

COMMITTEE REPORT

Committee: West/Centre Area
Date: 15 July 2010

Ward: Rural West York
Parish: Parish Of Rufforth With Knapton

Reference: 10/00714/FUL
Application at: Forge House The Ridings Wetherby Road Rufforth York
For: Construction of tennis court with 2.75m high mesh fence
By: Mr And Mrs Barker
Application Type: Full Application
Target Date: 7 July 2010
Recommendation: Refuse

1.0 PROPOSAL

1.1 Forge House, The Ridings, Rufforth forms part of a development on the site of a former farmstead at the north eastern edge of Rufforth village. It forms one of a number of plots with additional paddock land stretching beyond the village boundary into the Green Belt. Rufforth village itself comprises an area of "washed over" Green Belt The proposal seeks permission for the construction of a 34.75 by 17.1 metre hard surfaced tennis court in conjunction with a 2.75 metre high wire mesh fence to the north of the domestic curtilage for the applicant who is a professional tennis coach.

1.2 The application has been called in for consideration by Committee by Councillor Paul Healy for committee to judge whether the application should be permitted in this location given the other mitigating facts.

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

CYGB1
Development within the Green Belt

3.0 CONSULTATIONS

INTERNAL:-

3.1 Design, Conservation and Sustainable Development – any response will be reported verbally.

3.2 Structures and Drainage Engineering – any response will be reported verbally.

EXTERNAL:-

3.3 Rufforth Parish Council object to the proposal on the grounds of unacceptable impact upon the openness of the Green Belt, a conflict with the purposes of including the land within the Green Belt and an unacceptable impact upon the residential amenity of neighbouring properties.

3.4 Marston Moor Internal Drainage Board – any response will be reported verbally.

3.5 One letter of objection from a nearby resident has been forthcoming expressing concern in respect of the impact of the proposal upon the open character and purposes of designation of the Green Belt and expressing concern in respect of its impact upon the residential amenity of neighbouring properties.

4.0 APPRAISAL

KEY CONSIDERATIONS:-

4.1 KEY CONSIDERATIONS:-

- * Impact upon the open character and purposes of designation of the York Green Belt;
- * Impact upon the residential amenity of nearby properties.

IMPACT UPON THE YORK GREEN BELT:-

4.2 Policy GB1 of the York Development Control Local Plan building upon Central Government Guidance outlined in PPG2 "Green Belts", sets a firm policy presumption that in Green Belt areas permission will only be forthcoming where the scale, location and design of such development would not detract from the open character of the Green Belt, it would not conflict with the purposes of including land within the Green Belt and would be for a number of specific purposes including essential facilities for outdoor sport and outdoor recreation.

4.3 The current proposal envisages the erection of a tennis court some 34.75 metres long, 17.1 metres wide and with a fence some 2.79 metres high. Whilst "essential facilities" for outdoor sport and recreation are deemed to be appropriate development within the Green Belt the construction of a standard sized tennis court with associated fencing and hard surface outside of a garden area would not be appropriate by virtue of its impact upon openness as well as running contrary to the purposes of inclusion of the land within the Green Belt. The application site comprises a new development with long plots incorporating a paddock running north

from the village boundary into open countryside. The area retains the historic pattern of land boundaries associated with Rufforth village and contributes significantly to the openness of the Green Belt in that area. As proposed the development would appear poorly related to the domestic curtilage of the property and as a highly urbanised and engineered structure would be contrary to Green Belt policy as outlined in both the Draft Local Plan and Central Government Planning Guidance outlined in PPG2 "Green Belts". The applicant is a professional tennis coach , however no " very special" circumstances have been advanced to justify over-riding the usual presumption against inappropriate development within the Green Belt.

IMPACT UPON THE RESIDENTIAL AMENITY OF NEARBY PROPERTIES:-

4.3 Policy GP1 of the York Development Control Local Plan sets a firm policy requirement that new development proposals respect or enhance the local environment, are of a layout and scale that is compatible with neighbouring buildings, spaces and the character of the area and ensure that residents living nearby are not unduly affected by noise and disturbance. The current proposal envisages the construction of a professional standard tennis court some 16 metres from the closest residential property to the south west with other properties overlooking at an albeit greater distance. Whilst no lighting is proposed the size, fencing and proposed surfacing of the court presuppose a degree of intensive use of the proposal. This would have a degree of impact upon the residential amenity of neighbouring properties but this would not be sufficient as to justify refusal of the proposal.

5.0 CONCLUSION

5.1 Forge House comprises a two storey brick built mews type development to the north east of Rufforth village. It lies within the designated York Green Belt and incorporates a long plot containing paddock land stretching significantly beyond the built up development limit of the village. The current proposal envisages the erection of a 34.5 metre by 17.1 metre hard surfaced tennis court with a 2.79 metre high fence. The construction of a tennis court within the domestic curtilage of the property would be acceptable in principle, however the proposed construction would be awkwardly related to the edge of the existing curtilage and the nature and extent of the engineered structure would detract from the openness of the Green Belt whilst conflicting with the purposes of including the land within it. As a consequence the development would be contrary to Draft Local Plan Policy GB1 together with Central Government Planning Policy Guidance in respect of Green Belts outlined in PPG2 "Green Belts" and refusal is therefore recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Refuse

1 The development by virtue of its size, location and relationship to neighbouring properties would cause serious harm to the openness of the designated York Green Belt and by virtue of its urbanised heavily engineered

appearance would be contrary to the purposes of including the land within it contrary to Policy GB1 of the York Development Control Local Plan together with Central Government Planning Guidance in respect of Green Belt areas outlined in PPG2 "Green Belts".

7.0 INFORMATIVES:

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