

**HARROGATE BOROUGH COUNCIL  
DISTRICT DEVELOPMENT SUB-COMMITTEE  
DATE: 12 June 2008**

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DISTRICT DEVELOPMENT SUB-COMMITTEE  
DATE: 12 June 2008**

<b>PLAN:</b>	<b>CASE NUMBER:</b>	08/01190/FUL
	<b>GRID REF: EAST</b>	421153
	<b>NORTH</b>	454241
<b>APPLICATION NO.</b>	<b>DATE MADE VALID:</b>	10.04.2008
6.107.43.G.FUL	<b>TARGET DATE:</b>	05.06.2008
<b>CASE OFFICER:</b>	<b>WARD:</b>	Washburn
Mr M Williams		

**VIEW PLANS AT:**

**APPLICANT:** Spinks Burn

**AGENT:** Mr Chris Robinson

**PROPOSAL:** Erection of 1 replacement dwelling with detached garage (Site Area 0.08ha).

**LOCATION:** Bank End Farm Norwood Harrogate North Yorkshire HG3 1SZ

**REPORT**

At the meeting on 3 June 2008 the Planning Committee resolved to grant planning permission for this development, contrary to the officers' recommendation. Members were mindful of the fact that the existing dwelling could be extended by up to 50% under Policy H15, and considered that it would not harm the character or appearance of the AONB. The Principal Solicitor referred the item to the District Development Sub-Committee as there was conflict with Policy H20.

Amended plans were received on 2 June 2008 showing a reduction in the size of the proposed dwelling. The Parish Council has been consulted on these amended plans, and any comments should be available at the meeting.

**SITE AND PROPOSAL**

Bank End Farm is located at the end of a single lane track off the B6451 north of Norwood. There is a range of farm buildings to the rear (north) of the former farmhouse, and a traditional stone barn is currently being converted into 2 dwellings under a scheme approved in 2007 (Ref 6.107.91.C.FUL). A public footpath runs along the access track and down the slope in front of the house.

The former farmhouse is a modest 2-storey dwelling with a lower bay to the north and an extension to the rear. The house has been occupied until recently and has not been abandoned. Nonetheless, it is in poor physical condition, and the application is accompanied by a structural survey recommending demolition and rebuild.

It is therefore proposed to demolish the existing house and erect a replacement dwelling. The proposed dwelling would be 2-storeys high with a lower bay to the north as the existing house. There would also be a single-storey extension to the rear. The application also includes the erection of a detached double garage. The proposed dwelling would provide 4-bedroomed accommodation.

### **MAIN ISSUES**

1. Policy
2. AONB
3. Archaeology
4. Bats
5. Public Open Space

### **RELEVANT SITE HISTORY**

6.107.91.C.FUL - Conversion of barn to form 2 dwellings and installation of package treatment plant. (Site area 0.09ha)(Revised Scheme). Granted 11.06.2007

6.107.43.F.FUL - Erection of 1 replacement dwelling with detached garage. (Site area 0.08ha). Withdrawn 15.02.2008.

### **CONSULTATIONS/NOTIFICATIONS**

#### **NYCC Highway Authority**

Recommends Standard Condition HI-12A requiring protection of right of way.

#### **Parish Council**

NORWOOD

#### **Natural England Sites Within AONB**

Objects on the grounds that insufficient information has been provided on which to determine any potential adverse effects on a protected species.

#### **Rural Strategy Officer**

No objections, but a bat survey should be carried out prior to works being carried out.

#### **English Heritage**

Bank End Farm lies adjacent to Scheduled Ancient Monument (SAM) Bank Slack. The proposed development may raise archaeological considerations and we recommend that you seek advice from the Heritage Unit of NYCC.

#### **Heritage Unit of NYCC**

Recommends condition requiring a programme of archaeological work to be agreed prior to commencement.

## RELEVANT PLANNING POLICY

PPS1	Planning Policy Statement 1: Delivering Sustainable Development
PPS07	Planning Policy Statement 7, Sustainable Development in Rural Areas
PPG16	Planning Policy Guidance 16, Archaeology and Planning
LPC01	Harrogate District Local Plan (2001, as altered 2004) Policy C1, Conservation of Nidderdale A.O.N.B
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
LPA01	Harrogate District Local Plan (2001, as altered 2004) Policy A1, Impact on the Environment and Amenity
PPS09	Planning Policy Statement 9, Biodiversity & Geological Conservation

## APPLICATION PUBLICITY

**SITE NOTICE EXPIRY:** 16.05.2008  
**PRESS NOTICE EXPIRY:** 16.05.2008

**WASHBURN PARISH COUNCIL** - Does not object or support, but wishes to make the following comment: -

The Parish Council are aware of the significant removal of earth which will be required and we would like to be assured that the replacement property will not be built in a raised fashion above the level of existing dwelling, creating an adverse visual impact on the site.

## REPRESENTATIONS

None received.

**VOLUNTARY NEIGHBOUR NOTIFICATION** - None undertaken

## ASSESSMENT OF MAIN ISSUES

**1. POLICY** - Local Plan Policy H20 permits the replacement of existing dwellings in the open countryside provided the following criteria are met:

**A) The new dwelling is located on the site of, or close to, the existing dwelling to be cleared.**

The proposed dwelling would be located on the site of the existing house.

**B) The new dwelling is no larger than the existing dwelling.**

The proposed dwelling, as amended, would be about 1.5m longer than the existing house and about 1.4m wider. In addition the single storey extension to the rear would be about 1.7m wider. As a consequence of these changes, the proposed dwelling would be about 20% larger than the existing house, contrary to this part of Policy H20.

**C) The new dwelling has satisfactory access arrangements.**

The existing vehicular access would be used and the Highway Authority has no objection to the development.

**D) The new dwelling is of a design which in terms of scale, mass, materials and architectural detail is sympathetic to the local vernacular.**

The design of the proposed dwelling is considered to be acceptable, although the scale, as mentioned above, is considered to be too large.

**E) The new dwelling is sited to preclude retention of the existing dwelling or there is a condition or legal obligation to ensure its demolition on completion of the new dwelling.**

The proposed dwelling would be sited on the site of the existing house, thus precluding its retention.

**F) The existing dwelling is not a listed building.**

The existing building is not listed.

Local Plan Policy C1 states that within the Nidderdale AONB priority will be given to the conservation of the natural beauty of the landscape. Development which would have a significant adverse impact on the landscape will not be permitted.

Circular 06/2005 states (para 99) that *'It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision'*.

**2. AONB** - In principle there is no objection to the erection of a replacement dwelling in the AONB. However, as the proposed dwelling is significantly larger than the existing, it is considered to harm the character and appearance of the AONB, contrary to Policy C1.

**3. ARCHAEOLOGY** - The application site lies next to the Scheduled Ancient Monument (SAM) at Bank Slack. The Heritage Unit at the County Council has recommended a condition requiring the agreement of a scheme of archaeological works prior to commencement should planning permission be granted.

**4. BATS** - The property is located close to trees, water and open countryside, which is likely to provide suitable foraging habitat for bats. Pipestrelle and signs of probable long eared bats were found in 2006 at the adjacent barn, in the course of surveys undertaken in association with an application for planning permission for its conversion. This building has a stone slate roof and it is considered likely that the structure may support roosting bats. Bats are European Protected Species. They and their roosts are protected by the Conservation (Natural Habitats &c.) Regulations 1994. It is therefore considered that a bat survey of this property should be carried out prior to works being undertaken.

**5. PUBLIC OPEN SPACE** - There is no requirement for a contribution to off-site Public Open Space or Village Halls with applications for replacement dwellings.

## **CONCLUSION**

The proposed dwelling would be larger than the existing house, contrary to Local Plan Policy H20 and is considered to harm the landscape of the AONB contrary to Local Plan Policy C1.

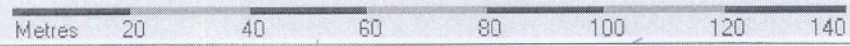
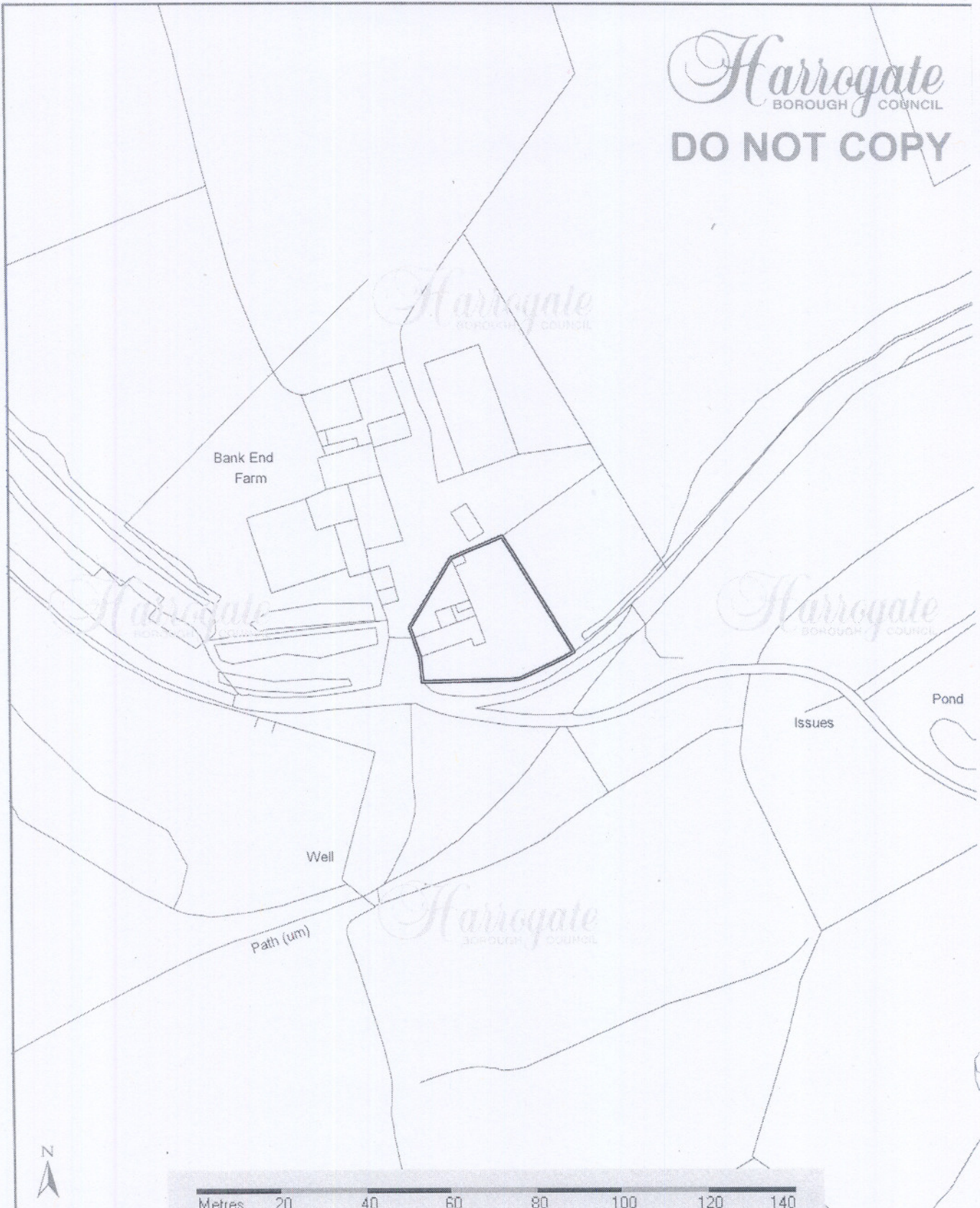
## **CASE OFFICER:**

Mr M Williams

## **RECOMMENDATION**

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

- 1 The proposed dwelling would be larger than the existing house on site and would be more prominent in the landscape with consequent harm to the character and appearance of the AONB, contrary to Local Plan Policies H20 and C1.



**Department of Development Services**  
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 Harrogate Borough Council 1000 19628 2008.

## PLANNING COMMITTEE

Item No. 8

<b>App No./Case No.</b>		08/01190/FUL 6.107.43.G.FUL	
<b>Scale (at A4 size)</b>	1:1250	<b>Site area</b>	0.08ha
<b>Drawn</b>	MDTT	<b>Site boundary</b>	
<b>Date</b>	03.06.2008		