

HARROGATE BOROUGH COUNCIL

PLANNING COMMITTEE – AGENDA ITEM 6: LIST OF PLANS.

DATE: 7 July 2009

PLAN: 03	CASE NUMBER: 09/01234/FUL
	GRID REF: EAST 447440
	NORTH 446941
APPLICATION NO. 6.150.42.G.FUL	DATE MADE VALID: 20.05.2009
	TARGET DATE: 15.07.2009
CASE OFFICER: Mrs L Drake	WARD: Marston Moor

VIEW PLANS AT: <http://tinyurl.com/lers48>

APPLICANT: Mr & Mrs P Walton

AGENT: Allison & Macrae

PROPOSAL: Erection of detached dwelling (Site Area 0.09ha).

LOCATION: Vermont House Church Lane Wighill Tadcaster North Yorkshire
LS24 8BG

REPORT

SITE AND PROPOSAL

The site, along with L'Ecole and Vermont House, comprises part of the former Wighill primary school. Planning permission was granted in 1995 for redevelopment of the site for four dwellings. Two of these dwellings (Vermont House and L'Ecole) have been built. The application site sits to the south of the site between Vermont House and 1 and 2 West End Bungalows. It is currently laid to lawn with some planting. An access head to the site is already in place. To the south of the site lies a block of garages and to the east lie 1 and 2 West End Bungalows.

This application seeks planning permission for a larger dwelling on this site. The proposed dwelling would have the gable width as that approved with an additional single storey projection to the rear with dormer windows set into a catslide roof above. The dwelling would be set further into the site than the approved by approximately 7.5m. It would be set off the boundary with 2 West End Bungalows by 7m. A detached double garage is proposed to the rear. The curtilage to the dwelling would include an existing outbuilding and some land currently within the curtilage of Vermont House.

MAIN ISSUES

- 1 Policy/principle
- 2 Design/Residential amenity
- 3 Highways
- 4 Open space provision

RELEVANT SITE HISTORY

6.150.42.D.PA - Residential development for 4 no. dwellings. PER 28.03.1995.

CONSULTATIONS/NOTIFICATIONS

NYCC Highway Authority

See assessment.

DCS - Open Space (Brandreth)

Comments awaited.

Parish Council

WIGHILL

RELEVANT PLANNING POLICY

PPS1 Planning Policy Statement 1: Delivering Sustainable Development
LPHD20 Harrogate District Local Plan (2001, as altered 2004) Policy HD20, Design of New Development and Redevelopment
PPS03 Planning Policy Statement 3, Housing
CSSG2 Core Strategy Policy SG2 Settlement Growth: Hierarchy and limits
CSSG4 Core Strategy Policy SG4 Settlement
Growth: Design and Impact
CSC1 Core Strategy Policy C1: Inclusive communities
CSEQ1 Core Strategy Policy EQ1: Reducing risks to the environment
RSH1 The Yorkshire and Humber Plan Policy RSSH1, Provision and Distribution of Housing
SPDHSE Supplementary Planning Document: House Extensions and Garages Design Guide
CSSG3 Core Strategy Policy SG3 Settlement Growth: Conservation of the countryside, including Green Belt
PPS07 Planning Policy Statement 7, Sustainable Development in Rural Areas

APPLICATION PUBLICITY

SITE NOTICE EXPIRY: 30.06.2009

PRESS NOTICE EXPIRY:

REPRESENTATIONS

WIGHILL PARISH COUNCIL - The comments of the Parish Council are attached as Appendix 1 to this report.

OTHER REPRESENTATIONS

1 letter of objection has been received. The grounds of objection are:

- the new position of the dwelling will impose on the rear aspect of 2 West End Bungalows, loss of light and view
- height of garage same as proposed dormer windows, will impact on view from bungalows
- increase in size of dwelling

VOLUNTARY NEIGHBOUR NOTIFICATION - None.

ASSESSMENT OF MAIN ISSUES

1 POLICY/PRINCIPLE - Wighill is not identified as a Class A, B or C settlement in policy SG2 and therefore is classed as countryside. The application therefore needs to be assessed against Policy SG3. This policy places strict control over housing in the countryside with only specific types of development permitted. Open market housing is not permitted and therefore the application does not meet any of the criteria set out in that policy. However planning permission was permitted in 1995 for the erection of four dwellings on this site. Two of those dwellings have been built and therefore the permission is part implemented and with the other two units capable of being constructed at any time in the future. This application is effectively a revised scheme for the part implemented approval and therefore permission 6.150.42.D.PA is a material consideration here, which can set aside the provisions of Policies SG2 and SG3, allowing the erection of an open market dwelling. It is therefore considered that there is no conflict with those policies.

The application also needs to be assessed against Policies SG4, CS1 and EQ1 of the Harrogate and District Local Development Framework Core Strategy as well as Policy HD20 of the Harrogate District Local Plan and the House Extensions and Garages Design Guide.

2 DESIGN/RESIDENTIAL AMENITY - The proposed dwelling is similar in design to Vermont House and the approved scheme. It is however larger in that a single storey projection with dormers above has been added to the rear. There is one ground floor window (shower) and two first floor windows (dressing room and ensuite) to the side elevation of the proposed dwelling. This elevation would be 14m from the rear elevation of 2 West End Bungalows, on which there is a rear facing dormer window and two rooflights. There is an established 2.5m high hedge on the boundary. The 14m separation distance between the two dwellings meets the guidelines as recommended in the House Extensions and Garages Design Guide. As the dwelling is set further into the site, it would lie entirely to the rear of 2 West End Bungalows. However the gable width is no greater than that previously approved and the separation distance is in line with guidance. Therefore it is not considered that there would be a detrimental impact on the residential amenity of that dwelling from the proposal.

The proposed garage is set to the rear of 1 West End Bungalows and would be 7.5m from the rear of that property. The same hedge also screens this dwelling and it is not considered that there would be any detrimental impact on the residential amenity of this property.

The scheme as approved shows the new dwelling sited 3.5m from Vermont House and would overlap in front of that dwelling by 2.5m. This scheme shows the dwelling

set the same distance from Vermont House but no longer overlapping. This is a better relationship between the two dwellings and is considered to be acceptable.

It is considered that policy SG4 and Saved policy HD20 is complied with.

3 HIGHWAYS - North Yorkshire County Council Highways have raised no objection subject to a condition regarding the provision of access, turning and parking areas.

4 OPEN SPACE PROVISION - A commuted sum of £1263.53 for the provision of open space in connection with the development has been requested. A signed unilateral undertaking is awaited and expected before Planning Committee. If received the application will comply with Policy C1 of the Core Strategy.

CONCLUSION

Wighill is not identified as a Class A, B or C settlement in policy SG2 and therefore is classed as countryside. The application therefore needs to be assessed against Policy SG3. This policy places strict control over housing in the countryside with only specific types of development permitted. Open market housing is not permitted and therefore the application does not meet any of the criteria set out in that policy. However planning permission was permitted in 1995 for the erection of four dwellings on this site. Two of those dwellings have been built and therefore the permission is part implemented and with the other two units capable of being constructed at any time in the future. This application is effectively a revised scheme for the part implemented approval and therefore permission 6.150.42.D.PA is a material consideration here, which can set aside the provisions of Policies SG2 and SG3, allowing the erection of an open market dwelling.

CASE OFFICER: Mrs L Drake

RECOMMENDATION

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

- 1 The development hereby permitted shall be begun on or before 3 years.
- 2 The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details as modified by the other conditions of this consent.
- 3 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, garages, roof or dormer windows other than any expressly authorised by this permission shall

be erected without the grant of further specific planning permission from the local planning authority.

4 Samples of the materials it is intended shall be used externally in the construction of the roof and walls of the development hereby approved, shall be submitted for the written approval of the Local Planning Authority and the development shall not be started before any such approval.

5 No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas:

(i) have been constructed in accordance with the submitted drawing (Reference 04 rev D)

Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

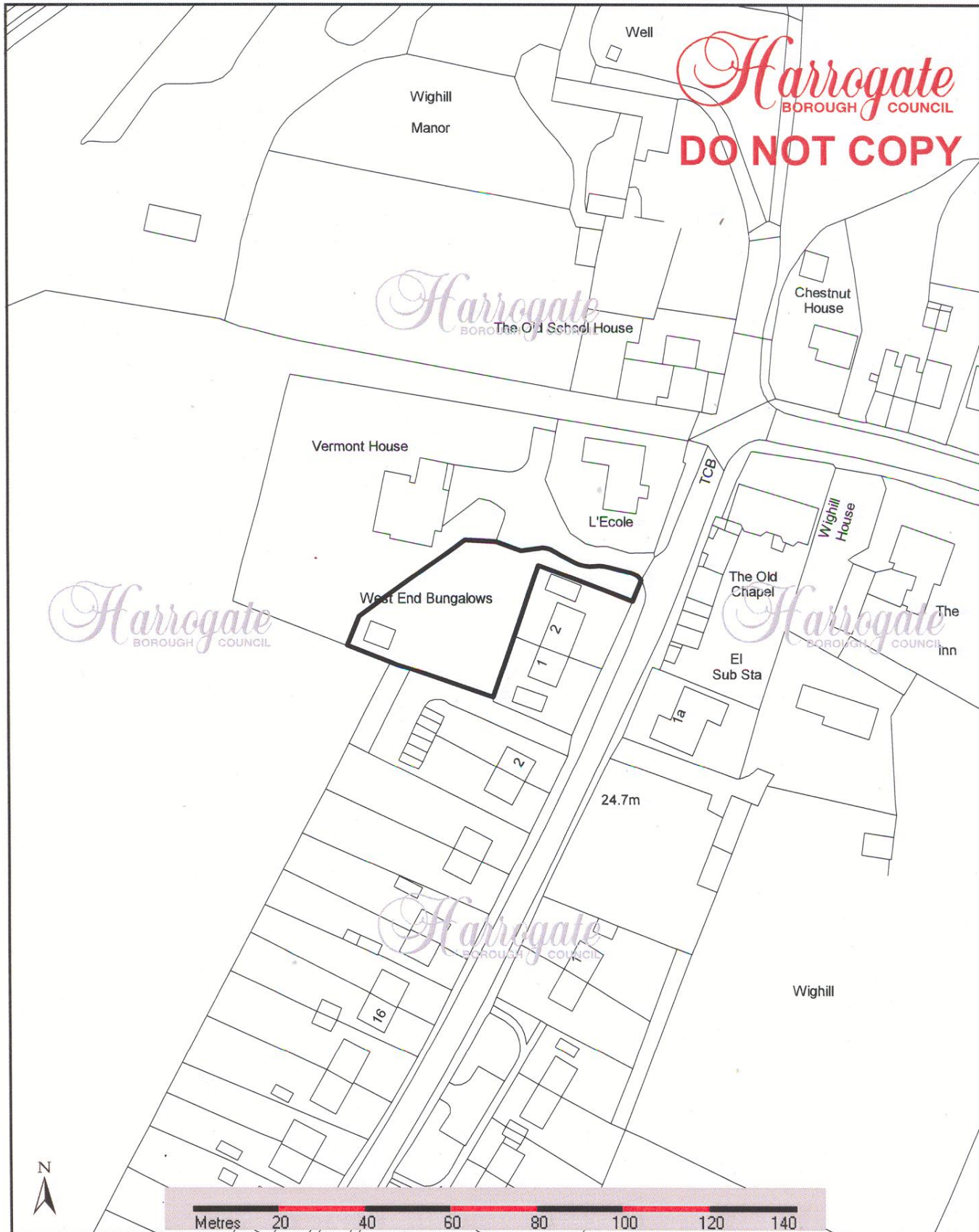
6 No development shall take place until the applicant has provided for the approval in writing of the Local Planning Authority a Design Stage Code for Sustainable Homes Certificate for each dwelling type comprised in the development to be carried out by a BREEAM or STROMA licensed accredited Code assessor that achieves Code level 3 or higher. The Code Level to be achieved will be a minimum of:

- * Code Level 3 for dwellings to be completed before the end of 2010
- * Code Level 4 for dwellings to be completed between 2011 and 2015, and
- * Code Level 6 for dwellings to be completed after 2015

Development shall be carried out in accordance with the approved details. A Post Construction Stage Certificate for each dwelling/dwelling type assessed shall be provided to the Local Planning Authority in writing, confirming that the required Code level has been met, prior to the first occupation of the first dwelling comprised in the development to which the certificate relates.

Reasons for Conditions:-

- 1 To ensure compliance with Sections 91-94 of the Town and Country Planning Act 1990.
- 2 To secure the satisfactory implementation of the proposal.
- 3 In order to protect the visual amenities of the surrounding area in view of the prominence of this site.
- 4 In order to ensure that the materials used conform to the amenity requirements of the locality.
- 5 To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
- 6 To safeguard the environment and mitigate climate change in accordance with Harrogate District Core Strategy Policy EQ1.



Department of Development Services

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Harrogate Borough Council 1000 19628 2008.

PLANNING COMMITTEE

Item No. **3**

App No./Case No. 09/01234/FUL 6.150.42.G.FUL

Scale (at A4 size)	1:1250	Site area	0.09ha	Site boundary	
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Drawn	MDTT	Date	07.07.2009
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