

## HARROGATE BOROUGH COUNCIL

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

DATE: 4 May 2004

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| <b>PLAN:</b> 05                       | <b>CASE NUMBER:</b> 04/00658/FUL                 |
| <b>APPLICATION NO.</b> 6.109.12.A.FUL | <b>GRID REF: EAST</b> 439883 <b>NORTH</b> 454106 |
|                                       | <b>DATE MADE VALID:</b> 02.03.2004               |
|                                       | <b>TARGET DATE:</b> 27.04.2004                   |
|                                       | <b>WARD:</b> Ribston                             |

**APPLICANT:** Mr J G Dent

**AGENT:** Andrew C Long

**PROPOSAL:** Erection of 1 no detached replacement dwelling (revised scheme, site area 0.467ha).

**LOCATION:** Crib Cottage Ribston Park Little Ribston Wetherby North Yorkshire LS22 4EZ

## REPORT

### SITE AND PROPOSAL

The site lies in the middle of Ribston Park, which is a Grade II registered Park and Garden. The site comprises an existing two storey brick built dwelling, with a double pitched roof, and single storey projection. The house is vacant and appears to be in need of some repair, a Building Regulations application has been recently approved for a number of improvements to the dwelling. There is also a single storey brick built outbuilding, which again is vacant but would appear to have been used as kennels in the past.

The application proposes the demolition of the existing cottage and its replacement with a larger house. The existing outbuildings would be retained. The new dwelling is proposed in hand made brick with a clay pan tile roof, to reflect the materials in the existing dwelling. The proposed dwelling is taller than the existing dwelling having a higher ridge height, however is very slightly smaller in footprint, at approximately 90sqm as compared to 93sqm for the existing.

This application is a resubmission of an application which was withdrawn earlier in the year, and which proposed a larger replacement dwelling which was considered would be contrary to Policy H20 and harmful to the historic interest of the Registered Park and Garden.

### MAIN ISSUES

1. Principle
2. Impact on the Grade II Registered Park and the Setting of the Grade II\* Listed Buildings
3. Access and Parking

## **RELEVANT SITE HISTORY**

6.109.12.FUL - Erection of 1no replacement dwelling - Withdrawn 12.01.2004

## **CONSULTATIONS/NOTIFICATIONS**

### **Parish Council**

Great Ribston with Walshford

### **Garden History Society**

Preference to see existing buildings retained and repaired unless a strong case can be made for demolition

### **Landscape Officer**

Garden area should be restricted and PD rights removed.

### **Environment Agency**

No objections

### **Environmental Health**

No objections

### **Highway Authority**

No objections

### **Housing Development**

Replacement dwelling therefore no affordable requirement

### **Conservation and Design Section**

Refer to assessment

### **Claro Internal Drainage Board**

No objections

## APPLICATION PUBLICITY

**SITE NOTICE EXPIRY:** 09.04.2004

**PRESS NOTICE EXPIRY:** 09.04.2004

## REPRESENTATIONS

**LITTLE RIBSTON PARISH COUNCIL** - No objections

**OTHER REPRESENTATIONS** - None received

**VOLUNTARY NEIGHBOUR NOTIFICATION** - None undertaken

## RELEVANT PLANNING POLICY

- PPG1 Planning Policy Guidance 1: General Policy and Principles
- PPG3 Housing
- PPG7 The Countryside: Environmental Quality and Economic and Social Development
- PPG15 Planning Policy Guidance 15: Planning and the Historic Environment
- SPE4 North Yorkshire County Structure Plan Policy E4
- SPH5 North Yorkshire County Structure Plan Policy H5
- LPH20 Harrogate District Local Plan Policy H20: Replacement Dwellings in the Countryside
- LPH05 Harrogate District Local Plan Policy H5: Affordable Housing
- LPHD7A Harrogate District Local Plan Policy HD7A: Parks & Gardens of Historic Interest
- LPC02 Harrogate District Local Plan Policy C2: Landscape Character
- LPA01 Harrogate District Local Plan Policy A1: Impact on the Environment and Amenity
- LPHD20 Harrogate District Local Plan Policy HD20: Design of New Development and Redevelopment

## ASSESSMENT OF MAIN ISSUES

**1. PRINCIPLE** - The relevant policy in considering proposals for replacement dwellings within the countryside is Policy H20. This policy is permissive replacement dwellings where all of a number of criteria are met. The new dwelling must be sited close to or on the site of the existing dwelling, and in this proposal it is proposed to site the new dwelling on the footprint of the existing. The new dwelling should be no larger than the existing dwelling. The revised scheme now proposes a new dwelling which is on a marginally smaller footprint albeit that it does have a higher ridge height. The new dwelling must have satisfactory access arrangements, and in this case the access is along a rough grass track which is taken off the main hard-surfaced track across Ribston Park. There is some concern that an improvement to the track would be sought which might impact on the character of the park, however this matter could be dealt with by condition and there are no other concerns relating to access. The new dwelling should be of a design which is sympathetic to the local vernacular character, and in this regard the proposal is considered to be acceptable. The new dwelling should be sited to preclude the retention of the existing dwelling and in this case it is. Finally the existing dwelling should not be a listed building, and in this case, whilst the dwelling lies within the setting of the grade II\* listed Ribston Hall, it is not listed in its own right, nor is it considered to be a curtilage building. The application therefore complies with all of the requirements of Policy H20.

The application site area is 0.29Ha, which is in excess of the threshold contained within Policy H5 of the Selective Alterations to the Local Plan, and there would on this basis normally be a requirement for affordable housing to be provided. However as an application for a single replacement dwelling in the countryside, erection of more than one new dwelling would not be appropriate and therefore Policy H5 does not apply in this instance.

**2. IMPACT ON THE GRADE II REGISTERED PARK AND GARDEN AND THE SETTING OF THE GRADE II\* LISTED BUILDING** - Ribston Hall is Grade II\* Listed, and Ribston Park is a Grade II registered park and garden of historic interest. The site lies centrally within the Park, and there are long range views towards it. The Council's design and conservation officer has assessed whether the existing building is of listable quality and

has assessed whether the building should be considered to be a curtilage building to Ribston Hall. He has commented that he considers it is not of sufficient interest to merit listing, and has confirmed that it cannot be described as a curtilage building to the Hall, and therefore there is no objection in principle to its demolition. The design is considered to be acceptable, and the scale is such that whilst slightly taller than the existing house it covers a very similar footprint, and will be constructed in appropriate materials. Therefore the proposed dwelling is not considered to impact unacceptably on the historic interest of the registered Park or the setting of Ribston Hall. The Council's landscape architect has commented that the garden to the new dwelling should be restricted to the area shown as garden area on the 1:500 scale site layout plan submitted with the application, and it is also proposed to remove permitted development rights, to minimise impact on the landscape of the Park. The existing access track is grassed over and therefore inconspicuous in the landscape and whilst it will become more visible once it is used on a regular basis, proposals to hard surface the track in inappropriate materials would not be supported. There are no proposals to upgrade the track as part of this application, and a separate application would be required for this. A condition is proposed requiring that the track be retained as existing unless specific approval for its upgrading is approved by the local planning authority. The proposal is therefore considered to comply with Policy HD1, HD7A and C12 of the Harrogate District Local Plan.

**3. ACCESS AND PARKING** - Access to the site is via the gates to Ribston Park, just to the south of the village of Little Ribston the site is then approx 1Km into the Park via initially a hard surfaced track and then a rough grass track. There are no objections from the highway authority.

**CONCLUSION** - The revised scheme proposes a smaller dwelling which is on a much more similar scale to the existing dwelling, and is considered to be therefore compliant with Policy H20. Subject to conditions restricting the size of the domestic garden area, and removing permitted development rights, as well as protecting the existing rough access track from upgrading, there is not considered to be any harm to the historical interest of the Registered Park. Approval is recommended.

**CASE OFFICER:** Ms Sara Purvis

## RECOMMENDATION

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

- 1 CA05 DEVELOPMENT SHALL BE BEGUN BEFORE
- 2 CC01 AMENDED DRAWINGS/LETTERS RECEIVED ... 21.04.2004
- 3 CD03 SAMPLES OF MATERIALS TO BE APPROVED
- 4 CD05 REVEALS: MM ... 75
- 5 CD13X TIMBER VERTICAL SLIDING SASH WINDOWS
- 6 The existing access track shall be retained in its current condition, and there shall be no upgrading or resurfacing of the track without the express consent of the local planning authority.

- 7 The garden of the converted dwelling shall not extend any further than the area shown in green on the attached plan. The garden area shall be enclosed by a timber post and rail fence unless otherwise agreed in writing by the local planning authority.
- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, outbuildings, garden buildings or any other development normally permitted under Class A and Class E of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995; other than any expressly authorised by this permission shall be erected without the grant of further specific planning permission from the local planning authority.

Reasons for Conditions:-

- 1 CA05R TO COMPLY WITH SECTIONS 91-94
- 2 CC01R ACCORDANCE WITH DRAWINGS
- 3 CD03R MATERIALS TO CONFORM TO AMENITY REQR'MTS
- 4 CD05R VISUAL AMENITY
- 5 CD13XR DEV IN CHARACTER WITH LOCALITY
- 6 In the interests of protecting the character of the grade II registered park
- 7 In the interests of protecting the character of the grade II registered park
- 8 In order to protect the visual amenities of the surrounding area in view of the sensitive nature of this site.

