other farm buildings and is not inappropriate.

The smaller dwelling replaces existing buildings and is styled similar to a barn conversion and is considered to be appropriate. The larger new dwelling is also styled as a barn and is situated on an infill 'plot' which was subject to an Appeal in 1994.

The previous refusal was of a modern dwelling and attached garage, which extended across the whole plot width. The Council considered that the dwelling would cut off views of the countryside (the Inspector did not accept that argument) and that the site was an important open/amenity space (now protected under Policy HD11).

The current proposal addresses these concerns by providing a narrow dwelling which only occupies some 40% of the plot width, thereby keeping 'gaps' and space around the dwelling, and a spacious appearance. The building is also set back from the highway and maintains an 'open' appearance to the front. Due to high hedges which almost completely screen the site, the land has less 'amenity' value than it would have had in 1994, although this would now be 'retained' by the proposal. A landscaping scheme could require the enhancement of the area to the road frontage.

The overall impact of this development will be one of visual enhancement of the area. It will appear as a farm complex with some character, many of which have been lost from rural villages and more normally replaced with modern housing.

The scheme will maintain the rural character as required by Policy HD20/A1.

3. HIGHWAY SAFETY - Currently there are 2 accesses to this former farm, one from the village street to the north and the Back Lane to the south. This will have been used in the past for both residential and farm traffic.

The proposal is to utilise both accesses to serve the development. The Highway Authority raises no objection and clearly serving a single replacement dwelling from the Back Lane will generate less traffic than when it was a working farm.

No highway safety issues will arise.

4. AMENITY OF NEIGHBOURS - The position and orientation of the dwellings is such that no appreciable overlooking/loss of privacy would occur.

The new dwelling which is positioned close to the hedge of the neighbouring property will not be unduly oppressive as it is positioned to the side and some 15m from main habitable windows, and viewed at an oblique angle. (Usually dwellings can be permitted at 12m directly in front of other property).

The element of the proposal most likely to be viewed by the neighbour is the single storey garage on the southern end.

It is not considered that any significant loss of amenity would result from the development but it will be essential to condition that no new windows be inserted.

5. FLOOD RISK - The Environment Agency have objected due to a lack of a flood risk assessment. Policy A5 also seeks to resist development in such instances.

The applicant has stated the following (in a letter to the Environment Agency):

"Further to your letter of the 1st September 2005. I have spoken to Sam Watson at the Environment Agency and we have received from him the Highest Recorded Flood Level for Lower Dunsforth of 12.48m above Ordnance Datum. I enclose a copy of a survey carried out by Premier Design and Surveys an independent surveying company that shows the land and existing buildings we intend to replace with three new dwellings. Generally the land around the buildings is at an average level of 13.615m with an upper level of 13.96 above Ordnance Datum. Floor levels to the new houses would be generally 300mm above this average level at 13.915 which would be 1.135m above the worst recorded flood level. At this level even without the recently built flood defences the proposed houses would not flood.

You also mention foul drainage from the site; this will be to the existing foul sewer within the Village Street".

In the light of the above, it is anticipated that the Environment Agency will withdraw their objection. Their comments are awaited.

CONCLUSION - The proposal is a modest development, that will redevelop a redundant farm complex but will retain a rural character and provide a useful affordable unit. The area will be enhanced by the proposal and is appropriate.

CASE OFFICER: Mr R Forrester

RECOMMENDATION

That the application be DEFERRED and HOPS be authorised to APPROVE the application subject to the following conditions and such other conditions HOPS considers to be necessary and following the completion of a S106 Agreement requiring:

- 0 1. Provision of Public Open Space or a commuted sum in lieu.
2. For the transfer to a Registered Social Landlord of the affordable unit.

OTHER REASONS FOR DEFERRAL:

Subject to the Environment Agency withdrawing their objection.

PROPOSED CONDITIONS:

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE
- 2 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:-
the Specification of the Local Highway Authority;

(ib) the existing access onto Main Street shall be improved so as to give a minimum carriageway width of 4.5 metres for a minimum distance of 6 metres back and that part of the access road extending 6 metres into the site shall be constructed in accordance with 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 6 metres back from the carriageway of the existing highway and shall open into the site;

(v) provision shall be made to prevent surface water from the site 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.

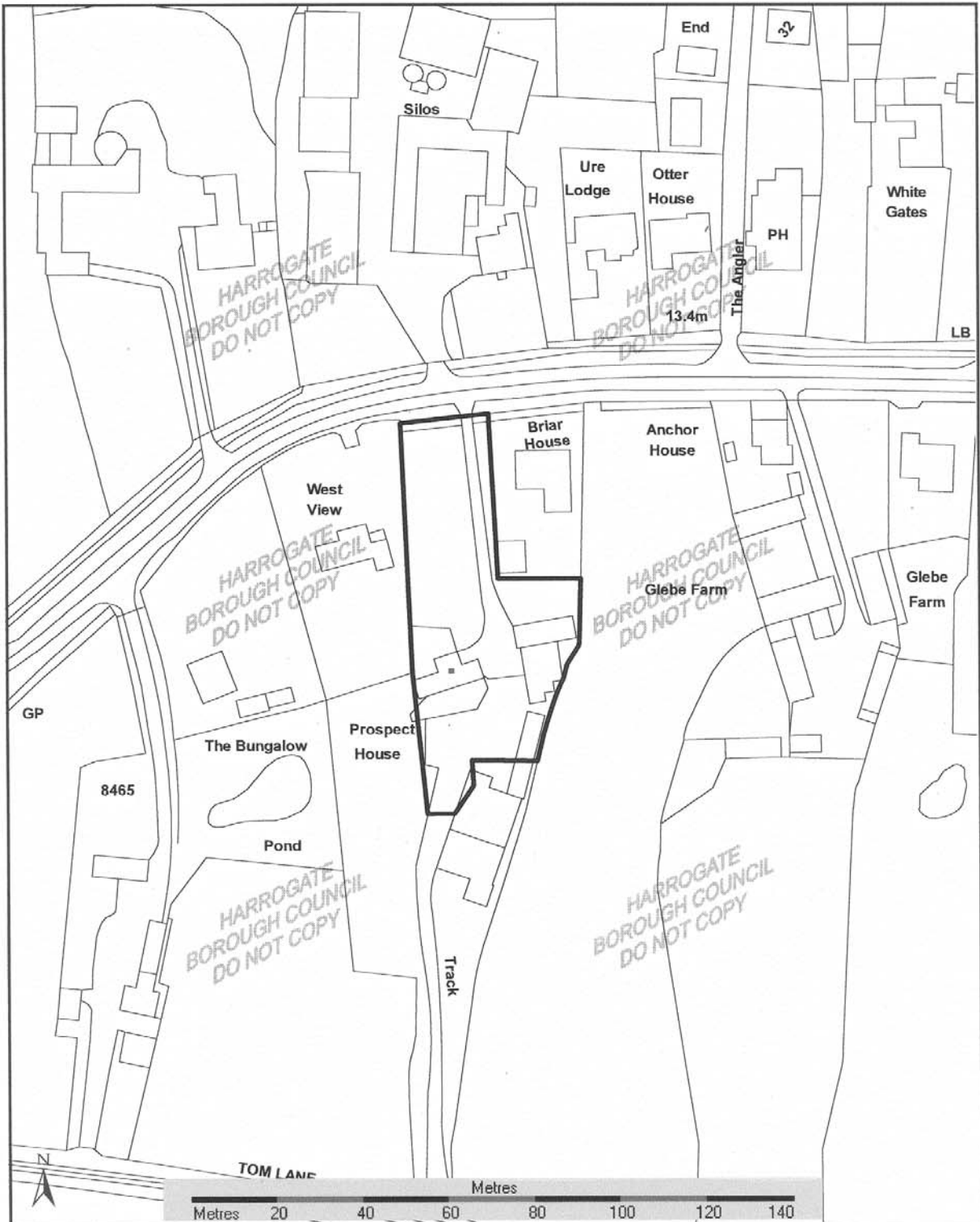
NOTE:

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.

- 3 Prior to the first use of the development the vehicular access, parking and turning facilities shall be formed in accordance with the submitted drawing [Reference 02]. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
- 4 The site shall be developed with separate systems of drainage for foul and surface water on and off site.
- 5 No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the Local Planning Authority before development.
- 6 No development shall take place until details of the proposed means of disposal of foul water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority.
- 7 Unless otherwise approved in writing by the Local Planning Authority, no building shall be occupied or brought into use prior to completion of the approved foul drainage works.
- 8 CL02 LANDSCAPING: DETAILS TO BE APPROVED
- 9 CD10 MATERIALS TO BE APPROVED
- 10 CI02Y PD REST, NO EXTNS, GRGS&ROOF/DORMER WINDS
- 11 Notwithstanding the provisions of The Town and Country Planning General Permitted Development Order 1995 (or any order revoking and re-enacting that Order with or without modification), no further windows shall be inserted in the western elevation of the Stable House and the west and north elevations of the Barn House hereby approved, without the prior written approval of the Local Planning Authority.
- 12 Prior to the occupation of the dwellings there approved all the existing farm buildings shall be demolished.

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 HW07R VEHICLE AND PEDESTRIAN SAFETY REQ'MENTS
- 3 HW17R ROAD SAFETY REQUIREMENTS
- 4 In the interests of satisfactory and sustainable drainage.
- 5 To ensure that the site is properly drained and surface water is not discharged to the foul sewerage system which will prevent overloading.
- 6 To ensure that the development can be properly drained.
- 7 To ensure that no foul water discharges take place until proper provision has been made for its disposal.
- 8 CL02R SAFEGUARD RIGHTS OF CONTROL/AMENITY
- 9 CD10R INTERESTS OF AMENITY
- 10 CI02YR PROTECT VISUAL AMENITY
- 11 CD15AR PRIVACY AND RESIDENTIAL AMENITY
- 12 The relationship between dwellings and farm buildings is inappropriate if the buildings remain in agricultural use.



Harrogate
BOROUGH COUNCIL

Department of Development Services

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Harrogate Borough Council 1000 19628 2005.

AREA 2 DC COMMITTEE

Item No. 8

App No./Case No. 05/03680/FUL 6.72.60.B.FUL

Scale (at A4 size)

1:1250

Site area

0.24ha

Site boundary



Drawn

MDTT

Date

11/10/2005

