

HARROGATE BOROUGH COUNCIL

PLANNING AREA2 DC COMMITTEE – AGENDA ITEM 6: LIST OF PLANS.

DATE: 28 September 2004

PLAN: 05	CASE NUMBER: 04/03470/FUL
APPLICATION NO. 6.147.248.FUL	GRID REF: EAST 428540 NORTH 446660
	DATE MADE VALID: 23.07.2004
	TARGET DATE: 17.09.2004
	WARD: Spofforth With Lower

Wharfedale

APPLICANT: Mr & Mrs J Walker

AGENT: Carter Jonas

PROPOSAL: Erection of 1no dwelling, to replace Mount Pleasant Cottage, and formation of new vehicular access (site area 0.07ha).

LOCATION: Land Comprising Part Of
OS Field No 5072
Mount Pleasant Farm Gallowgate Lane Weeton Leeds North Yorkshire

REPORT

SITE AND PROPOSAL

The application site forms part of OS Field No. 5072 to the west of the existing Mount Pleasant farm complex. This consists of a farmhouse and associated agricultural buildings, to the immediate west of the complex is a small timber bungalow constructed under a corrugated sheet roof. The bungalow is sited amidst a small copse of mature trees.

Access to the site is gained via a single width and surfaced farm track with access/egress taken from Gallowgate Lane.

The applicants intend to demolish the existing timber bungalow (Mount Pleasant Cottage) and construct a replacement residential property in OS Field No.5072. The dwelling would be constructed of stone under a stone slate roof and be of single storey construction. A new access would be taken via Gallowgate lane serving the dwelling and detached double garage.

It is stated that the applicant's own and live at Mount Pleasant Farm with their son and that the family have been at the farm for four generations. The applicants intend to move into the bungalow to allow their son to occupy the main farmhouse.

The site is located on land designated as green belt.

MAIN ISSUES

1. Land Use
2. Visual Impact
3. Highway Safety
4. Residential Amenity
5. Open Space Provision

RELEVANT SITE HISTORY

None.

CONSULTATIONS/NOTIFICATIONS

Parish Council

Weeton

Highway Authority

No objection subject to the imposition of conditions

Environment Agency

No objection to the development

Environmental Health

No objection

English Nature

Recommend the imposition of an informative regarding bats.

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 27.08.2004

PRESS NOTICE EXPIRY: 27.08.2004

REPRESENTATIONS

WEETON PARISH COUNCIL - At the time of writing this report no comments received.

OTHER REPRESENTATIONS

No representations received

VOLUNTARY NEIGHBOUR NOTIFICATION -

No properties notified.

RELEVANT PLANNING POLICY

PPG1 Planning Policy Guidance 1: General Policy and Principles

PPG2 Planning Policy Guidance 2: Green Belts

PPG3 Planning Policy Guidance 3: Housing

- PPS7 Planning Policy Statement 7: Sustainable Development in Rural Areas
- PPG13 Planning Policy Guidance 13: Transport
- PPG17 Planning Policy Guidance 17: Planning for open space, sport and recreation
- SPH5 North Yorkshire County Structure Plan Policy H5
- SPE9 North Yorkshire County Structure Plan Policy E9
- LPHX Harrogate District Local Plan (2001, as altered 2004) Policy HX: Managed Housing Site Release
- LPH07 Harrogate District Local Plan (2001, as altered 2004) Policy H7: Housing development in the countryside
- LPH20 Harrogate District Local Plan (2001, as altered 2004) Policy H20: Replacement Dwellings in the Countryside
- LPGB06 Harrogate District Local Plan (2001, as altered 2004) Policy GB6: Existing Dwellings in the Green Belt

ASSESSMENT OF MAIN ISSUES

1. LAND USE - The proposed site is located in the green belt and in an open countryside location. HDLP Policy GB6 is permissive towards the replacement of dwellings in the green belt provided that they are in accordance with Policy H20 of the local plan.

Policy H20 of the adopted Harrogate District Local Plan provides the policy guidance in dealing with replacement dwellings in the countryside. Policy H20 is permissive of replacement dwellings where a range of criteria is met. The proposal meets a number of these criteria, i.e the design of the dwelling is considered appropriate to the locality, the existing building is not a listed building, the dwelling has satisfactory access and the applicants will accept that a controlling condition can be imposed to secure the demolition of the existing structure. The proposal fails to meet the criteria in that the unit is larger than the dwelling to be replaced and the proposed siting is not on the site of, or close to, the property to be cleared. These issues are discussed in more detail below.

In terms of the policies introduced as a consequence of the Selective Alteration to the Local Plan, Policy HX is permissive towards replacement dwellings.

2. VISUAL IMPACT - The key objective of Policy H20 is one of landscape protection and this is reflected in the criteria controlling the location, size and design of the replacement dwelling.

In consideration of this scheme concern is expressed regarding the proposed siting of the unit. Whilst the applicants argue that the dwelling is close to the site of the existing structure, the dwelling is in fact some 40 metres to the west of the site. Your officer accepts that it would be unreasonable to site the dwelling on the site of the existing as a consequence of the mature tree cover. The proposed siting is however very prominent at the crest of a hill and would be seen in isolation of the farmstead. It is noted that there are dwellings on the opposite side of Gallowgate Lane, however as a consequence of the proposed set back from the road frontage and hedge screen the dwelling would not read as part of this group. Such impact is particularly evident from views to the north of the site, where not only would the dwelling be a prominent feature in the landscape but also the associated activity with such a use including domestic garden.

The dwelling is also larger than the exiting unit, but has been designed sympathetic to the vernacular, this would not however overcome the objection raised above. Although larger,

the dwelling only provides two- bedroom accommodation if members were minded to approve the scheme a condition removing permitted development rights would be required.

3. HIGHWAY SAFETY - The field has an existing access located on the farm access road. The applicants intend to create a new access to serve the property from Gallowgate Lane. This would require the removal of part of the field boundary hedge. The highway authority have been consulted and have no objection subject to the imposition of a condition.

4. RESIDENTIAL AMENITY - No adjacent residential properties are affected by the development.

In terms of future occupiers of the unit, the dwelling whilst sited 40 metres further away from the farmstead than the existing bungalow, is still within 400m of the complex. The farm is a mix of both arable and livestock. Whilst there is no stipulated distance that a dwelling should be sited from a farm, The Town and Country Planning (General Permitted Development) Order 1995 does bring into control agricultural buildings for livestock or storage of slurry that are located within 400metres of a protected building (including a residential property). This scheme represents the reverse scenario. Whilst it is noted that the existing farmer will occupy the premises and will as a result be more than aware of the activity at the farm, your officer considers the siting unacceptable for the reasons highlighted above. The occupancy of the replacement dwelling could not however be controlled. To meet the provisions of policy H20 a siting much closer to the complex would be required. In order to protect residential amenity, it is suggested that should members be minded to approve the scheme an agricultural occupancy condition should be imposed.

5. OPEN SPACE PROVISION - Under the provisions of HDLP Policy R4 as the development represents a replacement scheme there is no requirement for the provision of a commuted sum to meet the off site open space needs of future residents.

CONCLUSION - It is considered that the proposed siting of the dwelling, together with the associated domestic curtilage and activity, would detract from the rural landscape which lies within an area designated as green belt. The resultant dwelling would erode the openness of the green belt and as a consequence be contrary to the provisions of Harrogate District Local Plan Policy GB6 and H20.

In the absence of any material circumstances to set aside the provisions of the development plan policies refusal of the application is recommended.

CASE OFFICER: Mr A Hough

RECOMMENDATION

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

- 1 The proposed dwelling would by reason of its proposed siting and associated domestic activity, detract from the openness of the green belt and rural character of this open countryside location in a manner contrary to the provisions of Harrogate

District Local Plan Policies GB6 and H20.

