



Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 16th June 2011

Subject: APPLICATION 10/04438/FU, DETACHED DWELLING, CRAGG HALL FARM, LINTON ROAD, LINTON.

APPLICANT	DATE VALID	TARGET DATE
B Horsley	12/10/10	07/12/10

**Electoral Wards Affected: Harewood
(Also lies adjacent to Wetherby Ward).**

Yes Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PERMISSION subject to the specified conditions:

Conditions

1. Standard time limit.
2. Development to be in accordance with approved plans.
3. The residential curtilage shall extend only up to the boundaries as indicated on the approved drawing reference. Land outside of the boundary will be dedicated to woodland and wild flower meadowland and retained as such thereafter.
4. Materials to be approved (including sedum roof).
5. Landscaping details.
6. Landscape Management Plan.
7. Landscape implementation.
8. Preservation of existing and retained trees.
9. Details of drainage.
10. Reporting on unexpected contamination.

11. Removal of permitted development rights for extensions, conservatories, roof alterations, outbuildings and boundary treatments.
12. Visibility splays to be provided 2.4 x 90m visibility to the north and 2.4m x 120m to the south.
13. Improvement to gradient of access.
14. Bat Survey
15. Details of solar panels to roof.

Reason for Approval – The application is considered to represent an inappropriate form of development in the Green Belt. However, very special circumstances have been put forward by the applicant for setting aside Green Belt policy in this instance. As such the proposed dwelling would accord with Policy N33 of the Adopted UDP (Review 2006) and the guidance contained within PPS1 & PPG2 and having regard to all other material considerations, including amenity, is considered acceptable.

1.0 INTRODUCTION:

- 1.1 This application was reported to the previous Plans Panel meeting on 19th May 2011 as a Position Statement. The application seeks planning permission for a new dwelling within the Green Belt, with other buildings, including two dwellings on a different part of the site being proposed for demolition. The comments of the Panel were as follows:
 - Agreed that the proposal constitutes inappropriate development in the Green Belt.
 - Agreed that very special circumstances need to be demonstrated.
 - Some support was expressed for the principle of development of the site for a single dwelling and the removal of the existing buildings.
 - Some Members raised no objections to the size of the dwelling.
 - There were differing views on the impact on openness and the siting of the dwelling. Views were expressed that the proposed dwelling should be sited on the site of the existing buildings whilst some support was given to the proposed siting.
 - Panel agreed that boundary treatments need to be carefully considered so that it does not impact on openness.
 - No objections were raised by Panel to the design of the dwelling.
 - No concerns were raised by Panel over highway issues.
- 1.2 This application is for a substantial new house built to a modern design within the Green Belt. There are existing structures on the site and previous planning history including dismissed appeals. The appeals have highlighted that the site has significant value within the Green Belt and makes a considerable contribution to the purpose of including land within the Green Belt. Whilst there has been some support from surrounding residents and occupants for this proposal there is some concern from the Parish Council and Harewood / Wetherby Ward Members about the impact on Green Belt openness and character arising from the development.

1.3 The application has passed the 8 week time period, and as such an appeal against non determination could be made. A site visit has also been carried out by Panel Members prior to the application being discussed at the previous Panel meeting on 19th May 2011. This site visit enabled Members to view the site context and character and an appreciation of the location of scale of existing buildings and structures on site.

2.0 PROPOSAL:

- 2.1 The application seeks permission to demolish all the existing buildings on site, and to construct a new dwelling. This will be a large, detached dwelling incorporating sustainable building principles, and has been designed to modernist principles.
- 2.2 The floor area of the proposed building will be 536 m² (ground and first floor) with a basement area of 322 m², and it will sit almost centrally within the site, positioned 7m from the northern boundary. The house is T shaped with a spur on the bottom providing garaging. To the eastern side the walls of the main living area will curve out and a glass wall will give way to a sunken garden feature. On this side the basement level extends out from the main body of the house with the wall featuring a high level of glazing and doorways. The basement will house a swimming pool, sauna, gymnasium and guest suite, and the roof of the basement will provide a terrace area accessed from the living accommodation. The ground floor of the house provides living accommodation, whilst the smaller first floor provides four en-suite bedrooms. Taking the house as a whole (including the basement) it is some 29.7m wide across the width of the site with a depth of between 12.5m at its narrowest point to nearly 34m at its widest.
- 2.3 The house features a flat sedum roof with solar panels, triple glazed windows with timber surrounds and cut ashlar stone for the main body of the walls. Whilst most elevations have high levels of glazing the northern elevation is mostly blank with several small windows providing light for functional rooms such as bathrooms.
- 2.4 The site is proposed to be laid out with the driveway utilising the existing farm access leading up to a forecourt area on the western side of the house. To the east the terrace area and basement provide access to a sunken garden and pond area. Additional landscaping is proposed to enhance the existing, particularly along the west and south boundaries, whilst the area to the east will be left largely untouched.
- 2.5 The existing buildings currently on the site to be demolished include the current farmhouse building, a former farmhouse building, and a number of barns and outbuildings, all of which are currently vacant.
- 2.6 As part of the proposal the residential curtilage is to be restricted to the house, the sunken garden and a garden area to the north and west. The remainder of the site outside of this curtilage will remain as agricultural/open land and will be planted with woodland and wildflower meadow.
- 2.7 The property has been designed to utilise a number of sustainable technologies and design principles. These include;
- Orientation with main living areas facing west and south to maximise solar gain.
 - Use of solar panel to provide for heating requirements.
 - Use of sedum roof which provides flood attenuation, reduces surface water run off, provides insulation and enhances biodiversity.
 - Use of glazing and insulating materials to provide thermal efficiency.

- The pond was originally intended as a grey water recycling system, however following concerns about the impact on neighbours due to odours the pond is now likely to be more of a feature. It will however provide an area for surface water run-off and biodiversity.
- Provision of landscaping, including wildflower meadow which will enhance biodiversity.
- The former quarry site will be looked at to see if the necessary excavations can provide the material for the building of the house.

2.8 The applicant understands that as the proposal is considered to represent a replacement dwelling, then this is considered to be appropriate development within the Green Belt. Whilst officers interpret the proposal not to be a replacement dwelling given that it is located on an entirely different part of the site, the applicant contends that there are, in any case, very special circumstances in this particular case that would warrant the granting of planning permission for the proposed dwelling. These very special circumstances are discussed in more detailed within the appraisal section of this report.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site is a rectangular site of about 1ha in size, and was formerly a quarry resulting in a 5 – 6m high quarry face wall which forms the northern boundary of the site. The site in the main is relatively level although it is some 3m below the level of Linton Lane, whilst to the east land starts to fall away, before giving way to the disused railway cutting outside of the site boundary.
- 3.2 Following cessation of quarrying the site became agricultural. This resulted in a number of buildings and structures being erected including two, 2-storey farmhouse buildings, one of brick and one of stone, and a number of enclosed and open barns and sheds. These structures are grouped loosely on the southern boundary, although there are remains of sheds along the northern boundary as well.
- 3.3 Access to the site is directly off Linton Lane and the road frontage is reasonably well screened by mature tree planting, including a protected sycamore on the south west corner. There are a number of mature trees along the southern boundary, although one of the existing structures is exposed on the boundary, and a few on the northern boundary but in the main the site has become overgrown with grasses, brambles and shrubs.
- 3.4 The quarry face on the northern boundary marks the boundary between Linton and Wetherby and also the boundary between the built up area of Wetherby and the Green Belt. Avon Garth is a relatively modern housing cul-de-sac sat on top of this quarry face with rear gardens overlooking the site.
- 3.5 Linton Lane itself is characterised by very large, modern detached dwellings set in substantial gardens. The character is varied in style but is predominantly open and leafy. Further to the south Linton Lane runs into the heart of the village of Linton, a highly attractive village featuring many arts and crafts properties built of stone. Immediately to the south of the site is the very large club house to Wetherby Golf Club and the extensive car parking area that goes with this. The boundary between the two sites is sparsely planted and the existing buildings are visible in views northwards from Linton Lane. The fairways of the golf course stretch away to the south and down to the banks of the River Wharfe.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 08/06886/FU – Demolition of farmhouse and erection of 2 storey 60 bed residential care home for older people with car parking. Refused 25/03/09. Appeal dismissed 20/10/09. In dismissing the appeal the Inspector considered that the proposed care home positioned centrally within the site in an H shape of some 64m width and 31m depth and with a footprint 450m² greater than the existing buildings would form a large conspicuous building on a different scale from the existing farm buildings and house and would result in a significant loss of openness. The Inspector felt that the closing of the gap between Avon Garth and the golf club would extend continuous built development along the eastern side of Linton Lane and encroach into the countryside. The Inspector found that the site is open and makes a considerable contribution to the purposes of including land within a Green Belt and as such is of significant value. The Inspector did not see the site as having the characteristics of an infill site and the retention of its openness is more rather than less important. In terms of character the Inspector remarked that the largely undeveloped and open nature of the site and the rural character of its buildings make it clearly part of the surrounding countryside and being the last remnant of such land between Linton and Wetherby is of particular value.
- 4.2 07/01279/FU – Part 2 storey and part 3 storey 60 bed residential care home for the elderly with car parking. Refused 05/07/07. Appeal dismissed 15/05/08. Again the Inspector in dismissing the appeal recognised the importance of this site to green belt purposes.
- 4.3 H31/226/79 – change of use of cow shed to mower repair workshop. Approved May 1979.

5.0 HISTORY OF NEGOTIATIONS

- 5.1 The applicant engaged in pre-application dialogue with Ward Members and planning officers. Following submission of the scheme there have been ongoing discussions between officers and the applicant to debate the various issues arising. This has resulted in additional landscaping, definition of the residential curtilage, and details on treatment for land outside of the curtilage. In addition and following the comments made by the Plans Panel on 19th May 2011, the applicant has put forward the very special circumstances for setting aside Green Belt policy in the event that officers consider this to be inappropriate development within the Green Belt. A revised plan has also be provided setting out the landscaping areas outside the curtilage and providing clarification over the proposed boundary treatments. Further information has also be provided on proposed landscaping and biodiversity, as well as the structural condition of the existing buildings on site.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 A site notice advertising the proposal as a departure was posted on 22/10/10. Publicity expired on 12/11/10.

Ward Members

- 6.2 Cllr Rachael Procter has raised concern about the massing of the building and requested a Senior Officer Review. Cllr R Procter also requested that additional landscaping be provided with further tree planting especially along the southern boundary.
- 6.3 Cllr John Procter has raised concerns about the scale, siting, and curtilage of the proposed dwelling and whether the proposal accords with Green Belt policy.

Parish Council

- 6.4 Collingham with Linton Parish Council commented initially that “although the demolition and replacement of the existing buildings can be beneficial, this is a modern building design which should be considered carefully having regard to the Linton Conservation Area status and the character and style of development within the village”. Subsequent comments were made by the Parish Council in December 2010 which raised the issue of the amount of land take beyond the existing footprint of the buildings to be demolished.

General Public

- 6.5 Seven letters of representation have been received including from residents of Avon Garth, the adjacent Wetherby Golf Club and the Collingham with Linton Footpath Action Group.
- 6.6 One letter raised concerns regarding drainage of the site but was otherwise supportive. The Golf Club and residents of Avon Garth all support the scheme stating that the design is appropriate and will enhance the area, as well as making use of a redundant site. The Footpath Action Group make a request that a footpath connection through the site be provided to link up with the disused railway.

7.0 CONSULTATIONS RESPONSES:

Statutory:

- 7.1 None.

Non-statutory:

- 7.2 Highways DC – No objections subject to conditions.
- 7.3 Flood Risk Management – The Flood Risk Assessment is noted and provided development is in accordance with this there is no objection.
- 7.4 Environment Agency – No objection subject to conditions. Support the use of sedum roof. SUDs to be used.

8.0 PLANNING POLICIES:

Development Plan –

- 8.1 The Development Plan for the area consists of the Regional Spatial Strategy and the adopted Unitary Development Plan Review, along with relevant supplementary planning guidance and documents. The Local Development Framework will eventually replace the UDP but at the moment the Core Strategy is still at the draft stage.
- 8.2 The Regional Spatial Strategy deals with strategic locational policies and recognises Wetherby as a principal town where development should be directed to.
- 8.3 Under the UDP the application site lies with designated Green Belt. The following policies are relevant for consideration of this application;
- SP3 – New development will be concentrated largely within or adjoining the main urban areas and settlements on sites that are or can be well served by public transport.
 - GP5 – General planning considerations.
 - GP11 – Development to meet sustainable design principles.
 - N12 – Urban design principles.
 - N13 – Building design principles.

- N32 – Green Belt designation.
- N33 – Except in very special circumstances approval will only be given in the Green Belt for appropriate uses. This includes “limited extension, alteration or replacement of existing dwellings” and “re-use of buildings, where all the detailed criteria of policy GB4 are satisfied”.
- N24 – Proposal abutting open land should provide for suitable assimilation into the landscape.
- N39A – Incorporation of sustainable drainage principles.
- T2 – Highway issues.
- T24 – Parking provision.
- GB4 – Changes of use of buildings within Green Belt will only be accepted where criteria are met.
- GB9 – Redevelopment of any building used for a purpose which is inappropriate in the Green Belt will not be permitted, except in the case of dwellings. Redevelopment of dwellings will be permitted provided all the following criteria are met.
 - ❖ Use of the existing building as a dwelling house has planning permission, and the use has not been abandoned.
 - ❖ The proposed replacement dwelling and associated works would maintain or enhance the open character and appearance of the locality.
 - ❖ The replacement dwelling and any curtilage development would have no greater impact in terms of height or site coverage than the existing dwelling and its associated curtilage development.
 - ❖ The building is not incapable of use in its present state and has not become so derelict that it could not be brought back into use only with complete or substantial reconstruction.

Relevant supplementary guidance and other guidance –

- 8.4 Neighbourhoods for Living – provides advice on residential design.
- 8.5 Street Design Guide – provides advice on highway and parking design.
- 8.6 SPG25 – Greening the Built Edge – provides advice on buffer treatments and assimilating built development into the landscape.
- 8.7 SPD – Building for Tomorrow Today – Draft – provides advice on sustainable buildings.
- 8.8 Parish of Collingham with Linton Village Design Statement (a material consideration) – Linton Lane is described as having a semi-rural character with large stone built houses set well back from the road. Frontages should have a green boundary treatment to preserve the character.

Government Planning Policy Guidance/Statements

- 8.9 PPS1 + Climate Change Supplement. Seeks to encourage sustainable development and the most efficient use of land with development encouraged within or adjacent to existing urban areas.
- 8.10 PPG2 – Green Belt. Paragraph 1.5 sets out the five purposes of including land in Green Belts which are:
 - To check the unrestricted sprawl of large built-up areas;
 - To prevent neighbouring towns from merging into one another;

- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 8.11 Paragraph 3.4 deals with new buildings and states that construction of new buildings is inappropriate unless it is for certain purposes. This includes the limited extension, alteration or replacement of existing dwellings subject to the criteria laid out in paragraph 3.6.
- 8.12 Paragraph 3.6 states that “*The replacement of existing dwellings need not be inappropriate, provided 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*”.
- 8.13 PPS3 – Housing. Echoes PPS1 with encouragement of sustainable development and provision of housing in sustainable locations.
- 8.14 PPS7 Sustainable Development in the Countryside - Paragraph 10 - Isolated new houses in the countryside will require special justification for planning permission to be granted.
- 8.15 Paragraph 11. “*Very occasionally the exceptional quality and innovative nature of the design of a proposed, isolated new house may provide this special justification for granting planning permission. Such a design should be truly outstanding and ground-breaking, for example, in its use of materials, methods of construction or its contribution to protecting and enhancing the environment, so helping to raise standards of design more generally in rural areas. The value of such a building will be found in its reflection of the highest standards in contemporary architecture, the significant enhancement of its immediate setting and its sensitivity to the defining characteristics of the local area*”.

9.0 MAIN ISSUES

- Principle of development and accordance with Green Belt policy
- The Very Special Circumstances
- Design
- Highway and access issues
- Other issues

10.0 APPRAISAL

Principle of development and accordance with Green Belt policy

- 10.1 Under PPG2 new residential development is deemed to be inappropriate development within the green belt. In some circumstances it may be deemed appropriate if the new dwelling is a redevelopment of an existing dwelling or if it arises out of a change of use of an existing property. In both cases there is a need to ensure that the openness, purposes and character of the Green Belt are preserved. Policies within the UDP that cover both redevelopment and changes of use are GB4 and GB9 (see above).
- 10.2 The importance of this particular site to the purposes of the Green Belt has been explored by previous Inspectors when considering proposals for a care home. On

two occasions Inspectors agreed that the site formed a clear demarcation between Wetherby and Linton, between the urban and rural areas, and that the openness of the site prevented the merger of the two areas. The site was deemed to make a considerable contribution to the purposes of including land within the Green Belt and therefore had significant value. It is clear therefore that any redevelopment of this site must preserve the openness and ensure that the site continues to contribute to the purposes of Green Belt land.

- 10.3 The applicant views this new dwelling as a replacement for the two dwellings that currently exist on site and that therefore the development should be judged under the terms of policy GB9. The applicant's argument is based on the fact that within both PPG2, and GB9 there is no explicit requirement for the replacement dwelling to be built on the existing footprint, or within the existing curtilage and therefore, although this proposal falls outside the existing domestic curtilage this is not excluded under policy. The appropriateness of the proposal therefore, rests on the harm to openness, purpose and character.
- 10.4 In considering this issue however, officers take a different view and do not accept that this proposal falls comfortably under this category. It is accepted that the development will result in the demolition of two houses and other buildings and be replaced with just one single dwelling, however this will be outside of the existing residential curtilage on another, presently open part of the site. It is normal practice in considering such schemes for the existing footprint, or curtilage to be used as the site for the new dwelling. There are instances where schemes have allowed the re-siting of a building but this is generally on the grounds that there is sufficient justification to enable this to be considered.
- 10.5 For this reason it is not considered that the proposal can be considered under policy GB9 and must be regarded as inappropriate development within the Green Belt. To be acceptable therefore very special circumstances should be demonstrated by the applicant which are of sufficient weight to overcome the harm that would result from the development being inappropriate.
- 10.6 As a result of such discussions between the applicant and officers, and following the comments raised by the Plans Panel, the applicant has recognised that the Council view the proposal differently insofar as it must be considered as inappropriate development, and therefore despite this, the applicant puts forward very special circumstances that in their opinion, would warrant the granting of planning permission for the proposed dwelling.
- 10.7 Prior to examining these, guidance is set out in this paragraph on how to approach the assessment of very special circumstances. In considering very special circumstances the decision maker must be able to point to circumstances that, when viewed objectively, are indeed very special. It is not simply a case where a factor, or combination of factors, serves to outweigh the harm to the Green Belt. Such an approach would serve to undermine the whole basis of Green Belt planning policy. To meet the test the circumstances must be very special and so strong that the presumption against inappropriate development be set aside.
- 10.8 The applicant's very special circumstances which are advanced relate to a number of matters which include the comparable size of the dwelling in relation to existing buildings; its siting and impact on openness; nature conservation and biodiversity; and alternative uses. These are discussed in more detail below.

The Very Special Circumstances

- 10.9 Paragraph 3.2 of PPG2 states 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. As such, the very special circumstances put forward by the applicant are set out below.

Comparable Size

- 10.10 The scale of the proposed dwelling has been based on the scale of the existing dwellings and their substantial curtilage buildings, all of which would be demolished and removed from the site in order to justify the replacement property.
- 10.11 The floor area of the proposed new dwelling would be 536 square metres (ground and first floor) with a basement of 322 square metres. This equates to a total of 858 square metres of floor space and a volume of 2,446 cubic metres, an increase in built form or volume of 22% relative to the existing dwellings and their substantial curtilage buildings.
- 10.12 The applicant has stressed that the dwelling is designed to meet all of the likely requirements of family occupation, including garaging and other ancillary requirements. This is intended to re-assure that the development will be contained within the defined curtilage, with no need for further extensions of additional development.
- 10.13 With regard to the height of the proposed dwelling, owing to the location of the house which sits on the lowest part of the site together with its flat roof design, the new dwelling would measure approximately 4m lower than the ridge height of the existing farmhouse.
- 10.14 All of these factors results in a dwelling that would therefore not be materially larger than the existing dwellings and curtilage buildings. Whilst this in itself is not a justification for allowing an inappropriate form of development, it must be given some weight, together with the other very special circumstances set out below.

Siting & Impact on Openness

- 10.15 Openness is a fundamental issue, although the term is undefined in guidance, generally however it is taken to mean the absence of development, whether this be built forms, uses, or even just surface coverings. Green Belt purposes include the provision of both visual and literal openness and to prevent merging of urban areas.
- 10.16 This application site is already developed with a number of buildings upon it including two houses, barns and outbuildings. A number of these buildings have been deemed to be capable of redevelopment and have therefore been used to calculate the existing floorspace of development on site. This floorspace equals 586 m², with a volume of 2,000 m³. The existing houses are two storey in nature whilst the barns/workshops are single storey although with significant height. The buildings are largely accumulated along the southern boundary of the site, with some outbuildings against the northern quarry face. The buildings on the southern part of the site consist of some 10 structures which cover quite a wide area and overall have a depth of some 67m set in some 25 m from Linton Lane with a width of about 31m in from the southern boundary. The present gap in terms of openness from the groups of building measures some 27/28m in the centre of the site.
- 10.17 The new house would have an overall floorspace of 858 m² including the basement which is dug into the ground. This represents an increase of 272 m², or 46% (of the floorspace, not the footprint). The volume of the new house will be 2,446 m³, an increase of 446 m³ or 22%. When the footprint or site coverage is calculated, this shows that existing buildings cover an area of 910m². The proposed new dwelling would cover an area of 660m², a reduction of 27% in site coverage. The increases

in floorspace and volume are large but the test is whether it is materially larger and this requires assessment of visual and physical impact and is not simply a numbers exercise.

- 10.18 The applicant has stressed that the dwelling is designed to meet all of the likely requirements of family occupation, including garaging and other ancillary requirements. This is intended to re-assure that the development will be contained within the defined curtilage, with no need for further extensions of additional development.
- 10.19 The siting of the proposed replacement dwelling and its curtilage to the north of the existing dwelling is proposed so as to relate better to surrounding development and site characteristics and to seek to enhance the open character of the site and open up views across the site from Linton Lane. The replacement dwelling would be sited well-back from Linton Lane intended to preserve the relative openness of the site's frontage. The existing frontage trees would be retained. Re-siting of the replacement dwelling would open up new views across the site from Linton Lane.
- 10.20 With regard to the relationship and impact from the rear of the site the building would not encroach beyond the established visual limit of development to the east. The easternmost portion of the site would remain in its current open and undeveloped condition. There is likely to be negligible impact in views of the replacement dwelling from across the valley to the east from the A58, where it would appear largely imperceptible relative to the more prominent existing farmhouse and adjacent golf clubhouse.
- 10.21 Views of the site from the south will be enhanced with the relocation of the built form towards the former quarry face. This includes views across the golf club car park, in which many of the existing buildings on the site would be removed and the boundary supplemented with additional landscape planting. Private views from properties to the north off Avon Garth will also be enhanced due to the reduction in built form and consolidation of the curtilage in a more northerly location adjacent to the quarry face. This is recognised by a number of the neighbouring residents in representations made.
- 10.22 It is also worth mentioning the proposed boundary treatments as this was specifically mentioned at the last Panel meeting. Towards the front of the site it is proposed to erect an estate railing alongside the proposed driveway, thereby demarcating the boundary of the residential curtilage. Towards the front of the site and behind the trees along Linton Lane, it is proposed to plant a hawthorn hedge. Such boundary treatments are considered to preserve the openness of the site and are features which would be commonly found in rural locations and therefore are considered to be appropriate.
- 10.23 Overall, it is considered the proposed replacement dwelling and curtilage are likely to have no greater material impact on the openness of Green Belt in terms of height or site coverage, than the existing dwelling and its associated curtilage buildings.

Nature Conservation and Biodiversity

- 10.24 The extent of the site outside the defined curtilage represents a significant area of land, which would effectively wrap around the replacement dwelling on three sides, the adjacent quarry face containing the northern side of the building. The treatment of this land presents an opportunity to further preserve and enhance the open

character of this location but also to contribute to and enhance nature conservation and biodiversity.

- 10.25 The applicant proposes to retain the open character of this land, whilst also seeking to enhance the quality of the landscape within the site. This has led to two main strands to proposed landscape treatment:- *woodland planting and wild meadow land.*

Woodland Planting

- 10.26 This involves removal of all of the existing buildings on the site and removal of extensive areas of associated hard surfacing. This offers the opportunity to considerably improve the appearance of the site and landscape contained within the site. This particular area of the site is proposed for woodland planting to supplement the established planting that exists on the Golf Club (south) and Linton Lane (west) boundaries.
- 10.27 The establishment of a woodland belt in this location would enhance views on the southern approach to Wetherby along Linton Lane, where currently there are views of the existing buildings across the Golf Club car park. The new tree belt will read with the trees on the Linton Lane frontage, together with additional hawthorn hedges.
- 10.28 The proposed new planting would be in the form of significant indigenous species, which will have longevity and impact in the landscape. The scheme involves specimen Oak, Hornbeam, Common Beech, Scots Pine and Silver Birch.
- 10.29 The proposed tree and hedgerow planting in these locations is intended to offer additional habitat for nesting birds and insects, whilst creating a soft landscaped environment to envelope the site.

Wild Meadow Land

- 10.30 Land levels rise towards the eastern boundary of the site to create a plateau before dropping away into the former railway cutting. This area is proposed as a wildflower meadow to provide nature conservation interest and enhancement and might support small birds and mammals and invertebrates, including butterflies, grasshoppers and bees.
- 10.31 Once established a Wild Flower Meadow can turn what is often a low key landscape setting into an attractive area that needs little maintenance. The intention would be to create a summer meadow to maximise the opportunities for wildlife. In terms of future maintenance, the wildflower meadow would only be cut on two occasions; once in the early months of the year and later in the autumn in order to preserve habitats during the summer months.
- 10.32 However, this argument should be afforded limited weight as the site at present has naturally regenerating with wild flowers evident during the previous Panel site visit. Whilst there are some landscape benefits, these in their own right are not sufficient so as to amount to the very special circumstances necessary to justify the development.

Impact of Alternative Uses

- 10.33 The site is considered to be agricultural in nature, although there are two dwellings, one of which was associated with the farm use and the other with an industrial use, the repair of lawnmowers which appears to have taken place in one of the

outbuildings (see planning history). The applicant has looked at varying uses to which the site could be feasibly put under existing planning policy. A continued agricultural use is not considered feasible due to the small size of the holding now.

- 10.34 Residential Use – Under policy GB4 the significant buildings on the site could be converted to residential use, providing for a number of dwellings which could all be extended to some extent under the policy and/or through permitted development rights although this would all be done under separate planning applications with the Council needing to consider any proposals against policy having regard to the function and importance of this site to the Green Belt. Such an approach could have a more detrimental impact than the current proposal for a single dwelling. Re-use and conversion would also not allow for additional woodland planting to the southern boundary, thereby reducing the opportunity to enhance this aspect which is very open from the golf club car park. Such a use could also increase vehicle movements and intensify the use of the site.
- 10.35 Commercial Uses – A change of use to a commercial use could be allowable under policy GB4, again subject to similar criteria such as no impact on openness etc. This would potentially allow nearly 600 m² of commercial uses which could include workshops, starter units, offices etc. Again this would have a potentially detrimental impact on the site due to the large areas that would have to be given over to parking and the increase in vehicle movements as well as noise and disturbance that could be caused. It is considered that this would result in harm to residential amenity of nearby neighbours, and the intensification of use of the site would be harmful to the sites openness and character.
- 10.36 Equine Uses – Under UDP policy GB13 the site could be converted to equestrian uses, either for private or public use and new buildings could be erected if they were considered essential and again this could potentially result in a worse impact upon openness, as well as residential amenity as a result of vehicle movements.
- 10.37 Holiday Accommodation – uses such as a hotel, bed and breakfast, self catering, camping and caravanning accommodation could be considered appropriate for this site, through re-use of the existing buildings and provision of pitches. Either type of development would require new provision such as parking and ancillary facilities. Residential amenity has potential to be harmed by the increased vehicle movements and general noise.
- 10.38 The reuse of existing buildings could give rise to greater impacts than from a single dwelling and a greater intensity of use. The present application for a single dwelling, provided that the scale was right and impact on openness acceptable, could have sufficient safeguards built into it in terms of control of extensions, size of curtilage and use of the rest of the site to provide protection from future development pressures and safeguard the important contribution it makes to the Green Belt.
- 10.39 In assessing whether the conversion of the buildings on site is feasible, the applicant has undertaken a preliminary structural inspection by the architect in consultation with the construction company's engineers. They have confirmed that the buildings identified are substantial and structurally suitable for conversion. The inspection confirmed that there was no signs of cracking in the mortar; buildings would use lightweight insulation; timber and glass infill panels could be used; and that lightweight insulated roofing materials could replace corrugated panels. This therefore demonstrates that any conversion scheme could be capable of satisfactorily addressing part of the policy requirement of Policy GB4.

Other Appeal Decision – Cleavesty Centre, Cleavesty Lane, East Keswick

- 10.40 Members will recall that this particular site in the Green Belt was the subject of a recent appeal, dealt with via a Public Inquiry. This was against the non-determination of an application for a new dwelling which would replace a former indoor equestrian centre manege areas and kennels and cattery buildings. The application was previously considered by the Plans Panel where it was resolved that had the Panel had the opportunity to determine the application, planning permission would have been refused.
- 10.41 The appeal was dismissed following receipt of the Inspector's letter dated 1 June 2011. Whilst there are some similarities between this site and Cragg Hall Farm, the main distinction is that the latter currently comprises 2 residential dwellings, whereas the former only comprised commercial buildings. The Inspector concluded that whilst the proposal would result in substantially less impact on the openness of the Green Belt and would have a beneficial impact effect on the visual amenities of the Green Belt and Special Landscape Area, the very special circumstances necessary to justify the development did not exist.
- 10.42 The Inspector noted that the benefits of the scheme were fairly extensive, but in balancing the harm it would cause against these benefits, he considered that the overall harm would be so great that the combined weight of the other considerations was not sufficient to clearly outweigh the totality of the harm arising from the inappropriateness of the proposal and the other identified harm.
- 10.43 In terms of the current proposal, the main differences relate to the fact that there are already two residential dwellings on this site and it is not set in open countryside. There are fundamental differences in the character of the site, with the proposed dwelling being sited closer to the built form of development and adjacent to the quarry face wall. However, it is acknowledged that this is a finely balanced argument and if Members are not minded to support the officer recommendation, then a case could be made to substantial a reason for refusal.

Conclusion on Very Special Circumstances

- 10.44 What distinguishes this site from many others is that there are two dwellings already on the site; albeit that one appears not to have been used as a residence for some time. In effect, this scheme proposes to replace these with a much larger one whilst securing a number of other planning benefits as set out above. It is the combination of these factors that have led to this application receiving a recommendation for permission. However, it is recognised that this is a finely balanced decision and Members will need to carefully consider and apply weight to the various factors in reaching a decision as to whether the applicant has demonstrated that very special circumstances exist.

Design

- 10.45 The application site is now somewhat untidy and unkempt in appearance and is steadily decaying, it does however provide a valuable green break in the streetscene and acts as an important visual buffer between the built up area of Wetherby and the village of Linton, especially when travelling south out of Wetherby. Any proposal for this site should therefore seek to preserve this important characteristic.
- 10.46 This proposal helps to preserve this character by limiting the visual impact of the new house through its design. The house is built into the ground which reduces the overall height, and the use of a flat roof further reduces the scale. The roof will be a

green roof which will give a natural look to the roof, particularly if seen from across the valley, making it less intrusive than man made materials, however the house is also sited to benefit from screening by the golf clubhouse and from the increased planting around the site. It is recognised that the design is modern but the frontage is set well back and down from Linton Lane and picks up the character of large houses set in spacious plots which are individualistic. The design of this building is considered to be of sound concept and has arisen out of a thorough analysis of the site and its location. Natural materials are proposed in terms of stone and wood but with a sedum roof.

- 10.47 There could be biodiversity improvements as the proposal now restricts the majority of the site (60%) for non-residential purposes, and the treatment of these areas will include woodland planting and wildflower meadows. A plan has been submitted showing a suggested curtilage which includes the house, sunken garden, pond and an area to the west of the house as private garden equating to 40% of the site in total. The removal of the existing buildings provides the opportunity to carry out woodland planting to the southern boundaries, whilst enhancing existing planting along the road frontage. A scheme proposing native species such as Oak, Hornbeam, Beech, Scots Pine and Silver Birch has been put forward, and will also include areas of hedging. This will benefit bird and bat species as well as providing an attractive landscaped setting.
- 10.48 Land to the east of the new dwelling is currently open grass/scrubland and it is proposed to provide a wildflower meadow area here, linking in to the grasslands that lead down to the washland areas of the River. This would provide good habitat for a number of species of flora and fauna.
- 10.49 A management plan for areas outside of the residential curtilage would be required to ensure implementation and ongoing management of the areas. The landscaping scheme proposed would satisfy the requirements of policy N24 and of the guidance in SPG25 on Greening The Built Edge.
- 10.50 The proposal was initially put forward as a true sustainable design featuring renewable heating, use of on site materials, grey water recycling, and design features etc. Whilst some of this has been scaled down, such as the grey water recycling, the proposal still puts forward sustainable design features that are over and above current requirements and which help to minimise the impact that the proposal will have on the locality.
- 10.51 In terms of the possibility of re-siting the dwelling, the applicant has confirmed that the proposed house is a bespoke design for this particular part of the site insofar as its relates to the general topography. Re-siting the dwelling on the southern part of the site would result in a northward orientated house which would impact upon the sustainability credentials of the proposal. Locating the dwelling on the southern part of the site would also add to the general massing of development adjacent to the golf clubhouse. Furthermore, any re-siting would result in the dwelling being more prominent when viewed from the properties with Avon Garth, when compared to the house sited close to the quarry face.

Highway and Access Issues

- 10.52 The access to the site is existing and there would be a decrease in vehicle movements from the existing authorised use of the site. Consequently no concerns are raised by the proposal in terms of highway safety. Visibility splays that have previously been requested in proposals for this site are to be provided which will improve on the existing visibility when exiting the site.

- 10.53 There is no footpath along the site frontage and this has previously been raised by local residents as an issue of concern in considering the applications for a care home. Given the reduction in use of this site as a result of this proposal it is not considered that there would be a need to insist on the installation of a footpath in this location.
- 10.54 The site provides for off-street parking commensurate with a house of this size, and there is adequate provision made for turning within the site. The house itself has level access at ground floor, and it could be readily adapted for residents lifetime needs. The highway and access provisions of this proposal would comply with policy T2, T24, GP5 and with relevant guidance.

Other Issues

- 10.55 The site can be suitably drained subject to detailing, and the Environment Agency have stated that they fully support the proposal for a sedum roof. No contamination issues are raised. A further survey for bats would be required, and there is some concern raised over detailing for the design of the pond. Such issues can be suitably catered for through use of appropriate conditions.

11.0 CONCLUSION

- 11.1 This is an important application for a substantial house on a sensitive site which the last appeal Inspector said was of “particular value” in the Green Belt. It is important therefore that it is carefully considered against Green Belt policy. The proposal is considered to represent inappropriate development in the Green Belt. As such, it is further considered that the very special circumstances put forward by the applicant which relate to improving the openness of the site; improving nature conservation and biodiversity; and the fact that there are two existing dwellings on the site; and there are buildings on the site which appear capable of conversion to a number of commercial or residential uses, are sufficient to outweigh the totality of the harm arising from the inappropriateness of the proposal and to provide the very special circumstances to justify the grant of permission. It is recognised that the arguments are finely balanced in the consideration of the proposal and consequentially officers have balanced all material considerations against any potential harm caused to the overall objectives of Green Belt policy in this instance in coming to a recommendation.

Background Papers:

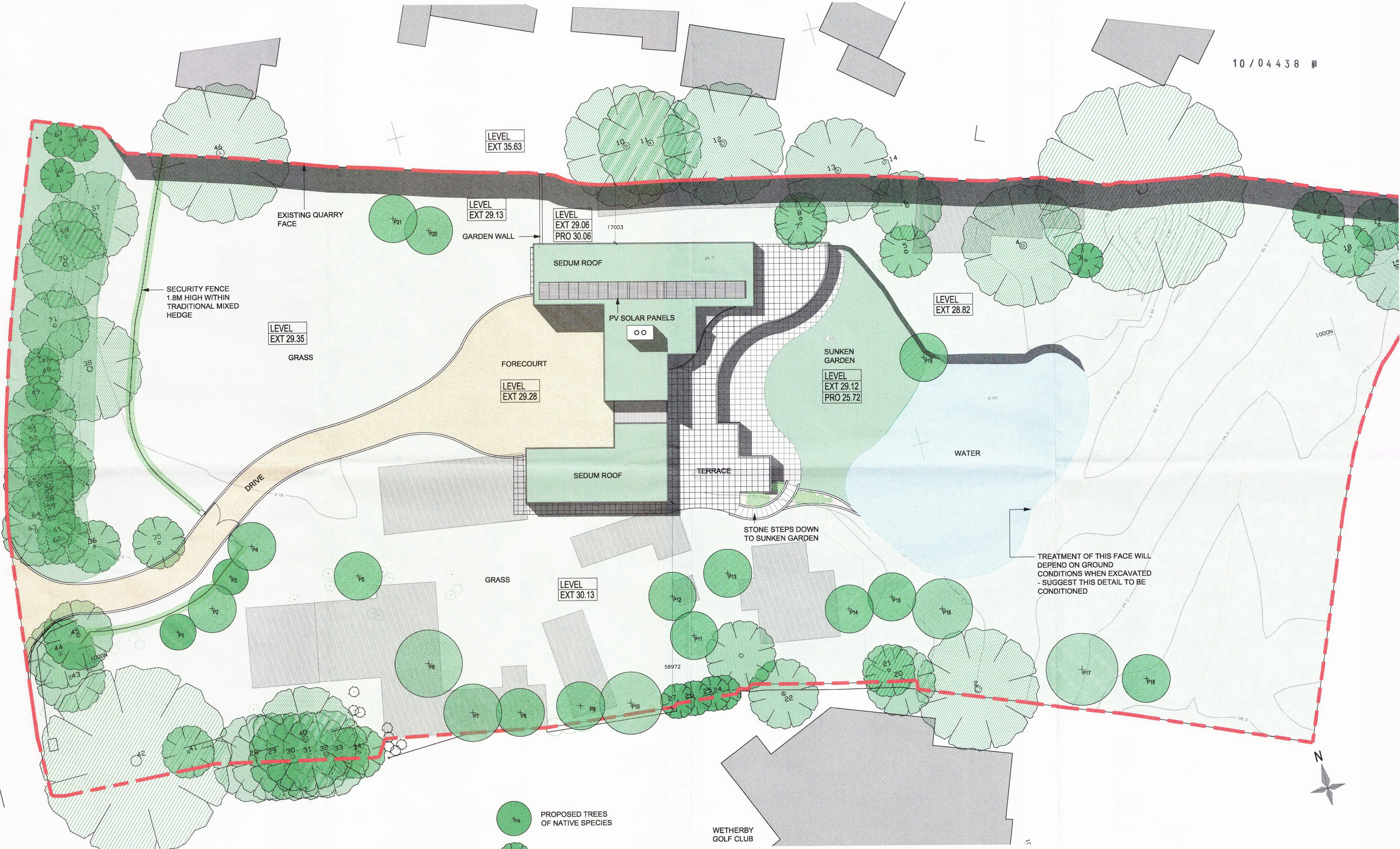
Application and history files. – see history above.

Certificate of Ownership: Certificate B was served on LNT Construction of 42 Helios 47, Leeds as the owners of the land.




LINTON LANE

1050N

1000N



TREATMENT OF THIS FACE WILL
DEPEND ON GROUND
CONDITIONS WHEN EXCAVATED
- SUGGEST THIS DETAIL TO BE
CONDITIONED

-  PROPOSED TREES OF NATIVE SPECIES
-  EXISTING TREES TO BE RETAINED
-  EXISTING BUILDINGS TO BE REMOVED

PROPOSED SITE PLAN
1:200 SCALE

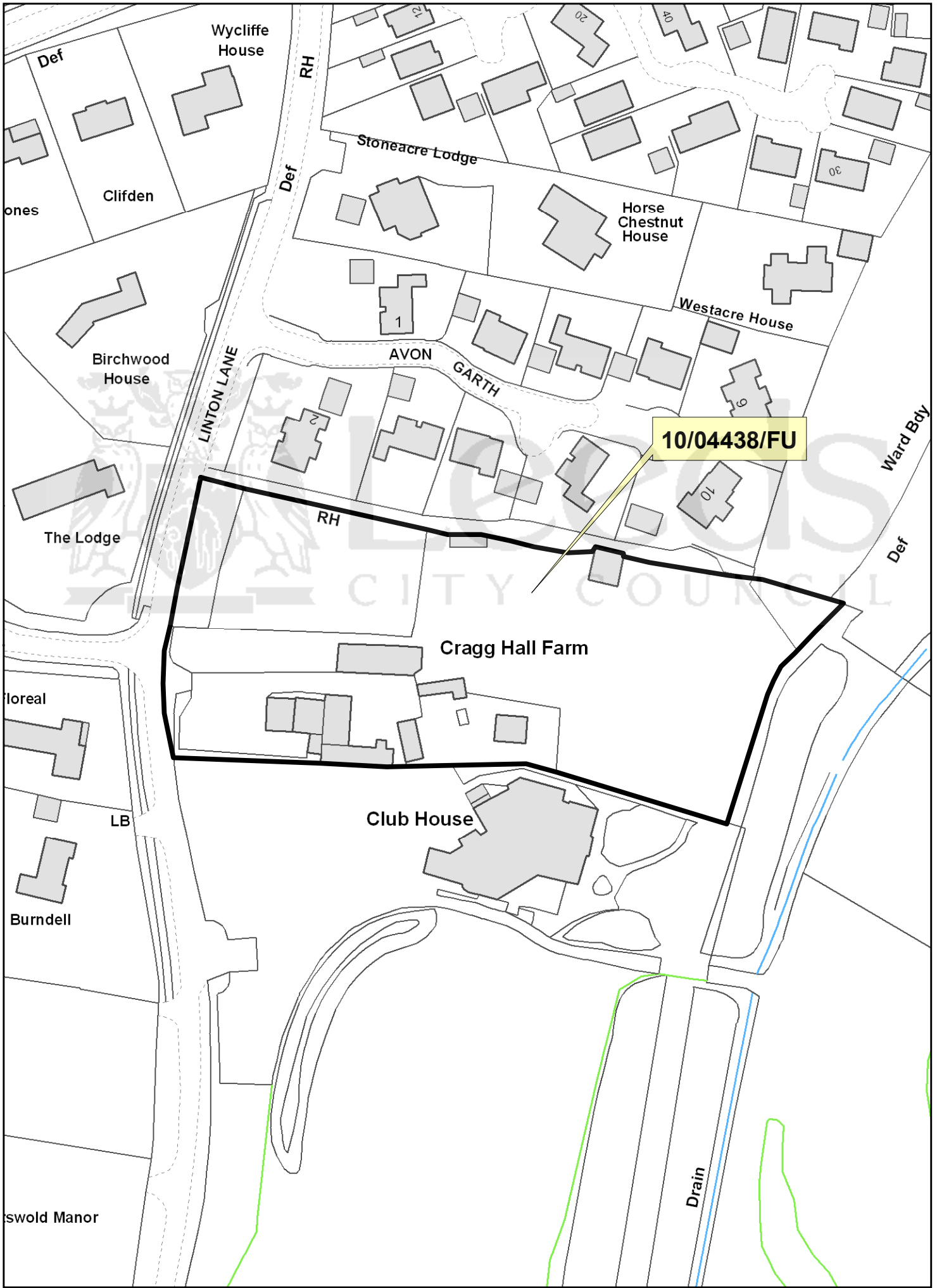
WETHERBY GOLF CLUB

REV 001 FOR PLANNING PURPOSES 27.09.2010



horsley townsend architects limited

client _____
 project CRAGG HALL FARM, LINTON LANE, LINTON
 drawing AS PROPOSED SITE PLAN
 date 27_09_10 scale 1:200 checked _____
 job no 0764 drawing no. AL(2-)-01 rev. 001
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EAST PLANS PANEL

