

## HARROGATE BOROUGH COUNCIL

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

DATE: 21 June 2005

<b>PLAN:</b> 09	<b>CASE NUMBER:</b> 05/01969/FUL
<b>APPLICATION NO.</b> 6.123.5.D.FUL	<b>GRID REF: EAST</b> 438561 <b>NORTH</b> 453473
	<b>DATE MADE VALID:</b> 25.04.2005
	<b>TARGET DATE:</b> 20.06.2005
	<b>WARD:</b> Ribston

**APPLICANT:** Mr & Mrs D Lucking

**AGENT:** Architectural Alchemy

**PROPOSAL:** Erection of detached dwelling with detached double garage (revised scheme, site area 0.095ha).

**LOCATION:** Hillcrest Knaresborough Road Little Ribston Wetherby North Yorkshire LS22 4ET

## REPORT

### SITE AND PROPOSAL

The site comprises the front garden of Hillcrest a dormer bungalow constructed of red brick and red tiles. The dwelling is located to the rear of the plot and the main aspect is east/west. The front garden is much larger than the rear garden. The existing driveway to the dwelling is located at the south eastern end of the site, although planning permission was approved on the 7 September 2004 to relocate the access drive to the north eastern corner. This has not been implemented. There is a stone wall along the front of the site and there are two medium size trees immediately behind the stone wall. A dormer dwelling known as Old Tom's Cottage lies immediately to the north of the site and Moss Cottage a house lies to the south of the site. Old Tom's Cottage lies close to the joint boundary and there are windows and a french door at ground level in the side elevation facing the application site. Moss Cottage to the south does not lie close to the joint boundary and there are no windows in the side elevation facing the site. The site clearly lies within the development limits of Little Ribston.

This is a full application for a detached four bedroom house with a detached double garage to the rear in-between Hillcrest and the proposed house. The dwelling would be constructed of handmade bricks with clay pantiles. Vehicular access to the site will be from the recently approved new access at the north eastern end of the site.

The applicant's agent submitted a letter dated 22 April 2005 in support of the application. A copy is attached for information Appendix 1.

It should be noted that a recent planning application for a similar proposal for detached

dwelling was withdrawn on the 13 January 2005 although the application was due to be considered at the Committee meeting on the 18 January 2005. It should be noted that the application was recommended for refusal on the following grounds:

"It is considered that the proposed development in such close proximity to Hillcrest and Old Tom's Cottage would, by reason of overlooking, overshadowing, overbearing and the noise and disturbance that would be generated from the use of the access drive, result in an unacceptable detrimental impact on the living conditions of existing and future residents. The development would be contrary to Harrogate District Local Plan Policies H6, HD20, and A1.

It is considered that this proposed large house in this particular location would be out of character with the area and have a detrimental impact on the street scene contrary to Harrogate District Local Plan Policies A1 and HD20.

Clear visibility of 90m cannot be achieved along the public highway in either direction from a point 2m from the carriageway and traffic generated by the development would be likely to create conditions prejudicial to highway safety contrary to Harrogate District Local Plan Policies T2 and A1."

## **MAIN ISSUES**

1. Principle.
2. Impact on Residential Amenity and the Streetscene.
3. Open Space.
4. Highways.

## **RELEVANT SITE HISTORY**

6.123.5.B.FUL - Formation of new vehicular access at the north eastern end of the site: Approved 7 September 2004.

6.123.5.C.FUL - Detached dwelling withdrawn 13 January 2005.

## **CONSULTATIONS/NOTIFICATIONS**

### **Parish Council**

Little Ribston

### **DLAS - Open Space**

Commuted sum of £574.00 for youth and adult facilities at Little Ribston Village Hall.

### **Highway Authority**

Recommends that permission be refused for the reasons indicated at the end of the report.

APPLICATION PUBLICITY

**SITE NOTICE EXPIRY:** 03.06.2005

**PRESS NOTICE EXPIRY:** 03.06.2005

## REPRESENTATIONS

LITTLE RIBSON PARISH COUNCIL - Does not object or support the application but concerned over the following points: The construction of a dwelling within the front garden may be the gateway to similar applications. Brick of a similar type as surrounding dwellings should be used. The proposal could be classed as tandem development. The size of the proposed dwelling and of its position.

OTHER REPRESENTATIONS - Letter of objection from Mr S Sanderson Old Tom's Cottage. The village layout comprises of average sized houses on large plots, this development would be out of keeping with this theme by creating two substantial houses on two small plots. Impact on my residential amenity from this overbearing development to the south of my property will obstruct daylight for periods of the day. Privacy on my patio and southern aspect of my house will be comprised.

VOLUNTARY NEIGHBOUR NOTIFICATION - The applicant notified the owners of Old Tom's Cottage and Moss Cottage Knaresborough Road Little Ribston on the 22 April 2005.

## RELEVANT PLANNING POLICY

- PPS1 Planning Policy Statement 1: Delivering Sustainable Communities
- LPA01 Harrogate District Local Plan (2001, as altered 2004) Policy A1: Impact on the Environment and Amenity
- LPH06 Harrogate District Local Plan (2001, as altered 2004) Policy H6: Housing developments in the main settlements and villages
- LPHX Harrogate District Local Plan (2001, as altered 2004) Policy HX: Managed Housing Site Release
- LPHD20 Harrogate District Local Plan (2001, as altered 2004) Policy HD20: Design of New Development and Redevelopment
- PPG3 Planning Policy Guidance 3: Housing
- LPR04 Harrogate District Local Plan (2001, as altered 2004) Policy R4: Open Space Requirements for New Residential Development

## ASSESSMENT OF MAIN ISSUES

1. PRINCIPLE. - The site lies within the village of Little Ribston and there are dwellings on either side. The site falls within classification B, that is, "smaller villages" within Local Plan Policy H6. The erection of residential development on the site would be acceptable in land use terms subject to various criteria in particular the site would be within the development limits, is appropriate to the form and character of the settlement and provides a satisfactory level of residential amenity. The site is currently the front garden of Hillcrest and is therefore a brownfield site. However in reaching a decision on the application the size of the site, the potential impact on the living conditions of the adjacent residents and the character of the area must be taken into account as well as the context of surrounding development. Subject to these considerations the development would accord with Policies H6 and HX and advice in PPG3.

2. IMPACT ON RESIDENTIAL AMENITY AND THE STREETSCENE. - It is acknowledged

that this revised application has been amended in an attempt to improve the proposal from the original submission in terms of the impact on residential amenity and the street scene. The garage has been detached from the house and would be located in the south western corner of the site. The footprint and siting of the dwelling has been amended. The height of the dwelling to the ridge has been reduced from 8.6m to 8.5m and part of the proposed dwelling on the side elevation facing Old Tom's Cottage would be single storey. The proposed dwelling would be moved forward to achieve a distance of approximately 21m from the front of Hillcrest and the rear of the new dwelling. The consequence of this is that the new dwelling, which is set at a slight angle to Old Tom's Cottage, would be closer to Knaresborough Road. The front of the proposed dwelling would align roughly with the rear of Old Tom's Cottage. The distance from the new dwelling to Old Tom's Cottage would be approximately 12m. The proposed drive would be in-between the new dwelling and the joint boundary with Old Tom's Cottage. The north elevation facing towards Old Tom's Cottage would have a door to the kitchen and two obscure glazed windows at ground and first floor to minimise any overlooking of Old Tom's Cottage. Although the dwelling is set at a slight angle to Old Tom's Cottage there would still be some overlooking of that property from the main front elevation of the proposed dwelling and it is considered that the proposal would therefore have a detrimental impact on the living conditions of the residents of Old Tom's Cottage. The dwelling at its nearest point will be approximately 2.5m from the joint boundary with Moss Cottage and the detached garage would be approximately 1m from the joint boundary. It is therefore considered that the dwelling would not have any significant impact on the amenities and living conditions of the occupier of Moss Cottage to warrant refusing the application. . The proposed house would also result in an unacceptable level of overshadowing and overbearing for the occupiers of Old Tom's Cottage. Furthermore the use of the approved access by the occupants of both Hillcrest and the proposed new dwelling will also result in an increase in levels of noise and disturbance to the residents of Old Tom's Cottage which is considered to be unacceptable on planning grounds.

It is acknowledged that the proposed dwelling has been marginally reduced in height from 8.6m to 8.5m and the dwelling would be approximately 18m from the boundary wall to Knaresborough Road. The impact of the dwelling on the street scene is a subjective matter. There are a mixture of various types of dwellings and buildings within the village. However it is considered that this new large dwelling with a height of approximately 8.5m would, in this particular location have a detrimental impact on the street scene to warrant refusing the application on those grounds.

It is therefore concluded that the proposed development would be contrary to Policy H6, HD20 and A1.

3. OPEN SPACE. - The applicant has signed the unilateral undertaking in relation to the commuted sum for a contribution to open space within the locality and thus there is no conflict with Policy R4.

4. HIGHWAYS. - The Highway Officer "considers that clear visibility of 90m cannot be achieved along the public highway in either direction from a point 2m from the carriageway edge measured down the centre line of the minor/access road and consequently traffic generated by the development would be likely to create conditions prejudicial to highway safety." Therefore the application cannot be supported from a highway point of view and would be contrary to Policy T2.

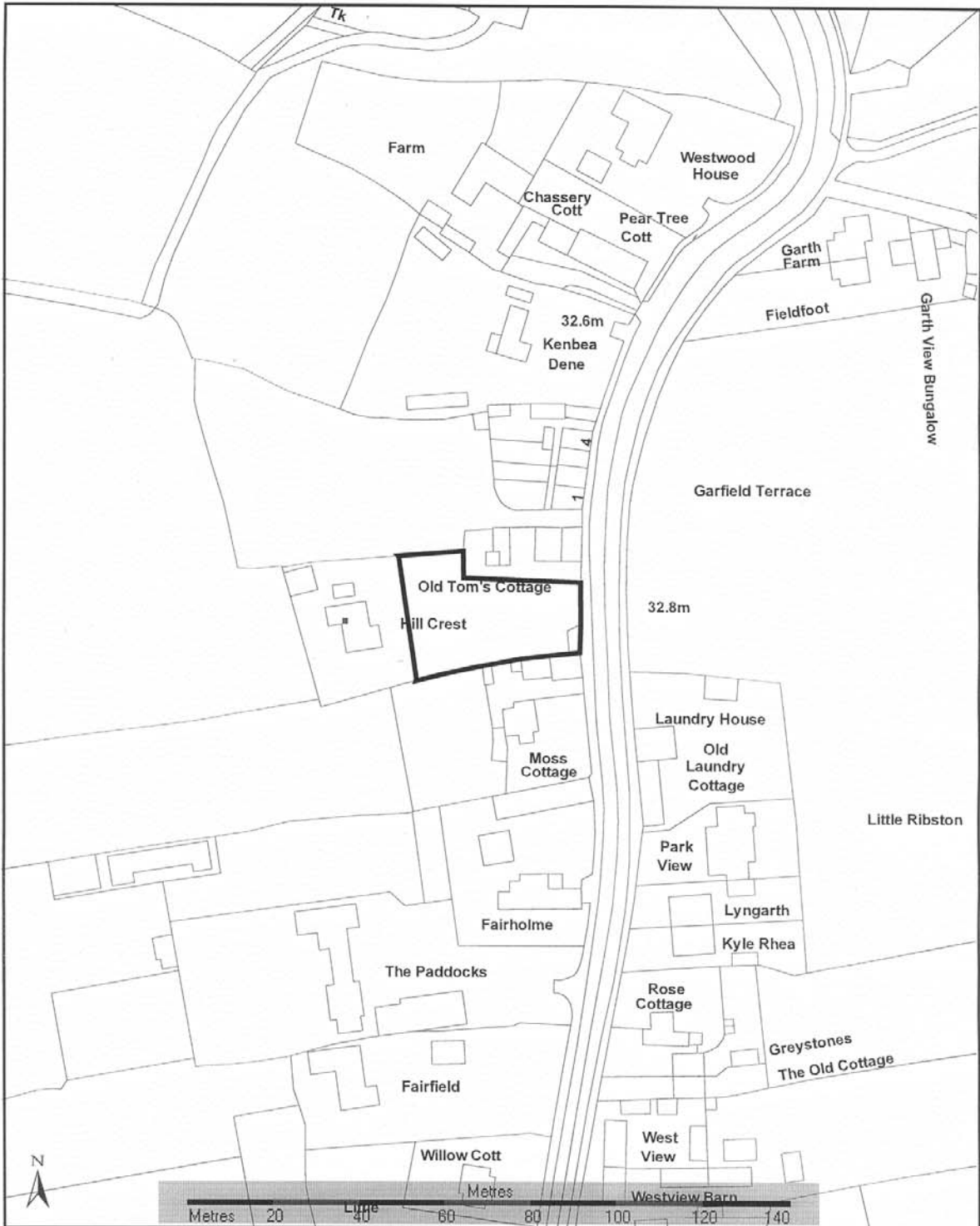
**CONCLUSION** - It is recommended that the application be refused for the reason indicated.

**CASE OFFICER:** Phil Jewkes

#### RECOMMENDATION

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

- 1 It is considered that the proposed development in such close proximity to Hillcrest and Old Tom's Cottage would, by reason of overlooking, overshadowing, overbearing and the noise and disturbance that would be generated from the use of the access drive, result in an unacceptable detrimental impact on the living conditions of existing and future residents. The development would be contrary to Harrogate District Local Plan Policies H6, HD20, and A1.
- 2 It is considered that this proposed large house in this particular location would be out of character with the area and have a detrimental impact on the street scene contrary to Harrogate District Local Plan Policies A1 and HD20.
- 3 Clear visibility of 90m cannot be achieved along the public highway in either direction from a point 2m from the carriageway edge measured down the centre line of the minor access road and consequently the traffic generated by the development would be likely to create conditions prejudicial to highway safety contrary to Harrogate District Local Plan Policies T2 and A1.



**Harrogate**  
BOROUGH COUNCIL

Department of Development Services

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Harrogate Borough Council 1000 19628 2005.

## AREA 2 DC COMMITTEE

Item No. 9

App No./Case No. 6.123.5.D.FUL 05/01969/FUL

Scale (at A4 size) 1:1250

Site area 0.0895 ha

Site boundary

Drawn MDTT

Date 21/06/2005