

# Report of the Strategic Director of Regeneration and Culture to the meeting of the Area Planning Panel (KEIGHLEY AND SHIPLEY) to be held on 23 July 2014

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## Summary Statement - Part One

### Applications recommended for Approval or Refusal

The sites concerned are:

<u>Item No.</u>	<u>Site</u>	<u>Ward</u>
1.	24 Parish Ghyll Road Ilkley LS29 9NE- 14/00559/FUL [Approve] (page 1)	Ilkley
2.	Brockleigh Mill Hill Haworth Keighley BD22 8QH - 14/01399/HOU [Approve] (page 11)	Worth Valley
3.	Exhibition Building Exhibition Road Saltaire Shipley BD18 3JW - 14/01137/FUL [Approve] (page 20)	Shipley
4.	Holmfield Manor Road Keighley BD20 6ET - 13/04890/FUL [Approve] (page 36)	Keighley Central
5.	Middle Isle Farm Isle Lane Oxenhope Keighley BD22 9QA - 13/04278/HOU [Approve] (page 54)	Worth Valley
6.	9 Greenacres Drive Keighley BD20 6NF- 14/01043/HOU [Refuse] (page 60)	Keighley Central
7.	Low Lodge Belgrave Road Keighley BD21 2HP- 14/01427/FUL [Refuse] (page 66)	Keighley Central

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### Portfolio:

Change Programme, Housing and Planning

### Improvement Committee Area:

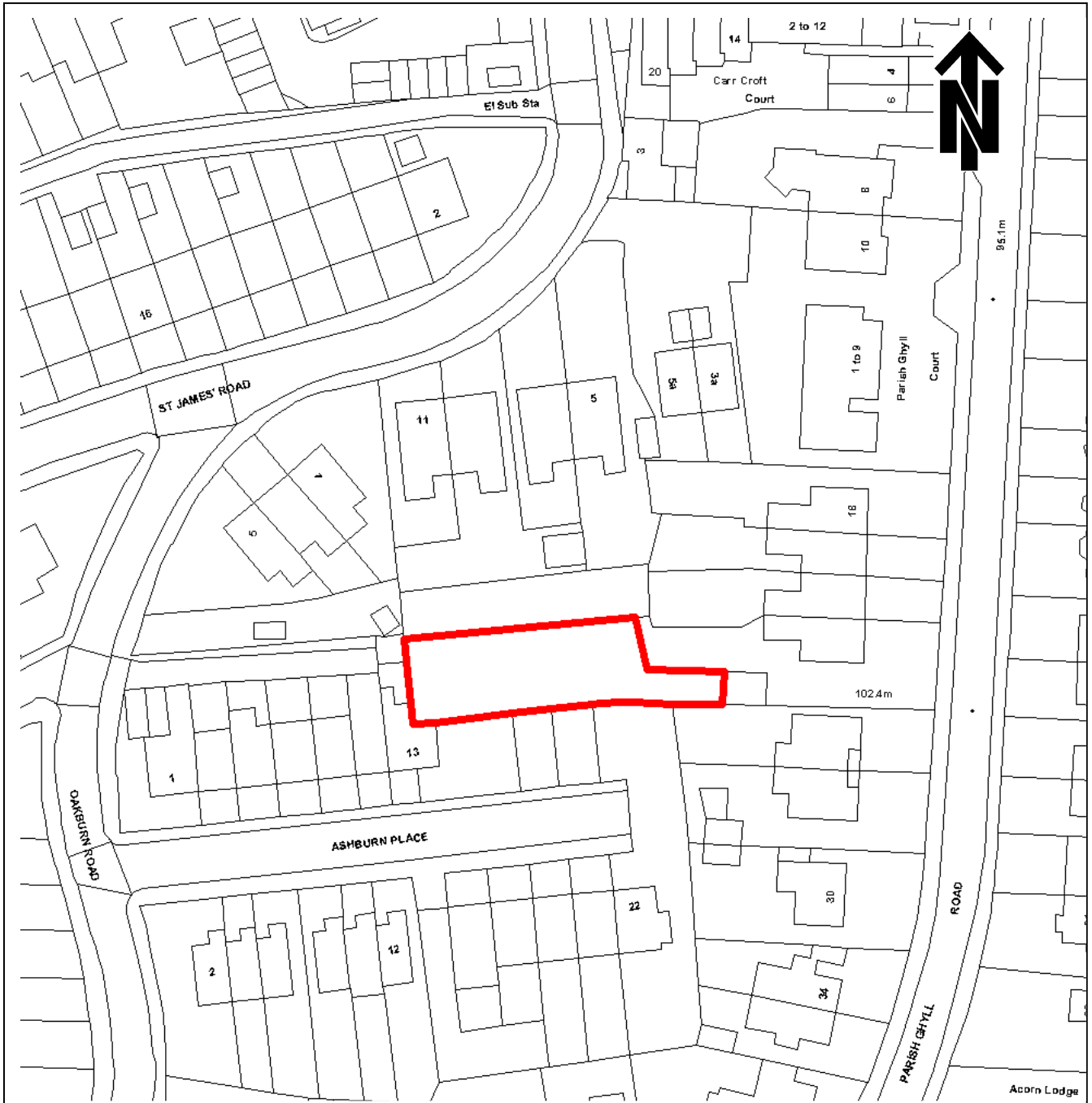
Regeneration and Economy



**Area Planning Panel (Keighley and Shipley)**

**14/00559/FUL**

23 July 2014



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<p>ITEM NO. : 1</p>	<p>LOCATION: <b>24 Parish Ghyll Road Ilkley</b></p>
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**23 July 2014**

**Item Number:** 1  
**Ward:** ILKLEY  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
14/00559/FUL

**Type of Application/Proposal and Address:**  
Full planning application for the construction of a single dwelling at 24 Parish Ghyll Road, Ilkley.

**Applicant:**  
Mr and Mrs Box

**Agent:**  
Mr D McKeever - Craftwerk

**Site Description:**  
The site forms part of the garden at the back of 24 Parish Ghyll Road which is a large traditional Victorian dwelling within a row of similar houses fronting the street. It is located in the Ilkley conservation area within a short distance of the town centre. Whilst the site forms part of the garden it does not appear that it was originally part of the property and was a later addition. It is surrounded by other dwellings and the gardens of properties on Ashburn Place also adjoin it.

**Relevant Site History:**  
13/02705/FUL – construction of a detached dwelling – Refused by Area Planning Panel An appeal against this decision is in progress.

**Replacement Unitary Development Plan (RUDP):**  
**Allocation**  
Unallocated but the site is inside Ilkley Conservation Area

**Proposals and Policies**  
D1 – General design considerations  
UR3 – The local impact of development  
TM19A – Traffic management and road safety  
BH7 – New Development in conservation areas  
TM12 – Parking standards for residential development  
NE5 – Retention of trees on development sites  
NE6 – Protection of trees during development  
NR16 – surface water run off and sustainable drainage

**The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

**Parish Council:**

Ilkley Parish Council – Recommends refusal.

- Out of character in the conservation area.
- Gross overdevelopment of a green space.
- Highway concerns.
- Inappropriate design.
- Disruption of a wildlife area.

**Publicity and Number of Representations:**

Site and press notice and neighbour notification letters to 20 March 2014. Objections from a Ward Councillor plus 18 individual addresses and from Ilkley Civic Society.

**Summary of Representations Received:**

The revised scheme is similar to the refusal and does not overcome previous objections.

The modern design is inappropriate for and not in keeping with the site, Ilkley or the conservation area.

It is too large for the site/overdevelopment.

Loss of a green space and garden for the host property. Mature gardens provide important relief to the terraced developments and are mentioned in the conservation area assessment.

Loss of trees, damage to remaining trees and wildlife.

Highway safety concerns due to increase vehicles and manoeuvres and increased pressure for on street parking.

Inadequate parking provision and insufficient space for access and turning.

Concerns regarding disruption of watercourses and flooding of adjacent properties.

Impact on privacy of neighbours.

Light pollution and noise at night from cars manoeuvring and outside lighting.

Concerns regarding future subdivision of the existing house at number 24.

The areas marked as allotments are the gardens of properties on Ashburn place  
The assertion that the land was originally bought to prevent further development of Ashburn place is incorrect.

Loss of a view.

The boundary should be amended (private issue).

Disruption during construction.

All surrounding properties have not been notified.

One representation in support - Pleased to see an increase in off street parking provision.

Objection from a Ward Councillor – Parking and inappropriate design.

The agent has submitted a rebuttal to the objections received.

**Consultations:**

Design and Conservation Officer – The property is in the Ilkley conservation area. The application land appears to have been a later addition to the garden as on historical maps it is a separate piece of land and No 24 had a more modest garden similar to other houses in the row.

Notes that this application is a resubmission of an application (ref 13/02705/FUL) which was refused late last year. The design of the proposed dwelling has been amended and it has been made slightly smaller in order to address some of the concerns.

Having viewed the amended plans the Conservation Officer is satisfied that the proposed dwelling, in terms of its design, scale, materials and layout, would sit comfortably within the site, which has significant constraints in terms of its size, the proximity of surrounding properties and sensitive location within the conservation area. The proposed dwelling would maintain a sense of greenery within the site through the use of natural materials, including a sedum roof and would maintain long distance views across the site to the opposite valley side. The contemporary design is in contrast to the more austere Victorian and Edwardian architecture that characterises this part of the conservation area but this allows the development to be read as an interesting addition to the area in its own right whilst responding the constraints of the site and being respectful to the neighbouring properties.

Says : In my opinion, the proposed dwelling would not harm the character and appearance of the conservation area. It will accord with Policy BH7 and BH10 of the RUDP and section 12 of the NPPF.

Highways Development Control Officer – No objections, the existing on site parking arrangements for 22 and 24 are relatively restricted and they do not have a turning area. The proposal will provide on site parking and turning for all three dwellings and would adequately cater for vehicles and pedestrians at these premises. No highway safety problems are therefore foreseen.

Drainage – separate drainage system within the site boundary

**Summary of Main Issues:**

Principle of development

Impact on the character of the area and conservation area

Trees

Residential Amenity

Highway Safety

Drainage

**Appraisal:**

The application is for the construction of a single dwelling to the rear of 24 Parish Ghyll Road. The site currently forms part of the garden area of this property.

It is a resubmission of a previous application 13/02705/FUL for a detached dwelling on the site which was refused by Area Planning Panel in October 2013. Officers had recommended approval of this application.

The reason for refusal was that :

“The scale and design of the proposed dwelling is not in keeping with the character or appearance of this part of the Ilkley Conservation Area and it is contrary to Policies BH7 and D1 of the Replacement Unitary Development Plan for the Bradford District.”

Members also expressed concerns about the proximity of the building to the adjacent property and the majority of Members felt that the design was too modern.

The architect has reconsidered the constraints of the site and the revised proposal is for a slightly smaller dwelling set down within the garden area. But it remains of contemporary design with a staggered mono pitched sedum roof. The redesign increases the distance of the building from the property on Ashburn Place reducing it by approximately 12% in floor area. To address concerns about the design there is a greater use of stone walling to resemble vernacular stone walling but the overall design concept remains contemporary.

**Principle of development**

The application is for the construction of a single 3 bedroom contemporary style dwelling on this garden land to the rear of 24 Parish Ghyll Road.

Whilst there is no automatic presumption in favour of developing garden areas and they are no longer classed as “previously developed land” by the NPPF, this garden site is not widely visible from public areas makes little significant contribution to the character or appearance of the conservation area. It is not protected for open space purposes in the RUDP. Subject to satisfactory scale, design and materials, and consideration of its impact on the amenity of adjoining occupiers, the principle of its development for a house is acceptable.

**Impact on the character and appearance of the conservation area**

Whilst the garden provides relief from the built form and is an attractive feature clearly valued by local residents (judging by the letters received) it is not considered to be a key open space in the conservation area that needs to be preserved from any development.

There are some limited views into and across the site, principally from between 24 and 26 Parish Ghyll Drive and from Ashburn Place. However, whilst the garden provides relief from the built form and a setting to surrounding houses, it is enclosed by surrounding residential properties and the Council's Conservation Officer also does not consider the site to be a 'key open space' as it makes only a limited contribution to the conservation area. A development could be successfully achieved if the important elements are maintained – the green setting to the buildings and the long distance views across the site to the moorland backdrop beyond.

The architect appears to have considered these constraints of the site and proposes a low rise single storey contemporary dwelling set down within the garden area and utilising mono pitch roof design to allow views across the building and preserve a 'green' appearance by incorporating a staggered sedum roof.

The low rise nature of the proposed house would maintain the long distance views across the plot and the green setting of the site is maintained by the retention of surrounding hedges and the proposed use of a green, sedum roof.

The design is modern and so is a contrast to the formal Victorian architecture around it. However, the plot is sufficiently detached from the Victorian terraces that an alternative form and design of dwelling will be appropriate and the Council's Conservation Officer supports this modern approach as the design approach addresses the constraints of the site whilst creating an interesting modern building which will sit discretely within its setting. It will certainly contrast with its surroundings but in an unobtrusive way and this is considered better than trying to mimic the Victorian style of the traditional buildings.

The proposed materials are natural stone and glass to the external walls. Previously proposed render has been abandoned. Timber doors and columns will be used. It is clear from the submission that a high quality external finish is intended and Officers consider that the low rise house proposed will make an interesting and positive contribution that will maintain the views and will preserve and enhance the character and appearance of the conservation area.

It is not felt that the proposed dwelling is either too large or over dominant of its setting. It would maintain appropriate clearance to boundaries and sufficient amenity space.

It is proposed that samples of the materials need to be reserved for consideration by Officers and future extensions and additions need to be carefully controlled which would justify the removal of permitted development rights for alterations, extensions and ancillary buildings which could jeopardise the design concept of the proposal.

Subject to this the proposal is considered to accord with Policies D1 and BH7 of the Replacement Unitary Development Plan.

### **Impact on Trees and landscaping**

A tree survey has been submitted with the application. The garden contains a number or mostly ornamental garden and fruit trees - such as holly, laurel, apple, cherry, Damson and pear trees. These are mostly of limited amenity value and several are described as having "low vitality". 6 of these ornamental garden trees need to be removed to facilitate development, though others around the plot boundary and on the frontage to the road - including the most desirable trees such as T8 (a beech) - can be successfully retained. Although objectors oppose tree removal, in reality the trees to be removed are of little value. Hedges around the garden are to be kept and the sedum roof will maintain the "green" character of the site.

### **Impact on Residential Amenity**

The site is bounded to either side by gardens but the dwelling has been orientated so that it will not overlook the adjacent dwellings. As the accommodation is set at ground level, existing boundary screening will protect privacy of neighbouring occupiers and the contemporary roof design will ensure that the structure is not of significant height and so will not dominate surrounding gardens or houses and will not cause any significant overshadowing.

The objectors express concern regarding the loss of a view. However, this is not a planning consideration. Important trees will be maintained and the property has been designed to address the constraints of the site and it is not felt that it will be detrimental to neighbours outlook. Indeed, being set so low, the building will be largely screened by the hedges around the site.

It is not considered that an additional dwelling in what is already a densely populated residential area will result in unacceptable noise and disturbance or loss of amenity for neighbours.

Neighbours have expressed concerns that a large dwelling needs a garden and also concerns that it will be subdivided in the future. A garden is a desirable feature of a family home but is not a reason to refuse planning permission. This is a town centre location and a densely built area, and many of the surrounding properties do not have substantial gardens.

It is noted that some objectors fear that the existing house may be subdivided if the new house is approved and that this would cause further problems such as parking pressure. However, this is not a proposal for consideration under this application and would need separate planning permission. If an application were ever submitted in the future for subdivision of the existing house it would be considered on its own merits.

The previous concerns regarding the proximity of the property to 13 Ashburn Place have been noted and the revised scheme increases the distance to the gable of this property to 7 metres from around 3.6 metres as previously proposed. Given the difference in levels it is not considered that the proposal will have any adverse impact on the outlook, or amenity of occupiers of this property. This change also allows a larger garden space for future occupants.

Disruption during the build is a temporary inconvenience and part of most developments and this is not a reason to prevent development.



### **Highway Safety/Parking and Access issues**

The Council's Highway Officer has no objections to the proposal. The new house will be serviced and accessed entirely via the existing drive from Parish Ghyll Road that serves the existing house.

The scheme makes appropriate provision for car parking within the site for future residents and for the existing dwelling. Parking and turning will be provided for the benefit of the two existing properties as well as the proposed one. Drawings submitted have demonstrated that suitable arrangements for turning cars can be achieved within the site and cars will be able to enter and leave the site in a forward gear.

It is acknowledged that on street parking in this part of Ilkley is at a premium due to the demand and pressure from users of the town centre as well as from residents and visitors. It is a town centre location and it is not felt that one additional dwelling with its own off street parking will have any impact on this. In addition the dwelling is well placed in terms of access to the railway station and bus station.

### **Drainage**

The development should be drained on a separate system within the site boundary. Comments from neighbours regarding drainage of the site are noted. It is recommended that a condition be imposed setting a requirement that hard surfaced areas for parking and turning are constructed using porous materials, such as gravel, so as to reduce possible surface water run off to adjacent gardens.

### **Other Issues**

Neighbours have complained that the proposal was not adequately publicised. Adjoining properties were sent a letter a site notice was displayed and the proposal was advertised in the press as is the normal protocol. The application has attracted 20 representations so it is felt that the publicity has been successful.

### **Community Safety Implications:**

None apparent.

### **Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

### **Reason for Granting Planning Permission:**

It is considered that the proposal is acceptable in terms of its impact on the amenity of occupiers of adjoining land, traffic safety and the character of the surrounding area. It is considered to accord with the provisions of the Replacement Unitary Development Plan (2005) for the Bradford District and relevant Policies BH7, NE5, NE6, UR3, D1, TM19A and TM12 and with the National Planning Policy Framework (2012).

**Conditions of Approval:**

1. Samples of all facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority before the development commences, and the development shall be constructed in the approved materials.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to safeguard the appearance of the Ilkley Conservation Area in which it is located and to accord with Policies UR3, D1 and BH7 of the Replacement Unitary Development Plan.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent equivalent legislation) no development falling within Classes A - E of Part 1 of Schedule 2 of the said Order shall be carried out without the prior written permission of the Local Planning Authority.

Reason: To accord with Policy BH7 and D1 of the Replacement Unitary Development Plan.

3. The development shall be drained using separate foul sewer and surface drainage systems.

Reason: In the interests of pollution prevention and to ensure a satisfactory drainage system is provided and to accord with Policies UR3 and NR16 of the Replacement Unitary Development Plan.

4. The development shall not be begun, nor shall any demolition, site preparation, groundworks, construction materials or machinery be brought on to the site until temporary Tree Protective Fencing has been erected around the Root Protection Areas of the trees within the site and along the boundaries of the site. The Tree Protective Fencing shall be to a minimum standard as indicated in BS 5837 (2005) "Trees In Relation To Construction". The position of the temporary Tree Protective Fencing will be outside Root Protection Areas (unless otherwise agreed with the Local Planning Authority). It shall be fixed in position and mounted on poles driven at least 0.6m into the ground and shall not move or be moved for the duration of the development.

The Local Planning Authority must be notified in writing of the completion of erection of the temporary Tree Protective Fencing and have confirmed in writing that it is erected in a satisfactory position and to a satisfactory specification.

No development, excavations, engineering works and storage of materials or equipment shall take place within the protected areas for the duration of the development, without written consent by the Local Planning Authority.

Reason: To ensure trees are protected during the construction period and in the interests of visual amenity. To safeguard the visual amenity provided by the trees on the site and to accord with Policies NE4 and NE5 of the Replacement Unitary Development Plan.

5. Before the development is brought into use, the off street car parking facility shall be laid out, hard surfaced, sealed and drained within the curtilage of the site in accordance with the approved drawings. The gradient shall be no steeper than 1 in 15 except where otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to accord with Policy TM12 of the Replacement Unitary Development Plan.

6. The parking and other surfaced areas within the site shall have permeable surfaces. These porous surfaces shall be retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason : To reduce the rate of surface water run-off from the development and to protect adjoining properties from flooding and to accord with Policies NR16 and UR3 of the Unitary Development Plan.

7. Before any part of the development is brought into use, the vehicle turning area shall be laid out, hard surfaced, sealed and drained within the site, in accordance with details shown on the approved plan numbered PO7 and retained whilst ever the development is in use.

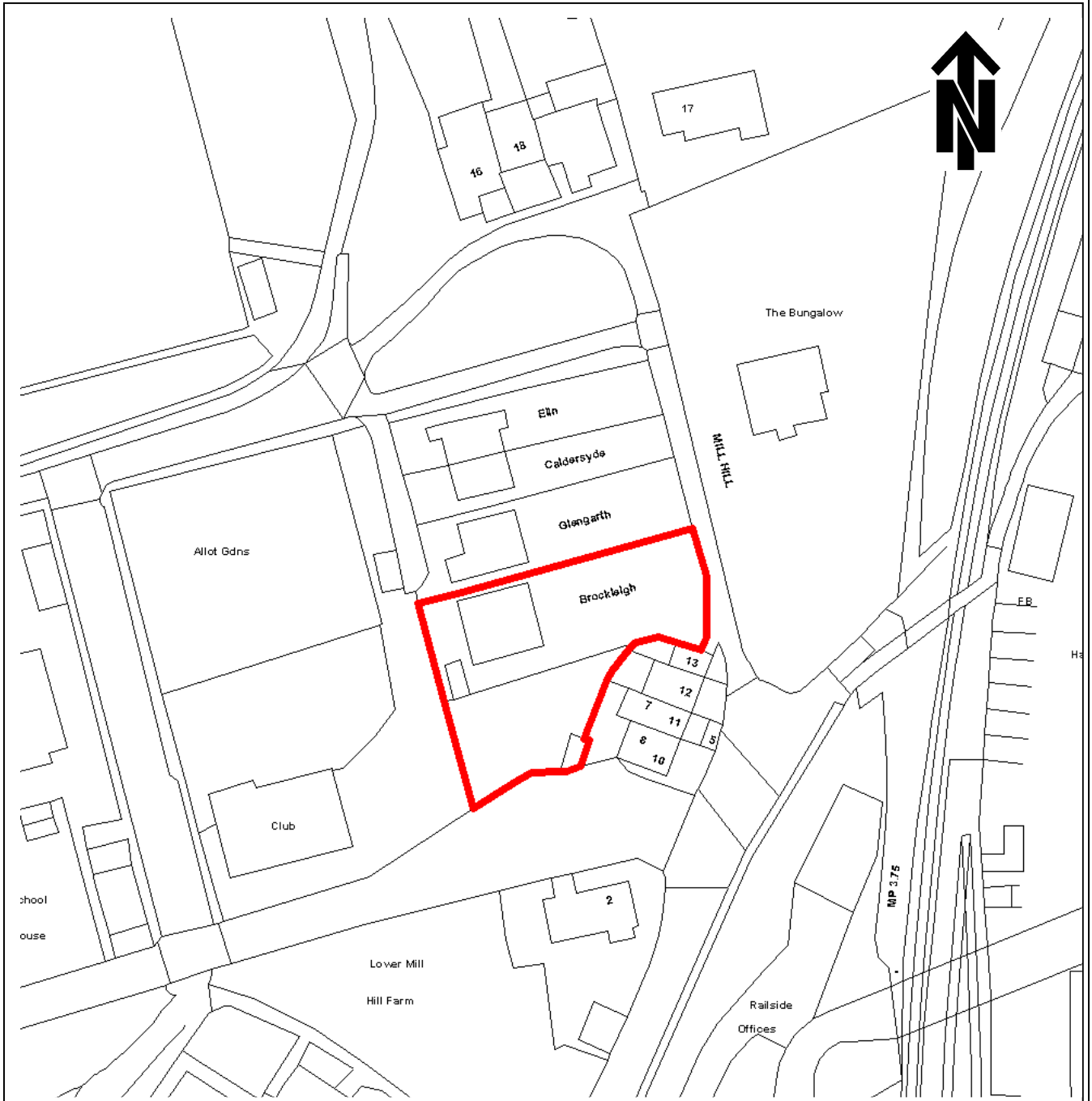
Reason: To avoid the need for vehicles to reverse on to or from the highway, in the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

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Area Planning Panel (Keighley and Shipley)

14/01399/HOU

23 July 2014



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ITEM NO. : 2	LOCATION: <b>Brockleigh Mill Hill Haworth</b>
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**23 July 2014**

**Item Number:** 2  
**Ward:** WORTH VALLEY  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
14/01399/HOU

**Type of Application/Proposal and Address:**

Householder application for increase to roof pitch to form first floor extensions at Brockleigh, Mill Hill, Haworth, Keighley, BD22 8QH.

**Applicant:**

Mr & Mrs P Doherty

**Agent:**

SKP Architectural Design Services

**Site Description:**

The application proposes extensions to a detached bungalow situated in a residential area within the Haworth Conservation Area. The existing bungalow is built with a slate roof and the walls are part rendered and part stone. It is set in a garden above and back from the adjoining street – Butt Lane. It adjoins a property on the same alignment called Glen Garth and the garden sloping falls away to the east/south east towards where traditional cottages at Mill Hill are located at a lower level.

**Relevant Site History:**

09/04121/HOU: Construction of first floor extension over existing bungalow, two storey extension and formation of new drive and access. Refused 27.10.2009.

12/04743/HOU - Removal of extension, increasing the roof pitch of existing dwelling and extensions. Approved at Area Planning Panel 07.03.2013.

**Replacement Unitary Development Plan (RUDP):**

**Allocation**

Haworth Conservation Area.

**Proposals and Policies**

D1 General Design Considerations  
D4 Community Safety  
UR3 The Local Impact of Development  
TM12 Parking Standards for Residential Developments  
TM19A Traffic Management and Road Safety  
BH7 New Development in Conservation Areas  
BH4A Setting of Listed Buildings

Weight has also been given to the Council's Householder Supplementary Planning Document.

**The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

**Parish Council:**

Objects to this application on the following grounds: - It is felt that the proposed development is totally out of keeping with existing architecture, particularly being located so close to the Heritage Railway; - It is felt that the proposals are effectively to create a different building to the existing, which will lead to overshadowing and loss of privacy for surrounding properties and if permitted would also set a worrying precedent.

The Parish Council has requested that this application be considered by Area Planning Panel, should Officers be minded to approve.

**Publicity and Number of Representations:**

Publicised by means of press and site notice and individual neighbour notifications. Overall publicity expired 15 May 2014. Six letters of objection were received along with a representation on behalf of neighbours by a Ward Councillor.

**Summary of Representations Received:**

Grounds of objection were:

- 1. Concern about continuing amendments and alterations to the scheme. Why is the current planning permission not sufficient? Why were these plans not submitted first?
- 2. Previous applications to increase the size of the dwelling have been rejected in the past. These new plans would set a precedent to increase the house even further in the future and possibly enable the applicants to get the previously rejected scheme approved.
- 3. Concerns about the additional weight on foundations and boundary wall to Mill Hill. The boundary walls are not adequate to take the weight of the increased building and could have an impact on nearby cottages or the wall next to a well used public footpath.
- 4. Increased overshadowing and loss of light of 10, 12 and 13 Mill Hill.
- 5. Loss of privacy to these properties.

6. The development will have a huge impact on the business at 10 Mill Hill as guests will feel intimidated due to the size of the extension.
7. The size of the house and increase in roof pitch will be out of keeping with immediate properties, some of which are Grade II listed buildings, and Haworth Conservation Area.
8. Not in keeping with the existing building line. It will be more of an eyesore than the originally approved scheme.
9. Will this additional weight have an adverse impact on the already failing drains? New drainage systems have not been put in place but are to feed into the existing ones.
10. Concerned about the storage of materials connected with this development. A condition of the last permission was that no materials will be stored within 3m of the boundary wall. Could this be imposed or the distance increased to 4m?
11. Additionally can a condition be imposed to prevent delivery or storage of materials along the narrow lane to the side of the property past the cottages on Mill Hill, as the lane serving it is not suitable to accept heavy vehicles and this would adversely affect the users of the public footpath passing this land?

**Consultations:**

None.

**Summary of Main Issues:**

Previous history.

Impact on local visual amenity and the conservation area.

Impact on the amenity of neighbours.

Highway safety.

Other issues including concerns about land stability.

**Appraisal:**

**Previous history**

Objectors have pointed out that a previous application to extend this property was refused in 2009. However, this application was for a more substantial extension that would have raised the roof of the property by 2m to create a conventional 2-storey house. This would have significantly increased the massing of the building and was refused on grounds of visual impact but not because of any harm to the amenity of neighbouring occupants.

A second planning application 12/04743/HOU then proposed a reduced scale of extension and was approved by Panel in March 2013. This application proposed to increase the accommodation in a much more discrete manner by providing new accommodation within the raised roof space rather than on a separate storey. The ridge of the bungalow was to be raised by 1.2m to create 1<sup>st</sup> floor bedrooms. The height was to be raised to a similar height to the adjoining dormer bungalow at Glen Garth.

This approval was subject to conditions for materials to match the existing building, approval of details of retaining walls to the west, no storage of materials within 3m of the retaining wall forming the south eastern boundary of the site and removal of PD rights to insert further windows in the north elevation and roof slope of the extension.

This permission is still valid and can be acted upon until 2016.

This third application proposes amendments to the approved proposals and its assessment therefore focuses on the changes from the scheme allowed by the extant permission.

With reference to complaints that the scheme has been altered and the applicant should stick to the original plans, the applicant has paid a planning fee and is perfectly entitled to submit an application for revised proposals. The Local Planning Authority must consider these on their specific planning merits.

### **New proposal**

The current proposal is substantially the same as that approved under reference 12/04743/HOU. Those approved plans show the upwards extension of the bungalow raising the ridge by 1.2 metres and an extension to the rear.

Other than this extension to the rear, which is away from the properties on Mill Hill, the enlargement of the dwelling is upwards not outwards, utilising the existing foundations and limited to the footprint of the present dwelling.

There is no proposal to raise the height above what was approved by Panel under the previous application and the footprint of the building will remain as before. It will still be a 4-bedroom dwelling.

The differences are:-

- (i) a single storey canopy over the front door and dining room bay window on the southern elevation,
- (ii) an additional roof light to bedroom 2 on the eastern roof slope, and
- (iii) the first floor is to be built up on the northern elevation to create a gabled projection. This will provide the dressing room / ensuite bathroom at the new 1<sup>st</sup> floor with additional headroom and a conventional window rather than a rooflight.

### **Impact on local amenity and conservation area**

The height and form of the resulting dwelling will be little different to the scheme approved by Panel in 2013. Although within Haworth conservation area, the dwelling is an unexceptional bungalow which does not contribute significantly to the character of the conservation area. The new accommodation is to be formed within the roof space, retaining the same form to the roof and building in matching materials. It was previously considered that extending the property in this way will be in keeping with the character of the existing dwelling and was not considered to harm the character of the conservation area or to adversely affect the setting of the nearby listed buildings.

With regard to the changes to the scheme:

The additional roof light and the canopy on the elevation facing Butt Lane are minor features that will have little impact outside the site.

The main feature of this amended proposal is the building up of the en suite bathroom and dressing room on the side elevation facing towards Glen Garth. Originally the bathroom was under the roof plane and it was served by roof lights.



The formation of a gable to give additional headroom in the en suite bathroom will slightly increase in the bulk of the building. However, this feature is on the most unobtrusive part of the building, being visible from only the adjoining dwellings and the drive access to the rear where it will be set against the mass of the main roof. The roof form of the extended bathroom would match the roof pitch of the rest of the house and the walling and roofing materials would be to match the existing property.

It is difficult to agree with the Parish Council comment about the impact on the Keighley and Worth Valley heritage railway. Though near Haworth station, the property is set back from Butt Lane and is not a dominating or oppressive feature that impinges on the character of the railway. The additional accommodation being proposed under this application would be on the far side of the property, and not visible from the railway.

Although the modification presents a further enlargement to the accommodation, this is a modest variation that is not considered to be dominant or overbearing. The character and appearance of the conservation area will not be harmed by the proposal for creating extra headroom to the bathroom. The extension accords with Policies D1 and BH7 of the RUDP.

### **Impact on the amenity of neighbours**

The approved proposal 12/04743/HOU entails the raising of the ridge of the existing roof by 1.2m. In considering that application, Panel accepted that given the distance from any adjoining properties, this increase in height and mass would not result in any overshadowing of the dwellings to the north or to the south east. Nor was it accepted that the enlarged house would appear unduly overbearing or oppressive given the position, orientation and degree of separation to the nearest neighbouring dwellings.

The enlarged building would still be 11.5 metres from the boundary wall with the properties on Mill Hill and is orientated so that windows do not directly face onto the back elevation of those houses which are set at a lower level.

The main change from the previous permission is the formation of a first floor gabled extension to accommodate a dressing room and ensuite bathroom. This part of the proposal is not considered to have any adverse impact on the occupants of Mill Hill as it is on the other side of the building.

Only Glen Garth, to the north, may be affected by the bathroom modification but there are no primary habitable room windows in the side elevation of Glen Garth and it is not considered that the additional mass of the gabled extension at roof level will have any significant effects on that property. An additional window is shown serving the en-suite bathroom. If approval is granted it is recommended that the bathroom window should be obscure glazed and permitted development rights to insert windows in the north elevation or to install dormers in the roof slope should once again be removed so as to safeguard privacy of neighbours in that direction.

There would be a new roof light providing light to the staircase facing towards the garden of Glen Garth but this would not allow overlooking.

### **Highway safety**

The proposal is for a domestic extension and the property will remain a single dwelling. It is therefore not considered that there would be any demonstrable intensification of use or that the proposals would have any adverse impact on traffic and pedestrian safety. Nor would it be likely to increase local traffic congestion.

### **Other issues raised by objectors**

**Land stability:** This issue was carefully considered in the determination of the previous application. As before, the proposal is mostly for an upward extension to be built on the existing foundations to the bungalow. A further rearwards extension would be added but this would not extend the footprint of Brockleigh any closer to the properties on Mill Hill. Therefore no additional excavation is proposed beyond the existing foundations to the south east of the site towards the retaining wall and properties on Mill Hill.

The ability of the foundations to accommodate the new structure is a matter for Building Control. However, the agent says that recent tests have confirmed that existing foundations are able to accommodate the extra structure.

Previous advice from the Council's Building Control Officers has been that the 11.5 metres of separation between the nearest part of Brockleigh and the boundary wall to Mill Hill is such that the additional weight of the raised dwelling would not affect the stability of the boundary and the Council's Structural Engineer agreed with the findings of the applicant's own engineer that impact on land stability would be insignificant.

The Council's Structural Engineer was more concerned with the impact on the stability of the lesser slope to the west of the dwelling – towards the Club premises. An additional condition was imposed on the previous permission to secure further details of these works which involve excavation into the slight slope in this direction. This condition is to be re-applied again.

In addressing concerns from residents about the possibility of building materials being stacked against the retaining wall to Mill Hill, Members of Panel endorsed a suggestion that an additional condition be imposed preventing storage of materials within 3m of the retaining wall forming the south eastern boundary of the site. It is recommended that this condition be applied to any new planning permission.

Residents have asked for this to be increased to 4 metres, but there is no evidence that this is justified given that the new scheme presents no material changes to the proposals at this side of the building.

**Deliveries :** It is not considered that a condition to prevent materials being delivered via Mill Hill would be reasonable. This thoroughfare gives access to the applicant's garden but there is also access via Butt Lane. There is no indication in the application that materials will be stored on Mill Hill or the public footpath but if materials are to be stored on this land this would be more appropriately dealt with under the Highways Act.

Drainage: Objectors have concerns that “failing” drains might be damaged during construction. The objectors make a point about the applicants having objected to other planning proposals for similar reasons. Matters relating to impact on drainage during construction would be for the consideration of Building Control.

**Community Safety Implications:**

The proposal retains a secure property in a secure curtilage open to surveillance by the occupiers of adjoining residential properties and therefore accords with Policy D4 of the RUDP.

**Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

**Reason for Granting Planning Permission:**

The proposed extension is considered to relate satisfactorily to the character of the existing dwelling, adjacent properties, the setting of nearby listed buildings and the Haworth Conservation Area. The impact of the extension upon the occupants of neighbouring properties has been assessed and it is considered that it will not have a significantly adverse effect upon their residential amenity. As such this proposal is considered to be in accordance with Policies BH7, BH4A, D1, UR3 and D5 of the Replacement Unitary Development Plan, the Householder Supplementary Planning Document and form sustainable development compatible with the National Planning Policy Framework.

**Conditions of Approval:**

1. The rear extension shall not be begun until sections showing the details of construction of the retaining wall to the west side of the site and a method statement indicating how the proposal is to be constructed without causing instability to land on the western boundary have been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of the stability of adjoining land and to comply with Policy P6 of the Replacement Unitary Development Plan.

2. The development hereby permitted shall be constructed of facing and roofing materials to match the existing building as specified on the submitted application.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

3. No plant or construction materials shall be stored on any part of the site within 3m of the retaining wall forming the south eastern boundary of the site.

Reason: In the interest of the stability of the land on site and to prevent surcharge of the existing retaining wall to the south east boundary.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any subsequent equivalent legislation) no further windows, including dormer windows, or other openings shall be formed in the north elevation and roof slope of the rear extension without prior written permission of the Local Planning Authority.

Reason: To safeguard the privacy and amenity of occupiers of neighbouring properties and to accord with Policy UR3 of the Replacement Unitary Development Plan.

5. The windows in the en suite/dressing room added to the side elevation of the extension hereby permitted shall be glazed in obscure glass prior to the first occupation of the extension and thereafter retained.

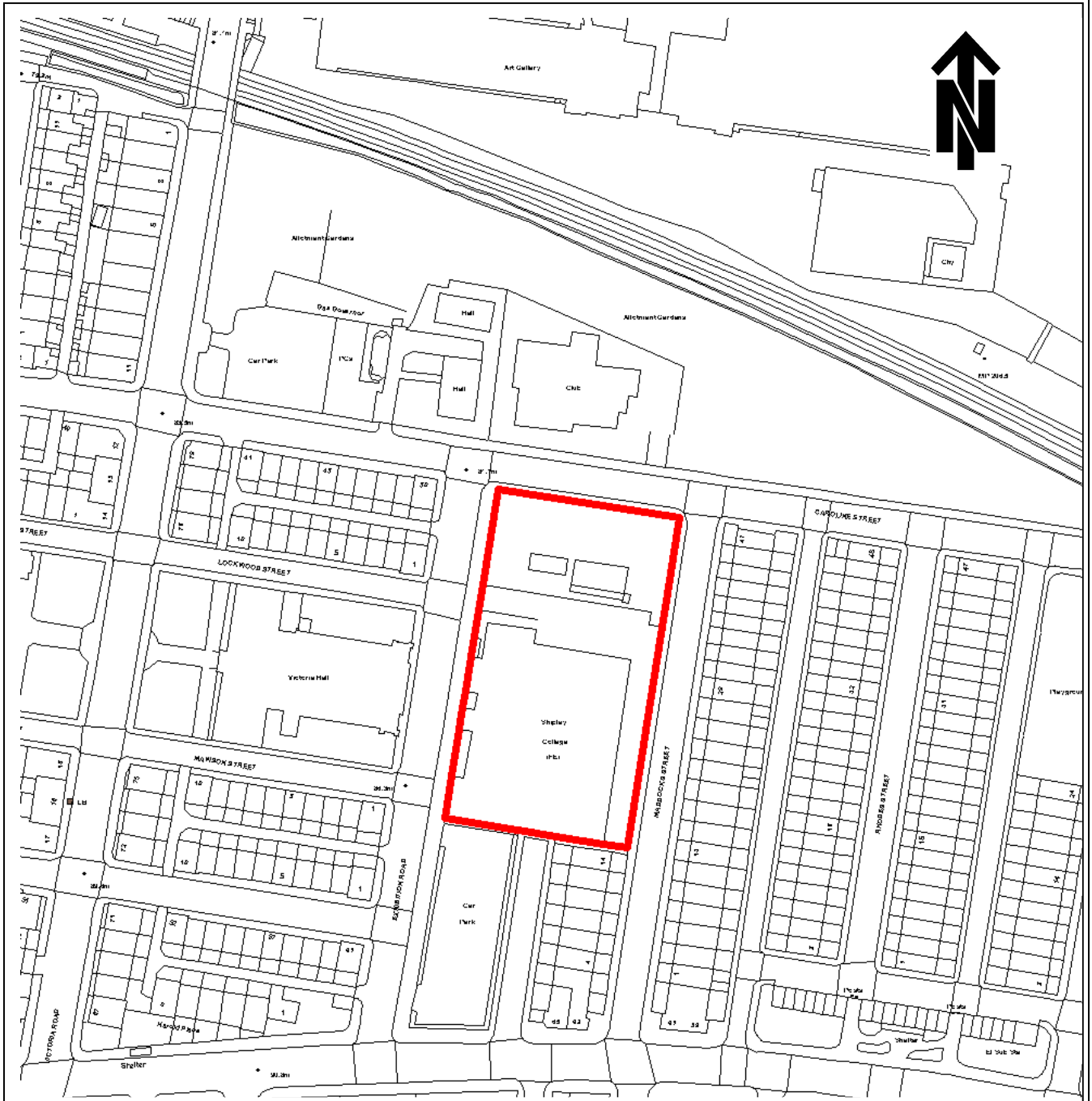
Reason: To prevent overlooking or loss of privacy to adjacent occupiers and to accord with Policy UR3 of the Replacement Unitary Development Plan.

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**Area Planning Panel (Keighley and Shipley)**

**14/01137/FUL**

23 July 2014



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<p>ITEM NO. : <b>3</b></p>	<p><b>LOCATION:</b> <b>Exhibition Building Exhibition Road</b> <b>Saltire Shipley</b></p>
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23 July 2014

**Item Number:** 3  
**Ward:** SHIPLEY  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
14/01137/FUL

**Type of Application/Proposal and Address:**

Full planning application for the demolition of 4 greenhouses, shed and boiler house. With the construction of a high needs vocational centre and greenhouse with associated landscaping including reconfiguration of access and external social space and landscaping.

Exhibition Building, Exhibition Road, Saltaire, Shipley, BD18 3JW

**Applicant:**

Mr Ian Durham, Shipley College

**Agent:**

Rance Booth Smith Architects

**Site Description:**

The Exhibition Building is located in Saltaire Conservation Area, is a key unlisted building and located in the Buffer Zone of the World Heritage Site. The Exhibition Building was constructed in 1887 as the Science and Art School, initially accommodating the Royal Jubilee Exhibition in that year. The Exhibition Building did not form part of the original planned settlement as envisioned by Sir Titus Salt and developed to the plans of Lockwood and Mawson, and hence it and the proposed development site are not in the World Heritage Site. The Exhibition Building is not listed, but it and the neighbouring site are within Saltaire Conservation Area. The building is identified as a key unlisted building in the conservation area character appraisal and for the purposes of the NPPF should be considered as a designated heritage asset. The site is bound by Caroline Street to the north, Maddocks Street to the east and Exhibition Road to the west. Caroline Street is the only street within the boundary of the World Heritage Site.

**Relevant Site History:**

**91/01449/FUL** Installation of a satellite dish in the roof space. PPGR 29.08.1991.

**92/04680/REG** Refurbishment of main building plus demolition of extension and replacement with new extension. PPGR 29.03.1993.

**92/04681/LBC** Demolition of single storey extension to the south. LBCGR 29.03.1993.

**94/02172/FUL** Installation of new satellite dish adjacent to 90cm dish in roof well GRANT 29.11.1994.

**94/02277/FUL** Construction of new ramp and boiler room installation of fire escape stairs and external doors also floodlighting, roof lights and demolition of chimney GRANT 27.09.1994.

**94/02858/ADV** Three individual non-illuminated sign boards GRANT 14.11.1994.

**94/02873/LBC** Installation of three wall mounted sign boards LBCNR 22.09.1994.

**13/02202/LBC** Install lightening protection GRANT 30.07.2013.

**13/04932/FUL** Remove the existing non-matching painted timber windows and doors and replace with new powder coated aluminium insulating windows and doors GRANT 27.01.2014.

**Replacement Unitary Development Plan (RUDP):**

***Allocation***

S/BH14 World Heritage Site  
BH7 Saltaire Conservation Area

***Proposals and Policies***

UR3 – Local Impact of Development  
D1 – General Design Considerations  
BH14 - Saltaire World Heritage Site  
BH7 - New Development in Conservation Area  
BH4A – Setting of Listed Buildings  
UDP3 – Quality of Built and Natural Environment  
D5 – Landscaping  
TM19A – Traffic Management and Road Safety  
TM11 – Traffic Standards for Non-Residential Developments  
TM2 – Impact of Traffic and its Mitigation  
NR16 – Surface Water Run Off and Sustainable Drainage Systems

**The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

**Parish Council:**

None for this area.

**Publicity and Number of Representations:**

The application was advertised by a site notice and in the Telegraph and Argus.  
Publicity Expiry Date – 18.04.2014.

A second period of public consultation ran from 17.6.2014 to the 1.7.2014.

Letters of representation objecting to the proposals were received from 129 separate addresses.

Letters of representation supporting the proposals were received from 15 addresses.

**Summary of Representations Received:**

**Objections:**

129 objections on the following grounds:

1. Concerns have been raised about the modern design in the setting of the World Heritage Site. Many believe that the building should reflect the architectural style of the surrounding listed buildings.
2. Concerns have been raised regarding the proposed materials. Many believe the materials are cheap and inappropriate. They would prefer that the materials reflect the surrounding area with more natural stone and slate.
3. Saltaire village has a limited number of green open spaces. Most of the streets are narrow and without trees. It would be detrimental to the village to lose this open space.
4. There is a presumption in favour of the preservation of the World Heritage Site, Conservation Area and its setting. The proposed building contradicts any architectural style and history of the site.
5. The proposed building shows no relationship with the surrounding buildings, especially those that are listed within the World Heritage Site.
6. Due to the creation of a new building in this open space, many believe it will lead to a loss of residential amenity.
7. The proposed building will interrupt the key view from Caroline Street and Maddocks Street to the Mill. It will also impact on key views from the mill out into the village.
8. There will be an increase in traffic with parents and taxis dropping students off at the new college buildings, as well as more traffic from the increase in students bring their own cars into the village and driving around the village.
9. There is already limited parking for the students as the majority of streets have residential parking only. The increase in cars will threaten the loss of residential parking spaces.
10. Many don't believe that other suitable locations for this new building have been addressed or the reuse of a vacant building.
11. If permission is granted for a modern style building does this mean that a precedent has been set for modern development throughout the World Heritage Site?
12. It is believed that this building is contrary to the inscription criteria of the World Heritage Site. It may also mean the loss of the World Heritage status.
13. Removal of coach park will reduce the number of visitors coming to Saltaire.

**In support:**

15 comments supported the application on the following grounds:

1. The proposed new building has a number of green design principles that show an eco-design awareness such as the sedum roof. These should be seen as a benefit.
2. The space proposed for the new building is currently unattractive and adds nothing to the visual impact of Saltaire.



3. The College is vital to the economic, cultural and social life of Saltaire. Its students and staff make up the bulk of people present in the village during term times and week days.
4. The college currently occupies and maintains four main buildings in Saltaire and it would be a concern if the whole college was to move out of Saltaire.
5. Development has already occurred in the Buffer Zone so the precedent of modern development has already been set. An example is given of the development proposed on the former Cup and Ring pub site.
6. This isn't the only area of open space in the village as a short walk away is Roberts Park.

**Consultations:**

**English Heritage** - Recommends that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again. However, if you would like further advice, please contact us to explain your request.

**Council's Conservation Officer** - The proposed building and development is considered to fulfil the requirements of RUDP policy UDP3, by promoting sustainable design and enshrining the principles of good design. It also maintains heritage assets and the quality of the environment. It is considered that the bespoke design is of the requisite quality for its context and responds well to its surroundings. The proposed development is not considered to cause harm to the setting of listed buildings, and nor would it cause harm to the character of the conservation area or the setting of the World Heritage Site. Consequently, the requirements of The NPPF are satisfied as are policies BH4A, BH7, BH10 and BH14 of the RUDP.

**World Heritage Site Project Officer** - The proposal will not cause harm to the Outstanding Universal Value (OUV) of the World Heritage Site and the proposal takes the opportunity to enhance the OUV of the Site at this location.

This proposal does not cause harm to the Conservation Area nor to the setting of the nearby listed buildings including Salts Mill, Victoria Hall, the terraced housing on Lockwood Street and Caroline Street or to the unlisted heritage asset of the Exhibition Building itself. Approval of the proposal would therefore accord with the NPPF and saved RUDP Policies BH4A, BH7, BH10 S/BH14.

**Council's Design Team** - Given the sensitivity of the site and its immediate setting several officers were involved in a number of design team meetings with the applicant/ agent. The following comments are formed from the revised drawings borne as a result of these meetings.

1. It is clear that a great deal of care and attention has been taken in developing the design in order to lessen its impact at street level. The building has been restricted to two storeys and has been sunk into the site to reduce its scale and the elevation facing Caroline Street has been pulled back beyond the existing building line in order to retain existing street views.

2. Within the design there are hints of the local vernacular this can be seen in both form and materials. Passive ventilation stacks mimic the chimney pots featured on the rooftops along Caroline Street and the external wall cladding material (sandstone) and roofing material (zinc) reflect elements that make up the Saltaire palette. It is our belief that these subtle hints generate the right level of reference without creating a pastiche.
3. Materials used elsewhere, in the form of a sedum roof, zinc rainwater goods, powder coated aluminium windows and doors and the Marley 'Eternit Equitone' all create an element of architectural richness of which one would expect within a World Heritage site.
4. As part of our open dialogue with the applicant/ agent we have seen a number of detailed drawings showing junction details between materials, eaves and verge details as well as window details. As with the scale and form of the building these details have been carefully considered in order to show the right level of articulation and refinement.
5. The Design & Access Statement suggests that green design will be an integral part of the proposals; this can be seen through architectural devices (stack ventilation), sustainable materials (sedum roof) and sustainable methods of construction (off site work). Our only comment here is that we feel that the design could have further embraced the ethos of 'green design' and by exploiting its horticultural use by implementing naturally occurring sustainable building materials and construction methods such as sustainably sourced timber shingles/ cladding and earth construction in the form of cob walls.

Assuming that the design is realised in its current guise we are of the belief that the proposals accord with Policy D1, Criteria 1, 2, 4, 5, 6 & 8 of the Replacement Unitary Development Plan (RUDP).

**Drainage Section** - Peak surface water discharge rates from the development should be reduced by a minimum of 30% from the existing rates. Full details and calculations of the pre and post development surface water discharge rates should be submitted to and approved by the local planning authority.

**Highway Officer** – Previously concerned with regard to the loss of the existing coach drop bay on Exhibition Road. The revised proposal is now to retain this facility as existing and also to provide a drop off facility for disabled persons south of this along with some parking bays suitable for disabled persons adjacent to the Exhibition Building.

Documents submitted with this application state that the proposed development would have four staff which would be unlikely to lead to a significant increase in parking demand and there are 14 staff parking spaces within the site which are to be retained. It is likely that students' attending the high needs centre would be dropped off by car or minibus. It is proposed to retain the two existing mini bus spaces within the site and these along with the proposed drop off facility would be likely to suffice for student drop offs.

Parking on Exhibition Road and neighbouring roads in Saltaire Village is well controlled with parking restrictions in place to deter dangerous and/or obstructive parking.

In view of the above the Highway Officer has no highway objection to raise about the proposed development.

**Minerals Planning Officer** - A former landfill site is approximately 135m from the proposal in the area of former quarries between Saltaire Road and Kirkgate/Bingley Road. The quarries have been backfilled at some time in the past as the land is now level. The landfill site is some distance from the proposal and it is not considered that there will be any adverse impacts from this historic landfill site on the proposal.

**Summary of Main Issues:**

1. The Scheme.
2. Role of Shipley College.
3. Contribution of the Site.
4. Highway Issues and Parking.
5. Residential Amenity.
6. Design.
7. Impact on Surrounding Heritage Assets.
8. Loss of Green Space.
9. Impact on Outstanding Universal Value.

**Appraisal:**

**The Scheme**

The application seeks to construct a 'High Needs Vocational Centre' to complement the existing facilities at Shipley College. The site sits within the Buffer Zone of the World Heritage Site of Saltaire and Saltaire Conservation Area. The site is currently occupied by a number of 20<sup>th</sup> century existing greenhouses and associated outbuildings, all of which form part of the College's horticultural department.

The proposed development is to remove the existing 20<sup>th</sup> century greenhouses presently on the site and construct a two storey building to accommodate a high needs vocational centre to complement the existing college facilities. The predominantly open tended site was not part of the planned vision for Saltaire, and does not have longstanding historic significance to the function of the village.

The design concept has been to create a building 'of its time' which draws upon the key elements and essence of Saltaire. The College aspiration is to build an exemplary, state of the art, teaching facility which will enhance the College estate'.

The new building will provide learning facilities for 75 students with learning difficulties and/or disabilities. The college aims to integrate all students in the College but some have specific needs that the current buildings cannot cater for. There will be four additional members of staff working within the building.

The new building has been designed as a separate structure to the Exhibition Building. There were considerations given as to whether it should be linked to the Exhibition Building but this was discarded after concerns were raised by local residents. The new building has been designed specially to meet the varied requirements of the students' physical and specific learning needs. The building will incorporate extra wide corridors, small class sizes, spilt height kitchen fixtures and specialist support facilities and a multi purpose space.

### **The Role of Shipley College**

Shipley College currently supports 700 full time and 3,000 part time students studying a range of subjects. Their aim is to provide high quality, inspirational education and training to individuals, businesses and communities.

As well as the importance of the college in terms of education, it will also provide economic benefit to Saltaire businesses.

Also, Shipley College is a unique estate, as much of it is located in the World heritage Site and over half of the college's accommodation is in listed buildings. The College occupies three buildings in Saltaire: the Exhibition Building, the Salt Building and the Mill Building. They also manage Victoria Hall on behalf of the Salt Foundation. The rent that the college pays on the Exhibition and Salt Buildings forms the primary source of income for the Foundation, which funds much of the continued maintenance costs for Victoria Hall.

The College is therefore responsible for the maintenance of significant areas of the heritage in Saltaire. This is supplemented by the Horticulture Department who maintain many of the green open spaces within Saltaire. The students also add to the vibrant mix of community and increase the economic viability of the surrounding shops and cafes during the term time.

The College recognises that there is a need to maintain social space for the students to reduce the amount of student activity in the village.

A number of objectors have raised concerns about the behaviour of the students in the village. However a revamped Salt Hall and Mill Building over the last three years has offered some relaxation space for the students. The College do acknowledge they have not succeeded in increasing outside space for the students to use, however the proposal seeks to establish outside leisure space for students within the confines of the College grounds.

### **Contribution of the application land to the World Heritage Site**

The Exhibition Building was constructed in 1887 as the Science and Art School, initially accommodating the Royal Jubilee Exhibition in that year. The Exhibition Building did not form part of the original planned settlement as envisioned by Sir Titus Salt and developed to the plans of Lockwood and Mawson, and hence it and the proposed development site are not in the World Heritage Site. The Exhibition Building is not listed, but it and the neighbouring site are within the Saltaire Conservation area. The building, identified as a key unlisted building in the conservation area character appraisal, for the purposes of the NPPF should be considered as a designated heritage asset.

The College has investigated the possibilities of developing alternative sites elsewhere but these were found to be infeasible due to the proximity and timescales required to complete the project. The college therefore consider the site of the Exhibition Building to be the only viable location that would meet the functional needs of the College.

The site is currently only used by the College and their students. Members of the public have no right of access across the land and there are no public rights of way within the boundaries of the site. There are a number of trees and hedges around the boundaries of the site and these effectively limit views into the site from the public highway.

The proposed building would be inset into the site and have lower ground levels in order to keep the form subservient to the existing Exhibition Building and the wider World Heritage Site whilst achieving the level of accommodation required by the applicant.

### **Highway Issues and Parking**

A Transport Statement has been submitted for the proposed building. The report states that the new building is well connected with good public transport links. There are also a number of cycle routes that are available to the College that students and staff which they may wish to take advantage of. The average age of the students means that a significant proportion of those attending are likely to travel to the college as passengers within cars. It is anticipated that there will be four additional members of staff and as they may not all travel by car, the current parking arrangements available to staff are considered to be adequate. The Highway Officer confirmed their agreement with the report and the conclusion that the additional staff vehicles will not increase the parking demand and that many of the students will travel to the site as passengers in motor vehicles. It is proposed that the two existing minibus spaces are retained and this, in conjunction with the proposed drop off facility, would be sufficient to accommodate the likely numbers students being dropped off at the site.

There are already a number of parking restrictions on Exhibition Road and the neighbouring roads and these are considered to be adequate to deter dangerous and/or obstructive parking.

Many of the objections and the original comments from the Highway Officers raised concerns about the loss of the coach bay however following negotiations with the agent, the coach bay will be retained. This addresses concerns related to the potential location of a replacement coach bay facility and subsequent potential impacts on surrounding street.

### **Impact on Residential Amenity**

The proposed building will appear lower than Exhibition Building and be set further into the site. It will therefore be further from the surrounding residential buildings than the Exhibition Building is at present. Windows in the elevation facing onto Exhibition Road are limited to the entrance only and therefore will not give rise to issues of overlooking. It is proposed that the windows in the elevation facing onto Maddocks Street are fitted with louvers to reduce any overlooking issues. The direction of the louvers has been set so that occupants of the proposed building will have views of Salts Mill and not of the residential properties opposite.

The elevation facing onto Caroline Street contains a significant number of windows however these will overlook the Caroline Street Social Club and therefore will not impact on residential amenity.

The college has a significant number of students currently attending and it is considered unlikely that the additional 75 students proposed will impact on the local residents to any greater degree more than that of the existing situation. It is anticipated that the additional indoor space and outdoor space being made available on site will encourage more students to remain on campus during breaks. The small number of additional students is considered unlikely to significantly increase issues of noise.

The architects have produced images within the Design and Access statement to illustrate that the new building will not overshadow any of the adjacent residential buildings. The only foreseen exceptions to this are on two specific dates - 21st March and 21<sup>st</sup> September when shadows are expected to strike the end elevations of the properties facing Exhibition Road very early in the morning.

### **The Design**

The design has undergone several amendments since it was first submitted. However, the height and shape have all remained the same. The new building has been designed to be sunk into the land form. This allows the building to be subservient to the existing College building and its surroundings. The intention has always been for it to be a contemporary building so it is interpreted clearly as a later addition to the area and not as a reproduction of Victorian architecture. A traditional design that tried to pretend it was part of the original model village Sir Titus Salt's architects first designed would be confusing and historically inaccurate.

The Council's Architect Planner acknowledges that care and attention has been made in order to restrict the proposed building to two levels and that by sinking it into the ground this will reduce impacts from the street level.

English Heritage did originally raise concerns about the form of the building but highlighted that the massing of the building was carefully considered to be subservient to the surrounding locality and the overall height of the building had been kept as low as possible. The building does appear to be single storey in height when viewed from most locations. This has been agreed as being acceptable in the additional comments received from English Heritage.

There were also concerns that the building failed to respond to the book-ended, back to edge footpath terraces of Caroline Street and Lockwood Street. However, it is only the houses that are set immediately to rear of the pavement. The public buildings throughout Saltaire are all located within their own grounds and it is considered appropriate that the proposed new public building will do the same.

The design and detailing of the proposed buildings has been strongly influenced by the established architectural style of Saltaire. The scale and proportion of the fenestration has taken its lead from the proportions of windows detailed within the original Italianate style found throughout the village. The palette of facing and roofing materials is considered to complement the surrounding built form and the wider conservation area. Coursed stone is proposed for the upper sections of the proposed building and this will form a smooth rain-screen wall that reflects the essence of Saltaire without imitating the construction techniques. The windows are shown as being recessed into reveals which emulates a traditional feature of the buildings within Saltaire and adds visual interest to the elevations.

It is proposed to face the lower sections of the proposed building with dark blue/ grey cladding which has been selected to reflect the surrounding slate roofs. The lower sections of the building will be largely screened by the surrounding hedges and trees that are being retained as part of the scheme.

The roof adjacent to the Exhibition Building has been kept deliberately low in order to reduce the mass of the building. This will be finished with a sedum roof with stems, leaves and clusters of small flowers. This help to maintain biodiversity on the site. The main curve of the roof will be constructed from zinc standing seam, which is deliberately modern but relates to other areas of Saltaire such as the roof on the Saltaire Reformed Church and the band stand in Roberts Park. This curved roof takes its inspiration from the arched windows throughout Saltaire while also emphasising the modern design. Chimneystacks are a key feature of the Saltaire roofscape and the ventilation stacks in the curved roof have been designed to reflect this and enhance the relationship with the surrounding buildings. The Architect Planner acknowledges that these subtle hints generate the right level of reference without becoming pastiche.

English Heritage raised concerns that curved zinc roof may detract from Salts Mill. They also raised concerns that the pitch did not reflect the established pitch of the terraced properties surrounding the building. This has been addressed with the addition of the stone plinth at the base of the curved roof which better reflects the proportions of Salts Mill in the views down Exhibition Road. The pitch of the roof has been designed to relate to that of the roof of Salts Mills rather than the terraced housing as both will be visible in views down Exhibition Road. The Council's Architect Planner also believed that the use of the zinc roof created an element of architectural richness that you would expect in a World Heritage Site.

The Conservation Officer believes the structure employs a bespoke contemporary design with high sustainability credentials. A pastiche or traditional architectural approach would be inappropriate here as it would be anachronistic and would potentially compete with the architectural merits of existing buildings. The design and appearance of the building has been revised since the original submission in response to design comments and in pursuance of securing the optimum solution within the parameters the applicant's constraints. The scale of the building is considered proportionate to the site and neighbouring structures. Extensive use of ashlar stone is proposed on visible areas of elevations with good quality materials including dark eternity cladding for lower elevations. The natural stone recognises the predominant use of stone in Saltaire, but is applied in a contemporary manner as part of the overall composition of the building.

The roof is of varied form with a shallow pitch facing north, a curved element and a flat 'green' roof closest to the Exhibition Building. This adds greater interest to the overall composition than that of a simple pitched roof which would result in an uninteresting structure. The pitched and curved sections are proposed to be clad in zinc, the colouring of which will be comparable to slate used throughout the village. Slate however would not be appropriate to the overall palette and composition of the building. Although creating a contrast to regular pitched roofs in the vicinity, the roof form is not inappropriate and benefits the overall design.

Overall the amended designs have taken into consideration all the concerns raised by English Heritage, the Conservation Officer, World Heritage Site Officer and the Architect Planner within the Council. The design have created a modern building with reference to its surrounding and embraced the ethos of 'green design' at the same time.

### **Impact on Surrounding Heritage Assets**

The Conservation Officer has noted that the development on the site undoubtedly has multiple heritage impacts, including upon the immediate setting of the World Heritage Site, the setting of Grade II\* listed Victoria Hall, and Grade II listed dwellings at Lockwood and Caroline Streets and upon on the character and appearance of the conservation area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

The proposed structure is deliberately set low into the site to reduce its height and presence, and as a result is subordinate to the Exhibition Building, and insignificant in scale compared to Victoria Hall. The new structure will be evident in views from Caroline Street towards the Exhibition Building and Victoria Hall, but will not be intrusive. The building has also been deliberately set back from Caroline Street to preserve the existing hedge and some trees, thus reducing its presence to the street and impact in views along Caroline Street. The proposed building would not be disproportionate to dwellings at Lockwood and Caroline Streets.

English Heritage acknowledges that the Exhibition Building is an undesignated heritage asset within a conservation area and there are key views of the Mill from the surrounding streets. However the amendments to the new building, such as the stone plinth at the base of the curved roof, have allowed the new building to relate better to its context and the values associated with the World Heritage Site. For this reason they now agree that the new building sits well in its surrounds and does not have a detrimental impact on the setting of the heritage assets.

### **Loss of Green Space**

Many of the objections raised concerns about the loss of green space in the village if this area is to be developed. However the site does currently have a number of greenhouses located on the site and therefore is not considered to be significant open space. The site is only used by the College and there is no public right of way across it. There are a number of trees and hedges around the boundary of the site and these limit views into the site from the public highway. The existing trees and hedges around the boundary are to be retained and therefore the sense of the place within the immediate vicinity is unlikely to be significantly different.

The Conservation Officer has also stated whilst vistas of Salts Mill are achievable from the lower reaches of Exhibition Road, these are not designated views for World Heritage Site management purposes and they have not been identified as critical. The principle of development of the site is hence not considered to be unacceptable, and development of the site in principle is not considered to conflict with the aspirations of RUDP policy BH10.

### **Consideration of the impact on the Outstanding Universal Value of Saltaire World Heritage Site**

A number of objectors have raised concerns about how the new building will impact on the Outstanding Universal Value of the World Heritage Site. The World Heritage Site Officer has assessed this in her report, as have English Heritage, and both state that the application site does not presently contribute to the Outstanding Universal Value.



The assessment of the contribution made by the proposed building to the site by the World Heritage Site Officer is set out below.

The proposed new building does not sit inside the boundary of the World Heritage Site (WHS) however as it is in the immediate setting and Buffer Zone of the site it is essential to assess whether this development impacts upon the 'outstanding universal value' (OUV) of Saltaire. It is also essential to assess whether this development can contribute to the OUV of the site. The attributes of OUV of Saltaire can be summarised in these extracts:

***Integrity***

*The integrity of Saltaire as a model industrial village is almost total. The boundary of the property coincides with the extent of Titus Salt's original development: the model village and its associated buildings, the majority of the mill complex and the Park. Some buildings (representing only 1% of the original buildings) were demolished in the past but those existing at the time of inscription and the layout of the complex are still intact.*

***Authenticity***

*An intensive programme of sensitive rehabilitation and conservation of the entire complex has meant that its attributes - form and design, materials and substance, and function (in terms of a living community) - continue to thrive and express its Outstanding Universal Value. The original rural river valley setting has gradually disappeared over the last one hundred years but significant views remain. Given that part of Salt's original intention was to locate Saltaire in a healthy environment, the buffer zone is important in this respect.*

**Assessment of the proposal's impact on integrity**

The Exhibition Building and open space is a later addition to the model village of Saltaire. The parcel of land on which this building is to be built is not part of the historical form and layout of the model settlement which was inscribed on the World Heritage list. Development in this area does not damage the integrity of the model settlement. The proposed development is in the Buffer Zone, however the site has been developed for some time with temporary horticultural buildings, hard standing areas and a private access road. This proposed development includes a low rise 2 storey building. There are replacement new greenhouses, a 'green' roof proposed, planted areas with trees and this continues the site's historical association with allotment gardens.

**Assessment of the proposal's impact on authenticity**

The form and design of this proposed building is a contemporary one. A contemporary building does not necessarily cause harm to the authenticity of the World Heritage Site so long as it complements and is not in conflict with the buildings around it. The overall size and design of the building means it is not conflicting with other nearby historical buildings. This issue is assessed further below.

The OUV of Saltaire is supported by the function of a "thriving living community". The proposed new building will sustain appropriate activity in this part of the Buffer Zone, will continue to enable Shipley College to be an active organisation in Saltaire and one which provides stewardship for several key historic buildings. The proposed building seeks to improve access to education in a high quality building. This is an appropriate function given it is in proximity to the Exhibition Building which was designed for, and has functioned as, an educational building from the late 19<sup>th</sup> century.

## **Further detailed assessment against the 5 key attributes of OUV**

### **1. Model village ensemble**

The proposed building does not detract from the understanding of this attribute of OUV because it is outside the WHS boundary and on land which was never part of the designed model village assemblage. It is not a domestic residential property and is obviously a contemporary intervention.

### **2. Urban and Industrial Plan**

The proposed building does not detract from the understanding of this attribute of OUV because it is outside the WHS boundary and on land which was never part of the designed urban and industrial plan. It is obviously a contemporary intervention.

### **3. Design quality**

The proposed building does not detract from this attribute of OUV in fact it contributes positively to the OUV of Saltaire by including several elements of high quality design in its form (especially the eco-qualities of the building) and in the natural and good quality materials used. Saltaire is known for its high quality Italianate architecture however this does not, nor should it, preclude the introduction of high quality contemporary architecture into the setting.

### **4. Valley location, topography and setting**

The proposed building will not detract from the understanding of the WHS in its valley location and when viewed from remote Designated Views will blend into the general urban landscape. In terms of contribution to the immediate setting the building's relatively small size and materials have been carefully chosen so that the building remains 'subservient' to the nearby major architectural achievements of Saltaire. The proposed building blends in, in terms of its colour palette.

### **5. Communal Function**

The proposed building contributes strongly to this aspect of OUV in that it provides further services to an educational facility in Saltaire, widening reach into the FE sector and bringing people, services and a thriving community into the WHS – all of which are compatible with the original communal function of the Exhibition Building, nearby Victoria Hall and the Schools buildings on Victoria Road.

### **Community Safety Implications:**

The proposal raises no community safety implications.

### **Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

**Reason for Granting Planning Permission:**

The proposed new building for a 'High Needs Vocational Centre' within the Buffer Zone of the World Heritage Site and in the Conservation Area is acceptable in principle. The proposed new building is set into the ground and the current landscaping around the edge of the site is being retained in order to screen and soften the visual impacts of the proposed building. The materials are in keeping with the palette of materials present in the surrounding area and the design is influenced from the local distinctiveness of the World Heritage Site. The design is contemporary and does not create a pastiche or attempt to copy the surrounding built form. The proposed building is considered to have an acceptable impact on the amenity of the neighbouring occupants. There will be some loss of open space but the remaining land will be landscaped and made accessible for the benefit of the students. The site has never been available for general public use and therefore there will be no loss of public open space to the residents of Saltaire. The additional number of students will not lead to a substantial increase in traffic and the coach 'drop off' bay has been retained in its current location. The proposal is considered to accord with policies UR3, D1, BH14, BH7, BH4A, UDP3, D5, TM19A and TM11 of the RUDP and consequently requirements of the NPPF.

**Conditions of Approval:**

1. Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site in accordance with the approved plan numbered 200B and completed to a constructional specification approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

2. The development shall not be brought in to use until all reasonable endeavours have been undertaken to implement a Traffic Regulation Order (TRO) to provide the disabled persons parking on Exhibition Road as shown on the approved plan reference 200B.

Reason: In the interest of highway and pedestrian safety and to accord with policy TM19A of the Replacement Unitary Development Plan.

3. Before development commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies UR3, BH7, BH14 and D1 of the Replacement Unitary Development Plan.

4. No development shall begin until the developer has submitted details of arrangements for surface water disposal from the site. The developer shall submit details and calculations to demonstrate that surface water attenuation proposals are sufficient to contain flows generated in a 1:30 year event plus climate change within the underground system together with details and calculations to demonstrate flows generated in a 1:100 year event plus climate change will be contained within the site boundary, without affecting the proposed buildings or safe egress and access.

The details shall include surface water drainage proposals for the reconfigured access road.

Reason: In the interests of satisfactory and sustainable drainage and to comply with policy UR3 of the Replacement Unitary Development Plan.

5. The existing hedge and landscaping around the perimeter of the site shall be retained and protected throughout the construction.

Reason: To ensure trees and hedges are protected during the construction, to safeguard the visual amenity provided by the trees and to accord with policies BH7 and D5 of the Replacement Unitary Development Plan.

6. Before development commences on site, full details of the materials for all hard surfaced areas to be formed within the site shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed using the materials so approved.

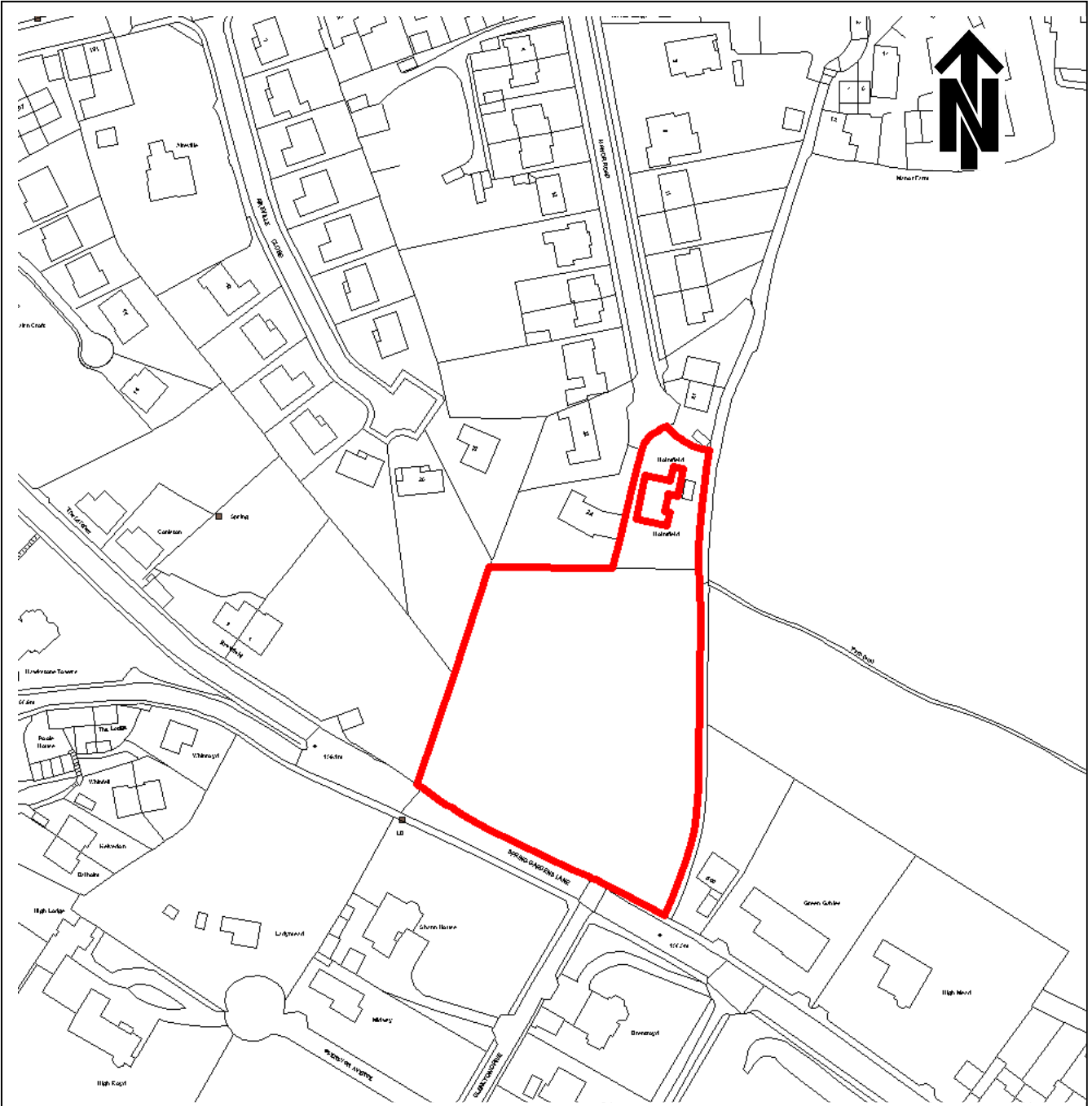
Reason: To ensure that suitable materials are used and to accord with policies BH7 and BH14 of the Replacement Unitary Development Plan.

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**Area Planning Panel (Keighley and Shipley)**

**13/04890/FUL**

23 July 2014



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<p>ITEM NO. : 4</p>	<p><b>LOCATION:</b> <b>Holmfield</b> <b>Manor Road Keighley</b></p>
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**23 July 2014**

**Item Number:** 4  
**Ward:** KEIGHLEY CENTRAL  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
13/04890/FUL

**Type of Application/Proposal and Address:**

Full planning application for construction of 4 x four bedroom detached dwellings with integral garages, gardens and demolition of existing garages to form new private driveway access at Holmfield, Manor Road, Keighley, BD20 6ET.

**Applicant:**

Mr and Mrs A and J Hopwood

**Agent:**

Self Architects

**Update: ON THE FURTHER DRAINAGE REPORT**

Following the officer presentation and questions from Members at the 9 April 2014 Keighley and Shipley Area Planning Panel, the consideration of this application was deferred with a request that the applicant submit fuller details of surface water drainage arrangements for the development. This was to specifically include an investigation of the likelihood of springs and ground water within the site and in the adjoining open field, together with submission of proposals to adequately deal with any springs or ground water that might be encountered in the course of excavation and development so as to avoid flood risk to adjoining properties.

The applicants have submitted the further drainage information.

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**STUDY CONCLUSIONS**

The applicant's study was commissioned from a local Civil and Structural Engineering Consultancy with a brief to assess flood risk from groundwater and springs that could potentially be encountered during the proposed development.

It consisted of consulting all readily available technical information relating to hydrology and geology of the site and the surrounding area together with walkover surveys of the study site and adjacent areas on the 1<sup>st</sup> and 13<sup>th</sup> of May 2014. Environment Agency records show that rainfall for this period was about 40mm which represents about 80% of the average total for the entire month of May. This suggests that during the study period groundwater levels and flows in watercourses should potentially have been at, or above seasonal levels. It was not conducted in a dry spell.

The walkover survey revealed the following.

The borehole logs within the vicinity of the study site that have been consulted did not identify the presence of any standing or artesian water and the walkover survey did not identify any features on the study site to suggest the presence of permanent or seasonal springs.

The rock strata in the area of the study site has the potential for springs but the available Ordnance Survey maps for the area identified no springs or watercourses on the study site or on the slopes above the study site.

No evidence of springs or significant surface water runoff was apparent within the area of the study site or on the hillside above.

There was no evidence of eroded channels or disruption to vegetation to suggest that any significant surface water flows had occurred in recent months.

The fact that the study site is steeply sloping, and appears to be covered predominantly with drift deposits comprising clay soils, suggests that the likelihood of encountering localised pockets of perched groundwater is remote.

Without entering private property the Engineer was unable to verify the presence or otherwise of the spring indicated on the 1964 survey map to the west of the study site. From the boundaries of the property there was no evidence of a watercourse or dry channel. It was apparent from the local topography that if the spring still exists, it perhaps only flows following extended periods of heavy rainfall, and any water issuing would run to the north which is outside the boundary of the study/development site so this spring would not affect any part of the development site.

There is no evidence of seepage or water flows issuing from the face of the slope in the adjoining playing fields.

The information obtained from the desk study and the observations made during the walkover survey both suggest that the study site is not at unusual risk from surface water runoff and is not at unusual risk of flooding from either springs or groundwater. In fact, the risk of flooding from these sources would appear to be low.

#### **DRAINAGE SECTION COMMENTS**

The Council's Drainage Section has been reconsulted and provides the following additional comments:

Drainage Officers have read the submitted flood risk report and agree with the conclusions and evaluation within it. The Drainage Section's database has been checked and the Council holds no historical records of groundwater flooding in the area and therefore the new report concurs with the Council's dataset. Drainage Officers recommend that a condition be applied to any planning approval, requiring the developer to submit details of how they will deal with any springs or watercourses they discover on site.

The Council's Drainage Officers have considered the reports from some objectors of there currently being runoff/ groundwater issues and concerns regarding compaction of the ground during construction causing run off problems. In light of these the Drainage Section also recommends a condition to require the applicant to submit a report on how they propose to manage the runoff from the site during the construction phase.

Regarding the applicant's submitted drainage proposals, Drainage Officers consider that these, in principle, are acceptable and show a drainage solution can be achieved on the site that will not increase flood risk in the area. Further details are required to show on why infiltration methods (soakaways) are not feasible on the site before a connection to sewer is approved.

Drainage Section therefore recommend the following condition to be added to any approval.

*No development shall take place until full details and calculations of the proposed means of disposal of foul and surface water drainage have been submitted to and approved by the Local Planning Authority. The site must be investigated for its potential for the use of sustainable drainage techniques in disposing of surface water from the development. Consideration should be given to discharge surface water to soakaway, infiltration system and watercourse in that priority order. Only in the event of such techniques proving impracticable will disposal of surface water to an alternative outlet be considered. Surface water flows should be restricted to the existing sites flow rates.*

The submitted surface water proposals drawing shows the flow control for the surface water system to be located half way up the site. The lower part of the access road is therefore unrestricted. The flow control should be located near the site entrance so that the whole site is restricted to the agreed discharge rate.

Following these comments the applicant has updated their drainage scheme so that the flow control would now be located near the site entrance.

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The application is still recommended for approval as set out in the report below, which was first presented to Panel on the 9<sup>th</sup> April 2014 but subject to revised and additional drainage conditions as recommended by the Council's Drainage Team.

**Site Description:**

This application site consists of the lower part of a field that slopes steeply down from Spring Gardens Lane towards the back of some single and two storey residential dwellings on Manor Road. The access to the site would be off the cul de sac head of Manor Road and would come through the side garden and drive alongside 23 Manor Road. The site created would have an area of 7495 sq metres.

The southern boundary of the site is not presently bordered by any means of enclosure. The land forms part of a larger field that stretches away to Spring Gardens Lane. The northern boundary of the field is bordered by wooden fencing and shrubs and the eastern and western boundaries are bordered by stone walling.

To the east of the site behind a broken stone wall is Keighley Public Footpath 16 which runs from Utley to Spring Gardens Lane. There is a line of mature trees along the far side of the footpath.



23 Manor Road has an existing access onto Manor Road but the field does not presently have access to 23 Manor Road.

**Relevant Site History:**

None on this site.

**Replacement Unitary Development Plan (RUDP):**

***Allocation***

Urban Greenspace OS1.

***Proposals and Policies***

UDP1 Promoting Sustainable Patterns of Development

UR2 Promoting Sustainable Development

UR3 The Local Impact of Development

H7 Housing Density - Expectation

TM12 Parking Standards for Residential Developments

TM19A Traffic Management and Road Safety

D1 General Design Considerations

D4 Community Safety

D5 Landscaping

OS1 Urban Greenspace

NE4 Trees and Woodlands

NE5 Retention of Trees on Development Sites

NE6 Protection of Trees During Development

**The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

**Parish Council:**

Keighley Town Council has not commented.

**Publicity and Number of Representations:**

The application was publicised by means of site and press notices and individual neighbour notification letters.

The overall publicity period expired on 9 January 2014. 16 representations were received, of which 15 were objections.

**Summary of Representations Received:**

The comment expresses concern about the poor state of Manor Road and the amount of heavy construction traffic and it hopes the cost of satisfactory repairs will be borne by the developer.

The grounds of objections from the 15 objecting representations are summarised below:

1. Loss of a significant area of urban green space in the locality contrary to Policy OS1 of the RUDP.
2. The proposed 3 storey houses are out of keeping with other houses in the area due to their height.
3. Height will lead to loss of privacy due to overlooking, loss of view and overshadowing of the occupiers of 24 Manor Road.
4. The proposal will exacerbate surface water run off from the fields and new developments already built which already causes flooding issues for 24 Manor Road due to the high water table the run off produces. Soakaways need to be placed some distance from the end of Manor Road.
5. The heavy clay nature of the site will prevent the soakaways operating properly and they will not comply with building regulations regarding distances from neighbouring boundaries and properties. The development will increase drainage problems and flooding in the area.
6. Will a chestnut tree cause future problems for the dwelling on Plot 4 due to its condition?
7. The need for the dwellings is questioned.
8. There is a lack of primary school places for children who will live on this development.
9. Possible gas main runs east to west across part of the site?
10. The present poor condition of Manor Road would be adversely affected by construction traffic.
11. If Holmfield is sold it will have no off road garaging and reduced amenity area.
12. The distance between dwellings and dormers will reduce privacy to surrounding properties.
13. Overdevelopment of the site.
14. This will increase the traffic flow on what is a small narrow road and will also cause an issue with parking.
15. Inappropriate development due to the nature of the site, site access and out of keeping with the surroundings.
16. Loss of amenity to the residents of Manor Road.
17. Inappropriate access and exit route to the new development.
18. Unacceptable increase in traffic and noise from vehicles entering and exiting the Holmfield site, particularly to property number 21.
19. Danger of collision from traffic exiting the Holmfield site to vehicles entering Manor Road from the driveways of adjacent properties numbers 21, 22 and 24.
20. Lack of adequate parking provision for visitors/tradesmen to the proposed 4 bedroom houses resulting to spill over parking and congestion on Manor Road.

21. This plan is out of keeping with its surroundings - the new houses are to be three story in a road of two story houses and bungalows. Worse, they are to be built on a steep hillside, raising them further so they will loom over the road and nearby homes.
22. Overlooking, loss of privacy, overshadowing and visual intrusion of the occupiers of 15 Aireville Close.
23. The development will involve severe disruption in the form of noise, pollution and potential blockage to residents' vehicles due to the restriction of access to the proposed development.
24. Adverse impact on Conservation Area
25. Adverse impact on wildlife.
26. It has to be considered that the removal of a lot of soil may affect the stability of the road above, i.e. Spring Gardens Lane.
27. Unsustainable as poorly related to local shops and services and occupiers would be reliant on cars rather than frequent sustainable transport.
28. This is Greenfield land and shouldn't be developed before brownfield land, derelict land and allocated Greenfield sites which the council has an adequate supply of.
29. Damage to protected trees.

**Consultations:**

Council's Minerals Planning Section: There are no apparent minerals or waste legacy issues relevant to the proposed development. The houses are proposed to be dug into the existing hill slope with terraced rear gardens incorporating various retaining features including battered banks, retaining walls and gabion baskets. Full details of these retaining structures should be approved prior to development commencing. It would appear from the submitted drawings that implementing the development would give rise to between 1,000m<sup>3</sup> and 2,000m<sup>3</sup> of excavation waste (125 to 250 HGV loads). It would be preferable if this material could be accommodated on-site, e.g. incorporated within landscaping works on adjacent land. Recommend that a condition is imposed to ensure that the level changes are appropriately controlled:

Highways DC Officer: Access to the development will be from the end of Manor Road which is an adopted cul de sac of typical dimensions. The proposal is for 4 detached dwellings in the curtilage of an existing dwelling. A private drive is to serve the proposed dwellings and a vehicular turning head is proposed to allow service vehicles and a fire appliance to turn within the site. Sufficient car parking is also proposed for the new and existing dwellings.

The Highways Development Control Officer has no objections to the proposals from a highways point of view subject to conditions covering provision of pedestrian and vehicular access, a construction plan, vehicle turning area and off road parking.

Council's Rights of Way Section: Keighley Public Footpath 16 abuts the site. This route is shown on the Council's Rights of Way Improvement Plan (ROWIP) – This is a 10 year strategy document that assesses a range of requests for improvements to the district's rights of way network. In this case the specific request is for general improvements to the footpath.

Although unrealistic to request improvements to the entire length of path, the Council's Rights of Way section would like to ensure that the applicant makes suitable repairs to the existing boundary wall. Repairs should ensure that the wall is no higher than existing and the applicant is requested to make repairs along the full length of wall alongside the site/footpath boundary (including land edged red and blue). Any additional timber fencing should also be on the development side of the wall and be in a similar location to existing post and wire fencing on site.

If planning permission is granted please ensure that the applicant is made aware of the need to adhere to standard requirements during the period of any works on site.

Council's Drainage Section: note it is the developer's intention to dispose of surface water using soakaways. This is acceptable subject to the developer providing the results of percolation tests (conducted in accordance with Building Research Establishment Digest No 365) and subsequent design details (also in accordance with Building Research Establishment Digest No 365), to this council for comment, prior to surface water drainage works commencing on site.

Proposed access driveway to be constructed using porous materials or alternatively to be adequately drained via gullies to a suitable soakaway.

Council's Trees Section: Initial concerns were mainly regarding the impact of excavation on the protected trees beyond the footpath on the east side of the site - due to excavations outside the proposed building footprint causing damage to protected trees.

The Tree Officer considers that additional details provided now show the proposed levels in more detail and goes some way to alleviate concerns.

However the failure to provide engineering advice is still a cause for concern as it is likely that the foundations for plot 1 will have to be piled and the minimal working space provided will need careful consideration by builders who will have to follow a site specific and robust arboricultural method statement. There will also be no room for services down the north site of plot 1. Underground services, tree protection and foundation details will need to be tightly conditioned and monitored.

The Tree Officer recommends a condition to require additional tree planting on site to be agreed (which could be within a landscaping condition) and a condition requiring further arboricultural methodology:

**Summary of Main Issues:**

1. Impact on the Urban Greenspace
2. Principle and density of development
3. Design, scale and impact on local visual amenity
4. Impact on trees
5. Impact on the amenity of occupant of adjoining properties
6. Implications for highway safety
7. Drainage
8. Other issues

**Appraisal:**

**Impact on the Urban Greenspace**

The site (apart from the means of access) is allocated as part of an area of “urban green space” on the RUDP Proposals Map and needs to be assessed against Policy OS1 of the RUDP. This policy seeks to maintain the contribution to the landscape made by those tracts of unused and open land across the district which often form an attractive green backdrop to the urban areas. This particular tract of open urban land also includes the playing fields attached to the former Greenhead School and other woodland to the east.

The Urban Green Space policy states that development will not be permitted unless it retains the open character of the urban green space and through design makes a positive contribution to the character and amenity of the area. It is therefore not the same as “Green Belt” which sets a presumption against inappropriate development. The urban green space can permit development if the overall green character is maintained and as long as development makes a positive contribution to amenity.

Balanced against this material consideration is the need to provide more land for residential development in the District in a sustainable manner which is an aim of the merging LDF, the RUDP and the NPPF.

This particular small housing development is restricted to only a small portion of the Urban Greenspace which is the bottom of the steeply sloping field. The rest of the field sloping up to Spring Gardens Lane will remain undeveloped and the section of field to be developed is not as prominent and is well related to the housing on Manor Road. The impact of development on the open and green character of the area will not be substantial because the site is not particularly prominent. Subject to environmental improvements being sought from the developer, the development could be made to make a contribution to local amenity.

It is suggested that to enhance the local environment and maintain the contribution of the urban greenspace, the developer be required to implement strong planting to the boundaries of the housing site and to secure repairs to the stone wall along the public footpath down the east boundary. It will be noted from the consultation advice that the latter has been urged by the Council’s Rights of Way Officer.

Planning conditions to secure these measures have been suggested in the list of conditions.

The design of the development makes a positive contribution to the character and amenity of the area by retaining the significant trees on the site or close to the site’s boundary so the development retains and enhances the green nature of the urban green space.

It is therefore considered that the proposal will accord with Policy OS1 of the RUDP.

**Principle and density of housing**

The site is located within the built up area of the district where the Council would seek to concentrate development in the interests of complying with Policies UDP1 and UR2 of the RUDP. Although not on a frequent sustainable transport corridor there is reasonable access to services and facilities from the site (including the nearby school) and there is disagreement with third parties that occupiers of the dwellings would be overly reliant on vehicles to get to and from services and facilities.

The density of development is lower than that normally required by Policy H7 but does reflect the density of surrounding detached and semi detached character of development in the area and is therefore considered acceptable.

### **Design, scale and impact on local visual amenity**

The proposed dwellings would be three storey in height but with the second floor accommodation in the roof space. In addition, the scheme would involve excavation of the slope to set the dwellings down into the existing land levels. This will reduce the prominence of the housing and ensure the built form is well related to the housing at the end of Manor Road.

The appearance and materials of the proposed houses reflect the existing housing in the local area. External walls would be faced with stone to the front elevation with rendered walls to the side and rear, and artificial tiled roofs. Development in the area is a mixture of mostly modern single storey and two storey dwellings. Some are stone, some are rendered and painted rendered properties with slate and artificial tiled roofs. The design and external appearance of the proposed dwellings reflects the design of houses along Manor Road in the wider area. Render is a predominant material of houses on Manor Road and the mix of proposed materials would not appear out of place and would accord with Policies D1 and UR3 of the RUDP.

### **Impact on Trees**

The site itself contains no significant trees. The Council's Tree Officer has reviewed the layout and is concerned about the impact on trees adjoining and overhanging the site – specifically because of the lack of detail in respect of engineering works that will be required to construct the house on Plot 1 which is on the east side of the site. There are some large trees on the far side of the public footpath and roots of these trees could be affected by development, including the proposed excavation of levels and position of services. This house may need to be constructed on piled foundations. However, the Tree Officer considers that such details can be reserved by a condition and has recommended the wording of such a condition. It is also suggested that full details of a tree planting scheme along the edges of the site should be reserved for agreement. Otherwise the development is satisfactory and will accord with Policies D5, NE4, NE5 and NE6 of the RUDP.

### **Impact on the amenity of occupant of adjoining properties**

Several objectors are opposed to the unacceptable disruption to existing residents by reason of noise or pollution during construction. However, this is only a development of 4 houses and such disruption will be short lived. All building projects cause a degree of disruption and have an effect on amenity while they are being built. It would not be reasonable to refuse planning permission on such grounds.

The proposed dwellings would be sited so that distances between the proposed dwellings and the existing dwellings – principally 23 and 24 Manor Road are adequate.

The house on Plot 4 is arranged with its gable side wall facing towards the back garden of No 24 Manor Road and positioned about 16-19 metres from that property with the existing beech hedge behind No 24 being retained to provide screening between gardens. The gable facing towards No 24 Manor Road is shown with two windows to non habitable rooms. A condition to ensure use of obscure glass to these and its retention is recommended. To ensure that no windows are inserted in the gable of the house on Plot 4 in the future, a condition has also been recommended to remove permitted development rights for such an alteration.

The main elevations of Units 1-3 would face towards No. 23, but would be separated from it by a distance of about 28 metres and with the habitable room windows being a minimum of 15m from the rear garden boundaries.

There will be no adverse effects on the amenity of occupiers of properties on Aireville Close, whose gardens adjoin the site. The house on Plot 4 would be sited about 18 metres from the boundary with the gardens to these properties and a considerable distance from the houses themselves.

It is appreciated that the houses have accommodation on 3 levels – including rooms in the roofspace. However, the dwellings will be set into excavated land to ensure that the height will be compatible with the heights of the neighbouring dwellings. The submitted sections show that development will not lead to loss of residential amenity to the occupiers of existing dwellings by reason of dominance, overbearing or overshadowing effects.

The existing bungalow through which access will be formed (23 Manor Road) will have a reduced garden area as a result of the development, but the remaining curtilage will be sufficient to meet the needs of the future occupiers of the dwelling for amenity space and will not result in any significant adverse effects on the setting of the dwelling or the amenity of future occupiers.

In conclusion, the proposal is sensitively arranged on the land and will not have any significant adverse effects on the amenity of adjoining occupiers. It will provide adequate standards of privacy, daylight and amenity space for existing and future occupiers of both the proposed and existing dwellings. The layout and positioning of the dwellings will accord with Policies D1 and UR3 of the RUDP.

### **Implications for highway safety**

The development would be accessing onto Manor Road which it is acknowledged is a quiet adopted cul-de-sac.

However, Manor Road is an adopted cul de sac which is level, straight, reasonably wide and of typical dimensions for such roads. The junction is not regarded as being problematic and the Highway Officer has raised no objections in terms of the capacity of Manor Road to accommodate the 4 new houses being proposed.

The proposal is for 4 detached dwellings in the curtilage of an existing bungalow with means of access being a short private drive is to serve the proposed dwellings. A vehicular turning head is proposed on the layout plan and shows that it will allow cars, service vehicles and a fire appliance to turn within the site. Sufficient car parking (2 spaces per dwelling) is also proposed for the new dwellings with each house having a car hard standing in front of an integral garage.

Regard has been given to fears by objectors that No 23 Manor Road will be left with insufficient car parking. However, the layout plan shows that the existing forecourt at the front of the bungalow will be retained to provide two off street spaces.

Regard has also been given to neighbour comments about the access being taken off the existing cul de sac turning head next to the parking forecourt retained for use of occupiers of No 23 Manor Road. However, the Highway Officer does not consider this to be an unsatisfactory arrangement.

The Highways Development Control Officer has considered the arrangements for access and turning via the private drive off the cul de sac head but has no objections to the proposals from a highways point of view. This is subject to imposition of standard conditions to ensure provision of the pedestrian and vehicular access, vehicle turning area and off road parking before the houses are occupied.

Based on the Council's Highways Development Control Officer assessment of the development it is considered that provides an adequate means of access and car parking and so will not have an adverse impact on highway safety. The proposals accord with Policies TM2, TM12 and TM19A of the RUDP.

### **Drainage**

Representations concerning drainage matters have been received but the Council's Drainage Section have not objected to the principle of development. Details of drainage would be controlled under the Building Regulations. Drainage Section has recommended application of standard planning conditions in respect of how drainage is dealt with.

### **Other issues**

The development will involve excavation and removal of spoil in order to create a workable development site. The Council's Minerals Planning Officer has recommended a suitable planning condition to ensure control over these excavations.

The site is sufficiently removed from Spring Gardens Lane so that development and excavation will not affect the stability of retaining structures to Spring Gardens Lane.

Objectors have referred to the harm to nature conservation, but the site is a vacant and part of a somewhat unremarkable grass field. There are no known protected species of wildlife that would be adversely affected by the development.



The site is not located within a conservation area but it is located on its eastern side beyond the boundary of the Devonshire Park Conservation Area. Development of the site will retain the major part of the larger open field it forms part of. The site will be sufficiently separated from the conservation area and the development will be related to modern housing on Manor Road rather than being seen directly against any heritage features. It will not therefore adversely impact on the setting of the conservation area and is not contrary to Policy BH7 of the RUDP.

Note is made of residents' concerns about the impact of development on the condition of Manor Road. This is an adopted street and any wear and damage attributable to the housing development would be monitored by the Council's Highway maintenance officers and appropriate action taken to ensure damage caused was remedied by the person responsible.

**Community Safety Implications:**

The dwellings would have secure amenity areas and the occupiers of the dwellings would provide surveillance for each other. It is considered that the proposal would accord with Policy D4 of the RUDP.

**Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

**Reason for Granting Planning Permission:**

It has been assessed that the development will retain the open character of the urban green space and through retention of significant trees makes a positive contribution to the character and amenity of the area whilst also contributing to the provision of sustainable residential development in the District. The proposal has also been assessed as not adversely affecting the setting of the Devonshire Park Conservation Area, residential amenity, parking, highway safety and drainage or community safety. As such it is considered that the proposal will accord with Policies OS1, UDP1, UR2, BH7, D1, UR3, TM12, TM19A and D4 of the RUDP and form sustainable development compatible with the NPPF.

**Conditions of Approval:**

1. Prior to the commencement of development, details of a scheme for the repair and reconstruction of the stone boundary wall abutting the footpath to the eastern side of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show details of proposals for repair of the wall and the proposed height and appearance of the boundary treatment to the dwellings abutting it. The details so approved shall be implemented prior to the occupation of the dwelling on Plot 1 of the development.

Reason : In the interests of visual amenity and to enhance the character of the Urban Greenspace to accord with Policies OS1, D1 and D5 of the Replacement Unitary Development Plan.

2. Notwithstanding any details shown on the permitted plans, the development shall not begin until arrangements have been made with the Local Planning Authority for the inspection of all facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

3. The development shall not begin until a scheme of landscaping to enhance tree, hedge and shrub cover along the perimeters of the development site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall show the following details:

- i) Position of all trees to be retained on the site, and details of proposed new trees, hedges and shrubs - showing the extent of planted areas and the numbers of trees and shrubs in each position with size of stock, species and variety;
- ii) The types of enclosure to all domestic curtilages.
- iii) Details of any regraded contours and details of changes in level within the site.

The landscaping scheme so approved shall be implemented in its entirety to the satisfaction of the Local Planning Authority during the first available planting season following the completion of the dwellings hereby approved.

Any trees or shrubs comprising the approved landscaping becoming diseased or dying within the first 5 years after the completion of planting shall be removed immediately after the disease/death and a replacement tree or shrub of the same species/specification shall be planted in the same position no later than the end of the first available planting season following the disease/death of the original tree or shrub.

Reason: In the interests of visual amenity and to accord with Policies UDP3, UR3, OS1, D1 and D5 of the Replacement Unitary Development Plan.

4. No development shall be carried out until a site specific Arboricultural Method Statement that complies with industry best practice has been submitted to and approved in writing by the Local Planning Authority. The Method Statement shall show how development is to proceed without interfering with tree protection measures and agreed tree root protection areas agreed in writing prior to development commencing. In particular the method statement shall provide, at least, the following:

- A tree constraints plan to BS 5837: 2012,
- A tree protection plan to BS 5837: 2012,
- Position of all services outside the agreed root protection areas, or specific method of trenchless technology to be used,
- Existing and proposed levels including any cut and fill operations likely to affect agreed root protection areas,
- Method of tree friendly construction for approved road and access arrangements within root protection areas,
- Method, specification, design and engineering of foundation details for plot 1,
- Landscaping and impact on root protection areas,
- Timing of operations.

The submitted and approved Arboricultural Method Statement shall be undertaken in full or in accordance with any variation for which the Local Planning Authority gives its written approval.

Reason: To ensure tree damage is minimised and to safeguard the visual amenity provided by the trees on the site to accord with Policies NE4, NE5 and NE6 of the Replacement Unitary Development Plan.

5. Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site in accordance with the approved plan and completed to a constructional specification approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

6. Before the development is brought into use, the off street car parking facility shall be laid out, hard surfaced, sealed and drained within the curtilage of the site in accordance with the approved drawings. The gradient shall be no steeper than 1 in 15 except where otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to accord with Policy TM12 of the Replacement Unitary Development Plan.

7. Before any part of the development is brought into use, the vehicle turning area shall be laid out, hard surfaced, sealed and drained within the site, in accordance with details shown on the approved plan and retained whilst ever the development is in use.

Reason: To avoid the need for vehicles to reverse on to or from the highway, in the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

8. The access, parking and other surfaced areas within the site shall have permeable surfaces or alternatively to be drained via gullies to soakaways. Details of the porous surfaces, drainage gullies and soakaways shall first have been submitted to and agreed in writing by the Local Planning Authority. The access, parking and other surfaced areas shall be surfaced or drained in accordance with the approved details and these porous surfaces and/or drainage shall be retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the rate of surface water run-off from the development and to protect adjoining properties from flooding and to accord with Policies NR16 and UR3 of the Unitary Development Plan.

9. Prior to the commencement of development a level changes scheme shall be submitted to and approved in writing by the Local Planning Authority. The level changes scheme shall include:
- i) A plan and illustrative sectional drawings showing proposed and existing ground levels throughout the site;
  - ii) A calculation of the volume of excavation arisings which will result from the implementation of the proposed site levels;
  - iii) An assessment of options for the re-use, recycling or disposal of excavation waste arisings;
  - iv) Selection of preferred option for the re-use, recycling or disposal of excavation waste arisings;
  - v) If off-site disposal is proposed: a full justification of why alternative re-use or recycling options are not viable;
  - vi) If on-site re-use is proposed: full details of the method of re-use and any changes in ground levels which will result from the re-use operation;
  - vii) A calculation of the number and type of HGVs required to remove excavation arisings from the site (if any);
  - viii) A transportation strategy setting out the maximum daily HGV movements, anticipated haulage routes, access provisions and the hours during which transportation of excavation waste will take place (where relevant);
  - ix) Full details of the retaining structures which will be incorporated within the development (type, design, height and technical specifications);

- x) Details of the mitigation which will be put in place to minimise adverse environmental impacts associated with the implementation of the site ground works and transportation of materials (i.e. dust, noise, vibration and the deposition of mud on the road).

Thereafter the development shall only proceed in strict accordance with the approved level changes scheme.

Reason: To ensure that all available opportunities to minimise the volume of excavation waste required to be removed from the site are taken and that the implementation of level changes does not unacceptably harm amenity or road safety, in accordance with policies UDP9, TM2, TM19A and UR3 of the replacement Unitary Development Plan.

10. The living room window on the northern elevation of the dwelling hereby approved on Plot 4 and the wc and ensuite windows in the western elevations of the dwellings hereby approved on Plots 1, 2 and 3 shall be glazed in obscure glass prior to the first occupation of the building/extension and thereafter retained.

Reason: To prevent overlooking or loss of privacy to adjacent occupiers and to accord with Policy UR3 of the Replacement Unitary Development Plan.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any subsequent equivalent legislation) no further windows, including dormer windows, or other openings shall be formed in the north elevation of the dwelling on Plot 4 without prior written permission of the Local Planning Authority.

Reason: To safeguard the privacy and amenity of occupiers of neighbouring properties and to accord with Policies D1 and UR3 of the Replacement Unitary Development Plan.

12. No development shall take place until full details and calculations of the proposed means of disposal of foul and surface water drainage have been submitted to and approved by the Local Planning Authority. The site must be investigated for its potential for the use of sustainable drainage techniques in disposing of surface water from the development. Consideration should be given to discharge surface water to soakaway, infiltration system and watercourse in that priority order. Only in the event of such techniques proving impracticable will disposal of surface water to an alternative outlet be considered. Surface water flows should be restricted to the existing sites flow rates. The development shall be drained in accordance with the approved details.

Reason: To reduce the rate of surface water run-off from the development and to protect adjoining properties from flooding and to accord with Policies NR16 and UR3 of the Unitary Development Plan.

13. No development shall take place until the applicant has submitted a report on how they propose to manage the runoff from the site during the construction phase and it has been approved in writing by the Local Planning Authority.

Reason: To reduce the rate of surface water run-off from the development and to protect adjoining properties from flooding and to accord with Policies NR16 and UR3 of the Unitary Development Plan.

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**23 July 2014**

**Item Number:** 5  
**Ward:** WORTH VALLEY  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
13/04278/HOU

**Type of Application/Proposal and Address:**

Householder planning application for two storey extension to rear and enclosure of open porch to the front of the building at Middle Isle Farm, Isle Lane, Oxenhope, Keighley, BD22 9QA.

**Applicant:**

Mr Les Illingworth

**Agent:**

Mr Peter Sutcliffe

**Site Description:**

This application relates to stone faced farmhouse and attached barn. This barn has been converted to residential use. The farmhouse is in the Green Belt and was extended in 2004 by the addition of an attached double garage. To the front of the Farmhouse and barn is a large parking area. There are gardens to the front and rear of the property. Middle Isle Farm is situated outside the built up area of the district within in a mixed upland pasture landscape. The site is prominent in the landscape.

**Relevant Site History:**

88/04266/FUL – Installation of new bathroom with hot water system and septic tank. Granted.

02/00764/FUL – Extension of dwelling into adjacent barn. Granted 26.04.2002.

04/04416/FUL – Construction of double garage. Granted 10.01.2005.

**Replacement Unitary Development Plan (RUDP):**

***Allocation***

Green Belt

***Proposals and Policies***

GB5 Extension and Alteration of Buildings in the Green Belt

D1 General Design Considerations

D4 Community Safety

UR3 The Local Impact of Development

NE3 Landscape Character Areas

NE3A Landscape Character Areas



TM12 Parking Standards for Residential Developments  
TM19A Traffic Management and Road Safety

Householder Supplementary Planning Document

**The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

**Parish Council:**

Parish Council were confused with the poor quality of the drawings to make an informed view. However, the apparent walling up of an internal door makes it look as though the proposed extension will become an independent dwelling. If that is the case then different planning matters would have to be considered.

The Parish Council objected on the grounds that:

- (i) the wrong planning permission was being sought;
- (ii) the extension would cause excessive ribbon development i.e. a linear straggle, far removed from a typical long house structure;
- (iii) the removal of the archway would be detrimental to the original appearance of the dwelling;
- (iv) the choice of materials were not in keeping with the locality.

The Parish Council insists that if Planning Officers are minded to approve this application, then determination should take place at a Planning Panel Meeting.

**Publicity and Number of Representations:**

Publicised by means of site notice and individual neighbour notification letters. Overall expiry of publicity was 18 December 2013. No representations have been received.

**Summary of Representations Received:**

None.

**Consultations:**

None deemed necessary.

**Summary of Main Issues:**

Impact on Local Environment  
Impact on neighbouring occupants  
Highway safety

**Appraisal:**

Oxenhope Parish Council has referred this householder application to panel - raising concerns that the proposal will lead to the formation of two independent dwellings and that the wrong form of planning permission is being sought.

However, that is not a matter for consideration here. The 2002 permission for extension of dwelling into the barn was conditioned so that the extension should not at any time be occupied as a separate independent dwelling without the prior written approval of the Local Planning Authority.

This Condition states that:

“The development hereby approved comprises an extension of an existing dwelling and shall not at any time be occupied as a separate independent dwelling without the prior written approval of the Local Planning Authority”.

Any subsequent evidence of occupation of the barn as an independent dwelling contrary to this condition should be pursued under enforcement procedures.

In any case, the floor plans submitted in connection with this application show an internal connecting door between the residential accommodation in the barn and the existing farmhouse at both ground and first floor levels. Also the application forms refer to the physical extension of the dwelling and not to any proposed change of use.

Officers are satisfied that the right type of planning application has been applied for. This is a householder planning application purely for an extension and could not be construed as seeking or authorising a change of use, and the appraisal is considered on this basis.

**Impact on green belt**

The site is located within Green Belt as defined by the RUDP.

The appraisal needs to assess the proposal against the NPPF. Specifically:

- whether the proposal represents inappropriate development in the green belt,
- its impact on the openness of the Green Belt and purposes of including land within it
- the effect of the proposal on the character and appearance of the host building and local area, and
- if it is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Paragraph 89 of the NPPF explains that the extension or alteration of a building can be regarded as an exception to the normal presumption against inappropriate development in the Green Belt providing it does not result in disproportionate additions over and above the size of the original building. This national guidance is reflected in Policy GB5 of the RUDP and Section 14 of the Council's Householder SPD specifies that, as guidance, to avoid being disproportionate, extensions in Green Belt should not exceed more than 30% of the original cubic volume. 30% is a guide and not an absolute and disproportionality will vary depending on the nature of the original building being added to.

In this case, the proposed extension and other additions to the dwelling would amount to around 30% of the original cubic volume and is therefore not considered a disproportionate extension to the original dwelling.

Also, in considering how the extension would affect the openness of the countryside and the absence of visible development, this extension would not have any appreciable impact. Although the dwelling is prominent in the landscape the additional built form to the existing building is set against the mass of the existing building. It will not add noticeably to the bulk or prominence of the structure and therefore it is not considered would adversely affect the openness of the Green Belt or the purposes of including the land in it.

#### **Impact on character of the building and the landscape**

RUDP Policy GB5 seeks to protect the character of the Green Belt and the original dwelling. RUDP Policies NE3 and NE3A and the Landscape SPD also aim to safeguard the character and appearance of the Mixed Upland Pasture Landscape Character Area (LCA) within which the site falls.

The barn attached to Middle Isle Farm has already been converted to domestic use and the extension would not alter this fact. In terms of its shape and form, Middle Isle Farm is already linear in nature and the extension would be in keeping with this form. With regard to parish Council concerns, the extension follows the prevailing character of local buildings but would not be unduly imposing or prominent or noticeably extend the existing building because the majority of the extension will be set to the rear.

Middle Isle Farm although prominent in the landscape is not set on the skyline but seen set against fields and the proposed extension and alterations would not add significantly to the present form or mass of building already seen in the landscape.

The Parish Council opposes the removal of the barn archway but the applicant confirmed at the site visit that the archway in the barn is to be retained but in filled with a double sliding glass door that will be set slightly back into the reveals so as to present the appearance of a void when seen from a distance. This is considered a visually sympathetic alteration to the existing building. The arch will not be lost as a feature that contributes to the character of the building.

New materials for the extension are indicated as being the same natural stone and slates as those used on the existing building. The Parish Council comment that the choice of materials is not in keeping with the locality are not accepted.

It is considered that for this reasoning that the proposal is of appropriate design and appearance, would not harm the landscape setting or local character so accords with Policies D1, NE3 and NE3A of the RUDP.

**Impact on neighbouring occupants**

The small extension is sited away from the sites boundaries and some considerable distance from the dwellings of neighbouring occupants meaning it will not have any adverse impact on the residential amenities of neighbouring occupants by reason of either overbearing, overshadowing or overlooking / loss of privacy.

**Highway safety**

The proposed extension will not in itself create and additional dwelling or materially increase traffic. It will not affect on site parking or manoeuvring space and thus highway safety will not be adversely affected.

**Community Safety Implications:**

The proposal raises no community safety issues and will accord with Policy D4 of the RUDP.

**Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

**Reason for Granting Planning Permission:**

The proposed two storey extension to rear and enclosure of open porch to the front of the building has been assessed as having an acceptable impact on the green belt and mixed upland pasture landscape, residential amenities, highway safety and community safety. As such the proposal will accord with Policies GB5, D1, UR3, D4, NE3, NE3A, TM12 and TM19A of the Replacement Unitary Development Plan and form sustainable development compatible with the National Planning Policy Framework.

**Conditions of Approval:**

1. The development hereby permitted shall be constructed of facing and roofing materials to match the existing building.

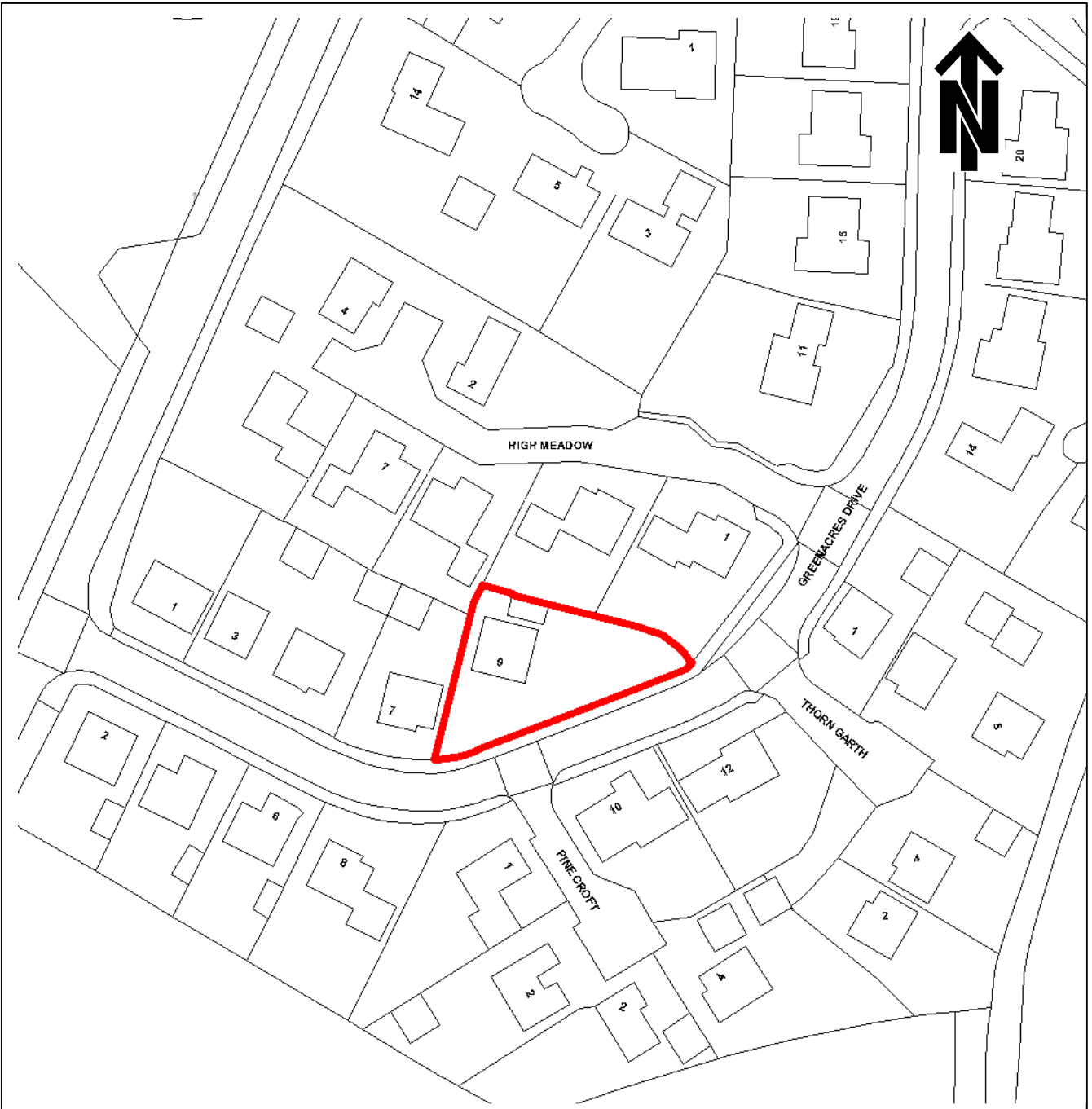
Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

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**Area Planning Panel (Keighley and Shipley)**

**14/01043/HOU**

23 July 2014



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<p>ITEM NO. : 6</p>	<p>LOCATION: <b>9 Greenacres Drive Keighley</b></p>
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**23 July 2014**

**Item Number:** 6  
**Ward:** KEIGHLEY CENTRAL  
**Recommendation:**  
**TO REFUSE PLANNING PERMISSION**

**Application Number:**  
14/01043/HOU

**Type of Application/Proposal and Address:**

Householder application for additional floor to existing detached bungalow with front face extension and entrance porch with rear infill extension to kitchen at 9 Greenacres Drive, Keighley, BD20 6NF.

**Applicant:**

Mr Mohammed Usman

**Agent:**

Mr Shoaib Mahmood

**Site Description:**

The site is occupied by a detached bungalow situated in a modern suburban residential area off Shann Lane. The existing bungalow is orientated so that the side elevation faces the frontage to Greenacres Drive. The site slopes down to the east, whilst two storey dwellings to the north on High Meadow are also at a lower level than the application site.

**Relevant Site History:**

13/00918/HOU – Construction of additional floor to existing detached bungalow with front face extension and entrance veranda: plus rear infill extension to kitchen. Withdrawn.

05/01743/FUL – Bedroom extension, conservatory and porch. Approved.

**Replacement Unitary Development Plan (RUDP):**

***Allocation***

Unallocated on the RUDP.

***Proposals and Policies***

D1 General Design Considerations  
D4 Community Safety  
UR3 The Local Impact of Development  
TM12 Parking Standards for Residential Developments  
TM19A Traffic Management and Road Safety

Weight has also been given to the Council's Householder Supplementary Planning Document (SPD).

**The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

**Parish Council:**

Keighley Town Council recommended the application be approved.

**Publicity and Number of Representations:**

Publicised by letters to neighbours. Five objections were received from four addresses.

**Summary of Representations Received:**

Grounds of objection are:

- 1. Loss of light due to overshadowing of 1 High Meadow.
- 2. Intrusive form of development.
- 3. Not in keeping with the area / an eyesore towering over all the surrounding houses / out of proportion with the surroundings.
- 4. An attempt to maximise the value of the site at the expense of the local residents amenities.
- 5. Invasion of privacy.
- 6. There is an issue with public safety for pedestrians utilising the pavement, in particular children, adults with pushchairs and the elderly. The pavements are presently used for car parking which is illegal.
- 7. Concerned that the property will be used as a madrassa and this would lead to an increase in traffic and highway safety issues.
- 8. Given the close proximity and the high elevation with respect to 3 High Meadow the proposal of an additional floor and extending the front would mean that it would dominate over my property and would have an unacceptable impact both in terms of the visual intrusion and very high degree of overshadowing.
- 9. With the southerly aspect to the rear of 3 High Meadow, the occupiers currently enjoy a lot of sunlight/daylight for the most part of the day, all year round into the kitchen and living room but with the size of the proposed extensions they are concerned that during the winter months that benefit would be denied them leaving the kitchen and living room in shadow all day and only in the summer months would they enjoy the same access to the sunlight/daylight as they have now.

10. It is considered that the provision of a small bungalow on this site by the original developer was deliberate to avoid overshadowing the plots on High Meadow below and to be in keeping with the overall look of the estate.

**Consultations:**

None.

**Summary of Main Issues:**

Impact on local visual amenity/street scene.

Impact on the amenity of occupiers of surrounding properties.

Impact on local highway safety.

Other matters.

**Appraisal:**

**Impact on local visual amenity**

The existing bungalow on this plot is a low rise building set back from Greenacres Drive within a wide garden to the side and front. A stone wall with railings and planting in the garden screen views of the bungalow so it is presently unobtrusive. The site is situated within a mixed residential development of modern two and single storey dwellings. The proposal would lead to an enlargement of the footprint of the existing bungalow and the raising of its ridge height to create an additional storey of accommodation.

The area includes a mix of houses and bungalows set at different alignments to the streets. Being a typical estate development of the 1980s/1990s there is no regular arrangement of houses along Greenacres Drive. Objectors have said that increasing the height of the bungalow would adversely affect the character of the estate, but the degree to which the bungalow is set back from the front boundary of the site and the presence of the wall and railings along the front are such that the resultant dwelling would not appear unduly out of place in terms of its form or massing.

However, there is concern that the plans indicate an intention that the resultant dwelling would have a red pantile roof finish. This would be out of keeping with the roof coverings of the existing bungalow and dwellings elsewhere on the estate which are dark grey or dark brown concrete tiles. A red colour would be incongruous. However if other aspects of this application were considered acceptable a permission could be subject of a planning condition to require a roof covering that was brown or dark grey rather than red to match other roofs in the area in the interests of amenity and to accord with Policies D1 and UR3 of the RUDP.

**Impact on the amenity of occupiers of surrounding properties.**

The extended bungalow has been arranged to ensure windows face front and back so that it would not result in undue overlooking or loss of privacy for the occupiers of adjoining residential properties.

However, the proposed extension of the existing low rise bungalow upwards and outwards would result in a very large gable wall being constructed along the northern boundary. This part of the extension would be less than 12 metres from the rear elevation of 3 High Meadow to the north and the enlarged dwelling would extend along virtually the whole of the boundary to the back garden of that neighbouring property.



Due to the difference in levels between dwellings, with 3 High Meadow sitting at a lower level than the application site, the proposal would dominate that property and result in significant loss of outlook for its occupants. Being on the north side the increased mass of the building would also cause overshadowing of the private rear amenity space.

Given the close proximity and the high elevation with respect to 3 High Meadow the construction of an additional floor and extending to the front of 9 Greenacres Drive would mean that it would dominate and cause unacceptable visual intrusion and overshadowing. The enlarged dwelling would have an overbearing and dominating impact on the rear private amenity space and the ground floor habitable room windows in the rear elevation of 3 High Meadow. The proposal would thus be contrary to Policies D1 and UR3 of the RUDP and core principle contained in paragraph 17 of the NPPF which states that Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

### **Highway safety**

Although neighbours express concern about parking problems, the proposal includes on site parking for at least three cars which complies with advice in the Householder SPD and Policy TM12 of the RUDP. The use of the site would remain residential using an access onto Greenacres Drive that has previously been adequate. This proposal would not have an adverse impact on highway safety contrary to Policy TM19A of the RUDP.

### **Other matters**

Third parties have expressed concern that the altered dwelling would be used as a madrassa. This is presumably because a prayer room is shown on the plans. However, it is assumed that this room is solely for private use by the occupiers. The application makes no reference to use of the property for religious teaching and the granting of permission for an extension could not be construed as sanctioning a material change of use. If the property was subsequently used for any purposes that was not ancillary to its use as a dwelling house this would be a matter for an enforcement investigation and possible action if necessary.

### **Community Safety Implications:**

The proposal retains a secure property in a secure curtilage open to surveillance by the occupiers of adjoining residential properties and accords with Policy D4 of the RUDP.

### **Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. The agent and applicant have protected characteristics in terms of their race and religion. However, no case has been made as to why these characteristics should lead to a different assessment of the material considerations relevant to this application and it is not considered that the applicant or agent have been the victims of unlawful discrimination, harassment or victimisation in consideration of this application.

**Conclusion:**

Whilst the enlargement and raising of the roof of this property would have no significant adverse effects on the character of the residential estate or street scene, there is concern that the bungalow is being enlarged in a manner that would dominate the adjoining property at 3 High Meadows and cause significant harm to the outlook and amenity of its occupants due to the mass of the structure that would subsequently run along its boundary.

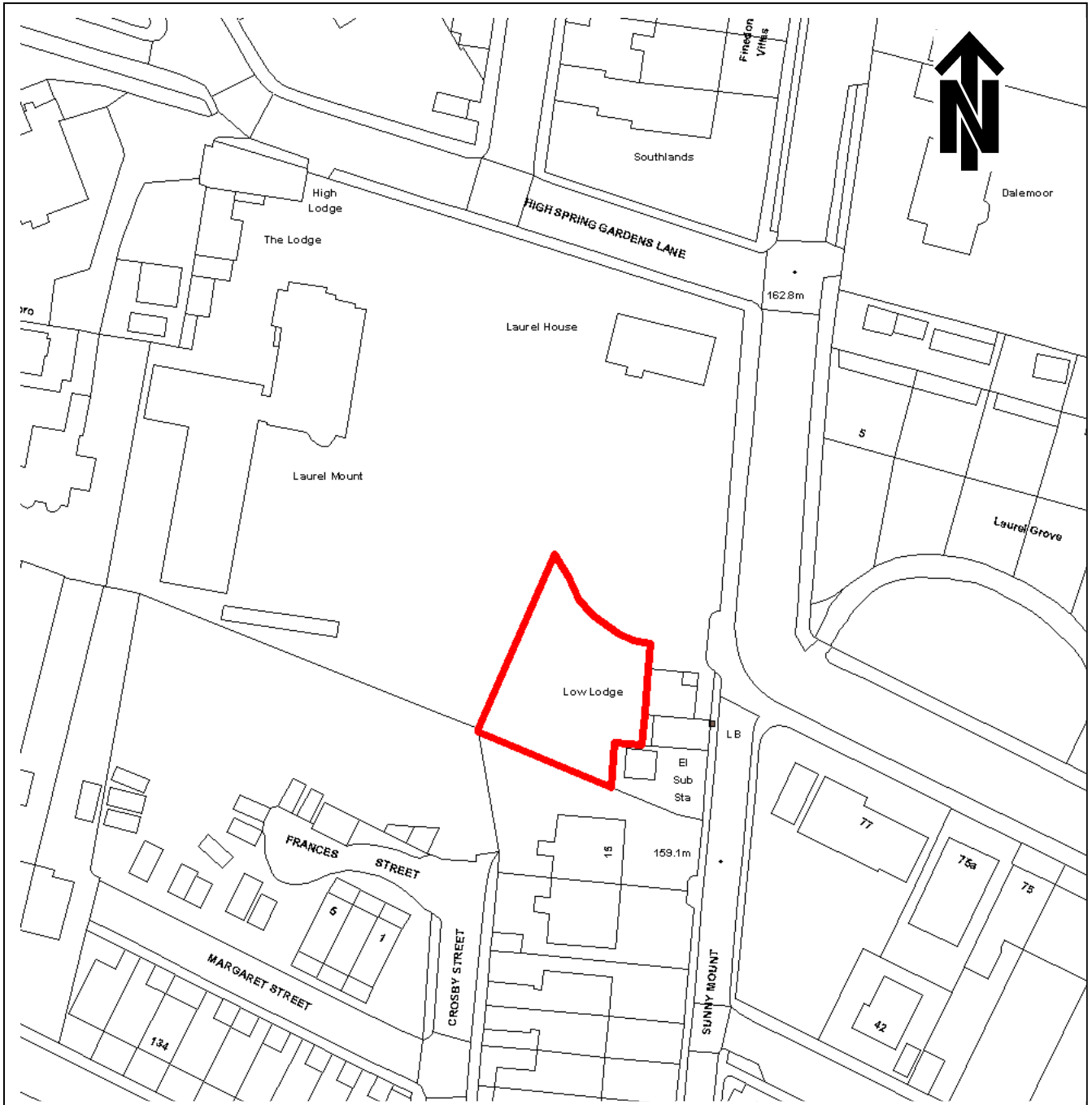
**Reasons for Refusal:**

1. The proposed extension would by reason of its proximity and excessive size result in loss of light to and overbearing impact on the private amenity space and ground floor habitable room windows to the rear of the adjacent dwelling at 3 High Meadow and as such would not comply with Policies D1 and UR of the Replacement Unitary Development Plan, the Householder Supplementary Planning Document and the core principle contained in Paragraph 17 of the National Planning Policy Framework, which states that Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
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**Area Planning Panel (Keighley and Shipley)**

**14/01427/FUL**

23 July 2014



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<p>ITEM NO. : 7</p>	<p>LOCATION: <b>Low Lodge</b> <b>Belgrave Road Keighley</b></p>
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**23 July 2014**

**Item Number:** 7  
**Ward:** WORTH VALLEY  
**Recommendation:**  
**TO REFUSE PLANNING PERMISSION**

**Application Number:**  
14/01427/FUL

**Type of Application/Proposal and Address:**  
Full application for the construction of a pair of semi-detached dwellings on land at Low Lodge, Belgrave Road, Keighley.

**Applicant:**  
Mr B Karim

**Agent:**  
Mr M Ainsworth

**Site Description:**  
This site is located on the west side of Belgrave Road, Keighley, and comprises a small plot of land within the grounds of the Grade II listed Laurel Mount. This elegant stone built Victorian house is now a care home. The application land is at the side of the drive access to the care home and is to the immediate rear of Low Lodge, the gatehouse to Laurel Mount. The site is bordered by a number of mature trees and is within the Devonshire Park and Cliffe Castle Conservation Area.

The ground comprising the site has been disturbed by recent activity and a steel container and quantities of stone and aggregate have been deposited on the site during June 2014.

**Relevant Site History:**  
06/03197/FUL - demolition of lodge and erection of new dwelling. Refused,  
13/04858/FUL - Pair of semi-detached houses. Refused.

**Replacement Unitary Development Plan (RUDP):**  
**Allocation**  
Unallocated.

**Proposals and Policies**  
Policies UDP3, UR3, D1, BH4A, BH7, BH10, NE4, TM2, TM12 and TM19A of the RUDP.

**The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

**Parish Council:**

To be reported orally.

**Publicity and Number of Representations:**

The application was advertised by site notice and neighbour letters to 12.6.2014.

**Summary of Representations Received:**

7 letters of support.

6 objection letters.

The application is referred to panel by a Ward Councillor who supports the application.

**Summary of Objections**

- 1. The site overlaps onto land owned by Laurel Mount (the listed building)
- 2. A number of mature trees have been felled without consent.
- 3. Trees will be lost.
- 4. The setting of listed building will be harmed
- 5. Harm to highway safety and emergency access to the nursing home
- 6. Inadequate garden space for family homes
- 7. Children will play on access road to nursing home
- 8. This development has previously been refused.

**Summary of support**

- 1. Such a development would, in my opinion, add to the value of the surrounding area and nearby homes. As the area stands, it is an eyesore and I relish seeing the site developed into homes which are needed.
- 2. There has been unsightly fly tipping in the area for some time with objects such as mattresses and the like being strewn on the site, much of which I have removed myself.

3. The proposed development I feel is in keeping with the locality would not damage the character of the area. If anything it would add to it.
4. The impact of the houses is minimal as they are set back from the main road behind the gatehouse therefore from the main road would have a minimal visual impact.

**Consultations:**

To be reported orally.

**Summary of Main Issues:**

Context and Impact on Heritage Assets.

Impact on Conservation area.

Residential and General Visual Amenity.

Impact on Trees.

Highway Safety.

**Appraisal:**

**Context and Impact on Heritage Assets**

Low Lodge was constructed as the gate lodge to Laurel Mount, a large detached stone built mansion, constructed in 1885. Laurel Mount and the steps, terrace wall and balustrade to the front are all listed Grade II, and the whole site is situated in the Devonshire Park and Cliffe Castle Conservation Area. The whole area is identified as making a positive contribution to conservation area character.

Some of the key identified characteristics of the conservation area include:

- Open parkland and large gardens.
- Mature deciduous tree cover.
- Secluded, private character of larger houses and their grounds.

The setting of large detached houses in grounds of commensurate size is indicative of the area being the premier residential suburb of Keighley in its time. The mature landscaping, extensive tree cover and quiet residential streets also still serve to clearly illustrate this as an area with a genteel ambience. The relationship of buildings to their open settings, especially in the case of the most important residences such as Laurel Mount is critical to this character.

The National Planning Policy Framework (NPPF) issued in 2012 states at paragraph 126 that in determining planning applications that affect listed buildings and conservation areas, local planning authorities must recognise that heritage assets cannot be replaced and so they must be conserved in a manner appropriate to their significance. Local planning authorities should also take into account the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring.

Moreover, it is the responsibility of authorities to preserve heritage assets for future generations whose sense of place and belonging is substantially informed by the ready interpretation of the history of place.

The importance of preservation of heritage assets is firmly underlined by the NPPF which, at paragraph 131 states that when determining planning applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, and
- b) the positive contribution that conservation of heritage assets can make to sustainable communities, including their economic vitality.

Paragraph 132 of the NPPF states that in considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

Significance of an asset can be harmed or lost through its alteration or destruction or by development within its setting.

Substantial harm to a grade II listed building, park or garden must be treated as exceptional.

Policy BH7 of the Replacement Unitary Development Plan makes clear that any development in conservation areas should preserve or enhance the character or appearance of the area. Further, Para.137 of the NPPF states that new development in conservation areas should enhance or better reveal the significance of the area.

The application site has been the subject of two previous applications for planning permission:

- a) Planning application 06/03197/FUL sought the demolition of the gatehouse lodge and its replacement with a large new detached dwelling.
- b) Planning application 13/04858/FUL sought the construction of a pair of semi-detached houses to the rear of the lodge.

Both these applications were refused due the harmful impact upon the heritage assets, the character and appearance of the conservation area and conflict with the trees on the site.

This current planning application again seeks the construction of a pair of semi-detached dwellings to the immediate rear of the gatehouse lodge.

This development is unacceptable as a matter of principle since it would be visually intrusive and would detract from the setting of the gatehouse lodge. The proposed houses are of significantly greater bulk and are taller than the lodge. They would harm the relationship between the lodge and Laurel Mount and would compromise the openness of the setting of the listed building. These adverse effects would be directly contrary to local and National planning policy and its objectives, and an approval would reflect most poorly upon the council's guardianship of the district's heritage assets.

The heritage statement submitted in support of the application does not consider the impact of the proposals on the heritage assets. However, new built form here would clearly cause substantial harm to the setting of the listed building, harming the site and its contribution to the visual quality and character of the conservation area.

Substantial harm to the setting of a Grade II listed building should only be accepted in exceptional circumstances. Para.134 of the NPPF advises that even where less than substantial harm is expected, this must be weighed against public benefits of the proposals. There appears to be no public benefit arising from this proposal, and so there are no mitigating circumstances to weigh against the harm that would arise.

Accordingly, and irrespective of the design of the proposed dwellings, the principle of this development within the grounds of the listed building is unacceptable; is contrary to the advice of Paras.132, 133, 134 and 137 of the NPPF and contrary to Policies UDP3, BH4A, BH7 and BH10 of the RUDP.

### **Impact on the Conservation area**

Developments within conservation areas must either preserve or enhance the character and appearance of the area. The NPPF qualifies this by noting that new development in conservation areas should 'enhance or better reveal the significance of the area'.

The spatial arrangement and openness of the existing grounds of Laurel Mount and its lodge is an essential element of special architectural and historic interest of the listed building. The character of the wider conservation area is also derived from its open spaces and the environmental character derived from large properties standing in extensive grounds that reflect the historic development of this part of the township of Keighley.

The proposed development here would be sited very close to the lodge and would result in prominent and very significant harm to the established pattern of built form in the area. The proposed houses would appear very cramped on the site and would dominate the traditional lodge. The historic pattern of existing built form and open space merits preservation by way of conservation area status and an approval here would be directly contrary to Policies UDP3, D1 and BH7 of the RUDP and contrary to Para 137 of the National Planning Policy Framework 2012.

### **Residential and General Visual Amenity**

Low Lodge has no habitable room windows in its elevation facing the site and the proposed dwellings would be unlikely to adversely affect the residential amenity of the occupiers of Low Lodge by way of loss of privacy within habitable rooms.

However, the proposed new development would be little more than 1 metre from the rear elevation of the lodge and the development would as a consequence appear as a cramped and incongruous addition. This relationship between the existing and proposed buildings would not only accentuate the incongruity and visual harm of the development upon the open character of the grounds of the listed building but would also appear entirely out of character in the wider street scene and conservation area contrary to Policies UDP3, UR3, BH7 and D1 of the RUDP.



### **Impact on Trees**

The proposed houses are pressed close to the trees on the side and rear boundaries of the plot. The private amenity space of the two proposed dwellings would be very limited in extent and would be overhung, shaded and dominated by protected trees. Moreover, habitable rooms facing the rear boundary would be overshadowed due to windows by the trees. The loss of light would be significant given that large mature trees are directly south and west of the proposed dwellings and this shade cast would adversely affect the living conditions of the occupiers of the properties contrary to Policies D1 and UR3 of the RUDP. Occupation of dwellings on this site would result in pressure to remove trees once the properties are occupied, which should be avoided in the interests of the amenity value of the trees in question and their contribution to the visual quality and character of the conservation area.

The Council's Tree Officer points out that this submission is exactly same as the previous refusal but with the exception of a tree survey which is 8 years old and part of the submission from 2006. The submitted tree information is therefore significantly out of date and it would be unprecedented to accept a tree survey that old as it is to an out dated BS standard and no longer accurate.

It is noted that correspondence claims that the development will not harm trees. However the applications own plans shows re-grading of the land which contradicts that position.

Further it is also clear that there has been no consideration as to how trees can be protected during construction to guidelines contained in BS5837 (2012). To allow for construction the land will obviously require regrading and this will damage Root Protection Areas. This cannot be overcome by condition.

Should trees survive construction, the limited garden space on this cramped site will be dominated by trees. Trees Team does not support the creation of limited private garden space which will be largely overhung by protected trees. The shade cast will be excessive given that large mature trees are square on and directly south and west sides of dwellings. The shade cast will be significant and affect the living conditions of the properties resulting in excessive pressure to remove trees once the properties are occupied. If the development disputes this then a simple tree shade cast plan should be submitted. Further, proposed windows will be at extremely close quarters to canopy spreads – one of the trees around 1m from windows and there is significant growth potential of trees left. The proposed therefore fails in terms of D1 with the outcome of the build likely resulting in irresistible pressure to remove large trees on appeal with little prospect of meaningful tree replacement given the limited garden size. The likely tree loss will be detrimental to amenity.

The proposals are therefore contrary to Policy NE4, NE5 and NE6 of the RUDP.

### **Highway Safety**

It is possible for each of the proposed dwellings to be served by off road parking spaces in accordance with Policy TM12 of the RUDP.

There are no highway objections to the proposed development subject to off-street parking being provided prior to occupation.

## **Summary**

This site comprises part of the setting of a Grade II Listed Building and is within the Cliffe Castle and Devonshire Park Conservation Area.

The proposed development would result in unjustified harm to the setting of the listed building to the detriment of its special architectural and historic interest, and would fail to preserve or enhance the visual quality of the conservation area by introducing new, dominant and incongruous built form immediately behind the traditional lodge house.

The proposals fail to satisfy Paragraph 132 of the NPPF, which states that great weight should be given to a heritage asset's conservation. The significance of an asset can be harmed or lost by development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. No such justification has been demonstrated here and the proposed development is unacceptable as a matter of principle.

The proposals would result in pressure on protected trees that are of significant value in terms of their contribution to the setting and the quality of the conservation area.

## **Community Safety Implications:**

There are no apparent community safety implications.

## **Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. This submission makes no special arguments relevant to the protected characteristics of applicant so it is not considered that any issues with regard thereto are raised in relation to consideration of this application.

## **Reasons for Refusal:**

1. Laurel Mount is a Grade II Listed Building standing in extensive grounds, whilst Low Lodge comprises the gatehouse to the listed building, standing at the entrance to the estate.

Any new development in the context of the Laurel Mount estate would be visually intrusive, detracting from the setting of the gatehouse lodge and the relationship between the lodge and the villa. The development would interrupt the landscaped setting of the listed building and compromise the openness of the estate. The proposed development here would therefore cause substantial harm to the setting of the listed building and the interpretation of the heritage assets.

Accordingly the principle of the proposed development within the grounds of Laurel Mount and its gatehouse is contrary to Policies UDP3, UR3, D1 and BH4A of the Replacement Unitary Development Plan and contrary to Paragraphs 132, 133, 134 and 137 of the National Planning Policy Framework (2012)

2. The application site and associated grounds are situated in the Devonshire Park and Cliffe Castle Conservation Area, and are identified as making a positive contribution to the quality and character of the conservation area. There are key views towards the Grade II listed Laurel Mount from the main entrance, and there are key trees across the site.

The proposed development would appear as a most incongruous addition that would fail to preserve, enhance or enable better interpretation of the conservation area. As such the proposed development does not satisfy Policies UDP3, UR3, D1 and BH7 of the Replacement Unitary Development Plan and fails to accord with the National Planning Policy Framework

3. The tree survey is out of date and there is no methodology for tree protection or retention during the proposed construction. The proposed development would involve alterations to site levels, which would affect root protection areas and so damage or kill mature trees on the site, to the detriment of the visual quality and character of this part of the Devonshire Park and Cliffe Castle Conservation Area, and the setting of the nearby Grade II Listed Building. Accordingly the proposals fail to satisfy Policies UR3, NE4, NE5, NE6, BH4A, BH7 and BH10 of the Replacement Unitary Development Plan, and fails to accord with the National Planning Policy Framework.

4. The proposed garden spaces that are proposed on this cramped site would be dominated and overhung by mature trees. The shade cast would be excessive and would adversely affect the living conditions of occupiers of the properties, resulting in pressure to remove the trees once the proposed dwellings are in use. The likely tree losses would be damaging to the visual quality and character of the Devonshire Park and Cliffe Castle Conservation Area, and would harm the setting of the Grade II listed Laurel Mount.

The proposed development is therefore contrary to Policies UR3, NE4, NE5, NE6, BH4A, BH7 and BH10 of the Replacement Unitary Development Plan, and fails to accord with the National Planning Policy Framework.

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