

## HARROGATE BOROUGH COUNCIL

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

**DATE: 9 March 2004**

|                                      |  |
|--------------------------------------|--|
| <b>PLAN:</b> 10                      | <b>CASE NUMBER:</b> 04/00178/RG4                 |
| <b>APPLICATION NO.</b> 6.78.12.F.RG4 | <b>GRID REF: EAST</b> 438920 <b>NORTH</b> 460570 |
|                                      | <b>DATE MADE VALID:</b> 12.01.2004               |
|                                      | <b>TARGET DATE:</b> 08.03.2004                   |
|                                      | <b>WARD:</b> Claro                               |

**APPLICANT:** Harrogate Borough Council

#### **AGENT:**

**PROPOSAL:** Renewal of Outline Permission No 6.78.12.E.RG4 for erection of 1no dwelling including siting and access (site area 0.03 ha).

**LOCATION:** Land To Rear Of South View Arkendale Knaresborough North Yorkshire

#### **REPORT**

##### **SITE AND PROPOSAL**

The application site is approximately 0.026 hectares in area and is located to the rear (north) of South View, Arkendale. Residential property is located on both the eastern and southern boundaries of the site.

Access to the site is gained by a narrow lane that already serves as a vehicular access for No's 1-4 South View. The garden area of No.4 South View abuts the western boundary of the site with a paddock to the north.

This application seeks renewal of planning permission 6.78.12.E.RG4 for the erection of 1 no. dwelling including siting and access. The plot would be accessed via the existing drive serving the existing properties.

##### **MAIN ISSUES**

1. Land Use
2. Residential Amenity
3. Highway Safety

##### **RELEVANT SITE HISTORY**

6.78.12.PA - Stationing one mobile home to serve tenants: Approved 11.02.1976.

6.78.12.A.PA - Stationing one mobile home to serve tenants: Approved 09.03.1977.

6.78.12.B.OA - Residential development: Approved 04.04.1991.

6.78.12.C.PA - Erecting two dwellings, new access and car parking: Approved 11.06.1992.

6.78.12.D.RG4 - Outline application for 1 dwelling: Withdrawn 02.02.2001.

6.78.12.E.RG4 - Outline application for the erection of 1 no. dwelling including siting and access: Approved 27.03.2001.

## **CONSULTATIONS/NOTIFICATIONS**

### **Parish Council**

Arkendale

### **Highway Authority**

Recommend refusal of the application

### **H.B.C Land Drainage**

No comments

## APPLICATION PUBLICITY

**SITE NOTICE EXPIRY:** 13.02.2004

**PRESS NOTICE EXPIRY:** 13.02.2004

## REPRESENTATIONS

**ARKENDALE, CONEYTHORPE AND CLARETON PARISH MEETING** - Object to the development on the following grounds:

1. Poor access, and access onto highway
2. Developments behind existing buildings are not in keeping with the character of the village
3. Impact on residents to front and south of proposed building

**OTHER REPRESENTATIONS** - No other representations received

**VOLUNTARY NEIGHBOUR NOTIFICATION** - No properties notified

## RELEVANT PLANNING POLICY

PPG1 Planning Policy Guidance 1: General Policy and Principles

PPG3 Housing

PPG7 The Countryside: Environmental Quality and Economic and Social Development

PPG17 Planning Policy Guidance 17: Planning for open space, sport and recreation

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

- LPH13 Harrogate District Local Plan Policy H13: Housing Density, Layout and Design
- LPH17 Harrogate District Local Plan Policy H17: Housing Type
- LPR04 Harrogate District Local Plan Policy R4: Open Space Requirements for New Residential Development
- LPH03 Harrogate District Local Plan Policy H3: Renewal of Planning Permission for Housing

## **ASSESSMENT OF MAIN ISSUES**

**1. LAND USE** - Since the original consideration of this application in 2001 there has been a change in planning policy in respect of housing site release. Given the over provision of housing throughout the District as a whole, the Harrogate District Local Plan Selective Alteration (HDLP SA) was produced in July 2002 to provide a more sequential approach to housing land release (such an approach is more compliant with government guidance on site release as contained within Planning Policy Guidance Note 3 :Housing).

HDLP SA Policy HX identifies that renewal of planning permission would only be acceptable subject to meeting the provisions of HDLP SA Policy H3. This policy identifies that applications for renewal of planning consents for residential development will be permitted except where: the site is greenfield and does not satisfy any of the exceptions in Policy HX or if the development is contrary to other policies of the plan or is otherwise no longer suitable due to changed circumstances.

The site has in the past been used as an informal parking area but would not fall within the definition of a previously developed site as defined by PPG3 and Policy HX and as such must be considered to represent a green field site. The release of green field sites would normally be resisted, however HX does identify exceptions where consent could be forthcoming. In this respect the site will be released to provide affordable accommodation. Under HX the provision of affordable units is considered to be acceptable. In the absence of any changed circumstances relating to the site itself the scheme complies with both HDLP SA Policies HX and H3.

Harrogate District Local Plan Policy H6 identifies Arkendale as a smaller village where new residential development will be offered support provided that the site lies within the built up confines of the settlement and that in relation to new development, constitutes small scale rounding off or infilling only.

The definition of infilling is the filling of a small gap in an otherwise substantially built-up frontage. Clearly the proposal fails to be considered as an infill plot. Harrogate District Local Plan Policy H6 does, however, permit limited 'in depth' development where this would constitute rounding off. This would typically involve small sites (less than 0.4ha) and bounded on three sides by substantial built development. The overriding objective in consideration of any scheme for housing is to ensure that the existing character of the settlement is maintained (North Yorkshire County Structure Plan Policy H4).

In this instance the site is substantially developed on two sides with a domestic garden on the third. Although the plot does not fall strictly within the definition of rounding off, the site does form part of a small enclave of in depth development located at the southern approach to the village. It is your officers opinion that the site falls within the existing built confines of the settlement and the development of one dwelling would not have an adverse impact upon the form and character of the settlement.

In broad land use terms there is no objection to the principle of the development.

**2. RESIDENTIAL DEVELOPMENT** - The application has been submitted in outline form with all matters other than siting and means of access reserved for subsequent approval. The details submitted provide for a 3 bedroom dwelling sited towards the north western corner of the site with an attached garage.

The comments of the Parish Meeting have been noted regarding impact upon amenity and in this respect the dwelling has been sited so as to provide separation distances of 15.97m to the rear elevations of dwellings fronting the Main Street and approximately 21.4m to the rear elevations of No's 3 and 4 South View. It is considered that adequate separation distances have been provided between adjacent property to ensure that no overlooking or overbearing impact occurs. The dwelling would be sited approximately 1.5/2m from the boundary to No.4 South View garden area. The dwelling would however be sited approximately 21m from that property and it is considered that the proposal would not have an unneighbourly impact.

**3. HIGHWAY SAFETY** - Access to the site would be gained via the existing narrow lane that serves 1-4 South View. This access is approximately 3metres wide and serves the existing dwellings situated on South View. The access is substandard in terms of adoption and the Highway Authority again recommend refusal of the scheme. In this respect the highway authority identify two specific areas of concern, namely :

1. The roads leading to the site are by reason of the alignments/junctions/width/condition/gradient considered unsuitable for the traffic which would be likely to be generated by this proposal.
2. Clear visibility of 120m cannot be achieved along the public highway in a south direction from about 2m from the carriageway edge measured down the centre line of the minor/access road and consequently traffic generated by the proposed development would be likely to create conditions prejudicial to highway safety.

Members should be aware that visibility of only 2m x 10m is currently available to the south of the existing access. In consideration of the earlier scheme members were aware of the highway objection in relation to the substandard access drive and a view was taken that the additional traffic generated by the development would not be prejudicial to safety given that the access already served 4 other units. On this basis consent was granted subject to conditions requiring improvements to the access road. No comments were however received from the highway authority regarding the substandard visibility.

Clearly the existing access is not to an adoptable standard and given the sites constraints such provision is not achievable. Despite the highway authorities concerns regarding the visibility at the junction , this application seeks consent to renew an existing extant consent and a change in material circumstances would need to be demonstrated to prevent consent being granted. In the absence of alterations to the access, your officer considers that there has not been a change in circumstances since determination of the earlier scheme.

**CONCLUSION** - Development on this plot would not strictly fall within the definition of small scale rounding off as defined within Harrogate District Local Plan Policy H6. It is however,

considered that development would not be out of keeping with this small enclave of 'in depth' development located at the entrance to the village.

Although there has been a change in circumstances in relation to the release of housing sites, as the scheme is to provide an affordable unit, the release of this green field site would be acceptable under the provisions of HDLP SA Policy HX and H3.

Access to the site is however, sub-standard. The proposed dwelling would increase the number of residential units served by the private access from 4 to 5. In consideration of the previous scheme it was considered that the increase in traffic generated by the development, which in this case would be represented by an affordable housing unit, would outweigh any harm to highway safety.

Clearly the existing access which already serves 4 units is not to an adoptable standard which given the sites constraints is unlikely to be achieved. Improvements to the access can however, be achieved by the imposition of conditions and this approach was adopted in granting consent to the earlier scheme (a condition was imposed to secure the increase in drive width across the site frontage). The issue relating to the lack of visibility is noted, however this does not represent a change in circumstance since the consideration of the earlier application as the access road has not been altered.

**CASE OFFICER:** Mr A Hough

## RECOMMENDATION

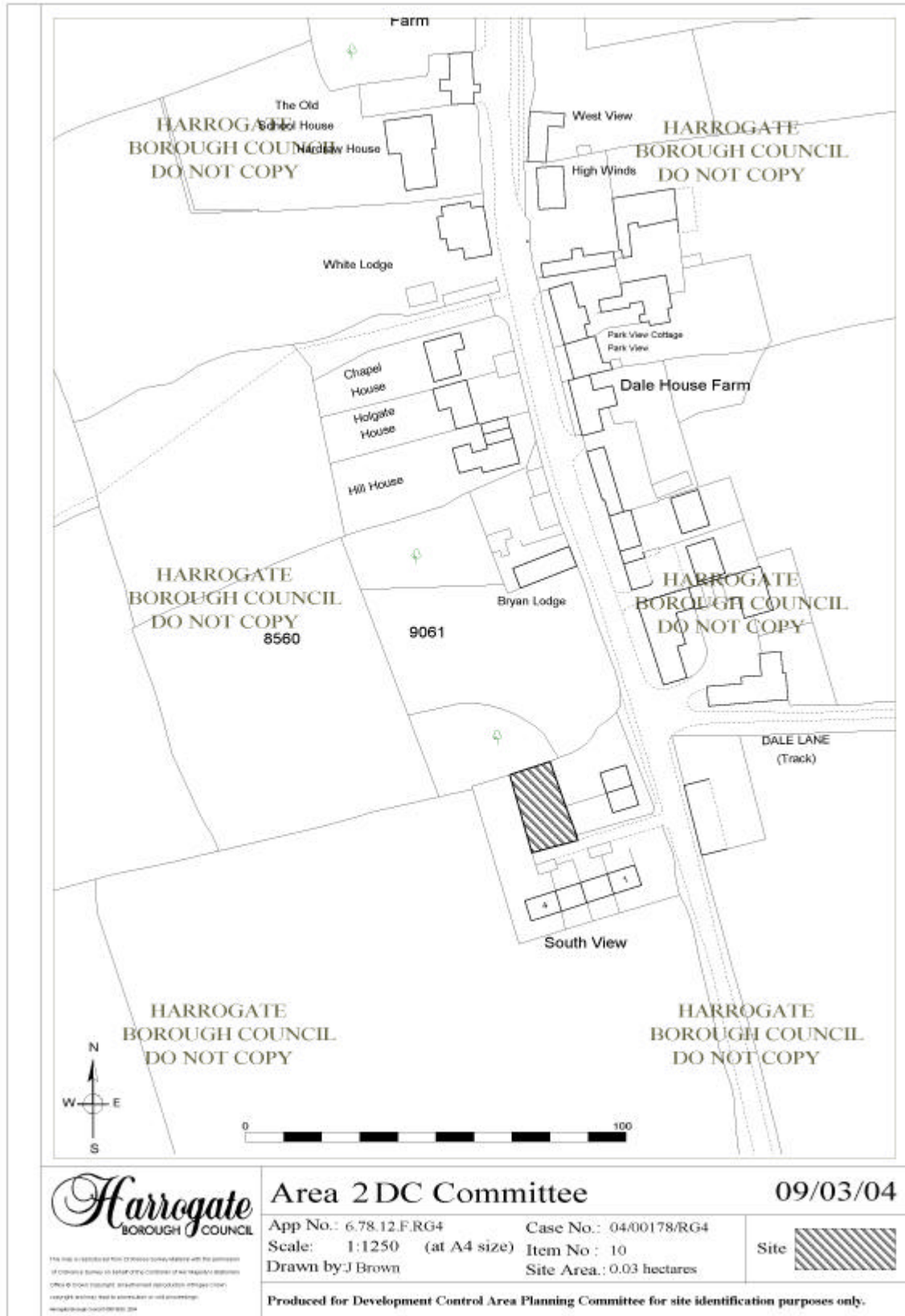
That the application be APPROVED subject to the following conditions:-

- 1 CA06 OUTLINE/RESERVED MATTERS
- 2 CA01B OUTLINE - SITING AND ACCESS NOT RM
- 3 Prior to the commencement of the development hereby approved details of the proposed boundary treatment shall be submitted for the written approval of the Local Planning Authority.
- 4 CL12 OPEN SPACE TO BE PROVIDED - POLICY R4
- 5 Notwithstanding the submitted details the access road shall be widened to 5 metres across the whole site frontage in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details prior to the first occupation of the dwelling hereby approved.
- 6 Any boundary treatment to the south of the site shall not impede or prevent the widening of the access road required by condition 05 above.

Reasons for Conditions:-

- 1 CA06R TO COMPLY WITH SECTIONS 91-94
- 2 CA01BR SAFEGUARD RIGHTS OF CONTROL
- 3 In the interests of residential amenity.
- 4 CL12R COMPLIANCE WITH R4 - OPEN SPACE POLICY

- 5 In the interests of highway safety.
- 6 In the interests of highway safety.



**Harrogate**  
BOROUGH COUNCIL

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**Area 2 DC Committee**

**09/03/04**

App No.: 6.78.12.FRG4

Case No.: 04/00178/RG4

Scale: 1:1250 (at A4 size)

Item No: 10

Drawn by: J Brown

Site Area: 0.03 hectares

Site



Produced for Development Control Area Planning Committee for site identification purposes only.