

# Report of the Strategic Director, Regeneration and Culture to the meeting of the Area Planning Panel (KEIGHLEY AND SHIPLEY) to be held on 08 April 2015

R

## 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.	120 Main Street Burley In Wharfedale Ilkley - 14/04989/FUL [Approve] (page 1)	Wharfedale
2.	18 Barley Cote Avenue Riddlesden Keighley BD20 5QB - 14/04831/FUL [Approve] (page 8)	Keighley East
3.	2 Old Mill Close Burley In Wharfedale Ilkley LS29 7RU - 14/04184/HOU [Approve] (page 15)	Wharfedale
4.	32 Grange Road Riddlesden Keighley BD20 5AE - 15/00100/HOU [Approve] (page 22)	Keighley East
5.	Black Hat Public House 11 Church Street Ilkley LS29 9DR - 14/05357/FUL [Approve] (page 27)	Ilkley
6.	Silsden Golf Club Brunthwaite Lane Silsden BD20 0NH - 14/05160/FUL [Approve] (page 33)	Craven

Julian Jackson  
Assistant Director (Planning, Transportation and Highways)

Report Contact: Mohammed Yousuf  
Phone: 01274 434605

Email: [mohammed.yousuf@bradford.gov.uk](mailto:mohammed.yousuf@bradford.gov.uk)

#### Portfolio:

Housing, Planning and Transport

#### Overview & Scrutiny Committee

#### Area:

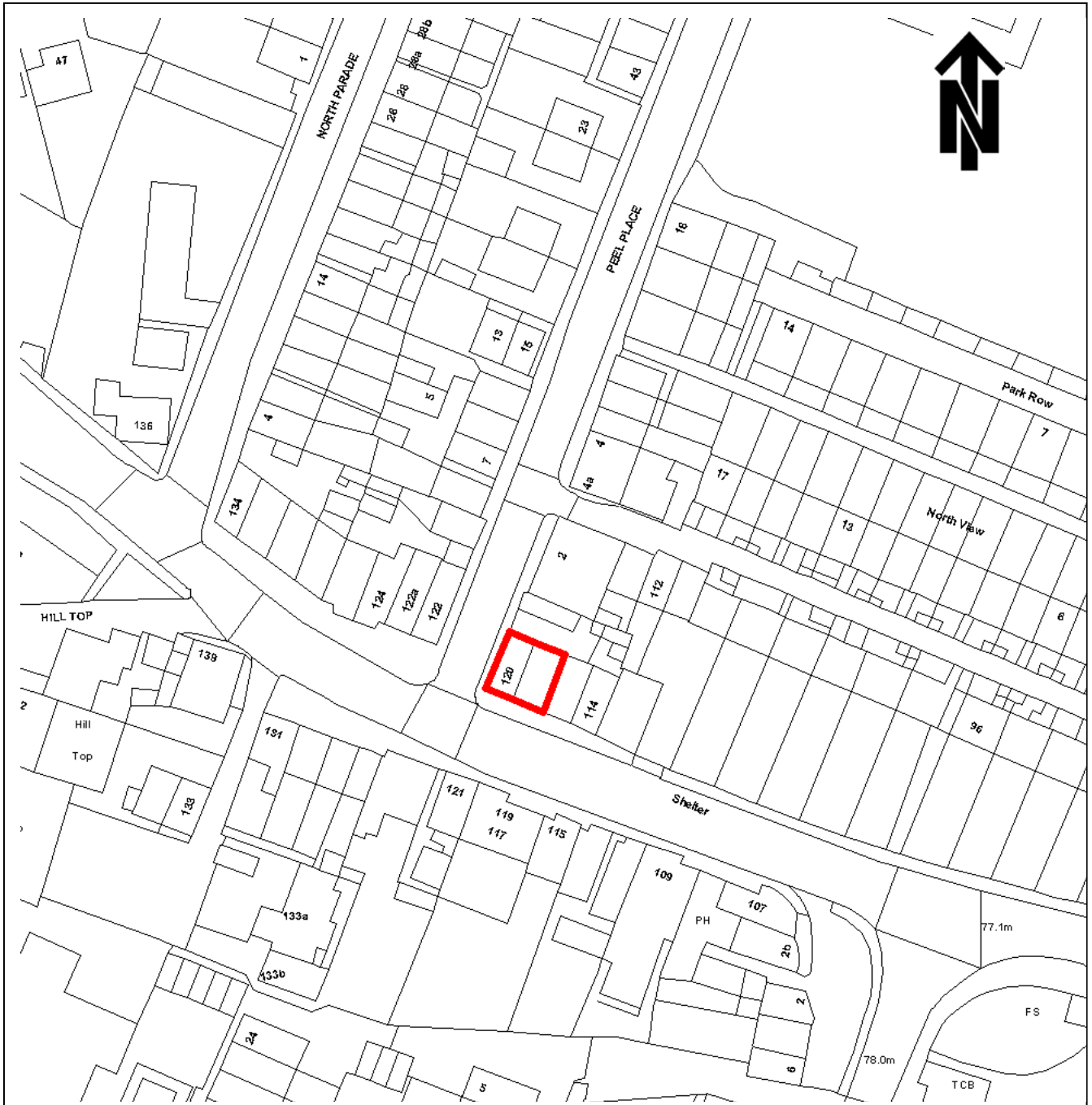
Regeneration and Economy



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

**14/04989/FUL**

8 April 2015



© Crown copyright 2000. All rights reserved (SLA 100019304)

ITEM NO. : 1	LOCATION: <b>120 Main Street Burley in Wharfedale Ilkley</b>
--------------	---

**8 April 2015**

**Item Number: 1**  
**Ward: WHARFEDALE**  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**  
**APPLICATION WITH A PETITION**

**Application Number:**  
14/04989/FUL

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

Full application for the change of use of the premises from offices (B1) to a Pilates clinic (D1) at 120 Main Street, Burley in Wharfedale.

**Applicant:**

Mrs Alyson Pickett-Clough

**Agent:**

OB Architecture

**Site Description:**

No 120 Main Street is a 19<sup>th</sup> century stone built, two storey building located on the north side of Main Street within the village centre of Burley-in-Wharfedale. The site is located within the Burley-in-Wharfedale Conservation Area. The property was last used as offices for an architectural practice. Directly to the west of the site is Peel Place, a residential street, which is a cul de sac and set at right angles to Main Street. It serves a number of residential properties and a building used by Scout and Guide groups. The surrounding area displays a mix of commercial and residential uses.

**Relevant Site History:**

74/05320/COU: Change of use to Office. Granted 1975

77/5837/COU: Conversion of 1<sup>st</sup> floor to office. Granted 9.11.1977

83/06984/COU: Conversion to offices. Granted 16.11.1983

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

**Allocation**

Burley in Wharfedale Local Centre

Burley in Wharfedale Conservation Area

**Proposals and Policies**

Policies D1 *General Design Considerations*, UR3 *The Local Impact of Development*, TM11 *Parking Standards for Non-Residential Development*, TM19A *Traffic Management and Road Safety* and BH7 *New Development in Conservation Areas Safety* are of particular relevance.

**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:**

Burley Parish Council recommends refusal on the grounds that the proposal could have significant car parking implications in an area with a major shortage of car parking spaces. The proposed evening opening hours give cause for concern and the proposed alterations to the application site could have a loss of privacy for adjacent properties.

**Publicity and Number of Representations:**

Advertised by NN letter and press and site notice. Expiry dates 3 and 12 February 2015 respectively.

6 letters of objection have been received together with a petition against the development with 21 signatories from neighbouring householders, mostly from Peel Place.

**Summary of Representations Received:**

- Neighbouring houses could be overlooked by patrons of the pilates studio resulting in a loss of privacy.
- Parking in the vicinity is already in high demand especially along Peel Place with residents not being able to park near their own homes.
- The site has no parking facilities and there are parking restrictions in force around the property on Main Street and on the corner of Peel Place.
- Residents already suffer from inconsiderate parking from members of the public using local shops and business on Main Street.
- The Scout Hut at the bottom of Peel Place already generates traffic during the evenings which can lead to parking and access problems during evening hours.
- The volume of parked cars along Peel Place makes organising deliveries and refuse collections difficult and there is a concern that emergency service vehicles may not be able to access properties due to vehicles being parked illegally on double yellow lines at the top of the street.
- It is unrealistic to assume that class attendees will use the village car park at the rear of Queens Hall.

- Increase in traffic along Peel Place would be detrimental to pedestrian safety.
- Concern that not all residents of Peel Place were notified directly of the application.

**Consultations:**

**Drainage Section:** No objection.

**Heritage Conservation:** Some concern that additional on-street parking could have a detrimental impact upon the character and setting of the conservation area.

**Highways Development Control:** The objections raised by local residents relating to parking on Peel Place are noted. However residents concerns regarding parking problems in this locality is a long standing issue and needs to be balanced with the fact that the premises have been used as an A2 office, which could be reinstated at any time. It is not considered that the proposal would create a parking demand greater than an office use and should not therefore have any significant material impact on the highway network. No objections are raised.

**Summary of Main Issues:**

Principle of development.

Impact on car parking and highway safety.

Impact on amenity of neighbouring residents.

Consideration of the representations and petition.

**Appraisal:**

The proposal seeks approval for the change of use of the building from offices to a Pilates clinic. No external alterations are proposed to facilitate the development. The ground floor will accommodate a reception and office with the Pilates studio and 2 No treatment rooms on the first floor.

The applicant intends to relocate her current business to the site from Station Road where it has been operating for approximately 7 years. As the clientele is drawn from the local area, a number of customers arrive on foot.

It is intended that the business will operate from 0900 to 2000 Mondays –Fridays, 0900 to 1800 on Saturdays and not at all on Sundays. It is anticipated that there will be between 3-5 classes a day, each lasting no more than 50 minutes with between 8 - 10 customers in any class. The remainder of the business hours would be given over to one-on-one appointments with private clients and physiotherapy. Staffing numbers will vary depending on the activity schedule however, given the size of the building, there will be no more than one instructor and two therapists in the building at any one time.

The applicant has previously obtained planning permission for a change of use of a nearby property on Main Street, No 95 adjacent to the Queens Head Public House (11/02973/FUL refers) for a Pilates clinic of a similar size to that currently proposed i.e. with one studio and two treatment rooms. However, due to circumstances outside of their control, they have been unable to secure the premises hence the need to source an alternative venue.

### **Principle of Development**

The application site is located within Burley village centre which is defined as a Local Centre on the Replacement Unitary Development Plan. Local Centres are suitable for a variety and mix of uses and are seen as appropriate for any type of use which was primarily frequented by the people within the area it served.

It is considered that a Pilates clinic would constitute such a use given that it would provide a service for residents of the local area. In addition, the proposal would not result in the loss of any retail floor space and consequently would not adversely affect the shopping offer of the rest of Burley village centre.

No external alterations are proposed and consequently the character of the streetscene and the wider Conservation Area should not be affected by the development. The scheme is considered to accord with Policies UR3 and BH7 of the Replacement Unitary Development Plan.

### **Parking and Highway Safety**

There is no off street car parking associated with this site. Some on street parking is available alongside the kerb on the opposite side of Main Street. There are parking restrictions on one side of Main Street, stretching across the site frontage, during the day from 8am to 6pm but this space is available for parking during the evening hours. There are double yellow lines around the junction of Main Street / Peel Place.

However there are no parking restrictions on the remainder of Peel Place and it is acknowledged that there is a high take up of parking along Peel Place during the day some of which is likely to be long stay parking by local traders. Also it is acknowledged that during evening hours and weekends it is also expected that residents parking would predominate because most of the houses fronting peel Place do not have off street car parking or garaging.

However, this is also likely to mean that clients of the Pilates studio would not easily find parking space on Peel Place and are more likely to look for space further afield in the vicinity of the existing business on Station Road, on Main Street or other local streets. The difficulties of parking may also act as an incentive for clients to walk to the site or travel by other means.

Notwithstanding this, the size of the property is such that the proposed use is not likely to be a high generator of traffic. The size of the exercise studio would limit the number of clients present at any one time. Figures provided by the applicant suggest around 8-10 clients at any one time with 3-5 classes per day between the hours of 09.00 and 20.00 during the week. Not all clients will arrive by car given that the site is in a sustainable location for walking and travel by public transport – there is a bus stop directly outside the premises. The Council's Highway Engineers are satisfied that if around two thirds of the customers arrive by car, there should be sufficient space within this locality to cater for this level of traffic generation.

Residents have understandably raised concerns over the impact of the development on parking and road safety because parking congestion and difficulties is a long standing issue for local residents, especially on Peel Place. However, this needs to be considered in the context of the parking demands of the existing office use, which represents a suitable fall back position, in planning terms. The re-instatement of an office use would also generate a demand for car parking in the area - comprising mostly of long duration staff parking but also parking by customers and visiting members of the public throughout the day.

Consequently, the view of the Council's highway Officer is that given the previous use, the opportunities for customers and staff to use other means of travel, and the limitations of the floorspace and capacity of the building, the parking demands of the proposed Pilates clinic would not result in significant road safety issues.

For these reasons, the Council's Highway Engineers are satisfied that the proposal will not have any significant material impact on the highway network and over and above the existing office use and the proposal is considered to accord with Policies TM11 and TM19A of the Replacement Unitary Development Plan.

### **Impact upon neighbouring residents**

The Parish Council has said that the proposed alterations to 120 Main Street will create a loss of privacy for the adjacent properties. However, there are no proposals to extend or add any windows to the building so this point is unsubstantiated. A first floor window in the rear of the property would serve the exercise studio but this window already exists and formerly served an office. Neighbouring properties on Peel Place should not be materially overlooked by customers of the clinic any more so than the previous occupants of the offices.

The premises have been unoccupied for some time, but a resumption of the previous use as offices would give rise to a degree of activity that might be noticed by neighbours. The use of the premises as a Pilates clinic should not give rise to any more significant levels of noise and disturbance than this previous use - given the small size of any classes.

It is proposed to limit the hours of business to those specified within the application. The premises shall not be used outside the hours of 0800 to 2000 Mondays to Fridays and from 0800 to 1800 on Saturdays and not at all on Sundays, Bank or Public Holidays. These hours may result in the premises being open later in the evening than the previous office use. However, the main entrance to the reception is out onto Main Street, a busy commercial thoroughfare, whereby a certain background level of noise during evening hours can be expected.

It is acknowledged that neighbouring residents may already suffer from inconsiderate parking from neighbouring businesses. However, a D1 Pilates studio would not result in any change to the current situation, when taking into account the traffic generation potential of an alternative office use. Given that on-street parking is already at a premium on Peel Place, particularly during the evening hours, it is likely that customers would park elsewhere such as along Main Street where parking restrictions are lifted after 6pm. The proposal is therefore considered to accord with the requirements of Policy UR3 of the adopted Replacement Unitary Development Plan.

### **Representations**

Letters of objection have been received from 6 households together with a 21 name petition, mostly from Peel Place, with concerns mostly relating to parking together with pedestrian safety and a loss of amenity through overlooking. It should be noted that these concerns have been fully considered however they do not constitute a valid reason for refusing the application in this instance, for the reasons outlined above.

The means by which the application was publicised has also been questioned however the application was publicised in accordance with the Council's Code of Publicity with a press notice displayed in the local press, the Ilkley Gazette, a site notice and individual letters to adjoining neighbours.

### **Community Safety Implications:**

None anticipated.

### **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 quality 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 development should not have an adverse impact on the character and appearance of the property, the wider streetscene and Conservation Area in which it is located, the amenities of neighbouring occupiers or highway safety, taking into account the possibility of an office use being re-instated. The proposal would enable a local business to retain its links and customer base within the Burley area to the benefit of the wider community. The proposal is considered to accord with Policies UR3, TM11 and TM19A of the Council's adopted Replacement Unitary Development Plan (2005).

### **Conditions**

1. The premises shall not be used outside the hours of 0800 to 2000 Mondays to Fridays and from 0800 to 1800 on Saturdays and not at all on Sundays, Bank or Public Holidays.

Reason: In the interests of the amenities of neighbouring residents and to accord with Policy UR3 of the Replacement Unitary Development Plan.

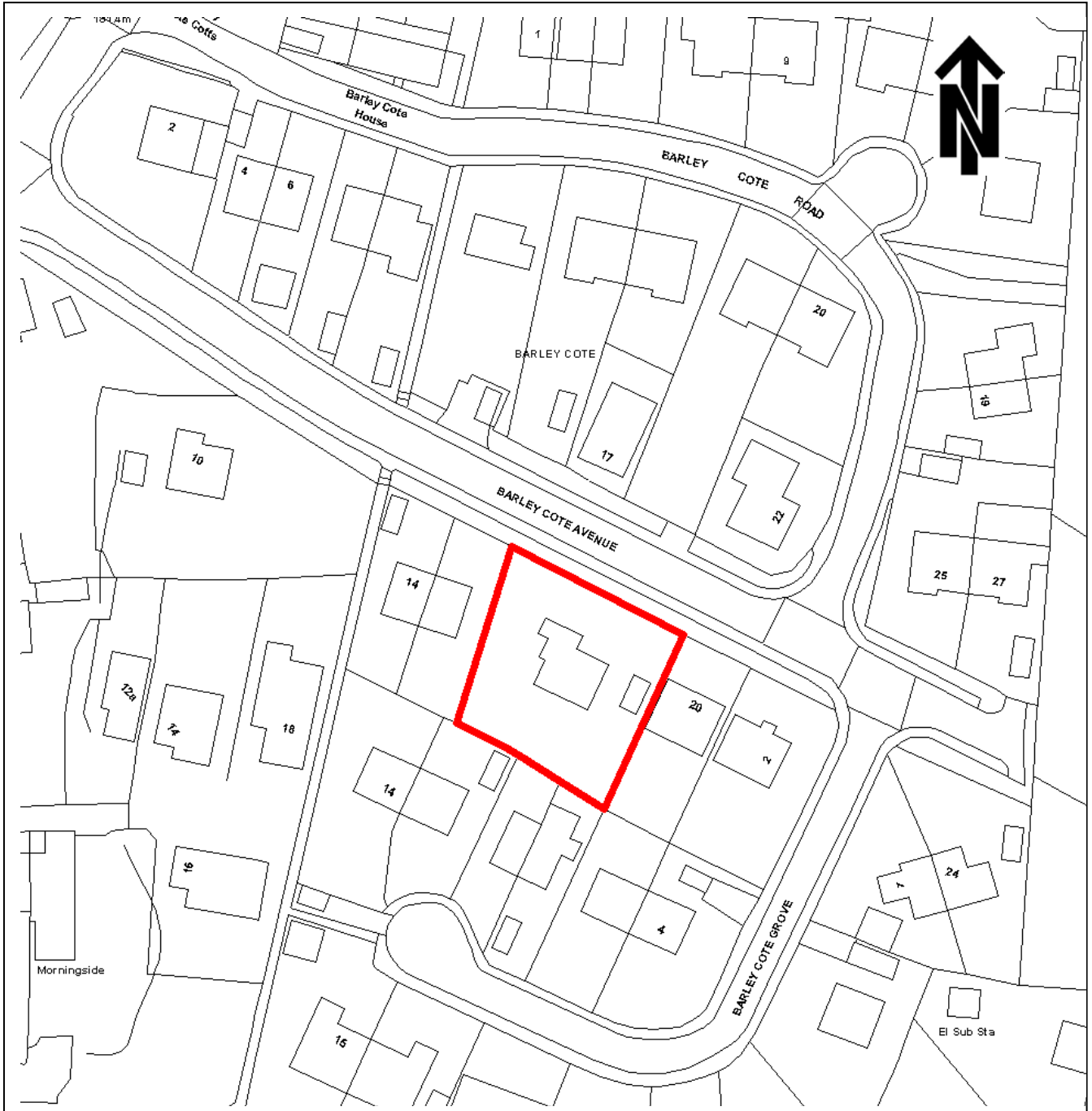
---



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

**14/04831/FUL**

8 April 2015



© Crown copyright 2000. All rights reserved (SLA 100019304)

<p>ITEM NO. : 2</p>	<p><b>LOCATION:</b> <b>18 Barley Cote Avenue</b> <b>Riddlesden</b> <b>Keighley BD20 5QB</b></p>
---------------------	---

**8 April 2015**

**Item Number: 2**  
**Ward: KEIGHLEY EAST**  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
14/04831/FUL

**Type of Application/Proposal and Address:**  
Full application for construction of detached dwelling land at 18 Barley Cote Avenue, Riddlesden, Keighley BD20 5QB.

**Applicant:**  
Mr & Mrs Bebb

**Agent:**  
Michael Ainsworth

**Site Description:**  
The site is occupied by a single detached stone built bungalow within a row of properties fronting onto Barley Cote Avenue. This site falls steeply in level to the west from its frontage with Barley Cote Avenue towards housing at substantially lower level along Barley Cote Grove to the south. Generally the area, which occupies a relatively steep hillside overlooking Keighley, is wholly residential in character.

**Relevant Site History:**  
09/03237/FUL - Proposed detached dwelling. Refused 14.9.2009  
09/04819/FUL - Demolition of existing bungalow and construction of 3 dwellings. Refused 01.12.2009  
11/00454/FUL – Demolition of bungalow and construction of two pairs of semis. Refused 24.3.2011  
11/02591/FUL – demolition of bungalow and construction of two pairs of dwellings. Refused 9.1.2012 and the subsequent appeal was dismissed.  
13/01353/HOU – Extensions to existing bungalow. Granted 18.7.2013

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

***Allocation***

Policy UDP3 promotes acceptable forms of development that respect the urban and natural environments.

Policy UR3 local impact of development.

Policy D1 requires all development proposals to make a positive contribution to the environment and quality of life through high quality design, layout and landscaping.

Policy TM2 seeks to ensure highway safety

Policy TM12 requires residential developments to achieve the necessary standard of off-street car parking

Policy TM19A requires developments to assure highway safety

**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 recommended approval.

**Publicity and Number of Representations:**

The application was advertised by neighbour letters and site notice. 14 objection letters have been received.

**Summary of Representations Received:**

1. The proposed dwelling would appear very domineering to surrounding properties, being especially close to the side of adjoining homes and overlooking those at a lower level to the South. This is exacerbated by the steep incline of the site.
2. The proposed detached dwelling would be at the detriment of the amenity and privacy of occupiers of adjoining properties. Properties behind the site will be severely overshadowed and overlooked.
3. It would also be overdevelopment of this small site, giving the feel of being cramped in its surroundings and not fitting into the character of the area.
4. Barley Cote Ave is already becoming victim to overdevelopment; the residents do not want any more developments of this nature which are beginning to spoil the spacious feel of the area. The street was designed to have space between dwellings, not houses cramped together as closely as they'll fit.
5. More traffic. The potential increase in traffic on Barley Cote Avenue will cause problems. The proposed dwelling has 3 bedrooms, this could mean up to 4 more cars coming to/from the dwelling and requiring a place to park. Consequently there will be more cars parking along the avenue, creating a potential driving hazard and risk to children crossing the road.
6. The design is not in keeping with the area. A new house would do more harm than the approved extension.
7. Development would damage a mature pear tree in next door garden.
8. More congestion may stop the bus service from running along the road. The bus already has problems negotiating past parked cars.

**Consultations:**

Consider that the proposal will not have any significant material impact on the highway therefore rises no objections from a highways point of view. Subject to standard conditions relating to formation of means of access and car parking.

**Drainage section:**

Development should be drained via a separate drainage system within the site boundary. Soakaways will not be suitable.

A public sewer crosses the site in the area of the proposed car parking. The Sewerage Undertaker (Yorkshire Water) must therefore be consulted for any layout constraints and for a view of the impact of the development on the public sewerage system. (This point will be conveyed to the applicant by a footnote so that construction of the parking area safeguards the sewer underneath).

**Summary of Main Issues:**

Background – previous refusals and approvals.

Local Amenity – impact on neighbouring occupiers.

Design.

Highway issues.

**Appraisal:**

**Background – previous refusals and approvals**

This site has been the subject of four previous applications for residential redevelopment, all of which have been refused. Early proposals involved the construction of a substantial new dwelling adjacent to the existing bungalow. More recent applications were for the removal of the bungalow and its replacement with 4 new dwellings.

These proposals were refused due to the Council's concerns about overlooking or over-dominance of the dwellings along Barley Cote Grove at a lower level to the south. The proposed development of 4 new dwellings on this restricted site would result in an unacceptable degree of overlooking and over-dominance of neighbouring properties to the detriment of the amenity and privacy of their occupiers.

The Inspector considering the subsequent appeal against refusal of 11/02591/FUL was not entirely convinced by the Council's argument about overlooking of the properties on Barley Cote Grove. He felt the proposed terrace was carefully designed so that those houses on Barley Cote Grove closest to the site would not face the new development directly and there would be an adequate separation distance between the closest of the existing properties and the proposed scheme.

In the Inspector's opinion, the adverse impact of the development of 4 houses on the outlook from the existing houses to the south was a more compelling reason for refusal. The configuration and scale of the 4 dwelling terrace scheme would be radically different to the single dwelling which sits on the site and has a single-storey elevation to the front and two-storey features to the rear facing the dwellings to the south. The existing dwelling is centrally placed within the site, with generous space on both sides. The proposed unbroken line of four dwellings extending across the remaining width of the site, together with the extent of the roof face, would lead to a much greater scale of development and would unduly dominate the outlook of the residents on Barley Cote Grove immediately to the south.

Following rejection of the appeal, under planning application 13/01353/HOU, a sideways enlargement of the existing bungalow was approved. The resulting building mass would extend across the space between the existing bungalow and the eastern garden boundary, leaving a 3 metre gap between it and the neighbouring dwelling to the east.

### **The Proposal**

The proposal is to build a new dwelling in the gap between the existing property and the east boundary. This would occupy the same position as the extension approved under 13/01353/HOU.

### **Impact on neighbours**

The back wall of the new house would be aligned with the back wall of the existing dwelling, so the effects of the house on the properties to the south would be similar to those of the extension already approved there. The height and massing are essentially the same such that the occupiers to the south would find little difference in outlook or from other effects. Indeed, compared with the side extension, the current scheme would also incorporate a 1.5 metre wide gap between the existing and proposed dwellings such that, in fact, a minor reduction in the apparent mass of buildings would accrue when viewed from the south.

Given the existence of the approval for the extension to the existing dwelling, it is not considered that a refusal here for a small independent dwelling could now realistically be sustained on the basis of over-dominance or harmful impact on the outlook of occupiers of the properties on Barley Cote Grove, to the south of the site.

The approved extension to the existing bungalow would introduce dining room and kitchen windows facing south towards Barley Cote Grove. The proposed new dwelling shows lounge windows at ground floor and a bedroom window and obscure glazed bathroom window above. The back wall would be located 15 metres from the extension at the back of the nearest semi on Barley Cote Grove and 18.4m from the main house wall.

Therefore, compared with are therefore no additional effects here that would lead to demonstrable conflict with Policy UR3 of the Replacement Unitary Development Plan

### **Design**

The dwelling would be built in stone with slates or tiles to match the existing dwelling. The hipped roof of the existing dwelling would be raised to achieve a gabled roof form consistent with the new dwelling.

Representations from residents point to the scale and general design of the dwelling, suggesting that it would appear out of place in this locality.

These points are acknowledged but there are a number of different house types in the surrounding area, such that the proposed building would not appear incongruous. The building would have limited visual presence in the street scene since it would appear as a bungalow when viewed from the Barley Cote Avenue as the land falls steeply from the highway frontage. It is considered that in this local context the design and form of the proposed development are acceptable in light of Policies UDP3, UR3 and D1 of the Replacement Unitary Development Plan.

### **Highway Issues**

The proposals have resulted in a significant number of objections that point to the capacity of the local highway network. Residents express concern that further development in this locality would result in increased vehicular congestion and on-street parking demand. Objectors indicate that there are already difficulties for buses and emergency services due to parking along the nearby roads.

The proposal makes provision for 4 off street car spaces on an area at the front of the development level with the street. Two would serve the existing dwelling.

The Council's Highway Officer has considered the implications of a further dwelling for the surrounding highway network, but as the proposals ensure that the existing and proposed dwellings will benefit from two off-street parking spaces the Highway Officer concludes that the development would not result in harm to highway safety or the free flow of traffic. Subject to conditions to secure implementation of the means of access and off street car spaces, the proposed development meets the necessary standard for parking provision and as a consequence there is no conflict with Policies TM2, TM12 and TM19A of the Replacement Unitary Development Plan.

### **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. 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 principle and details of the proposed dwelling have been carefully assessed and the proposal is considered acceptable. The dwelling would have no significant impact on the character of the surrounding area or on the amenity of the occupants of adjoining residential dwellings. No significant highway safety and or community safety would arise. As such the proposal will accord with policies D1 and UR3 of the Replacement Unitary Development Plan and the National Planning Policy Framework.

### **Conditions of Approval**

1. 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 and D1 of the Replacement Unitary Development Plan.

2. 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.

3. 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.

4. 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.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any subsequent equivalent legislation) no development falling within Classes A to 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 safeguard the amenity of occupiers of adjoining properties and to accord with Policy UR3 of the Replacement Unitary Development Plan.

6. Construction work shall only be carried out between the hours of 0730 and 1800 on Mondays to Fridays, 0730 and 1300 on Saturdays and at no time on Sundays, Bank or Public Holidays, unless specifically agreed otherwise in writing by the Local Planning Authority.

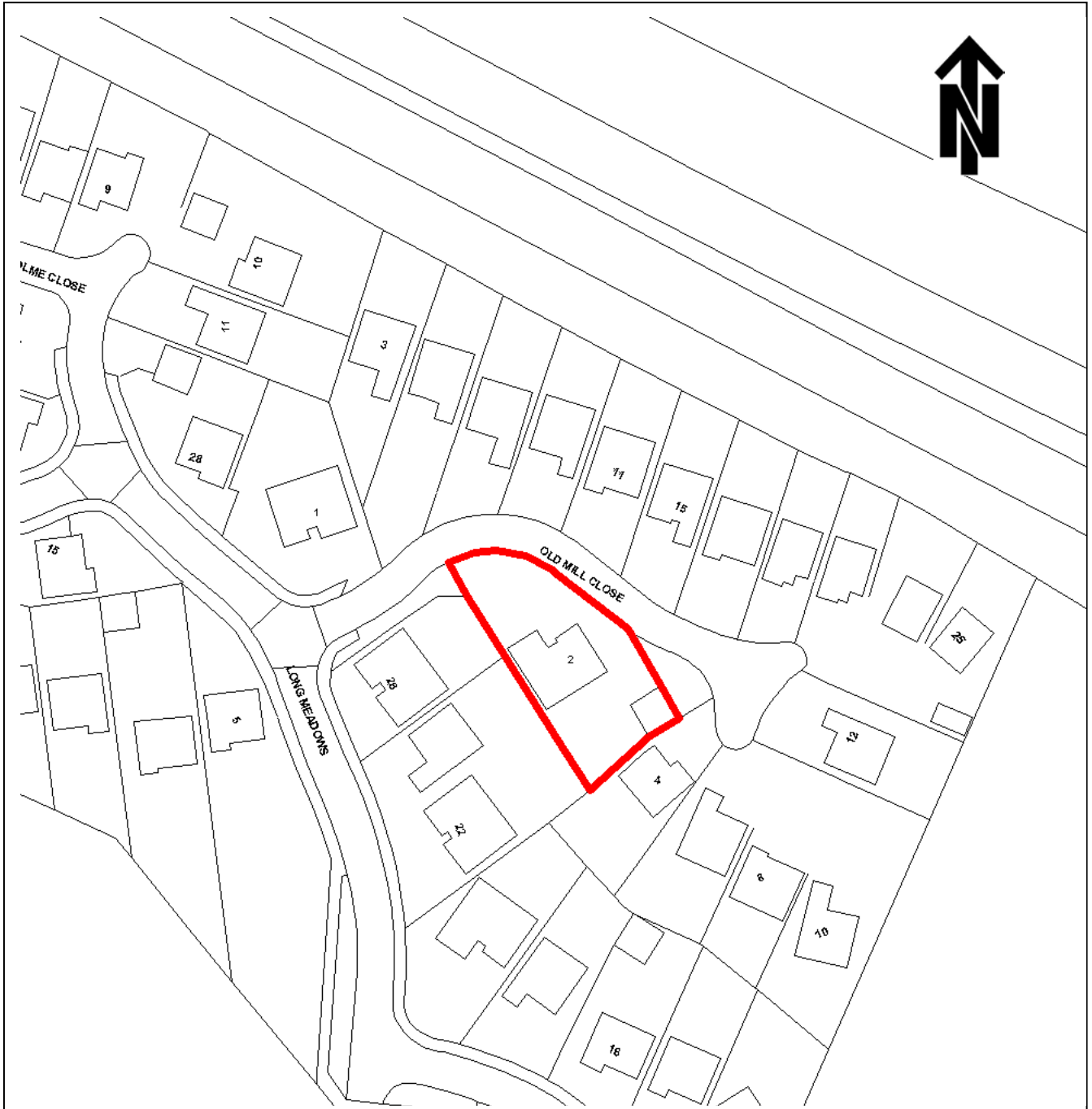
Reason: To protect the amenity of the occupants of nearby dwellings and to accord with Policy UR3 of the Replacement Unitary Development Plan.

---

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

**14/04184/HOU**

8 April 2015



© Crown copyright 2000. All rights reserved (SLA 100019304)

ITEM NO. : 3	LOCATION: <b>2 Old Mill Close Burley in Wharfedale Ikley LS29 7RU</b>
--------------	--



**8 April 2015**

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

**Application Number:**  
14/04184/HOU

**Type of Application/Proposal and Address:**  
Construction of two storey side extension with single storey rear extension and a single storey garage extension on the front of the dwelling at 2 Old Mill Close, Burley in Wharfedale, LS29 7RU.

**Applicant:**  
Mr Shaun Shovelin

**Agent:**  
Mr George Whitley

**Site Description:**  
The site comprises a detached house located in a residential housing estate in Burley in Wharfedale. Built in the 1990s, the estate of around 200 houses comprises predominantly detached dwellings of varying designs built in natural and artificial stone around a series of informal mews court cul de sacs with open plan frontages.

**Relevant Site History:**  
13/03874/HOU: Garage extension - Granted  
11/02693/HOU: Construction of a 2 storey side extension. Granted  
08/03749/HOU: Single storey rear. Granted  
94/03459/REM: Housing development of 211 units. Granted.

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

**Proposals and Policies**  
UR3 – local planning considerations  
D1 – design considerations  
Council's adopted 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:**

Burley Parish Council supports the construction of the two storey side extension but was unable to support the single storey garage extension as this amounts to over development within the site.

**Publicity and Number of Representations:**

The application has been publicised by way of neighbour notification letters, with an overall expiry date for comments to be received of 27.10.2014. Letters of representation have been received as follows:-

Objections from 6 separate addresses and 1 letter in support of the proposal.

**Summary of Representations Received:**

The proposal would be overdevelopment of the site and be out of scale with surrounding property.

The plans do not reflect the existing fence line and the side extension encroaches onto the adjacent lay by and outside of the applicant ownership.

Proposed fencing would be harmful to the character and harm visibility for traffic

The size of the extension is disproportionate.

Likely disruption will be caused during construction work.

**Consultations:**

**Drainage** - No comments

**Summary of Main Issues:**

Design, scale and impact on local environment

Impact on Neighbouring Occupants

Impact on Highway Safety

**Appraisal:**

The application proposal has been amended to delete a previously proposed two storey extension forwards of the front wall of the original house, and to reduce the width of the two storey side extension.

As amended it proposes a two storey extension to the side, a forwards extension to the existing garage, and a single storey extension at the rear. A garden building/shed behind the house is shown on the plans but this would be permitted development.

It should be noted that a previous permission 11/02693/HOU has been granted for a smaller two storey extension to the side, and an earlier permission 13/03874/HOU has also approved a very similar extension to the garage.

**Design, scale and impact on local environment**

This large detached dwelling is in a mews court of similar houses but is not set within a row that has any strong degree of uniformity. It is a typical detached property in an informally arranged mews court layout - on a modern residential estate.

**Garage extension**

The proposed extension to the front of the garage would project forward of the existing dwelling and it is appreciated that the Parish Council has objected to this feature. However, it is almost identical to a garage extension recently approved under permission 13/03874/HOU. The only change is that it would include double doors in the side elevation facing onto the applicants front driveway and garden area.

These doors are for the applicant to access the garage with a mobility scooter.

The garage extension would have no greater impact on the local environment or neighbours than the scheme recently approved which is still capable of being constructed under the recent permission.

**The two storey side extension**

Planning permission has previously been granted for a two storey extension to the side of the house under reference 11/02693/HOU. That extension was less bulky than the one now proposed because its front wall was set back from the front wall of the original dwelling and it included a roof line below the roof of the existing house. This extension has not been built and the permission has now lapsed.

The two storey side extension now proposed is less subordinate in that its front wall would be in line with the existing front wall of the house and the roofline would continue that of the original property. This type of "integrated" extension to detached houses is considered permissible under the Council's Householder Supplementary Planning Guidance if it is appropriate to the local context.

In this instance, such an integrated extension is considered acceptable given the individual siting of this detached property. It would result in a bulkier building, but one that is not inappropriate and one which would not cause significant harm to visual amenity.

Originally, the extension was proposed to extend 2.4 metres from the existing side wall towards the edge of the mews court highway where there is a communal visitor parking lay by. Following concerns raised by neighbours, the agent has re measured the site and has subsequently reduced the width of the proposed side extension from 2.4 metres to 2.1 metres to ensure that the extension would not encroach beyond the applicant's site. This would ensure that the lay by will not be affected by the proposal and it also reduces the bulk of the extension and its impact on the street scene.

Amended plans have been received to confirm the reduced width and retention of the parking bay.

### **The rear extension**

The proposal includes a single storey rear extension to the rear of the kitchen, infilling a gap between an existing rear sun room extension and the boundary with 22 Long Meadows. The extension would extend rearwards by 2.4 metres and could be constructed under permitted development rights.

The plans also show a shed within the rear garden on the site plans. The shed would be no higher than 2.4 metres in height and whilst described in the proposal here, the structure could otherwise be erected on site under permitted development rights and does not require planning permission.

The extensions proposed would all use materials to match the existing property to ensure a uniform appearance and as such would have an acceptable visual impact.

As amended, the design and siting of the proposed development is considered acceptable as discussed above and will not unduly harm the character of the property or the street scene and as such the proposal is considered to satisfy policies UR3 and D1 of the Replacement Unitary Development Plan.

### **Impact on Neighbouring Occupants:**

The proposed forwards garage extension would not have any adverse impact on neighbouring property.

The proposed two storey side extension would have a blank gable wall and so would not introduce any overlooking across the street towards property on the northern side of Old Mill Close. Additional windows to the front or rear of this extension would not intensify overlooking over and above levels already well established because the front and rear walls would extend across level with windows in the existing front and rear elevations.

The rear extension would be single storey with pitched roof sloping upward away from the boundary to reduce any impact on adjacent property. This part of the proposal could also be constructed under permitted development rights.

It is not considered that the adjoining neighbours would be adversely affected by way of any significant overbearing or overshadowing effects. Nor is it considered that the proposals would harm levels of outlook or cause any overlooking or loss of privacy for neighbours, with adequate distances achieved and no windows proposed in sensitive locations.

The extensions therefore would have no significant effects on the amenity of occupiers of adjoining or nearby homes. They accord policy UR3 of the Replacement Unitary Development Plan and the guidance stated in the Householder SPD.

**Impact on Highway Safety:**

The development retains and extends the integral garage of the property and a driveway of a depth of 8 metres will remain to the front of the garage. This is sufficient space to accommodate at least 2 vehicles off the highway which meets normal standards.

There are no concerns with regard to any effects on highway visibility from the proposals.

Amended plans and the reduction in the width of the side extension are such that the off street parking bay to the north within Old Mill Close would remain unaffected by the proposal. Accordingly, the proposal will not result in any harm to highway or pedestrian safety in accordance with policies TM2 and TM19A of the RUDP.

**Community Safety Implications:**

None foreseen.

**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 applicant has submitted supporting information detailing the reasons for the proposal. The forwards garage projection would serve the needs of a disabled occupant of the house by allowing double door access for a mobility scooter. Section 7 of the Householder SPD says that in cases where a house extension of particular size or design conflicts with the design principles set out in the SPD, but is necessary to meet the needs of a person of mental or physical disability the Council will consider making an exception to those principles where there is not a suitable alternative solution.

In this instance, Officers do not consider there to be any conflict with normal planning policy or design guidance relating to house extension but, in accordance with S.149, some additional weight has been given to the needs of a person with protected characteristics in the interests of positively advancing equality.

**Reason for Granting Planning Permission**

The proposed development is considered to relate satisfactorily to the existing building without being detrimental to the character and appearance of the neighbouring street scene or the amenity of neighbouring occupiers. As such this proposal is considered to be in accordance with Policies D1 and UR3 of the Council's adopted Replacement Unitary Development Plan.

**Conditions of Approval**

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

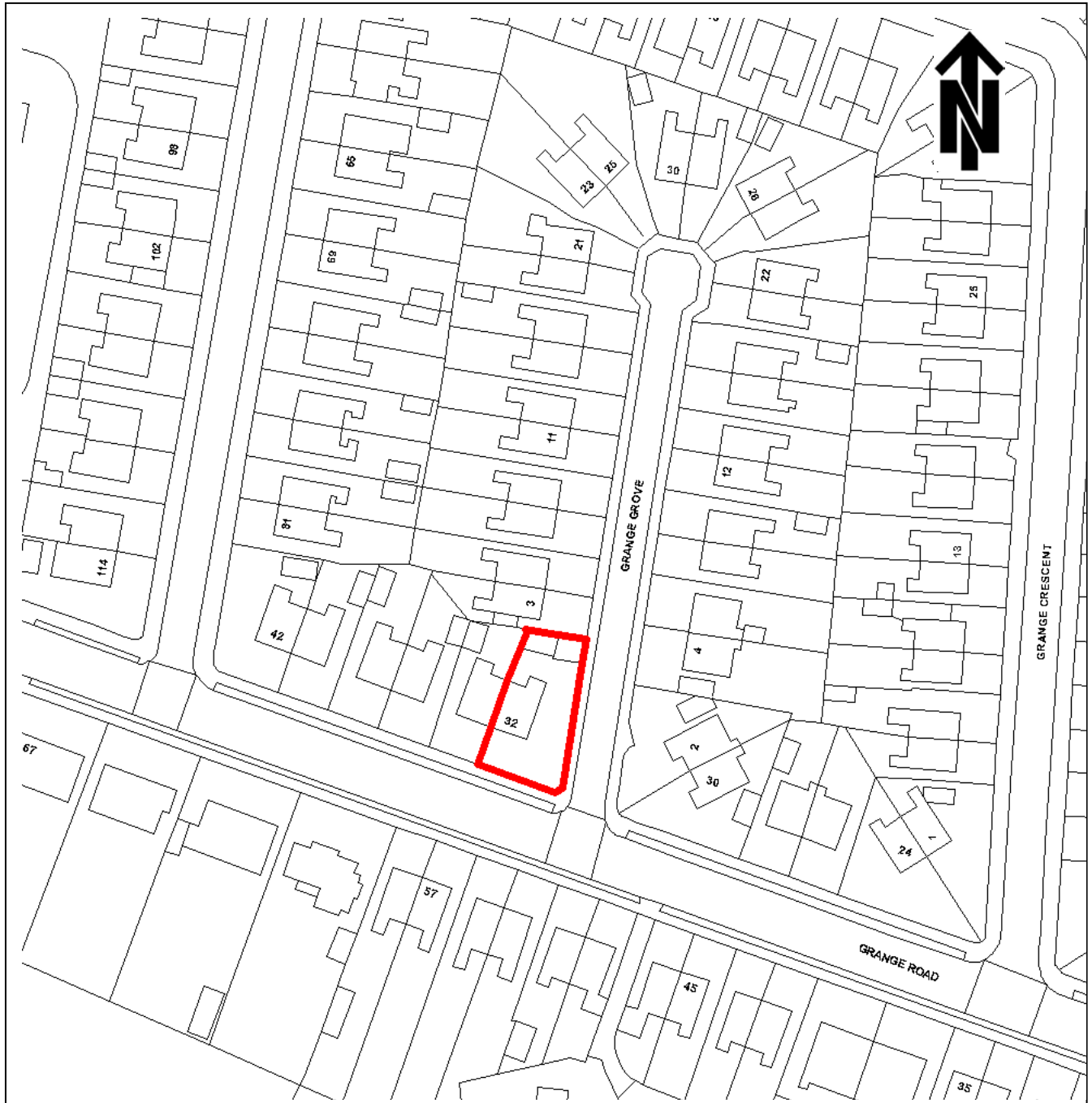
Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

---

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

**15/00100/HOU**

8 April 2015



© Crown copyright 2000. All rights reserved (SLA 100019304)

ITEM NO. : 4

LOCATION:

**32 Grange Road Riddlesden  
Keighley BD20 5AE**

**8 April 2015**

**Item Number: 4**  
**Ward: KEIGHLEY EAST**  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**  
**APPLICATION WITH A PETITION**

**Application Number:**  
15/00100/HOU

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

Householder application for the construction of a dormer window and a porch to the front elevation of 32 Grange Road Riddlesden Keighley BD20 5AE

**Applicant:**  
Mr R Ullah

**Agent:**  
AA Planning Services

**Site Description:**

The site is a rendered semi detached dwelling occupying a plot on the corner of Grange Road and Grange Grove and situated in a suburban residential area. Grange Road leads westwards to Riddlesden Primary School.

**Relevant Site History:**

13/03365/HOU: Two/single storey extension to side and rear. Refused  
14/01880/HOU: Construction of a two storey extension to the rear and single storey extensions to side and rear. Granted.

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

**Allocation**  
Unallocated

***Proposals and Policies***

UR3 The Local Impact of Development  
D1 General Design Considerations  
D4 Community Safety

**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 Parish Council: Has not submitted a response.

**Publicity and Number of Representations:**

Publicised by neighbour notification letters.

Five letters of objection were received from three addresses along with a petition against the proposal seeking referral to panel unless the evaluation process is leading to a refusal.

**Summary of Representations Received:**

Out of character with the area, inadequate garden space, inadequate parking, overlooking, noise, nuisance and disturbance caused by construction of previously approved extensions, party wall disputes, concerns about the safety of completed building work.

Out of Character with the area: The proposal is considered to be in keeping with the existing dwelling and the street scene, and complies with the Householder Supplementary Planning Document.

Inadequate garden space/inadequate parking: The proposal is for a dormer window and a small front porch therefore the proposal will have no impact on the amount of amenity space or parking available on site.

Overlooking: The proposal is not considered to cause overlooking.

Noise, nuisance and disturbance caused by construction of previously approved extensions: This is a matter for Environmental Protection.

Party wall disputes: This is a private matter between the individuals concerned.

Concerns about safety and quality of previously completed and ongoing building work: This is not a material planning consideration for the current proposal.

**Consultations:**

Minerals and Waste Planning - No objections.

**Summary of Main Issues:**

1. Impact on the Local Environment
2. Impact on Neighbouring Occupants
3. Impact on Highway Safety
4. Other issues raised.

**Appraisal:**

This semi detached house, which stands on a street corner, is currently being extended through the addition of a single storey side extension and a single and two storey rear extension. These were submitted in another application 14/ 01880/HOU approved under delegated powers.

In addition, under Part 1 Class B permitted development rights, a large dormer has been inserted into the rear roof plane and the hipped roof has been altered to form a gable.

The above works are only partially completed. Building Control work is being supervised by an approved inspector.

It is clear from representations that this ongoing building work to construct the side and rear extensions and permitted development work to the rear roof slope has caused problems for neighbours. These are largely Party Wall Act issues.

Consideration of this application can only take into account the planning merits of the additional work now being proposed under this new application. This is for a dormer and a small porch.

**Impact on the Local Environment**

In terms of visual amenity the dormer and porch are considered to be acceptable.

There are no other dormer windows in the roof of any of the other houses along Grange Road and the proposed dormer window would be prominently positioned in the roof at the front of this semi. The plans show that it would 3 metres wide and set above the eaves and below the level of the ridge.

The drawings have been amended so the cladding is restricted to the dormer cheeks which would be in a matching slate material to reduce the impact.

All these features accord with relevant guidance for dormers in the adopted Householder Supplementary Planning Document. This would permit dormers of up to 3.0 metres in width. The dormer is considered to relate reasonably well to the existing building and, though large, is not considered to over dominate the existing roof slope of the semi.

The proposed porch is modest in size (1.5m x 2.0m) and will be constructed from matching materials, and is therefore considered to be unobtrusive, subordinate and generally acceptable.

**Impact on Neighbouring Occupants**

The proposed dormer window and porch are not considered to have any adverse impact on the occupants of adjacent dwellings. Although objections have been made about overlooking, any overlooking from the dormer is across the wide street and the dormer is set at an appropriate distance from houses opposite.

**Impact on Highway Safety**

No changes to existing car parking or access arrangements so the proposal has no impact on highway safety.

**Other issues:**

Objectors refer to damage to the adjoining property and lack of Party Wall agreements. This is understood to be in relation to the construction of the extensions approved by the previous permission 14/01880/HOU rather than in relation to the development under consideration. The drawings show that both the dormer and the porch proposed by the current application would be positioned well away from any Party Wall.

Objectors also appear to be concerned about the manner in which existing work to build the previously approved extensions is being carried out, but this is also a separate matter not relevant to consideration of the additional dormer window.

**Community Safety Implications:**

There are no known 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 quality 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 dormer window and front porch accord with guidelines in the Council's adopted Householder Supplementary Planning Document. The impact of the dormer and porch 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 Policy UR3 and D1 of the Replacement Unitary Development Plan.

**Conditions of Approval:**

1. Standard 3 year time limit for commencement of development.

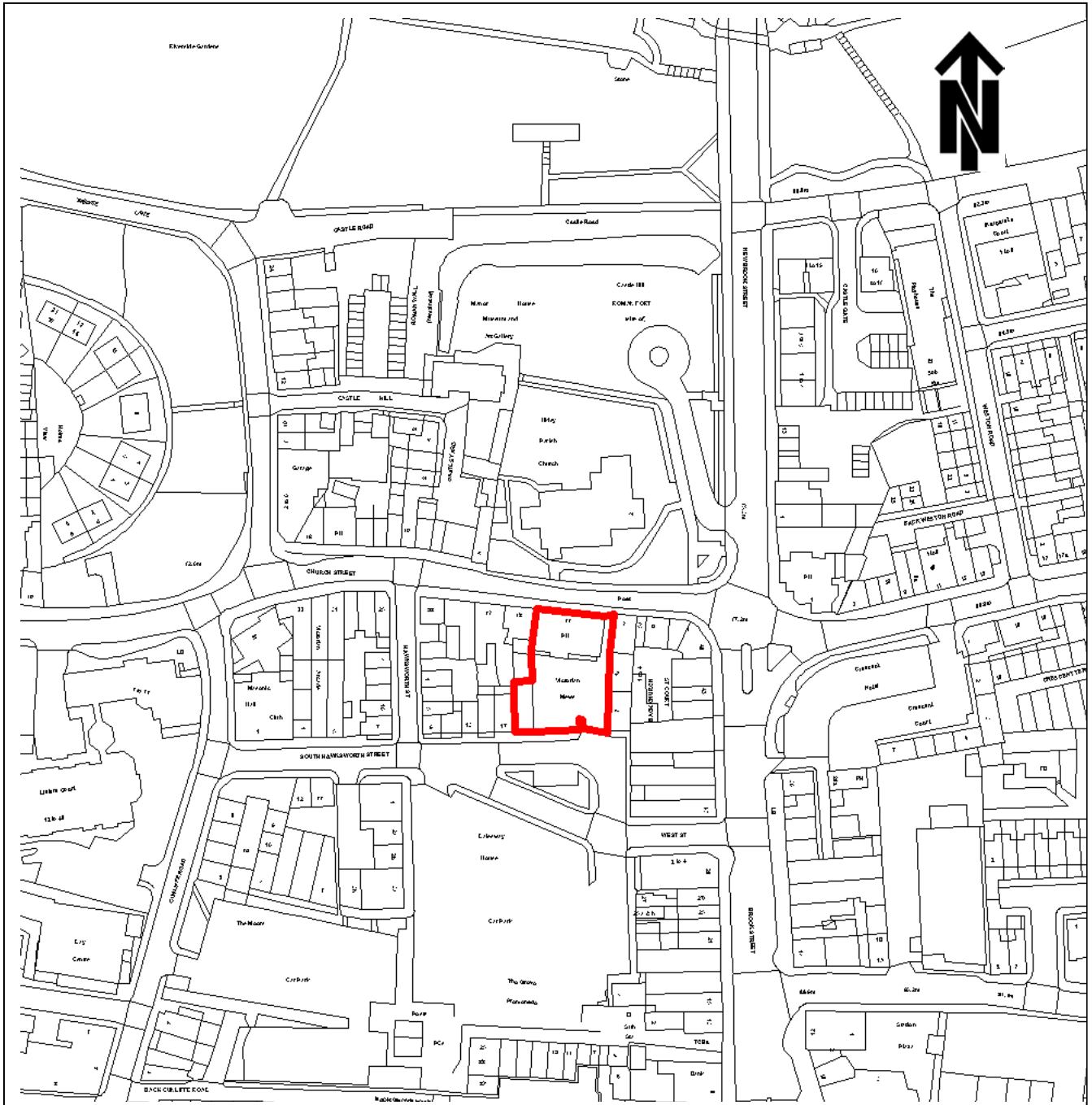
Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act, 1990 (as amended).

---

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

**14/05357/FUL**

8 April 2015



© Crown copyright 2000. All rights reserved (SLA 100019304)

<p>ITEM NO. : <b>5</b></p>	<p><b>LOCATION:</b> <b>Black Hat Public House 11 Church Street</b> <b>Ilkley LS29 9DR</b></p>
----------------------------	---

**8 April 2015**

**Item Number: 5**  
**Ward: ILKLEY**  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
14/05357/FUL

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

Full planning application for the retention of 3 sheds to the rear beer garden/courtyard area for drinking and/or dining use and replacement fence with gate at Black Hat Public House, 11 Church Street, Ilkley, LS29 9DR.

**Applicant:**

Enterprise Inns PLC

**Agent:**

Concorde BGW Ltd

**Site Description:**

Formerly known as The Rose and Crown and now rebranded as The Black Hat, this public house is situated with a frontage to Church Street in the centre of Ilkley. It is a two storey building with painted render to the front elevation and stone to the rear elevation, with a traditional slate roof. The rear elevation of the premises face towards the large car park in the centre of Ilkley. Between the building and the access road at the rear is a surfaced area open to South Hawksworth Street and a narrow street linking to Church Street. It has been partly used as an external seating area for many years. The 3 timber sheds have already been placed on this rear courtyard area. A well vegetated planted verge partly screens the yard from South Hawksworth Street.

**Relevant Site History:**

14/03614/ADV : Signage. Granted 2014

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

***Allocation***

Ilkley Town Centre  
Ilkley Conservation Area

***Proposals and Policies***

D1 General Design Considerations  
BH7 New Development in Conservation Areas  
UR3 The Local Impact of Development  
TM11 Parking Standards for Non-Residential Developments  
TM19A Traffic Management and Road Safety

**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 approval though expresses concern about proximity of the proposed smoking shelter to the fire exit.

**Publicity and Number of Representations:**

Advertised by press and site notice to 26 February 2015.

3 objections received.

Objections have been received from two ward councillors.

One has requested referral to Panel.

**Summary of Representations Received:**

Ilkley Civic Society accepts that the three sheds are not detrimental but suggest a 5 year limit on these temporary structures. The planters are not specified on the drawings so it is unclear whether new ones are proposed or the existing ones are to remain.

Suggests that the smoking octagon is too close to the main access to the pub and is of incongruous design (unlike the sheds).

Councillor objection:

The three sheds are already present, showing disregard by the applicant for the conservation area. The proposal is also for a smoking chalet and higher screening fence planters. Both the sheds and the smoking shelter buildings do not fit the principles of the Conservation area. Access to the adjoining property is required, especially reversing to the cellar access. It is now impossible to access the rear yard of 13 Church Street due to the need to have a turning movement. The huts are placed too close to achieve this.

Cars are parked on the site, not as shown on the layout, but in front of the outbuildings and parallel to the beer garden. The plan suggests a very difficult manoeuvre to exit the car park due to turning spaces blocked by the parallel parking.

On the grounds of poor design and inappropriate development in a Conservation area I respectfully suggest refusal and ask that the application is presented to Committee for a decision.

**Consultations:**

Highways Development Control: Given the site's town centre location and close proximity to a large car park the Council's Highway Officer would not insist on any on-site parking provision other than that which the applicant wishes to provide. Therefore no highway objections to raise.

Design and Conservation Team: Oppose the smoking shelter (now omitted) but considers the sheds to have only a limited impact on the Conservation Area.

**Summary of Main Issues:**

Impact on the character and appearance of the Ilkley Conservation Area.

Impact on the amenity of occupants of adjoining properties.

Access and highway issues.

**Appraisal:**

**The Proposal**

This is a retrospective application. The sheds are already placed on the land.

The Black Hat was formerly the Rose and Crown Public House. The site is in Ilkley Conservation Area. The building fronts onto Church Street, and the front door is opposite All Saints Parish Church. The rear elevation and back door face onto a former service yard. The part of the yard furthest from the building is laid out for parking. The half closest to the back door has been enclosed by planters to create a beer garden. This layout has existed for a number of years.

The pub has recently been refurbished and re-opened with a new name and a new image. As part of the refurbishment, the owners say they wished to create a covered seating facility in the existing beer garden/yard so customers can enjoy the external drinking area in all weathers. This has involved placing three timber garden sheds in a row to the left hand side of the yard. The sheds are painted in heritage pastel colours, and have a table and fixed bench seating inside, with lights and heaters. These are to be non-smoking booths.

The sheds are behind the building and are only visible from South Hawksworth Street and the path link to Church Street. The sheds are painted in a subdued colour scheme and are small structures that have been placed on the west edge of the outside drinking area.

This application originally proposed a new smoking shelter as well as the retention of the sheds. However, the agent has confirmed that the smoking shelter is not required and amended plans have been submitted showing this feature omitted.

The proposal also mentions a timber fence with a gate that has been erected across the western boundary of the yard abutting the yard behind the adjoining shop. This fence is only 1.3 metres high and so does not require planning permission.

### **Impact on the character and appearance of Ilkley Conservation Area**

The 3 new huts are set off the back of the buildings and do not cause any loss to any original features of the buildings and do not affect their setting in any appreciable way. The grouping of the huts is partly concealed from some views by planting.

The Design and Conservation Officer had concerns that a further structure in the form of the smoking shelter would compound the visual effects of the huts, resulting in a cluttered appearance to the space behind the pub. However, in response to this comment and having reviewed the need for the smoking shelter, the applicant has now omitted this element of the proposal.

It is considered that the three huts are unobtrusive and subordinate features partly concealed by the planting. They will cause no harm to the character or appearance of the conservation area and are acceptable having regard to Policy BH7 of the RUDP which serves to protect conservation areas.

It is not considered necessary to require approval only for a temporary period.

### **Impact on amenity**

The pub stands in a town centre location off the large central car park. There is already a significant level of night time activity in the area, especially at weekends, with a number of bars and restaurants nearby. There is already a long established beer garden behind the pub.

Observation suggests that none of the adjoining or nearby properties have any residential accommodation above them. In any case, the three sheds are unlikely to add to the existing level of evening and night time activity in the beer garden area. They do not increase the capacity of the yard other than to allow people to sit out there in wet weather. It is not considered that the sheds would affect the amenity of any occupants of adjoining properties and are acceptable having regard to RUDP Policy UR3.

### **Access and parking**

Because of the site's town centre location and close proximity to a large car park the Highway Officer would not insist on any on-site parking provision for the established pub use, other than that which the applicant wishes to provide.

Although access and parking is raised as an issue by objectors, the Council's Highway Officer has raised no objections.

The sheds have not affected any vehicular access or land used in recent times as car parking spaces serving the public house. The area they occupy appears to have previously been separated from the adjoining car parking spaces and probably used for customer seating as part of the beer garden. Consequently, the objection on the grounds that the sheds make existing access and parking more difficult cannot be justified.



**Other matters – private rights of access**

Objections have suggested a dispute over rights of access to the yard behind the adjoining shop property at 13 Church Street. Observation suggests that this yard and any right of access to it have not been used for some time. The fence that has been installed incorporates a gate, but access by vehicles is already blocked by the existing planters. The applicant is aware of the dispute over rights of access to the neighbouring property but this is a private legal matter that is not material to consideration of this planning application.

**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 quality 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:**

Given the withdrawal of the proposed smoking shelter, the three sheds would have no significant adverse effect on the character or appearance of the Ilkley Conservation Area. They are minor and unobtrusive features that do not affect the fabric of the main building or harm its setting or character to any significant extent. The associated fence could be installed under permitted development rights.

The proposal accords with Policies BH7, D1 and UR3 of the Replacement Unitary Development Plan.

**Conditions of Approval:**

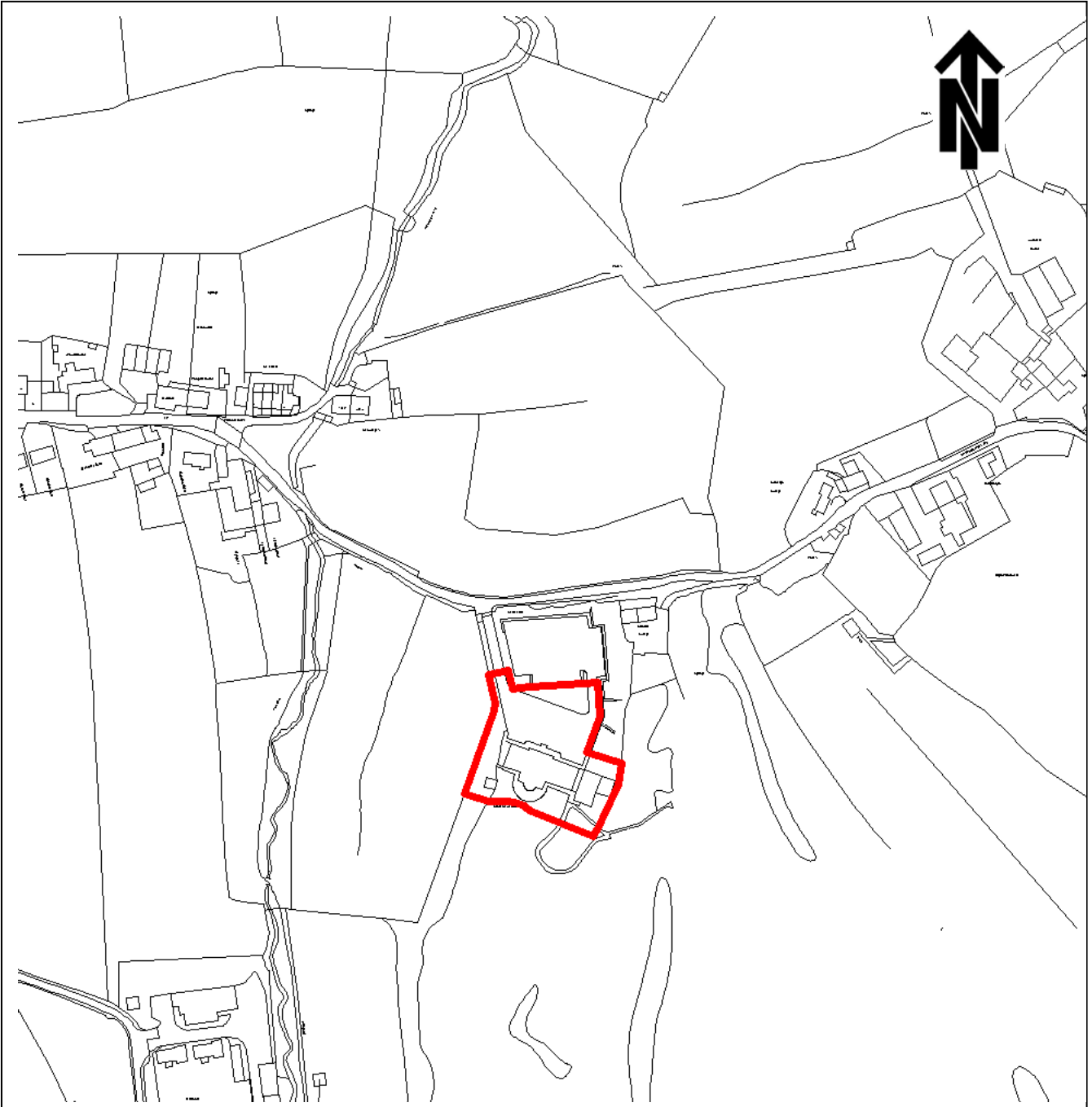
None.

---

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

**14/05160/FUL**

8 April 2015



© Crown copyright 2000. All rights reserved (SLA 100019304)

<p>ITEM NO. : <b>6</b></p>	<p><b>LOCATION:</b> <b>Silsden Golf Club Brunthwaite Lane</b> <b>Silsden BD20 0NH</b></p>
----------------------------	---

**8 April 2015**

**Item Number: 6**  
**Ward: CRAVEN**  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
14/05160/FUL

**Type of Application/Proposal and Address:**  
Change of use from function and changing rooms to detached dwelling and alterations to club facilities at Silsden Golf Club, Brunthwaite Lane, Silsden BD20 0NH.

**Applicant:**  
Silsden Golf Club

**Agent:**  
Chris Eyres Designs

**Site Description:**  
This site is on an established golf course in the Green Belt beyond the eastern edge of Silsden. At the site are two separate stone built buildings set close together with a path between them. The larger building to which this planning application relates is a modern low rise building, single storey in height. This is the clubhouse and contains function rooms, kitchens, wcs, store rooms and changing areas. Adjacent to the main building is a smaller two storey building which has been used as the pro-golf shop. It is built into the slope of the land and includes a two bedroom steward's flat at first floor level.

Also on the site is a barn which houses the greens man's equipment including mowers, turf and greens treatment etc., the barn situated is off a lower lane to the site and provides a secure and weather tight building for the equipment required for the daily running and the maintenance of the golf course.

In front of the clubhouse building is a large car park area for around 100 cars which is designed to cater for both golfers and visitors to functions such as wedding receptions.

**Relevant Site History:**  
95/03276/FUL : Construction of a clubhouse with stewards flat, pro's shop, car park, formation of 18 hole golf course from 14 hole course, and erection of green keepers storage building. Granted at Area Planning Panel 21.05.1996.

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

**Allocation**

Green Belt

Policy GB4 allows the re-use of existing buildings in the Green Belt subject to criteria listed under Policy GB4 of the RUDP.

Policy NE3A Considers whether development is likely to adversely affect the appearance of the landscape within the landscape character areas defined in Policy NE3.

Policy UDP3 promotes acceptable forms of development that respect the urban and natural environments.

Policy UR3 local impact of development.

Policy D1 requires all development proposals to make a positive contribution to the environment and quality of life through high quality design, layout and landscaping.

Policy TM2 requires highway improvements to meet current standards

Policy TM12 requires developments to meet residential access and parking standards

Policy TM19A ensures that highway safety is not compromised

### **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.

### **Publicity and Number of Representations:**

The application was advertised by site notice, No letters have been received resulting from the publicity by members of the public.

1 objection has been received by a local ward Councillor and which requests referral to area panel for determination.

### **Summary of Representations Received:**

The proposal appears to be green belt development

The proposal was built with lottery money and the legalities need to be checked.

**Silsden Town Council** - Objection on the grounds of loss of infrastructure. This is a public amenity built with lottery funding and therefore should not be turned into a private dwelling. If this was a stand alone application it would be deemed totally unsuitable in green belt. The council question whether the scheme breaches the conditions of the lottery funding. It is felt that this should be viewed as a "back door" development in Green Belt. The Town Council is also aware of a public footpath that goes right through the proposed garden area and there seems to be no provision for that.

**Consultations:**

**Highways** – Consider that the granting of planning permission would not have adverse implications for highway safety and do not raise objections from a highways point of view.

**Rights of Way** - Public Footpath No. 51 (Silsden) crosses the red outline site. The existence of this public right of way is not acknowledged in the documents submitted with the application.

The public right of way crosses the area shown proposed as a private garden area for the proposed dwelling. The plans show proposed hedging to define the boundaries of the property. It is not acceptable for either a hedge to be planted or a dry stone wall to be constructed across the line of the public footpath obstructing it. A clear gap of at least 1.2 metres must be left in both boundaries to avoid obstruction of the public right of way. The plans must be amended to show gaps in the proposed boundary and to clearly show the public right of way crossing the garden area.

**Drainage** – No objections are raised. Advise that a condition be attached to demonstrate the existing septic tank & its drainage field are suitable to drain the proposal. Developer should provide calculations of the pre & post development foul water flows/population equivalents.

**Design and Conservation Officer** - Silsden Golf Club is located in the setting of Brunthwaite Conservation Area but there are no objections to the change of use from function and changing rooms to a detached dwelling. The conservation area and the associated listed buildings are far enough away for the alterations not to have an impact. Overall, the proposals comply with Policy BH7 and BH4 of the RUDP.

**Summary of Main Issues:**

Principle - Green Belt Policy.  
Local Amenity Implications.  
Highways Issues.

**Appraisal:**

**Background to the application**

The agent has explained that golf club has experienced falling membership and is currently in receivership. The receivers were appointed in December 2013 and attempts are being made to sell the club's assets to recover monies for debtors.

The club has built a separate large function room which, since its opening, has not generated the predicted business. This has contributed to the financial situation the club currently finds itself in.

The applicant has received an offer to buy the club's assets to pay off the club's debt. As part of this, the large function room would become a dwelling and the Golf Club would be given a lease of the golf course land and the smaller building which would be used as a club house. As well as clearing the debt, this would also removed the burden of the loss making function room facility.

### **The proposal**

The two buildings on the site would be separated with the club converting the smaller two storey building to form changing rooms and meeting space for club members. The large single storey function/dining room, kitchen, bar and locker rooms would be converted to a single dwelling.

Amended plans have shown that this would be a 5-bedroom dwelling with no physical extensions involved.

In addition, it is proposed to take up part of the large car park at the front of the function room to provide a garden. This would retain 72 car spaces for use by the golfers.

### **Principle: Assessment against Green Belt Policy**

The site is in the Green Belt. Government attaches great importance to Green Belts, the fundamental aim of Green Belt policy being to prevent urban sprawl by keeping land permanently open. Green Belt serves five purposes: which include checking the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment.

When approved by Keighley Area Planning Panel in 1996, the clubhouse was permitted as one of the exceptions to the presumption against inappropriate development in the Green Belt which is the construction of essential facilities that support outdoor sport and outdoor recreation uses of Green Belt land. In this case golf.

In this respect, Silsden Town Council is correct – the Council would not have approved the building as a new dwelling in the green belt. This would have been inappropriate development. However, now that the building is already there and has served its purpose for 18 years or so, the re-use of existing buildings for other purposes can be acceptable subject to criteria listed under Policy GB4 of the RUDP. This Policy is deemed to be in full conformity with the NPPF.

### **POLICY GB4**

PLANNING PERMISSION FOR THE CONVERSION OR CHANGE OF USE OF BUILDINGS IN THE GREEN BELT WILL BE GRANTED WHERE THE PROPOSAL SATISFIES ALL OF THE FOLLOWING CRITERIA:

- (1) IT DOES NOT HAVE A MATERIALLY GREATER IMPACT THAN THE PRESENT USE ON THE OPENNESS OF THE GREEN BELT AND THE PURPOSES OF INCLUDING LAND IN IT;
- (2) IT DOES NOT ADVERSELY AFFECT THE CHARACTER OF THE BUILDING AND ITS SURROUNDINGS;
- (3) IT DOES NOT INVOLVE THE COMPLETE OR SUBSTANTIAL REBUILDING OF THE BUILDING;
- (4) IT INVOLVES ONLY MINOR CHANGES TO THE ORIGINAL BUILDING AND THE VOLUME, FORM AND MATERIALS OF THE BUILDING REMAIN SUBSTANTIALLY THE SAME;

(5) THE DEVELOPER ENSURES THAT ALL INFRASTRUCTURE CONSTRAINTS ARE ADEQUATELY OVERCOME WITHOUT ADVERSELY AFFECTING THE CHARACTER OF THE GREEN BELT;

(6) IT DOES NOT LEAD TO PRESSURES FOR ADDITIONAL FARM OR OTHER BUILDINGS TO REPLACE THOSE WHICH HAVE BEEN CONVERTED TO OTHER USES.

With regard to criteria 1, 3 and 4, the building is of sound construction and its conversion to a dwelling does not require substantial alteration or extension of the existing building or any changes to its height, volume, materials or form. Conversion would not have any materially greater impact than the present use on the openness of the green belt and the purposes of including land in it.

Criteria 2 requires that development proposals should not adversely affect the character of the building and its surroundings. The proposed alterations to the building itself are very minor and the proposal includes the removal of part of the large unsightly car park to create a garden area. This would be of significant benefit to the character of these rural surroundings. As such criteria 2 is considered to be satisfied.

Criteria 5 requires that conversion proposals do not result in requirement for additional infrastructure to facilitate the new use and that would adversely affect the character of the green belt. All services are already provided to the clubhouse and there is an existing generous vehicular access created when the new building was built. No new accesses or areas of hardstanding or paving are required. In fact there would be a reduction of inappropriate infrastructure and as such criteria 5 would be satisfied.

Criteria 6 requires that proposals for conversion must not lead to pressures for additional buildings to replace those which have been converted to other uses.

Whilst the building is the larger of the two buildings currently comprising the golf club accommodation, the submitted plans indicate that the required facilities for the golf club can be accommodated in the smaller footprint of the adjacent two storey building. Changing facilities would be provided commensurate in size with the existing facilities. The submission explains that the golf club, would retain sufficient accommodation and ancillary facilities needed for the number of club members - such as small bar/refreshment areas, meeting rooms, changing facilities. Space for storage of maintenance equipment is provided within the existing barn elsewhere on the course.

These arguments are accepted. It is not expected that the proposed conversion will result in pressure for replacement facilities. Should proposals to enlarge the facilities retained for golfers be received in the future, these would need to be assessed on their own merits and against green belt or other policy restrictions at that time.

As described above the proposal would meet with the criteria contained within Policy GB4 of the RUDP.

### **Highways**

The proposal would result in the reduction in the size of the existing car parking area by 28 spaces to leave 72 for the golf club use.

However, the change of use of the large function room to a single dwelling would mean that the site would no longer host large functions such as weddings, so such a large car park would no longer be necessary.

The proposed dwelling would benefit from its own hard standing and garage facility to accommodate parking and turning areas for use by future residents.

The Councils Highway Officer has advised that there are no concerns to raise with the proposal. Accordingly, the proposal satisfies Policies TM2, TM12 and TM19A of the Replacement Unitary Development Plan.

### **Impact on neighbours**

A single dwelling would also have much less impact on the amenity of nearby residents than the function room facility and potentially less traffic travelling through the nearby settlement of Brunthwaite.

The replacement of the function rooms with a single dwelling would result in significantly less noise and disturbance for any nearby property.

### **Rights of Way**

The Councils Rights of Way Officer has pointed out that Public Footpath 51 (Silsden) crosses the area originally shown as the garden area for the proposed house. There were objections to its obstruction by the proposed boundary to this garden. However, an amended plan has been received showing the revisions to the proposed hedge line around the planned garden curtilage to allow for the line of the footpath to be retained as existing.

This overcomes the concerns from Bradford Council's Rights of Way Officer. As amended the proposal would ensure the public footpath and the attractiveness of the route and the existing surfacing will be retained as existing.

### **Other considerations – lottery grant funding**

The Ward Councillor has questioned whether the sale of the clubhouse and its use as a dwelling house is in breach of any terms of conditions of its grant funding. The agent has confirmed that the function room was, indeed, given lottery grant funding. However, whether it is deemed necessary or possible under the terms of the grant award to instigate action to recoup any of the investment would be a matter for the authority awarding the grant(s).

It would not be a material planning consideration.

### **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. 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 proposal is for conversion of an existing building of sound construction that would not require its substantial alteration or extension, nor any changes to its height, volume, materials or form. Conversion would not have any materially greater impact than the present use on the openness of the green belt and the purposes of including land in it and there is no evidence that the needs of the club would generate demand or pressure for a further building to replace that being lost to the development. The proposal would meet requirements of Policy GB4 of the Replacement Unitary Development Plan. It would have no adverse effect on the amenity of nearby occupants or road safety and there would be benefits to the character of the area through reduction in the existing expanse of hard surfaced car park at the site. It also satisfies Policies UR3, D1, TM2, TM12 and TM19A of the Replacement Unitary Development Plan.

**Conditions of Approval**

1. Before the development is brought into use, the off street car parking facility shall be laid out using permeable surfacing 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: To ensure that off street parking remains available and that vehicles can always exit the site in forward gear, in the interests of highway and pedestrian safety and to accord with Policies TM12 and TM19A of the Replacement Unitary Development Plan.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any subsequent equivalent legislation) no development falling within Classes A to 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 safeguard the Green Belt from inappropriate development and to accord with Policies GB1 and NE3/NE3A of the Replacement Unitary Development Plan.

3. The development should not begin until details of a scheme for foul and surface water drainage, including any balancing and off site works have been submitted to and approved in writing by the local planning authority.

Reason: To ensure proper drainage of the site and to accord with Policies UR3 and NR16 of the Replacement Unitary Development Plan.

---