

HARROGATE BOROUGH COUNCIL

PLANNING AREA2 DC COMMITTEE – AGENDA ITEM 5: LIST OF PLANS.

DATE: 9 March 2004

PLAN: 02	CASE NUMBER: 03/05990/FUL
APPLICATION NO. 6.72.78.A.FUL	GRID REF: EAST 443879 NORTH 464712
	DATE MADE VALID: 08.12.2003
	TARGET DATE: 02.02.2004
	WARD: Claro

APPLICANT: Yorvik Homes Limited

AGENT: Michael Courcier And Partners Ltd

PROPOSAL: Demolition of existing buildings and erection of 1 no. detached dwelling and 1 no. detached double garage (site area 0.09 ha).

LOCATION: The Bungalow Lower Dunsforth York North Yorkshire YO5 9RZ

REPORT

This application was deferred from consideration at the last Area 2 Development Control Committee for further consideration of housing policy issues, the report and recommendation has been revised in light of further advice relating to the relevance of Policy H5 to the application.

SITE AND PROPOSAL

The site is located on the western edge of the village of Lower Dunsforth , and comprises an existing dwelling known as "The Bungalow" together with part of its existing garden area, the remainder of its garden area is shown outside of the red line application boundary. The bungalow is relatively modest in size, and is well set back from the road frontage, with an extensive open garden area fronting onto Main Street. There is an existing driveway onto Main Street.

The application proposes to demolish the existing dwelling and to build a single two storey dwelling in its place. The house would have 3 bedrooms, with a double detached garage. The dwelling would be built in brick with a slate roof. The application proposes reducing the garden area of the new dwelling, by transferring some to the neighbouring dwelling, West View.

This application is submitted following the refusal at Area 2 Development Control Committee on 27th May 2003 of an application to demolish both The Bungalow and West View, to redevelop the site to provide 3 new dwellings.

MAIN ISSUES

1. Principle
2. Residential and Visual Amenity

3. Access and Parking
4. Flood Risk
5. Open Space

RELEVANT SITE HISTORY

6.72.78.FUL - Demolition of existing buildings and erection of 3 no detached dwellings and 1 no detached double garage (site area 0.33Ha), refused 27.05.2003

The reasons for refusal were as follows:

- "1. The proposal, due to the loss of the openness of the existing garden areas, the height and massing of the proposed dwellings and the design of the proposed dwellings is detrimental to the form and character of the village and will result in a loss of visual amenity thereby being contrary to Policies HD20 and H6 of the adopted Harrogate District Local Plan.
2. The proposed residential development does not constitute either small scale rounding off or infilling and therefore the proposal is contrary to Policy H6 of the adopted Harrogate District Local Plan.
3. The proposed housing development is contrary to the Harrogate District Local Plan Selective Alteration Policy HX to manage housing site release and minimise the level of over-provision. Sufficient sites have been granted planning permission to meet the housing requirement set out in Policy H1 of the County Structure Plan and Harrogate District Local Plan. To grant planning permission for additional sites, outside of those allowed under Policy HX would be contrary to the PPG3 'plan, monitor and manage' approach to the release of housing land and the strategy of the Structure Plan and Local Plan to restrain housing growth in the District.
4. The proposal fails to provide affordable housing for local needs and is therefore contrary to the Harrogate District Local Plan Selective Alteration Policy H5.
5. No confirmation of the applicant's willingness to pay the commuted sum towards provision of open space has been received. Without contribution towards the provision of open space the application is contrary to Policy R4 of the adopted Harrogate District Local Plan."

CONSULTATIONS/NOTIFICATIONS

Parish Council
Lower Dunsforth

Environment Agency
Object in the absence of a flood risk assessment

Highway Authority
No objection subject to conditions

DLAS - Open Space

Open Space commuted sum of £355.00 requested

Claro Internal Drainage Board

Consent is required from the drainage board before any connection can be made to existing drains

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 13.01.2004
PRESS NOTICE EXPIRY: 16.01.2004

REPRESENTATIONS

LOWER DUNSFORTH PARISH COUNCIL - Do not object but make the following comments:

"The pump in front of "The Bungalow", which predates the building is of historic interest and should be retained and restored and if necessary resited. "

OTHER REPRESENTATIONS - None.

VOLUNTARY NEIGHBOUR NOTIFICATION - None undertaken.

RELEVANT PLANNING POLICY

PPG1 Planning Policy Guidance 1: General Policy and Principles
PPG3 Housing
PPG13 Planning Policy Guidance 13: Transport
SPH4 North Yorkshire County Structure Plan Policy H4
LPH06 Harrogate District Local Plan Policy H6: Housing developments in the main settlements and villages
LPHX Harrogate District Local Plan Policy HX: Managed Housing Site Release
LPH05 Harrogate District Local Plan Policy H5: Affordable Housing
LPA01 Harrogate District Local Plan Policy A1: Impact on the Environment and Amenity
LPR04 Harrogate District Local Plan Policy R4: Open Space Requirements for New Residential Development
LPA05 Harrogate District Local Plan Policy A5: Flood Risk Areas
PPG25 Planning Policy Guidance 25: Development and flood risk

ASSESSMENT OF MAIN ISSUES

1. PRINCIPLE - Lower Dunsforth is classed as a smaller village within Policy H6 of the adopted Local Plan. The site lies within the built form of the village and therefore the principle of a replacement dwelling is acceptable, and Policy H20, which concerns replacement dwellings within the countryside, is not relevant. Policy HX of the Selective Alterations to the Local Plan is also permissive of replacement dwellings. The application site area is less than 0.1Ha, due to the reduction in garden area for the new dwelling. Policy H5 of the Selective Alterations seeks provision of affordable housing on sites of 0.1Ha or more. The supporting text to the policy (as approved by full Council on 11th

February 2004) states that "The site area under consideration is the gross developable area and where this is deliberately sub-divided for release or otherwise reduced in area below the threshold size, the policy will apply to such a site on the basis of the composite or naturally defined larger area available." On this basis, despite the application site area being less than 0.1Ha, as the naturally defined area is that of the existing garden boundaries, this is the area which is taken into account, and this area is in excess of 0.1Ha, and therefore there is a requirement for affordable housing on the site. In the absence of provision of affordable housing the proposal is considered to be contrary to Policy H5.

2. RESIDENTIAL AND VISUAL AMENITY - The new dwelling would be sited on a very similar footprint to the existing bungalow, and whilst the dwelling is larger than the bungalow, being two storeys, it is not considered that this will have any undue impact on neighbouring dwellings due to the distances involved. The new dwelling will provide a high standard of residential amenity for future occupants and there is not considered to be a significant impact on the amenity of neighbours. With regard to visual amenity the design of the new dwelling largely reflects local vernacular, although the dwelling is perhaps rather deep, the appearance of the gable elevations could be improved by widening the chimneys, something which can be required by condition. The existing bungalow whilst relatively unobtrusive is not attractive and it is not considered that there will be no detriment to visual amenity as a result of the proposals. The comments of the Parish Council regarding the pump have been noted, and the applicants have been asked to consider retaining this as part of the scheme. The pump is not listed and therefore we cannot insist on its retention. The proposal is considered to be compliant with local plan policies HD20 and A1.

3. ACCESS AND PARKING - The Highway Authority have commented that the existing access is showing signs of deterioration and it is unlikely to withstand the loading placed upon it by both demolition and construction vehicles and plant. There are no highway objections but it is recommended that conditions are imposed regarding access construction, provision of parking and turning, and prevention of mud on the highway are imposed, should permission be granted.

4. FLOOD RISK - The Environment Agency have objected to the application in the absence of a flood risk assessment. The site of the proposed development is within an area that has been subject to flooding but is now protected by flood defences, the Environment Agency consider that in extreme conditions the site could still flood. A flood risk assessment has therefore been requested by the Environment Agency, any measures recommended by the assessment should be incorporated in the proposal, in accordance with the advice contained within PPG25.

5. OPEN SPACE - A commuted sum of £355.00 has been requested towards provision of leisure area and youth and adult facilities to be allocated to Lower Dunsforth Verges/Village Green and Marton cum Grafton Playing Field. This application however proposes a replacement dwelling and the requirement for commuted sums towards open space payments under Policy R4 of the adopted Local Plan does not extend to replacement dwellings. No commuted sum is therefore required.

CONCLUSION - The principle of a replacement dwelling is acceptable however due to the size of the naturally defined area of the site being in excess of 0.1Ha the proposal is contrary to Policy H5 in the absence of provision of affordable housing. In the absence of a

flood risk assessment the proposal is also contrary to Policy A5 of the Local Plan and the advice set out in PPG25..

CASE OFFICER:

Ms Sara Purvis

RECOMMENDATION

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

- 1 The application site area has been artificially reduced in area below that of the naturally defined site, the area of which is in excess of 0.1Ha, the application fails to provide any affordable housing and is therefore contrary to Policy H5 of the Selective Alterations to the Harrogate District Local Plan.
- 2 The proposed development is not acceptable in the absence of a satisfactory flood risk assessment, and is contrary to Policy A5 of the adopted Local Plan and the advice contained within PPG25.

