

COMMITTEE REPORT

Date: 12 January 2012 **Ward:** Rural West York
Team: Major and **Parish:** Askham Bryan Parish
Commercial Team Council

Reference: 11/02881/FUL
Application at: Brackenhill Askham Bryan Lane Askham Bryan York YO23
3QY
For: Two storey dwelling following demolition of existing
bungalow
By: Mr Peter Shipley
Application Type: Full Application
Target Date: 12 January 2012
Recommendation: Refuse

1.0 PROPOSAL

1.1 The application relates to Brackenhill which lies at the north end of Askham Lane, to the west of the A1237 outer ring road. The application site contains a single storey dwelling that lies around 35m back from the access road and a garage behind. The site curtilage runs to the west and also includes two single storey buildings, a vehicle repair garage (approved under application 08/02767/FUL) and a taxi booking office. Askham Bryan Nurseries are to the south. The site is within the green belt.

1.2 Planning permission is sought for a replacement dwelling at the application site. The existing building is single storey with extensions to the front, side and rear. The replacement building proposed would be of a comparable footprint, although closer to the access road by some 1.5m, and 2-storey high, although the front elevation would have a lower eaves level, giving the impression of a dormer bungalow.

1.3 The application comes to committee at the request of Councillor Healy.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Air safeguarding GMS Constraints: Air Field safeguarding 0175
City Boundary GMS Constraints: York City Boundary 0001
DC Area Teams GMS Constraints: West Area 0004

2.2 Policies:

CYGP1

Design

CYGP4A
Sustainability

CYGB5
Replacement dwellings

CYGB1
Development within the Green Belt

3.0 CONSULTATIONS

Askham Bryan Parish Council

3.1 Concerns are that due to ground levels at the site, the height of the house and the rendered finish, the house will be more prominent in the green belt (which should be avoided). A red brick finish would be more appropriate than render. Soakaways are proposed as the mains of surface water drainage and it is asked this be controlled so water does not run-off onto adjacent land.

Publicity

3.2 No written representations have been made.

4.0 APPRAISAL

4.1 Key issues

- Whether the development is appropriate within the green belt
- Whether there are any special circumstances which outweigh the harm

Whether the development is appropriate within the green belt

4.2 National planning policy established within PPG2 Green Belts advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness.

4.3 The PPG advises on what type of development can be considered in green belts. PPG2 states replacement of existing dwellings need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces. Development plans should make clear the approach local planning authorities will take, including the circumstances (if any) under which replacement dwellings are acceptable.

4.4 Policy GB5 of the Local Plan relates to replacement dwellings. The pertinent part of the policy is criteria c) which advises that the new dwelling must be located as close as possible to the site of the original dwelling or located on a site which better relates to other existing built development in the area and of a matching size and scale to that being replaced.

4.5 The existing dwelling has a hipped gable roof. It is around 2.8m high to eaves level, 5.5m high to ridge level. The front, side and rear extensions are each single storey with flat roofs.

4.6 The proposed dwelling would appear as a dormer bungalow from the front with a gable roof. The eaves level would be 4.5m from ground level, the ridge level 8.8m. At the rear the main building would appear 2-storey, being 6m high to eaves level. The building would have a rear outshot also which has accommodation in the roof space. The ridge level of this part of the building would be level with the eaves at the rear.

4.7 The proposed building due to its increase in volume would be significantly larger than the existing building. A single storey dwelling would essentially be replaced with a two storey dwelling and the roof shape would also add to the prominence of the proposed building. As such the proposed dwelling would be contrary to policy GB5 and PPG2 and deemed inappropriate within the green belt.

Whether there are any special circumstances which outweigh the harm

4.8 PPG2 advises that inappropriate development is, by definition, harmful to the Green Belt. 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.

4.9 A larger dwelling would allow Mr Shipley and his family to reside with his mother on site. His mother presently is the sole occupant of the dwelling. The existing building is poorly insulated and of inadequate size to accommodate Mr Shipley and his family. The replacement would be more sustainable, and its increased size would allow for the family to live together. Mr Shipley would also be located closer to the now lawful vehicle repair garage and taxi booking office within the site which he oversees.

4.10 It would be convenient for Mr Shipley who oversees the vehicle repair garage/taxi booking office to reside onsite, this would also assist with security. It is the families desire to live together also. However these aspirations are not essential, and do not amount to special circumstances, that justify the proposal which is contrary to green belt policy.

5.0 CONCLUSION

5.1 The proposed house is significantly larger than the existing dwelling onsite. The replacement would be inappropriate development and contrary to green belt policy, established in PPG2 and Local Plan policy GB5. Policy advises that such proposals are by definition harmful to the green belt and must only be allowed if special circumstances are demonstrated that 'clearly outweigh' the conflict with green belt policy. The special circumstances put forward by the applicants are not deemed to outweigh the harm in this case and refusal is recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 The proposed replacement house by virtue of its additional height and volume in comparison to the existing house would be inappropriate development within the green belt, contrary to PPG2: Green Belts and Local Plan policy GB5. No special circumstances have been given which clearly outweigh the harm caused by the proposed inappropriate development.

7.0 INFORMATIVES:

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