

## HARROGATE BOROUGH COUNCIL

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

DATE: 21 June 2005

<b>PLAN:</b> 08	<b>CASE NUMBER:</b> 05/01485/FUL
<b>APPLICATION NO.</b> 6.147.185.C.FUL	<b>GRID REF: EAST</b> 427220 <b>NORTH</b> 447910
	<b>DATE MADE VALID:</b> 12.04.2005
	<b>TARGET DATE:</b> 07.06.2005
	<b>WARD:</b> Spofforth With Lower

Wharfedale

**APPLICANT:** Mr & Mrs Curtis

**AGENT:** Mr P Campkin And Associates

**PROPOSAL:** Erection of 1 replacement dwelling. (Site area 0.21ha)

**LOCATION:** Holly Beck House Crag Lane Huby Leeds North Yorkshire LS17 0BP

### REPORT

#### SITE AND PROPOSAL

Holly Beck House is a detached property forming the end house on the northern side of Crag Lane Huby. The dwelling is of two storey construction under a slate roof. The main body of the building is painted render with a two storey forward projecting stone gable. To the rear is single storey extension and a detached garage block. The dwelling is set back from the highway and occupies an elevated location in relation to the road. The elevation of the site ensures the dwelling is seen as prominent within the locality.

The site is located within the development limit for the village and within green belt. A public right of way is located to the rear of the site. An area of land to the east of the site is within the applicants control but does not form part of the domestic curtilage to the dwelling. Open fields are located to the side and rear.

The applicants propose the demolition of the existing house and construct a replacement dwelling. The new dwelling would occupy the same site of the previous dwelling.

#### MAIN ISSUES

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

#### RELEVANT SITE HISTORY

6.147.185.PA - Erection of detached garage APPROVED 1997

6.147.185.A.FUL - Erection of extension to garage APPROVED 1998

6.147.185.B.FUL - Erection of two storey side extension with porch at ground floor, two storey side extension with ground floor verandah, two storey front extension, single storey front extension, single storey rear extension and 2 no front dormer windows - APPROVED 17.02.2004.

## **CONSULTATIONS/NOTIFICATIONS**

### **Parish Council**

Weeton

### **Highway Authority**

No objection subject to conditions

### **Housing Department**

Identifies that the site is greater than 0.1 hectare . If the site is capable of accommodating additional units without harm to the character or appearance of the area then Policy H5 is applicable requiring the provision of affordable housing. If this is not the case, there is no requirement for affordable housing provision.

## APPLICATION PUBLICITY

**SITE NOTICE EXPIRY:** 20.05.2005

**PRESS NOTICE EXPIRY:** 20.05.2005

## REPRESENTATIONS

WEETON PARISH COUNCIL - Object to the development on the following grounds:

1. Siting and design incompatible with rest of properties in area
2. Goes against policy guidelines as regards green belt
3. Family room too close to boundary
4. Style and appearance inappropriate

OTHER REPRESENTATION - One letter received in support of the application from the occupiers of the immediate neighbouring property known as 'Tidbury' stating that:

1. I have no objection to either the design or siting of the new house which I believe will be an asset to the village.

## VOLUNTARY NEIGHBOUR NOTIFICATION

No properties notified

## RELEVANT PLANNING POLICY

- PPS1 Planning Policy Statement 1: Delivering Sustainable Communities
- PPG2 Planning Policy Guidance 2: Green Belts
- PPS7 Planning Policy Statement 7: Sustainable Development in Rural Areas
- SPE9 North Yorkshire County Structure Plan Policy E9
- LPGB02 Harrogate District Local Plan (2001, as altered 2004) Policy GB2: The control of development in Green Belt
- LPGB05 Harrogate District Local Plan (2001, as altered 2004) Policy GB5: Development within settlements in Green Belt
- LPGB06 Harrogate District Local Plan (2001, as altered 2004) Policy GB6: Existing Dwellings in the Green Belt
- LPH20 Harrogate District Local Plan (2001, as altered 2004) Policy H20: Replacement Dwellings in the Countryside
- LPHD20 Harrogate District Local Plan (2001, as altered 2004) Policy HD20: Design of New Development and Redevelopment
- LPA01 Harrogate District Local Plan (2001, as altered 2004) Policy A1: Impact on the Environment and Amenity
- LPHX Harrogate District Local Plan (2001, as altered 2004) Policy HX: Managed Housing Site Release
- LPH05 Harrogate District Local Plan (2001, as altered 2004) Policy H5: Affordable Housing
- LPR04 Harrogate District Local Plan (2001, as altered 2004) Policy R4: Open Space Requirements for New Residential Development
- LPGB04 Harrogate District Local Plan (2001, as altered 2004) Policy GB4: Requirements of Development in Green Belt
- LPR11 Harrogate District Local Plan (2001, as altered 2004) Policy R11: Rights of Way

#### ASSESSMENT OF MAIN ISSUES

1. LAND USE - The application site is located within the development limits of the village as identified by Harrogate District Local Plan (HDLP) inset map No.25. The village is itself located within land designated as green belt.

HDLP Policy GB5 identifies that within Huby new residential development will be restricted to infilling within the existing built up confines of the settlement.

Although not strictly infilling in the normally accepted sense of the term (the filling of a small gap in an otherwise built up frontage), the site is within the built up confines of the settlement. In this respect Policy GB5 does allow for the replacement of dwellings in the green belt provided that the scheme would be in accordance with Policy H20 of the local plan. The justification to policy GB5 identifies and re-iterates advice within PPG2: Green Belt, in that the replacement of dwellings is acceptable provided that this would not result in disproportionate additions over and above the size of the original dwelling.

The footprint of the original dwelling provides approx 170 square metres of floor space (288 sq metres including first floor accommodation). The proposed dwelling is considerably larger providing approx 346 sq metres of ground floor space (approx 621 sq metres including first floor accommodation).

The dwelling cannot be considered to be of a similar size to the original and thus fails to meet the provisions of Policy H20 or the green belt objectives identified within PPG2 and Policy GB5.

Members attention is however drawn to the extant consent approved under 6.147.185.B.FUL for the extension of the property. The approved extension considerably altered both the design and appearance of the dwelling, whilst considerably increasing the size of the unit. The approved extended dwelling provided 287 sq metres of ground floor space (483 square metres including first floor accommodation). The approval of this extension is clearly a material consideration in the determination of this scheme.

As the site is greater than 0.1 hectares in area, the Director of Community Services identifies that HDLP Policy H5 would be applicable if more units could be provided on the plot. HDLP Policy H5 requires the provision of affordable housing on sites greater than 0.1 hectares in area or providing three or more units.

2. VISUAL IMPACT - The dwelling occupies an elevated and prominent position on the approach to the village. The prominence of the site is increased by the location of a public footpath that is located to the immediate rear of the site.

The proposed dwelling is considered to be considerably larger than the original structure and also the previously approved extended dwelling considered as part of 6.147.185.B.FUL. It is your officers opinion that the new dwelling as a consequence of its increased size and mass would appear disproportionably large in comparison than the existing dwelling. The dwelling would appear both visually prominent and dominant within the street scene and wider setting.

PPG2 identifies that the replacement of dwellings need not be inappropriate in green belt , if the new structure is no larger than the dwelling it replaces. Clearly in this instance the proposal fails that test. Inappropriate development is , by definition, harmful to green belt. PPG2 also states that it is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, substantial weight can be attached to the harm to the green belt in this instance.

3. RESIDENTIAL AMENITY - A first floor window within the first floor side elevation of the south west elevation would overlook the adjacent property, Tidbury. The applicant has indicated that this window could be deleted. Subject to the removal of this window the development would not impact upon the amenity of the occupiers of adjacent property.

4. HIGHWAY SAFETY - The applicants propose to utilise the existing access serving the site. The highway authority have no objection to the development subject to the imposition of conditions.

5. OPEN SPACE PROVISION - HDLP Policy R4 is not applicable in this instance as the scheme represents the replacement of an existing dwelling.

CONCLUSION - The proposed development, in the opinion of your officer represents inappropriate development in the green belt. Having regard to the size mass and scale of the dwelling, it is considered that the scheme would be disproportionately larger than the original unit. Given the prominent and elevated location of the site it is considered that the proposed replacement dwelling is contrary to the provisions of both HDLP Policy GB6 and

H20 and would have an adverse domineering impact upon both the street scene and wider locality in general. As the scheme fails to accord with Policy GB5, the development also fails to meet the provisions of HDLP Policy GB2.

It is recognised that there are other large properties in the vicinity of the application site and approval has been given for the substantial alteration to the property. Whilst the design of the new structure reflects that previously approved, the scheme is still substantially larger than the extended dwelling.

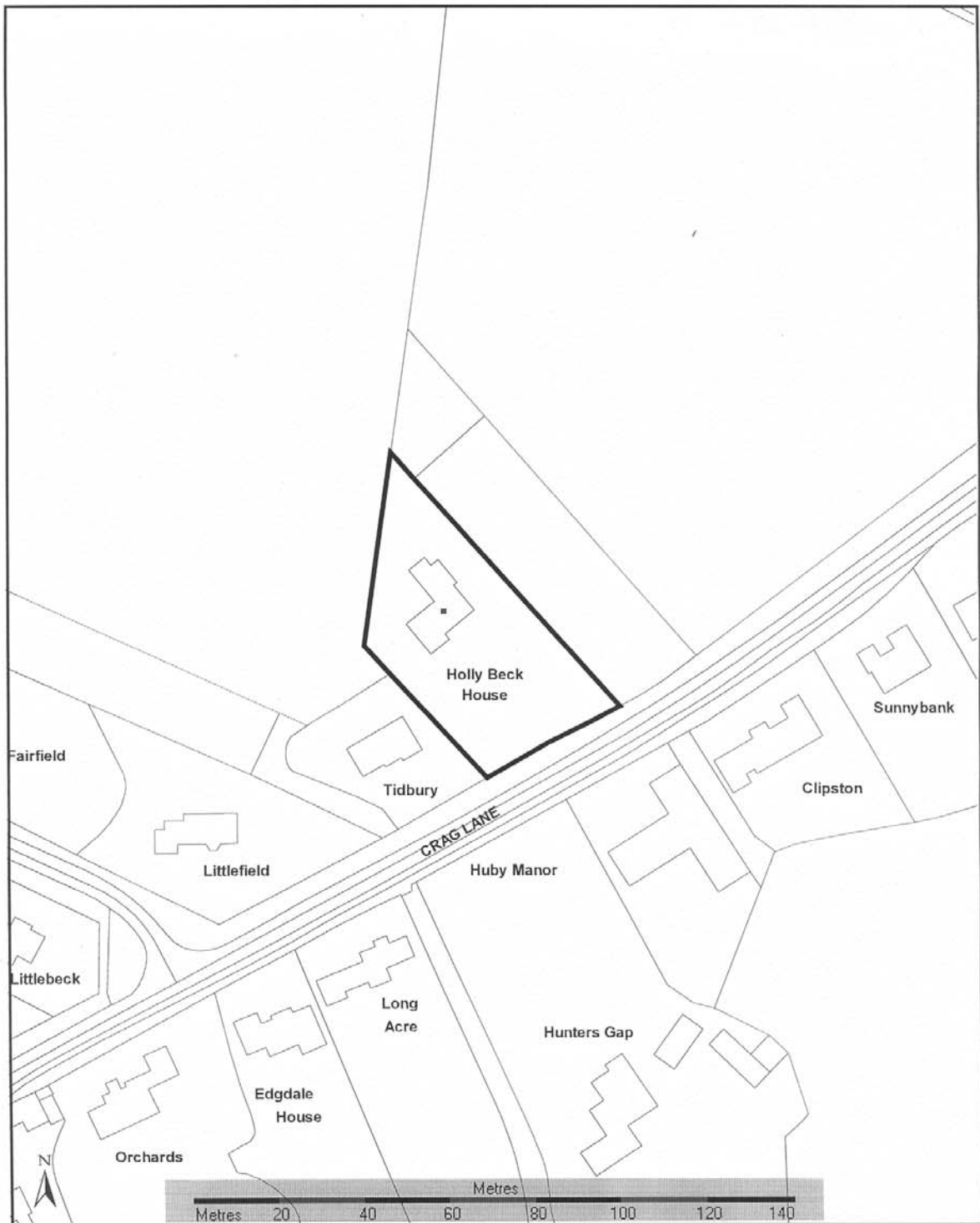
Given the fundamental planning policy objection to this scheme and in the absence of any material circumstances to justify setting aside the provisions of the development plan, refusal of the application is recommended.

**CASE OFFICER:** Mr A Hough

## RECOMMENDATION

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

- 1 The proposed replacement dwelling would by reason of its size and scale represent inappropriate development in the green belt being disproportionately larger than the original structure. The resultant dwelling would as a consequence of its prominent and elevated siting have a detrimental impact upon both the street scene and wider setting in a manner contrary to the provisions of Harrogate District Local Plan Policies GB2, GB5 and H20 and North Yorkshire County Structure Plan Policy E9.



**Harrogate**  
BOROUGH COUNCIL

**Department of Development Services**

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**Harrogate Borough Council 1000 19628 2005.**

## AREA 2 DC COMMITTEE

Item No. 8

<b>App No./Case No.</b>		6.147.185.C.FUL 05/01485/FUL	
<b>Scale (at A4 size)</b>	1:1250	<b>Site area</b>	0.21 ha
<b>Drawn</b>	MDTT	<b>Site boundary</b>	<input type="checkbox"/>
<b>Date</b>	21/06/2005		