

HARROGATE BOROUGH COUNCIL

DISTRICT DEVELOPMENT SUB –COMMITTEE – AGENDA ITEM 5

DATE: 27 July 2006

PLAN:	CASE NUMBER:	06/02599/FUL
	GRID REF: EAST	426180 NORTH 458170
APPLICATION NO. 6.92.132.K.FUL	DATE MADE VALID:	16.05.2006
	TARGET DATE:	11.07.2006
	WARD:	Killinghall

VIEW PLANS AT:

APPLICANT: Mr A Marshall

AGENT: Arch-Tech Design

PROPOSAL: Erection of 1 detached dwelling to replace derelict farm buildings, formation of new access road and diversion of footpath 23 (site area 0.041ha).

LOCATION: Cruet Farm Hollins Lane Hampsthwaite Harrogate North Yorkshire HG3 2HH

REPORT

This application was considered by the Planning Committee on 4 July 2006, when Members were minded to grant planning permission contrary to the planning officers' recommendation. As this decision was contrary to an objective policy in the Local Plan (Policy H6), consideration was referred up to the District Development Sub-Committee.

Members of the Planning Committee gave the following reasons for going against officer recommendation:

The application was on previously developed land, was infill and represented no harm to the countryside.

SITE AND PROPOSAL

The site is located on the eastern side of Hollins Lane, Hampsthwaite. It comprises the former farmhouse which fronts onto the road, with a range of farm buildings on either side and to the rear, including red brick barns, blockwork and timber sheds.

Immediately to the south of the site, is Cruet House and there are houses along the opposite side of Hollins Lane. There are open fields to the north and east. A public right of way runs from the pavement and passes through a gateway between two buildings, leading out of the site to the east.

It is proposed to demolish the existing farm buildings and erect a new dwelling between Cruets Farm and Cruet House. The proposed dwelling would be built of stone with a blue slate roof. It would provide 3-bedroomed accommodation. A detached double garage would be erected to the rear of the house. A garden would be laid out in front of the house, on the

site of existing buildings which front onto the pavement.

A new access road would be created through the field to the north to serve this dwelling and the existing house at Cruet Farm. Two existing vehicular accesses would be closed. One of these passes to the side of Cruet Farm, and one passes through a gateway between two roadside barns which would be demolished. It is also proposed to divert the public right of way along the southern boundary of the site.

MAIN ISSUES

1. Policy
2. Planning History
3. Landscape Impact
4. Public Right of Way
5. Public Open Space

RELEVANT SITE HISTORY

6.92.132. - Demolition of derelict farm buildings and conversion of single storey building into bungalow, Cruet Farm, Hampsthwaite - Granted 15.09.1987

6.92.132.A. - Conversion of existing buildings into private dwelling, Cruet Farm, Hampsthwaite - Granted 28.06.1988

6.92.132.C. - Demolition of derelict farm buildings and the erection of dwelling with adjacent private garaging, Cruet Farm, Hollins Lane, Hampsthwaite - Refused 09.01.1990

6.92.123.D.FUL - Conversion of farm buildings to the north east of farmhouse into 1no. residential unit with integral double garage and access road - Withdrawn 19.10.1995

6.92.132.E.FUL - Demolition of derelict farm buildings to the south west of the farmhouse and erection of 1no. residential unit with separate double garage and access road - Withdrawn 19.10.1995

6.92.132.F.FUL - Conversion of existing farm building for residential dwelling with integral double garage together with new access road - Granted 20.02.1996

6.92.132.F.FUL - Demolition of derelict farm buildings and erection of cottage with double garage with access over new unadopted access road - Granted 20.02.1996

6.92.132.G.FUL - Demolition of derelict farm buildings and erection of cottage with double garage with access over new unadopted access road. Granted 20.02.1996

6.92.132.H.OUT - Outline application of erection of 5no. dwellings - Refused 16.12.1997

6.92.132.I.RENEW - Renewal of unimplemented Permission No 6.92.132.G.FUL for the demolition of derelict farm buildings and erection of cottage with double garage with access over new unadopted access road. Granted 24.04.2001

6.92.132.J.FUL - Conversion of farm buildings to form 1 dwelling and formation of a new vehicular access (site area 0.05ha). Refused 10.07.2006. Reason for refusal:

'The proposed scheme of conversion, including the excavation adjacent to the proposed garages, would be likely to involve extensive works of demolition and rebuild, contrary to Local Plan Policy C16.'

CONSULTATIONS/NOTIFICATIONS

Parish Council
HAMPSTHWAITE

The British Horse Society

No objections, but would ask that the footpath is available at all times during building works either on the definitive line or new line.

DCS - Open Space (Brandreth)

Committed sum for provision of off-site Public Open Space: £ 1293. Allocated to Hampsthwaite Playing Field.

NYCC Highway Authority

Recommends standard conditions relating to Verge Crossing, Closing of Existing Access, Visibility Splay, Provision of Turning and Parking and Protection of Public Right of Way.

Ramblers Association

No objection in principle to proposed diversion, but would require diverted footpath to have a minimum width of 2m and the route to remain clear during and on completion of the works.

Yorkshire Water

Recommends conditions re foul and surface water drainage

Footpath Officer - NYCC

Not yet received

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 23.06.2006

PRESS NOTICE EXPIRY: 23.06.2006

REPRESENTATIONS

HAMPSTHWAITE PARISH COUNCIL - No objections

OTHER REPRESENTATIONS - None received.

VOLUNTARY NEIGHBOUR NOTIFICATION - None.

RELEVANT PLANNING POLICY

- PPS1 Planning Policy Statement 1: Delivering Sustainable Development
- PPS7 Planning Policy Statement 7: Sustainable Development in Rural Areas
- 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
- LPHX Harrogate District Local Plan (2001, as altered 2004) Policy HX: Managed Housing Site Release
- LPHD20 Harrogate District Local Plan (2001, as altered 2004) Policy HD20: Design of New Development and Redevelopment
- LPA01 Harrogate District Local Plan (2001, as altered 2004) Policy A1: Impact on the Environment and Amenity
- LPC15 Harrogate District Local Plan (2001, as altered 2004) Policy C15: Conservation of Rural Areas not in Green Belt
- LPR04 Harrogate District Local Plan (2001, as altered 2004) Policy R4: Open Space Requirements for New Residential Development
- LPH07 Harrogate District Local Plan (2001, as altered 2004) Policy H7: Housing development in the countryside

ASSESSMENT OF MAIN ISSUES

1. POLICY - The site is outside the development limit of Hampsthwaite, which runs along Hollins Lane at this point. The erection of a dwelling in this location would therefore be contrary to Local Plan Policy H6, which restricts residential development to within such settlement boundaries. Local Plan Policy H7 states that the erection of new dwellings in the open countryside, outside of those settlements listed in Policy H6 will only be permitted where they are essential to the needs of agriculture, forestry or where there is special justification.

Local Plan Policy C15 states that, outside the development limits of settlements, existing land uses are expected to remain for the most part undisturbed.

Local Plan Policy HD20 states that new development should respect the local distinctiveness of settlements and their landscape setting.

2. PLANNING HISTORY - Planning permission for a cottage in this location was originally granted in 1996 (Ref 6.92.132.G.FUL), before current Local Plan Policies were in place. This planning permission was renewed in 2001 (Ref 6.92.132.I.RENEW). This latest permission expired in April 2006. The applicant claimed that the development had commenced, with the digging of foundations. However, none of the pre-conditions attached to the permission had been discharged. This meant that the permission had not been commenced before the expiry date, and that permission had duly expired. Accordingly, the applicant has submitted the current application.

This application should be considered in accordance with current development plan policies, and according to Local Plan Policy H6 it should be refused as it is outside the development limit for Hampsthwaite, and there is no special justification as required by Policy H7.

3. LANDSCAPE IMPACT - The proposed dwelling would be located between the two existing dwellings at Cruet Farm and Cruet Cottage, set back from both, about 12m back from the pavement. Most of the existing farm sheds would be removed from the site, so the proposed house and garage would represent less built form than presently on site. Nonetheless, it is considered that the proposed dwelling would represent an inappropriate form of domestic development on the east side of Hollins Lane outside the development limit. This would be exacerbated if planning permission were granted of the proposed conversion of the barn to the north of Cruet Farm (Ref 6.92.132.J.FUL). That application is due to be determined under delegated powers in consultation with the Chairman of the Planning Committee.

The proposed development would introduce an additional residential element on the east side of Hollins Lane, which currently provides a distinct boundary between the settlement and the open countryside. It is considered that the proposed development would blur this boundary, and thus harm the rural setting of the village and the landscape of the open countryside

4. PUBLIC RIGHT OF WAY - The application also proposes the diversion of the public right of way which passes through the site of the proposed dwelling. It is intended to divert this along the south boundary of the site. However, as it is being recommended that planning permission for the dwelling be refused, there is no justification for such a diversion.

5 PUBLIC OPEN SPACE - The commuted sum for the provision of off-site Public Open Space has been calculated at £1293. This would be allocated to facilities at Hampsthwaite Playing Field. A signed unilateral undertaking has been received undertaking to make this payment.

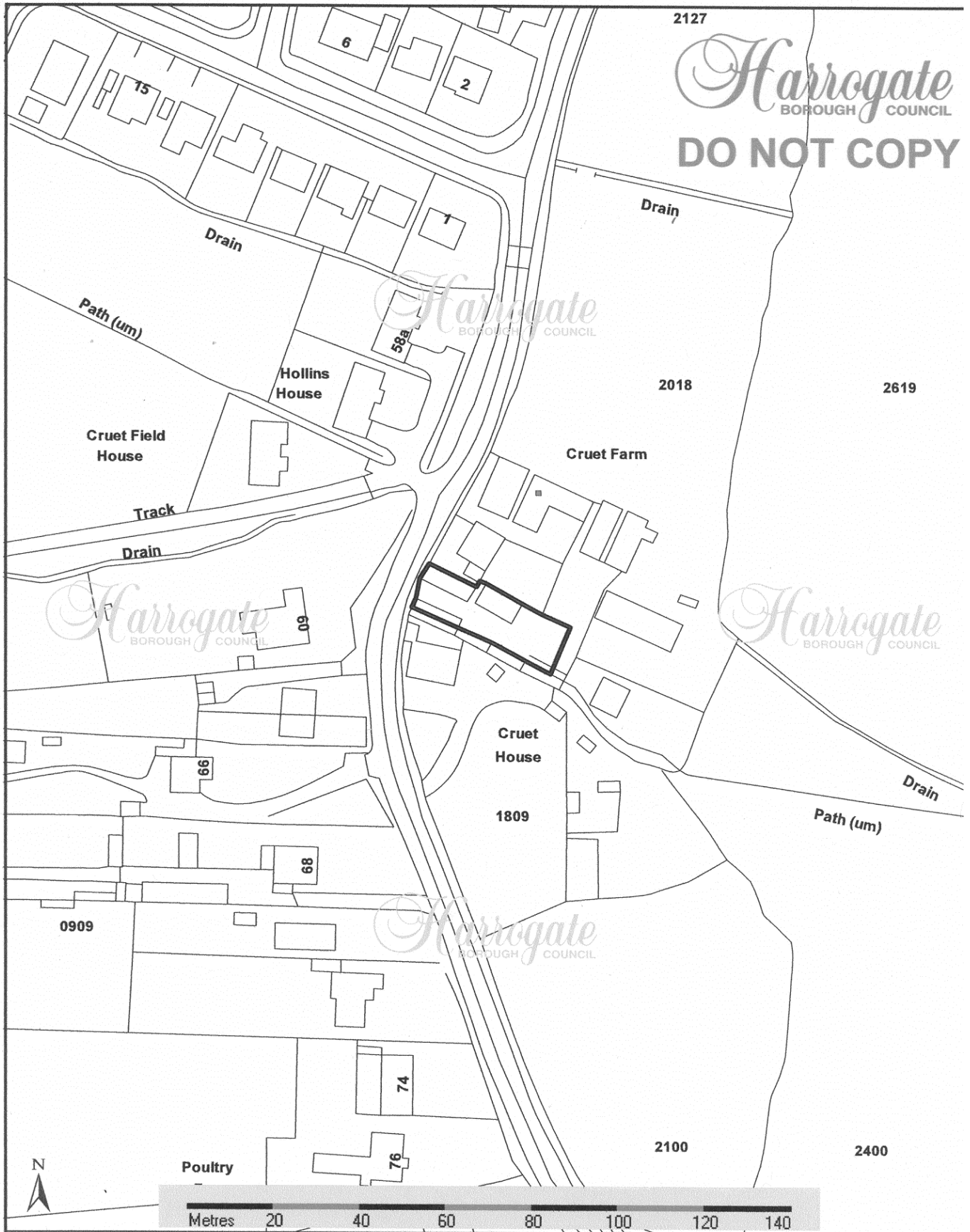
CONCLUSION - The proposed development represents residential development in the open countryside, outside the development limits defined for the purposes of Local Plan Policy H6 and without any special justification as required by Policy H7. Notwithstanding the planning history of the site refusal is strongly recommended.

CASE OFFICER: Mr M Williams

RECOMMENDATION

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

- 1 The proposed dwelling represents residential development in the open countryside, outside the development limit of Hampsthwaite, and so would be contrary to Local Plan Policies H6 and H7.
- 2 The proposed development would harm the character and appearance of the open countryside and the rural setting of the village of Hampsthwaite, contrary to Local Plan Policies C15, A1 and HD20.



2127
Harrogate
 BOROUGH COUNCIL
DO NOT COPY

Harrogate
 BOROUGH COUNCIL

Department of Development Services

This map has been reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

PLANNING COMMITTEE

Item No. 5

App No./Case No.	06/02599/FUL 6.92.132.K.FUL
-------------------------	-----------------------------

Scale (at A4 size)	1:1250	Site area	0.041ha	Site boundary	<input type="checkbox"/>
---------------------------	--------	------------------	---------	----------------------	--------------------------

Drawn	MDTT	Date	04.07.2006
--------------	------	-------------	------------