

## HARROGATE BOROUGH COUNCIL

### PLANNING AREA3 DC COMMITTEE – AGENDA ITEM 5: LIST OF PLANS.

**DATE: 2 December 2003**

<b>PLAN:</b> 05	<b>CASE NUMBER:</b> 03/04965/OUT
<b>APPLICATION NO.</b> 6.79.10100.OUT	<b>GRID REF: EAST</b> 433840 <b>NORTH</b> 455562
	<b>DATE MADE VALID:</b> 14.10.2003
	<b>TARGET DATE:</b> 09.12.2003
	<b>WARD:</b> Hookstone

**APPLICANT:** Mr & Mrs J Gill

**AGENT:**

**PROPOSAL:** Outline application for the erection of 1 no. dwelling (site area 0.1 ha).

**LOCATION:** Land South West Of Maple Lea Forest Moor Road Harrogate North  
Yorkshire

## REPORT

### SITE AND PROPOSAL

The application site lies to the north of Forest Moor Road, within the Green Belt between Harrogate and Knaresborough. The site is currently in agricultural use, as grazing land.

The application is in outline only and proposes the erection of a single dwelling. The applicants are claiming exceptional circumstances as the house is intended for their son who is disabled, and the application is supported by letters of support from their son's GP and consultant (these letters and the covering letter received with the application are appended to this report for member's information)

### MAIN ISSUES

1. Land Use Principle
2. Access

### RELEVANT SITE HISTORY

None.

### CONSULTATIONS/NOTIFICATIONS

#### Policy Dev Unit NYCC

No comments received

#### Chief Engineer (H and T)

Recommends imposition of conditions

## APPLICATION PUBLICITY

**SITE NOTICE EXPIRY:** 14.11.2003  
**PRESS NOTICE EXPIRY:** 14.11.2003

## REPRESENTATIONS

9 letters of representation have been received, 8 of these are letters of objection raising the following issues :

- Land is designated as Green Belt
- Proposal represents ribbon development
- Approving this development would lead to further applications on Forest Moor Road
- Would generate additional traffic on heavily congested commuter route

One letter of support has been received from Phil Willis MP (plus two letters supplied with the application which are appended to this report)

**VOLUNTARY NEIGHBOUR NOTIFICATION** - None undertaken.

## RELEVANT PLANNING POLICY

PPG1	General Policy and Principles
PPG2	Green Belts
PPG3	Housing
PPG13	Transport
SPH5	Structure Plan Policy H5
SPE9	Structure Plan Policy E9
LPGB02	The Control of Development in Green Belt
LPH07	Housing Development in Countryside
LPHX	Managed Housing Site Release

## ASSESSMENT OF MAIN ISSUES

**1. LAND USE/PRINCIPLE** - The site lies within the West Yorkshire Green Belt. The main purposes of including this land within the Green Belt were to protect the special character of the towns of Harrogate and Knaresborough and prevent them from merging. Policy GB2 of the Local Plan and Policy E9 of the Structure Plan which reflect advice given in PPG2 both are permissive of new buildings for agriculture or forestry or for essential facilities for outdoor sport and recreation or cemeteries, or other uses which preserve the openness of the Green Belt. Other proposals are considered to be inappropriate development. PPG2 states that: *"Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development."* In this case the applicants have put forward an argument that the dwelling is needed by their disabled son to enable him to

have a purpose built house, appropriate for his needs and so that he and his family can live near his parents, and the applicants have provided a letter from the ODPM with their application which states that personal circumstances can be argued to be the "very special circumstances" referred to in PPG2. The weight of this argument must however be weighed against the harm the development would cause, and in this case the location of the site, in the narrowest of gaps in the Green Belt, is such that any inappropriate development would result in considerable harm to the Green Belt and the reasons for including the land within it. It is also necessary to consider the advice set out in PPG1 which states *"Such arguments will seldom outweigh the more general planning considerations. If the proposed development entails works of a permanent nature they will remain long after the personal circumstances of the applicant have ceased to be material."* It is therefore considered that the proposal is contrary to Policy GB2, SP policy E9 and the advice set out in PPG2.

The site is also within the open countryside and without the necessary justification for a dwelling in this location the proposal is also contrary to Policy H7 of the adopted local plan.

The site is currently in agricultural use and is therefore greenfield by definition. Development of this site for residential use would therefore be contrary to the advice set out in PPG3 and Policy HX of the Selective Alterations.

**2. ACCESS** - The Highway Authority have no objection to an access to serve this site subject to a condition requiring full engineering details of the access construction to include crossing the culvert, and provision of turning for vehicles (including construction vehicles) within the site.

**CONCLUSION** - Whilst there is sympathy for the applicant's proposal, it is considered that the justification put forward by the applicants is not sufficient to represent the very special circumstances required to warrant setting aside the development plan policies. Refusal is therefore recommended.

**CASE OFFICER:** Ms Sara Purvis

## RECOMMENDATION

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

- 1 The site lies within the narrow strip of Green Belt between Harrogate and Knaresborough and the proposal which constitutes inappropriate development within the green belt, would be harmful to the purposes of the green belt, the proposal is therefore contrary to North Yorkshire County Structure Plan Policy E9 and Policy GB2 of the adopted Harrogate District Local Plan, as well as contrary to the advice given in PPG2.
- 2 The site lies within the open countryside and there is not considered to be sufficient justification for a dwelling in this location the proposal is therefore contrary to Policies H6 and H7 of the adopted Harrogate District Local Plan.
- 3 The site is a greenfield site and its development for housing would therefore be

contrary to Policy HX of the selective alterations to the Harrogate District Local Plan and the advice contained within PPG3.

