

REPORT TO AREA PLANNING PANEL (KEIGHLEY)

**REPORT OF THE STRATEGIC DIRECTOR OF REGENERATION TO THE MEETING OF
THE AREA PLANNING PANEL (KEIGHLEY) TO BE HELD ON 22nd October 2008**

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SUMMARY STATEMENT - PART ONE

Items include:

- ◆ Items deferred from a previous Sub-Committee
- ◆ Applications subject to approval under Section 106 Agreement of the Town and Country Planning Act 1990
- ◆ Applications with Petitions
- ◆ Requests for Enforcement/Prosecution Action
- ◆ Regulation 3 of the Town and Country Planning General Regulations 1992
- ◆ Decisions by the Secretary of State
- ◆ Miscellaneous Items:-
The sites concerned are:

Land at Hebden Bridge Road, Hard Naze Lane, Oxenhope
Land at Wayside Mews, Banklands Lane, Silsden
Wildfell, Cold Knowle Edge Road, Stanbury
5 Greenhead Drive, Keighley
2 Westy Bank Croft, Steeton, Keighley
The Fleece Inn, Main Street, Haworth
1 Halsteads way, Steeton, Keighley
Land West of 5 Chapel Lane, (former Methodist Cemetery) Oakworth, Keighley
Millennium House, 74 South Street, Keighley
61 Carlton Road, Thwaites Brow, Keighley
357 Halifax road, Bocking, Keighley
82 Bolling Road, Ilkley.

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- ◆ Regulation 3 of the Town and Country Planning General Regulations 1992
- ◆ Decisions by the Secretary of State
- ◆ Miscellaneous Items:-
The sites concerned are:

Keighley Town Hall, Bow Street, Keighley
20 Hollingwood Rise, Ilkley
Acre Park, Dalton Lane, Keighley

ENFORCEMENT ITEM

Date:- 22 Oct 2008

Item Number: 1

Ward: Worth Valley

Recommendation: That the report be noted.

Enforcement number: 08/00182/ENFCOU

Site Location: Land at Hebden Bridge Road/Hard Naze Lane, Oxenhope

Alleged breach of planning control: Untidy land.

CIRCUMSTANCES:

The owner of the land is using it to dump waste materials, building materials, used timber etc.

The department of Regulation have been instructed to serve a 215 Notice on the owner.

ENFORCEMENT ITEM

Date:- 22 Oct 2008

Item Number: 2

Ward: Craven

Recommendation: That the report be noted.

Enforcement number: 08/00924/ENFCOU

Site Location: Land at Wayside Mews, Banklands Lane, Silsden

Alleged breach of planning control: The unauthorised stationing of caravans.

CIRCUMSTANCES:

The owners of a field at Wayside Mews, Silsden are permitting it to be used as a caravan site for use by contractors who are living there for the duration of contracts associated with rebuilding overhead electricity lines in both North Yorkshire and West Yorkshire. Complaints have been received in respect of disturbance and concerns over the disposal of waste. The owner was requested to clear the site no later than the close of August 2008 but has not complied.

The Department of Regulation has now been instructed to serve an enforcement notice.

ENFORCEMENT ITEM

Date:- 22 Oct 2008

Item Number: 3

Ward: Worth Valley

Recommendation: That the report be noted.

Enforcement number: 06/01147/ENFUNA

Site Location: Wildfell, Cold Knowle Edge Road, Stanbury.

Alleged breach of planning control: The construction of balcony/decking to rear of dwelling.

CIRCUMSTANCES:

The owners of the property constructed a raised balcony/decking at rear of their property. A retrospective application – 07/03238/FUL – was submitted for the retention of the structure and refused on 26 June 2007. Following further discussions with the owners the structure was partially demolished. An Enforcement Notice was served on 15 July 2008 requiring the removal of the structure and materials from site. It was noted on 22 August 2008 that the Notice had been complied with in full. No further action is required.

ENFORCEMENT COMPLAINTS CLOSED BY THE AREA PLANNING MANAGER AS NOT EXPEDIENT TO PURSUE

Date: 22 October 2008

Item No 4

Ward: Keighley Central

Complaint Ref No: 08/00892/ENFUNA

Recommendation: That the report be noted

Description and Address: Unauthorised garden wall at 5 Green Head Drive Keighley.

Reason: It is not considered that the breach of planning control would cause significant amenity issues to warrant enforcement action.

Date File Closed: 8 September 2008

ENFORCEMENT COMPLAINTS CLOSED BY THE AREA PLANNING MANAGER AS NOT EXPEDIENT TO PURSUE
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Date: 22 October 2008

Item: 5

Ward: Craven

Complaint Ref No: 08/01104/ENFUNA

Recommendation: That the report be noted

Description and Address: Unauthorised decking at 2 Westy Bank Croft, Steeton, Keighley.

Reason: It is not considered that the breach of planning control would cause significant amenity issues to warrant enforcement action.

Date File Closed: 18 September 2008

Date: 22 October 2008

Item: 6

Ward: Worth Valley

Recommendation: That the report be noted.

Enforcement Reference:

07/00808/ENFUNA

Site Location:

The Fleece Inn , Main Street, Haworth

Alleged Breaches of Planning Control: Unauthorised Canopy and means of fixing to the front elevation of the property

Circumstances:

The local planning authority received complaints in June 2007 that a retractable canopy had been erected to the front elevation of the Fleece Inn a listed building on Haworth Main Street within the Haworth Conservation Area.

The owners were contacted and advised that should they wish to retain this canopy applications for listed building consent and planning permission were required. Valid applications were eventually submitted and validated in early August 2007. These applications were refused on 1 October 2007.

The canopy was subsequently removed but the brackets were left in situ. A letter was sent to the owners requesting that the means of fixing were also removed. It was noted in August 2008 that these fixings were still in place, on a later visit to the property on 6 September 2008 it was noted that the canopy had been put back up.

The owners have not exercised their right to appeal against the refusals of planning and listed building consent.

The local planning authority should now proceed to instigate enforcement proceedings requiring the owners to remove the canopy and means of fixings and make good any damage to the building.

The fixing of the canopy to the building is detrimental to the special historic character of the building and the character of the Haworth Conservation Area within which the building is located. It is therefore contrary to policies BH4, BH7 BH8, D1 and UR3 of the replacement Unitary Development Plan.

The Area Planning Manager authorised enforcement action under delegated powers, on 25 September 2008

ENFORCEMENT ITEM

Date:- 22 October 2008

Item Number: 7

Ward: Craven

Recommendation: That the report be noted.

Enforcement number: 07/00945/ENFUNA

Site Location: 1 Halsteads Way, Steeton

Alleged breach of planning control: The construction of balcony to the rear of the dwelling.

CIRCUMSTANCES:

The owners of the property constructed a balcony at rear of their property. The balcony was accessed from the first floor rear bedroom. An Enforcement Notice was served on 16 June 2008 requiring the removal of the structure. The balcony has been removed and the Notice complied with in full. No further action is required.

ENFORCEMENT ITEM

Date:- 22 Oct 2008

Item Number: 8

Ward: Worth Valley

Recommendation: That the report be noted.

Enforcement number: 08/01173/CONSRV

Site Location: Land west of 5 Chapel Lane, (former Methodist Cemetery), Oakworth

Alleged breach of planning control: The unauthorised demolition of walls, gate piers and wrought iron gates.

CIRCUMSTANCES:

The owner of the former Methodist Cemetery at Chapel Lane, Oakworth has demolished the walls, gate piers and wrought iron gates which formed the access to the former Methodist Cemetery at Chapel Lane, Oakworth. Despite being advised that the structures were within the Oakworth Conservation Area and to cease all work the owner continued with the demolition.

The Department of Regulation has now been instructed to serve an enforcement notice.

MISCELLANEOUS ITEM

APPEAL DECISIONS BY SECRETARY OF STATE

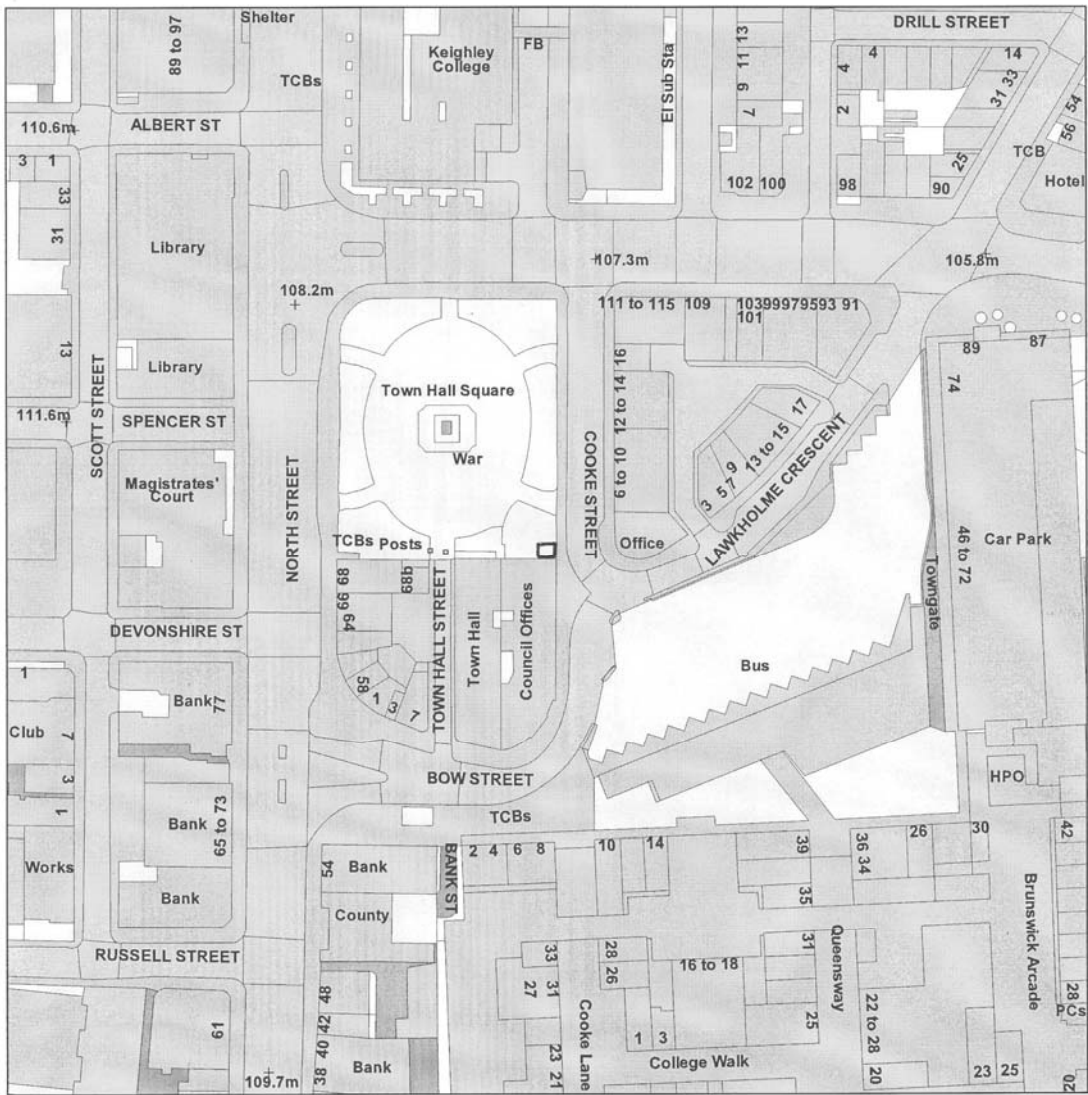
ITEM NO: 9
WARD: Keighley Central
SITE: Millennium House, 74 South Street, Keighley
APPLICATION NO: 07/06050/FUL
PROPOSAL: Change of use commercial property to form building with multiple occupation
DECISION: Dismissed

ITEM NO: 10
WARD: Keighley East
SITE: 61 Carlton Road, Thwaites Brow, Keighley
APPLICATION NO: 07/08455/FUL
PROPOSAL: Dwelling with integral double garage, parking and turning area
DECISION: Dismissed

ITEM NO: 11
WARD: Worth Valley
SITE: 357 Halifax Road, Bocking, Keighley
APPLICATION NO: 07/10358/FUL
PROPOSAL: A detached dwelling
DECISION: Dismissed

ITEM NO: 12
WARD: Ilkley
SITE: 82 Bolling Road, Ilkley
APPLICATION NO: 08/01454/OUT
PROPOSAL: Construction of one detached dwelling
DECISION: Dismissed

Area Planning Panel (Keighley)



ITEM NO.

13

LOCATION

Keighley Town Hall Bow Street, Keighley



DATE : 22 OCTOBER 2008

ITEM: 13

WARD: KEIGHLEY CENTRAL

RECOMMENDATION: TO GRANT PLANNING PERMISSION WITH CONDITIONS

APPLICATION No: 07/03903/FUL

Type of Application/Proposal & Address

Full application for a new electricity sub station at Keighley Town Hall, Bow Street, Keighley

Site Description

Keighley Town Hall is a Grade II Listed Building finished in Ashlar stone and Westmorland slate. The proposed site of the sub station is to the rear of the Town Hall in an area that currently forms a parking area for disabled people. Access to this car parking area is from Cooke Street. The car park is adjacent to the 'Shopmobility' premises which are located within the Town Hall Building and provides motorised scooters for people with restricted mobility. The car park is an irregular shaped area of land measuring 12.5m deep by 12m wide at the widest and deepest points. The car park is marked out with two bays for disabled drivers at the site entrance. The site can accommodate 3 vehicles with adequate space for access and egress from vehicles by persons using wheelchairs. It does however, sometimes accommodate up to 6 vehicles as cars are parked in alternative layouts and closer than the standard layout for disabled bays.

Relevant Site History

07/03904/LBC Companion Listed Building Consent application for Electricity Sub station – Pending consideration.

Replacement Unitary Development Plan (UDP) Proposals and Policies

No allocations on the RUDP Proposals Map but situated within

1. Keighley Town Centre Conservation Area
2. Keighley Town Centre as defined on the RUDP

The following policies are relevant and have been considered:

- UR3 - The local impact of development
- BH4 - Extensions and alterations to Listed Buildings
- BH7 - Conservation Area
- D1 - Design
- D4 - Community safety

Town/Parish Council

Keighley Town Council recommends refusal on the grounds that it is inappropriate to site a sub-station in a disabled car park. The Town Council suggests replacing the present skip by the sub-station.

Publicity and Number of Representations

Advertised by press and site notice. Expiry Date 29th June 2008.

Objections comprise a petition signed by 100 people who are members of the Keighley Disabled People's Centre, users of Temple Row Centre and Shopmobility customers and 17 letters.

Summary of Representations Received

Car park for disabled people is being reduced from 6 bays to 3 / 5 bays to 3.

Car park for disabled people is used by the Shopmobility users on a regular basis – they hire out scooters to do their shopping – to take away their independence is quite catastrophic.

Shopmobility will not be viable.

Restricting disabled access to Shopmobility is appalling just to provide air conditioning for the Town Hall.

Disabled parking area has been used as a general rubbish area for years. The disabled driver has been constantly inconvenienced by various building projects in the Town Hall.

Car park for disabled people is used by the Members and Users of the Keighley Disabled People's Centre based at the Temple Row Centre. There are no blue badge bays within a reasonable distance of the Disabled Centre.

Car park for disabled people is used by disabled people visiting Town Hall, local shops library and public transport.

There is space within the car park to be able to open doors wide which it is often dangerous to do in a tighter spot or on the roadside.

There are very inadequate provisions made generally for people with disabilities.

Many other parking spaces for the disabled are for two hours or less – it takes disabled people a lot longer to get around than other people.

The disabled need more disabled parking spaces not less.

Can part of the Town Hall Square or the Taxi Rank area be used for additional parking spaces for the disabled?

Consideration should be given to other options e.g. the cobble street at the side of the Town Hall; two telephone box sites; staff car park.

Bradford Council should take their responsibilities to the disabled more seriously.

Rights under the Anti-Discrimination Law are being abused.

Going ahead with this proposal may be in breach of the Disabled Access Act so if the parking spaces are cut the matter might have to Court.

Design is poor – position of sub-station will make parking difficult and result in accidents.

Object to the sneaky way this proposal was publicised – a notice up a tree which was not easy to see, especially a disabled person and it did not mention that the proposal would involve cutting out disabled parking spaces.

Instead of making things worse for disabled people the Authorities should use more vigilance to prevent able bodied people using the few dedicated parking spaces.

Consultations

Trees - No major concerns with the proposal and the impact on the adjacent Sycamore tree. The substation is under the canopy spread of the tree but it is unlikely that there will be any roots where the sub-station is going as the car park is elevated slightly above the footpath and there will be little chance for water to permeate to the roots. The tree is looking in poor condition owing to the amount of tarmac and concrete preventing the roots from functioning effectively.

English Heritage – No comments.

Access Officer Comments –

"No objection to principle but some concerns about the practicality of the layout The spaces appear to have been shoe-horned into the site to give a best fit, but to actually get into, use and get out of these spaces will, in reality, be quite a challenge and may

compromise the safety of the drivers, other drivers and pedestrians both within and outside the site.

The entrance is quite narrow and the proposed position of the substation will make it impossible for cars to turn around within the car park when all the spaces are occupied. Even when it is empty, this will be a tricky manoeuvre. The drawing shows there will be hardly any clearance for a car to exit the space nearest the town hall. If a vehicle is slightly oversized or fails to park correctly in the middle bay, then that could block access to and from the inner bay. The restricted nature of the site will almost inevitably necessitate drivers having to reverse into Cooke Street. Not only will drivers have to negotiate the confines of the space, but they will have to reverse into traffic and pedestrians. The drawing shows all three cars as having reversed into the car park. This is highly unlikely this will ever happen as the entrance is at an angle and branches off in the same direction as the one-way system. To reverse into the site, a driver would have to drive beyond the entrance to the car park then swing around in reverse through about 300 degrees and hope s/he didn't collide with anyone or anything. Because a reverse-in manoeuvre is, I would argue, impractical, it makes the proposed hatched "safe" area to the rear of the site redundant. The safe space needs to be at the entrance to each bay as that is where the car boots will most likely be positioned. Equally, the landscaped area at the rear of the site will cause access problems. It will, as shown, overhang the bays compromising their usability, especially if someone did manage to reverse into a bay. I would recommend that this feature be omitted.

In summary, I support the application in principle, but am not convinced that the proposed layout will work in practical terms. I think the layout needs further consideration. Making the car park square would make it more practical".

Summary of Main Issues

Loss of parking spaces for the disabled
Impact on the Local Environment including Listed Building
Impact on neighbouring occupants
Impact on Highway Safety
Community Safety

Appraisal

Proposal

This proposal is for the erection of an electricity sub station which will take the form of a single storey extension with lean to roof to the rear of the Town Hall. The building will be 3.8m by 3.6m and will be finished in stone with a slate roof. Timber louvred double doors will provide access to the building.

Supporting Information

The applicant has provided the following information in support of the application;

Need for Sub-station

As part of the Keighley Town Hall modifications to accommodate the "One Stop Shop" a review of the existing services infrastructure took place. This review has established that the existing electrical mains is insufficient to meet the demands of the modern office

environment and that new electrical services are required. Following consultation with the service provider a new sub station is required to meet the need for electricity.

Sub-station form and design

The basic mass, dimensions and form of the sub-station are dictated by the specialist equipment to be contained therein and the need for access for maintenance. The building is to be constructed from local stone, in colour coursing and texture, to match the existing building and it is proposed to have a mono pitch roof to match the existing building. The building is of the smallest footprint permissible whilst still complying with the requirements of the supplier.

Sub-station location

The sub-station has to be located in close proximity to the Town Hall. The site has been chosen on the grounds that it is abuts the Town Hall, minimises the impact on the disabled parking provision and is as far away as possible from the War Memorial.

Consideration has been given, in consultation with YEDL, to the improvement of other local sub-stations. There are nine sub stations around the Town Hall in an area which is bounded by Alice Street to the north, High/Low Street to the south , Scott Street to the west and Hanover Street to the east. Of these sub stations none can accept the requested load without replacing the existing transformer with one of a higher capacity. Of the nine, four of the sub-stations are at a distance from the Town Hall that produces an unacceptable voltage drop and earth loop impedance and for of the sub-stations are inaccessible. The remaining sub-station located on Devonshire Street will accommodate a replacement transformer of a higher capacity but space is limited. Replacement of the Devonshire Street transformer involves legal and financial constraints. Access to this site is through third party land through which cables would have to be laid from the public footpath to the sub-station. There is no guarantee that permission could be obtained. 'Way Leaves' would also be required for cables crossing Council owned land. Additional costs would be generated by additional civil works which would be required for a greater length of cable from Devonshire Street to the Town Hall, the hire of mobile generators to support the existing connections to the electricity during interruptions of supply and additional work to the equipment in the sub station.

The following alternative locations for a new sub=station have also been considered and discarded;

- i) Rear of 66 North Street, on Town Hall Street – *Insufficient space available and consequential loss of parking to the tenants would not have been acceptable.*
- ii) Side of 68 North Street, on the periphery of Town Hall Square – *unsuitable owing to the large number of existing below ground services in the vicinity.*
- iii) Rear of the Town Hall, immediately adjacent to the ramp – *abandoned owing to the negative impact on the disabled parking provision.*

Proposals for Replacement of Parking Spaces for the disabled

To address the loss of car parking spaces for the disabled in the area of the proposed sub-station the applicant has sought approval of a Traffic Regulation Order to provide additional car parking spaces for the disabled on Cooke Street.

On 31st January 2008 the approval of the Keighley Area Committee was sought to promote a Traffic Regulation Order on Cooke Street to provide two additional parking spaces for the disabled to replace the two car parking spaces which would be lost as a result of the proposed sub station development. The Keighley Area Committee resolved;

- 1) That the disabled parking spaces, contained in the Traffic Regulation Order proposed, and the two existing disabled spaces on Cooke Street, should allow parking for up to three hours’.
- 2) That the consultation and advertisement of the relevant Traffic Regulation Order be approved and, should no objections be received, the scheme be implemented as advertised’.

In considering the Traffic Regulation Order proposal Members questioned the convenience of the spaces to the nearby mobility store and were advised that the store manager had agreed to take the mobility scooters across to users of the disabled parking spaces.

On 18th June 2008 the Keighley Area Committee considered two objections to the Traffic Regulation Order which had been received from local businesses who were concerned with the loss of short term parking in lieu of three hour parking for disabled people and the potential impact on their businesses. The Keighley Area Committee resolved ‘that the objections be overruled, the objectors be informed accordingly and the scheme be implemented as advertised.’

Loss of parking spaces for the disabled

The principal concern of all of the objectors to this proposal is the loss of parking spaces for disabled people, parking spaces which are in an ideal location to access local shops, services and public transport. There are no policies in the Replacement Unitary Development Plan which are specifically aimed at retaining existing parking spaces for the disabled but the recognition of the need to provide such parking facilities is reflected in Policy TM18 which requires new developments to provide appropriate parking provision for people with disabilities.

Moreover, the Disability Discrimination Act (DDA)1995 amended by the DDA 2005 places a legal duty on all public bodies to promote equality of opportunity for disabled people.

This legal duty means that the Council must, in carrying out its functions, have due regard to the need to;

- eliminate discrimination that is unlawful under the Disability Discrimination Act;
- promote equality of opportunity between disabled people and others;
- eliminate harassment of disabled people that is related to their disability;
- promote positive attitudes towards disabled people;
- encourage participation by disabled people in public life;
- take steps to meet disabled people’s needs, even if this requires more favourable treatment.

(“Due regard” means that authorities should give due weight to the need to promote disability equality in proportion to its relevance to disability.)

In conjunction with the DDA legislation, the ODPM (Office of the Deputy Prime Minister) has published “Planning and Access for Disabled People” – A Good Practice Guide. This guide seeks to ensure that the Planning System successfully and consistently delivers accessible environments as an integral part of the development process.

National Planning Policy Guidance requires that Local Planning Authorities promote accessibility for people with disabilities without being too prescriptive about how this should be done.

PPS1: Delivering Sustainable Development states 'The Government is committed to developing strong vibrant and sustainable communities and to promoting community cohesion in both urban and rural areas. This means meeting the diverse needs of all people in existing and future communities, promoting personal well-being, social cohesion and inclusion and creating equal opportunity for all citizens.'

PPG17: Planning for Open Space, Sport and Recreation - paragraph 18 encourages 'better accessibility of existing open spaces and sports and recreational facilities taking account of the mobility needs in the local population...'. Paragraph 20 states 'promote accessibility.....ensure that facilities are accessible for people with disabilities.'

National planning advice focuses on ensuring that development proposals secure a more accessible environment for all – creating an inclusive environment which can be used regardless of age, gender or disability. The legislation and guidance that is of particular relevance to this proposal is the need to have due regard to the needs of people with disabilities, and promote equality of opportunity and accessibility.

There are currently two disabled car parking bays marked out in the area where the sub-station is to be located. This is probably the optimum number of vehicles which should be accommodated to allow ease of access to and from vehicles and ease of movement in and out of the site. A maximum of three parking bays can currently be accommodated on the site if laid out to the required disability standard. The applicant is proposing to retain three parking spaces for the disabled on the site and provide two additional spaces on Cooke Street (the parking time limit of the two existing spaces on Cooke Street is also to be extended from 30 minutes to 2 hours). In effect there is no loss of disabled parking bays on the application site, although the access/egress to one of the bays is constrained slightly by the position of the proposed sub-station.

The Access Officer has raised concern about the ability to turn cars around in the site. However, the ability to turn a vehicle is already restricted by the size and shape of the site – realistically, if three cars were parked in disabled bays at right angles to the Town Hall gable wall only the middle one could turn around in the site easily. The present use of the car park by up to 5 vehicles at any one time makes manoeuvring even more difficult within the site. Vehicles reverse into and out of the site on a regular basis.

It is considered that the provision of the two additional spaces on Cooke Street and the extension of the time period for parking in the existing spaces adequately compensates for the constrained access to the third disabled car parking space. It is acknowledged that the site does sometimes accommodate more than three vehicles but this additional parking does prejudice the safe and free access of all disabled users of the car park. The marking out of the three spaces will ensure that occupants of vehicles parked in the bays will be able to park wheelchairs and scooters adjacent and to the rear of their vehicles. Some further alterations to the layout, as suggested by the Access Officer, comprising the omission of the landscaped area and inclusion of hatched areas to the front of the bays will ensure that vehicles are parked in the most appropriate positions on the site to enable access for all users.

It is considered that proper consideration has been given to the needs of people with disabilities and that the proposal does not have any adverse impact on equality of opportunity and accessibility.

Impact on the Local Environment

The Town Hall is a Grade II Listed building. There is a statutory requirement that local planning authorities have special regard to the desirability of preserving listed buildings and their settings and any features of special architectural and historic interest which they possess. This is reflected in Planning Policy Guidance Note 15 (PPG15) and the RUDP Policy BH4. The site is also within the Conservation Area.

The proposed extension to Town Hall is modest in size and located in an area which is currently used for car parking. With the exception of the proposed UPVC rainwater goods, the building is considered to be of a scale, design and materials which will preserve the architectural character and appearance of the original building and will not detract from the Conservation Area. If consent is granted it should be conditional on the use of aluminium rainwater goods.

The tree located in the pavement adjacent to the site should not be affected by this development.

Impact on neighbouring occupants

There are no properties whose occupants would be affected by the development.

Impact on Highway Safety

There are no apparent highway safety implications. The rationalisation of the layout of parking spaces should improve safety as it will be easier to get in and out of the car park than is allowed for by the present haphazard parking arrangement which generally requires reversing into the highway.

Community Safety Implications

There are no apparent community safety implications. It is not considered that this small structure will decrease natural surveillance of the car park from surrounding streets or from Town Hall Square.

Reason for Granting

Consideration has been given to the impact of the proposed development on the availability of parking spaces for the disabled and it is considered that the laying out of defined spaces in the car park and the provision of additional spaces on Cooke Street will ensure there is no loss in the quality and quantity of parking spaces for people with disabilities. Due to its modest scale and use of matching materials, the proposal is considered to be of a scale, design and materials which will preserve the architectural character and appearance of the listed building and its setting and that of the Conservation Area. There are no adverse implications for neighbouring occupants, highways safety or community safety. The proposal is considered to accord with Policies UR3, BH4, BH7 D1 and D4 of the Replacement Unitary Development Plan.

Conditions of Approval

Commencement of development within 3-year time limit

Materials to match the Town Hall as specified on submitted drawings.

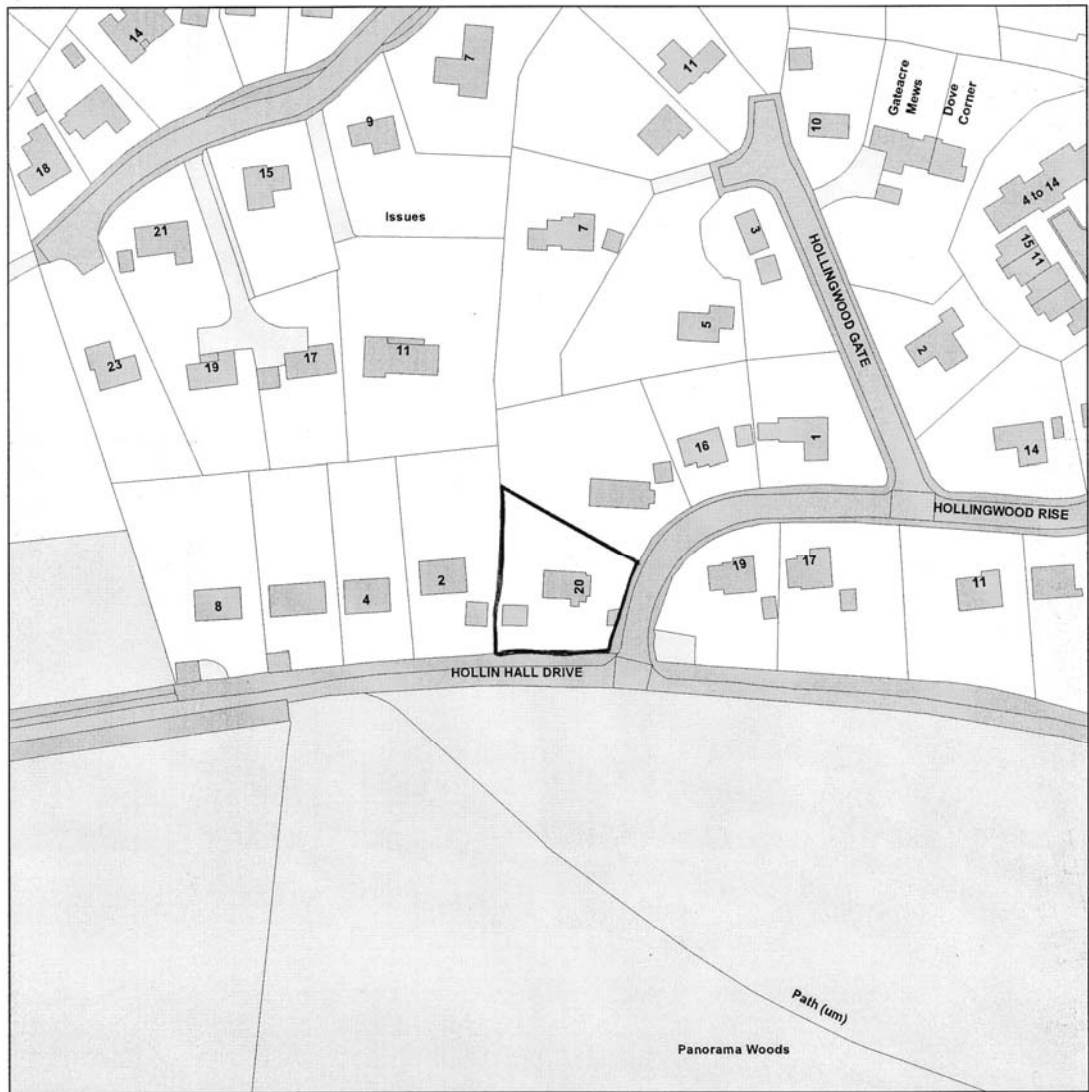
Aluminium rainwater goods (gutters/downpipes) shall be used.

Colour of timber doors to be agreed with LPA

Laying out of disabled car parking bays in car park (with omission of landscaped area and hatched areas to front and rear of bays) and retention thereafter unless otherwise agreed.

Implementation of Traffic Regulation Order and laying out of disabled car parking bays in Cooke Street and retention thereafter unless otherwise agreed.

Area Planning Panel (Keighley)



ITEM NO.	LOCATION	
14	20 Hollingwood Rise, Ilkley	

DATE: 22nd October 2008

ITEM No: 14

WARD: ILKLEY

RECOMMENDATION: TO GRANT PLANNING PERMISSION WITH CONDITIONS

APPLICATION No: 08/03714/FUL

Type of Application/Proposal & Address

Full application for demolition of existing house and garage and construction of 2 detached houses and two detached double garages on land at 20, Hollingwood Rise, Ilkley LS29 9PW

Site Description

The site is 0.11 hectares in size and situated at the corner of the adopted Hollingwood Rise and the unmade Hollin Hall Drive. The site is on the southern edge of the built up area of Ilkley, the land to the south of Hollin Hall Drive being part of Panorama Woods. The application site is occupied by one modern (1970s) detached dormer bungalow and its flat roofed garage both set below the level of Hollin Hall Drive. The rest of the site is garden, sloping down from south to north. To the west is a split level modern detached house accessed from Hollin Hall Drive and dating from the 1980s with a garage adjoining the application site. There are some silver birch trees between this neighbouring house and the boundary of the application plot. To the northern boundary are shrubs and a conifer hedge, below which is a similar dormer bungalow at 18, Hollingwood Rise. This is set down significantly below the level of the application site so that just the roof is visible above the conifer hedge on the boundary. Hollingwood Rise is a steeply sloping adopted highway.

Relevant Site History

08/01478/FUL : Full application for demolition of existing house and garage and construction of 3 detached houses. Application withdrawn.

Replacement Unitary Development Plan (UDP) Proposals and Policies

The site is unallocated on the RUDP (2005)

The following policies are relevant:

UR3 - local impact of development
TM12 – car parking in residential development
TM19A - road safety
D1 - design criteria

Town/Parish Council

Ilkley Parish Council recommends refusal.

Publicity and Number of Representations

Publicity by letters to neighbours and a site notice expiring 24 July 2008.

11 objections from local residents and Ilkley Civic Society received, plus a petition objecting to the application signed by 61 people.

Two Ward Councillors have objected on grounds of inappropriate density and harm to the woodland edge of Ilkley and have sought determination by Planning Panel.

Summary of Representations Received

Petition

1. The proposed houses are taller than the existing ridge line and will destroy the view from Panorama Woods.
2. The felling of several mature trees on the site and subsequent building will have a detrimental effect on existing wildlife.
3. The scheme will double the number of cars present, resulting in off street parking on Hollingwood Rise and Hollin Hall Drive.
4. Adverse effects on wildlife.
5. Contrary to Government Policy because it does not complement and integrate with neighbouring buildings and the local area.

Letters

1. The proposed buildings are out of keeping and do not integrate with neighbouring buildings and the local area or relate well to their surroundings.
2. Such big, 3-storey houses would be entirely out of keeping with the surrounding dormer bungalows. The mass and height of the houses is excessive and they will protrude well above rooflines of the nearby houses and dominate the area.
3. The site is next to Panorama Woods, a local beauty spot and the construction of such big, 3-storey houses would harm this woodland setting and views from the woods.
4. Notwithstanding that the scheme has been reduced from 3 to 2 houses, the houses are still crowded together and it is over development.
5. The houses are of an inappropriate design for the area.
6. The new houses and their garages will overshadow and overlook the neighbouring property below.
7. The gardens remaining to the houses will be disproportionately small.
8. There are concerns about the drive access being so close to the north boundary and next to a steep drop to 18, Hollingwood Rise. It is said that this will affect stability of the slope and affect the privacy and living conditions of occupants of this property.
9. Many trees were present on the site and were cut down before this application was submitted.
10. Concerns about the development creating additional traffic on Hollingwood Rise which is a very steep hill.
11. Parking is not adequate and drives are restricted and there will be more parking on Hollingwood Rise and Hollin Hall Drive.
12. There will be disruption of wildlife habitat provided by the adjoining woodland during construction work.
13. Inadequate drainage in the area.
14. There is a covenant restricting development of this land to just one private dwellinghouse and garden which local residents will seek to enforce.

Consultations

Drainage : Separate drainage system required. Connection to nearest sewer will require provision of an off site sewer.

Trees Section : Note that all trees that used to stand on this site were intentionally felled to maximise development potential. Concerns about the extent of excavation required close to adjoining trees.

Summary of Main Issues

Principle of development and density considerations.

Impact on the character of the locality.

Impact on living conditions of occupants of adjoining properties.

Appraisal

Principle of development and density

The site is previously developed land, being presently occupied by one dwelling at a density of 9.1 dwellings per hectare. The proposed development of 2 houses would give a density of 18.2 dwellings per hectare. This is well below the national indicative minimum density of 30 dwellings per hectare advocated by PPS3 and below the target set by RUDP Policy H7 for development to achieve a density of 30-50 dwellings per hectare.

However, a higher density of development in the range 30-50 dwellings per hectare would seem inappropriate for this site in view of the strong environmental character of the locality referred to by the objectors, and in view of the constraints of the site and its relative remoteness from local services and public transport. A withdrawn scheme for 3 houses appeared very dominant and out of keeping and showed that more intensive housing development is not appropriate. However, the present scheme for 2 houses seems better related to the surrounding area and it would be very difficult to argue that 2 houses, in principle, is an excessive density for the site or the surrounding area given the density expectations of PPS3 and the RUDP.

Although objections that the existing house should not be demolished are acknowledged, there is no legal protection to allow the Local Planning Authority to prevent this happening.

Policy Considerations

PPS3 on "Housing" states that more efficient use of previously developed land for housing should be promoted but that good design and layout is essential to ensure that higher densities do not harm the character of existing residential areas. It says that new housing should be well integrated with, and should complement the neighbouring buildings and the local area more generally, in terms of scale, density, layout and access. and housing design which is inappropriate in its context should not be accepted. Policy D1 of the RUDP seeks developments that are well related to the existing character of the locality in terms of design, scale, massing, height and materials and they should provide a quality setting for new buildings.

Impact on the character of the locality

This scheme for 2 houses on this street corner plot is much more suitable than the earlier proposal for 3 houses which incorporated integral garages and resulted in 3-4 storey houses that were over powering and cramped, with little space to boundaries. The previous application was withdrawn as it was not supported by Officers.

By comparison the two dwellings now proposed would be better integrated with the proportions of the site and would retain space to front, rear and side boundaries. Indeed, the gaps to side boundaries of 4.4m and 3.8m will be very similar to those for the houses

built further along Hollin Hall Drive in the 1980s. A street scene elevation presented by the agent shows that, due to the slope of the site, much of the bulk of the two houses would be set down below the level of Hollin Hall Drive and behind the tall stone boundary wall along that road. The ridge height of the two houses is projected to be about the same as the ridge height of No. 2, Hollin Hall Drive. Whilst, the two new houses would be closer and present a greater bulk to Hollin Hall Drive than the existing single house on the plot, it is not accepted that they would have the effects on the outlook from Panorama Woods or the setting and character of the site that objectors and the Ward Councillor fear. Much of the development would not be visible from Hollin Hall Drive or the woods, so it is not considered that the houses would intrude significantly into views or harm local character.

Height/design/materials : The houses are proposed in coursed natural stone with blue slate roofs. They would be split level to fit the slope of the site - with single storey plus dormers at the back (south) and two storeys plus roofspace accommodation at the front (north). Nearby dwellings are generally low rise dormer or split level bungalows and two storey houses with shallow pitches to the roofs set in an area that is a low-density suburb with high quality surroundings provided by the mature woodlands immediately to the south. Although the new houses would be of a different design to the existing and neighbouring dormer bungalows and have an additional storey, it is not accepted that this is necessarily out of keeping. The screening of the site from Hollin Hall Drive and elsewhere is such that the impact of the houses would not be as significant as is implied by the objectors. The houses and garages are proposed in natural stone and tiles that will complement and harmonise with the variety of modern houses nearby. Design, scale and materials are considered acceptable and refusal on grounds of impact on local character or visual appearance will be difficult to substantiate.

Impact on living conditions of occupants of adjoining properties

Two adjacent properties will be affected – 2, Hollin Hall Drive to the west, and 18, Hollingwood Rise below the site to the north.

The bulk of Unit 2 will be nearer to 2, Hollin Hall Drive than the existing house but would still be about 13 metres from its side wall where there are only what appear to be 2 secondary windows with existing trees between. The submitted drawings suggest additional planting to the west boundary and it is agreed this would mitigate the impact on the neighbour and should be carried out as any condition of approval. Subject to this it is not considered that the development will significantly harm the amenity of the neighbour to the west of the site.

In consideration of the previous application it was fully acknowledged that the 3-4 storey dwellings then proposed would have been very dominant and invasive of the privacy of occupants of 18, Hollingwood Rise to the north of the site. This dwelling is significantly below the level of the site. However, the new application reduces the height of the houses and the new houses would be sited behind about 4.4 metres behind the front wall of the existing dormer bungalow ensuring a gap of at least 22 metres between the new house and the neighbour's windows. Cross sections provided by the agent show that due to the slope of the site and the intervening conifer hedge on the boundary, little of the new house will actually be visible from the windows of the neighbouring house. The hedge that provides the screening is in the ownership of the objector.

Regard has also been given to the impact of the garages on the neighbour at 18, Hollingwood Rise and the garage to Unit 2 has been adjusted to position it 7.8 metres into

the site rather than right against the boundary as was shown on the original plans. The garage for Unit 1 is 9.2 metres from the boundary and due to the rise of the land and the intervening hedge little of it will be visible from the neighbour's windows. Neither garage is especially tall (3.8 metres to ridge) and neither is considered to significantly impact on the amenity or outlook of the neighbour.

Impact of the drive

Particular regard has been given to the position of the drive access to the development on the property below the site in response to concerns about this and the structural stability of the slope expressed on behalf of the neighbours. The agent has amended the position of the drive so it is now shown sited at least 1.5 metres from the boundary. The Council's own Structural Engineer has visited the site and agrees with the applicant's engineer that the amended position of the drive and garages will have no detrimental effect on the existing embankment between the properties. The Structural Engineer has suggested some additional precautions to require full details of the method of construction of the drive (ie. a more detailed cross section) and details of surface water disposal prior to commencement of development. He has recommended that the drive be used to build the houses from and that a barrier be erected between the drive and the boundary to prevent vehicles accidental being driven off it. These additional measures are to be required by the suggested conditions.

It is not considered that the neighbour will be affected by headlight glare as the drive runs across the boundary and the conifer hedge is dense and will screen any light and help reduce any noise from traffic. Although the great concern about this feature by the neighbours is acknowledged, use of the drive by two houses is unlikely to generate a significant level of noise, pollution or any other disturbance for the neighbouring property given the screening provided by their own hedge and the distance from the house.

Trees and wildlife

Objectors are aggrieved by the removal of trees from the site prior to the application being made. But these trees were not protected and it is understood several were garden conifers. The construction of the houses themselves will not affect the birch trees on the garden to the west and the amended plans now indicate proposals for replanting several trees around the site boundaries which will complement the tree cover of the adjacent woodlands for amenity and wildlife as well as help screen the site from neighbouring houses and acknowledge the removal of previous trees by the owner. It is suggested that native deciduous trees be required.

Comments regarding disruption of wildlife are noted but there is nothing on the site itself which is of any value as habitat and the construction of just two houses will not cause any lasting damage to the wildlife value of the wider area. The extensive surrounding woodlands and gardens will provide plentiful alternative habitat and foraging for wildlife during the construction period, as has happened on other development sites in the area.

Highways and Parking

Although Hollingwood Rise is a steep street, it is an adopted 5.5m wide estate road with footways and carries relatively little traffic. The proposals would only add one additional house and the additional traffic could be safely accommodated by the highway network. The development provides 2 garaging spaces and 2 external parking spaces for each house. This is well in excess of the maximum parking standards of 1.5 spaces per dwelling

set by the RUDP. Objector's comments that 4 parking spaces per house are insufficient for such 5 bedroom houses and that significant overspill parking will occur on the street are unsustainable given that parking is being provided at a ratio far in excess of normal RUDP standards. In any case, even if it did occur, visitor parking is not likely to cause significant safety problems given the adequate width and lack of traffic on this part of Hollingwood Rise.

Community Safety Implications : None

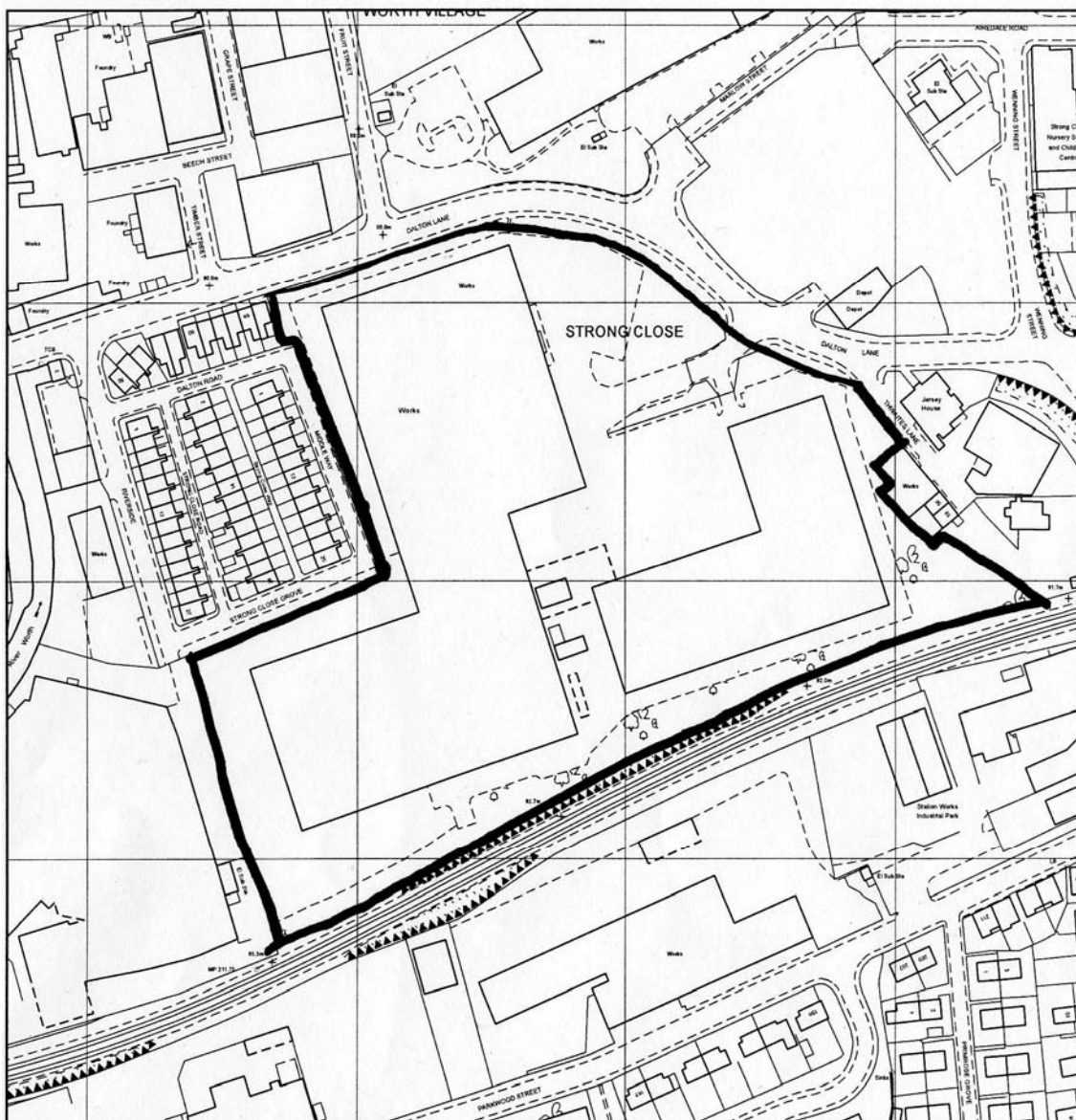
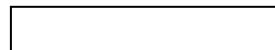
Reasons for Granting Planning Permission

The proposed development would provide a density of dwellings appropriate to the high environmental quality of surrounding the townscape and landscape and which is compatible with the local pattern of streets and spaces. Subject to compliance with the amended drawings and subject to the attached conditions, the development is not considered to adversely affect the living conditions of occupants of adjoining or surrounding houses. Parking is adequate and the development will have no adverse effects on road safety. The development is considered in accordance with Policies UR3, D1, TM12, TM19A of the Replacement Unitary Development Plan (RUDP) and guidance set out in PPS3 on "Housing".

Conditions of Approval

1. Standard 3 years for commencement.
2. Compliance with the amended drawing 258/10 Revision A and the amended cross section drawing 258/15 revision A amending the position of the drive in relation to site boundary with 18 Hollingwood Rise and amending garage positions.
3. Samples of walling and roofing materials shall be submitted to, and approved in writing by the LPA prior to commencement of development.
4. Planting of native deciduous trees/hedges as shown on drawings shall be implemented prior to occupation of the dwellings. Exact details of species etc to be submitted and approved by LPA prior to commencement of development.
5. The indicated garaging, parking and turning areas shall be installed and made available for use prior to the houses being brought into use.
6. The proposed drive shall be constructed prior to commencement of any development other than demolition - to permit the new houses to be constructed from this access.
7. No development shall be begun until detailed cross sections and details of the means of surface water drainage from the drive have been submitted to and approved in writing by the LPA. The cross sections shall show existing and proposed ground levels along the proposed drive and how the drive would be constructed.
8. A barrier or retaining wall shall be installed along the length of the drive between the drive and the boundary with 18, Hollingwood Rise. Details of this shall be submitted to and agreed in writing by the LPA prior to commencement of development.
9. Limit construction hours.

Area Planning Panel (Keighley)



ITEM NO.

15

LOCATION

Acre Park, Dalton Lane, Keighley



DATE: October 22nd 2008
ITEM No: 15
WARD: KEIGHLEY EAST
RECOMMENDATION: TO GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS.
APPLICATION No: 08/04726/FUL

APPLICATION WITH PETITIONS

Type of Application/Proposal & Address

Full application for the redevelopment of industrial estate to provide additional parking and turning facilities with external alterations and demolition at Acre Park, Dalton Lane, Keighley.

Site Description

This wedge shaped application site is 4.6 hectares in extent and is located within an employment zone (designated K/E6.3) on the north east side of Keighley town centre, just off the A650 Aire Valley Trunk Road. The employment zone comprises a variety of buildings which house a mix of industrial type developments. The main railway line in and out of Keighley lies to the south of the application site.

The site is relatively flat and essentially comprises three large industrial buildings (approximately 19583sqm in total), associated parking and hardstanding. Tree Preservation Order 0155 covers a variety of trees around the perimeter of the site. There are residential dwellings adjacent to the North West apex of the application site (Strong Close Way, Strong Close Road). On the opposite side of Dalton lane, further industrial units are evident. Access to the application site is via Dalton Lane.

Relevant Site History

There is no recent relevant history for the redevelopment of the whole application site. Planning permission 03/00865/FUL was granted subject to conditions in 2003 for a factory extension and new warehouse building with covered link to building.

Replacement Unitary Development Plan (RUDP) Proposals and Policies

The site is allocated as being within an Employment Zone. Relevant policies include:-

- | | | |
|-------|---|---|
| UDP1 | - | Promoting sustainable patterns of development |
| UDP3 | - | Quality of built and natural environment |
| UDP4 | - | Economic Regeneration |
| UR3 | - | Local planning considerations |
| E3 | - | Protecting Employment Land/Buildings |
| E6 | - | Employment Zones |
| TM2 | - | Impact of Traffic and its mitigation |
| TM10 | - | The National and Local cycle Network |
| TM19A | - | Traffic Management & Road Safety |
| TM 11 | - | Parking Standards |
| P4 | - | Contaminated land. |
| D1 | - | Design considerations |
| D4 | - | Crime prevention through improved design |
| D5 | - | Landscaping |
| NE4 | - | trees and Woodlands |
| NE5 | - | Retention of trees on development sites |
| NE6 | - | Protection of trees during development |

Town/Parish Council

Recommended for approval.

Publicity and Number of Representations

The application was advertised by site notice with the statutory expiry period for comments being 26 September 2008. Individual neighbour notification letters were also sent with the statutory period of expiry for comments being 01 September 2008. Two petitions have been received (1 in the form of a letter from the residents of Strong Close and one with 37 signatures/from 29 different households) and 1 individual letter of comment.

Summary of Representations Received

- Redevelopment seems likely to turn what are at present blank walls into access, delivery and car parking spaces which will have a disturbing effect on adjoining residential streets
- Concerns of residents in terms of traffic, noise, disruption and atmospheric pollution
- Residential assured that the road opposite their homes was to be used for access by emergency vehicles only
- If additional car parking space is granted what provision will be made to protect the residents of the estate from the increase in noise, pollution and invasion of privacy
- What provision will be made to protect properties from damage caused by vibration due to heavy goods vehicles passing properties throughout the day
- What will the operational houses of the site be
- Is a retaining wall to be built to protect peoples from subsidence
- Currently the owners of Acre park do not full their responsibilities in relation to the maintenance of trees and shrubs that overhang Strong Close Way – will their responsibility be enforced to protect our cars from damage when driving to and from our homes
- Section of fence that runs alongside Strong close Way has never been painted – request that this is rectified
- Consider that this area is a residential area
- Concerned that HGVs and other large vehicles will be allowed to use the car parking in front of the residents houses for over night parking. This would not be acceptable due to excessive noise from the lorries

Consultations

Environmental Health Section (contamination) – The vast majority of the existing site is covered by three buildings and concrete hardstandings for vehicle access and parking. The proposed development is to maintain the existing amount of hard cover across the whole. Therefore, for the proposed commercial development the site is “fit for purpose”.

Environmental Health Section (noise/amenity) – the application is intended to sub-divide the existing buildings into 23 separate units. This is clearly a proposal to bring back into use a site that is perhaps no longer suited to its original design and layout. There are concerns on the impact this proposal may have (particularly from buildings 1 and 2) on the residents of Dalton road, Middleway and Strong close Grove which share the western boundary with eh application site. Without details of the nature of the proposed tenants businesses and house of operation it is difficult to quantify what the impact may be. However, the intensification of use proposed is likely to result in an increase in noise from both private and goods vehicles servicing the units, loading and unloading operations and plant and equipment noise.

Whilst Environmental head has powers to deal with noise amounting to a statutory nuisance whereby we could take action to abate nuisance from individual units, it would be nearly impossible to deal with allegations of nuisance from vehicle noise when there may be up to 23 units in use. If this application is to be considered for approval Environmental Health would wish to see some conditions to protect the amenity of these existing residents. This could be in the form of a condition limiting the times of loading/unloading operations on the elevations of buildings 1 and 2 facing residential properties rather than a blanket hours of operations condition which would limit the appeal of the units. Additionally would request a condition is attached to limit the installation of any externally mounted flues, extraction chiller, compressor or similar equipment on the elevations or roofs of buildings 1 and 2 which face residential properties.

Tree Section - Subject to removing a number of car parking spaces which are unacceptably close to trees suggest conditions in any permission granted.

Highway Section – There is no objection in principle to the redevelopment of this industrial estate. The proposed number of spaces is acceptable and in accord with the Councils guidelines.

Summary of Main Issues

Principle of Employment Development
Impact on local environment including TRO trees
Impact on neighbouring occupants
Highway Safety
Site contamination
Comments on representations made
Community Safety

Appraisal

1. Proposal

Acre Park has developed in the past to provide flexible larger scale business accommodation. The proposal seeks to maximise the potential of the site in providing business units more suited to today's market i.e. by essentially subdividing the spaces to provide for a number of smaller unit sizes which are more manageable and more lettable. This type of accommodation will provide a flexible choice for various companies and business with which to set up a base with possible room for expansion and growth.

2. The proposal is to demolish the link block between buildings 1 and 2 and to create two separate buildings (5883 sqm and 6479 sqm) which will allow better access throughout the site. These buildings will be split up into several industrial units. Additional loading doors, and personnel/fire escape doors and windows will be inserted. Access is via Dalton Lane. Parking is provided for over 319 vehicles, including 15 disabled spaces and provision of cycle parking stands. Additional turning areas are also proposed.

3. Principle of Development

The site is within an Employment Zone and currently in employment use. Within employment zones, it is important to maintain and encourage new industrial and commercial investment as it is recognised that it is in these areas that traditional employment activities continue to play an important role in providing jobs for the local communities. The proposed development/provision of flexible modern accommodation for business uses complies with Policies E1 and E6 of the RUDP which relate to development in such areas.

4. Impact on local environment

The design and appearance of the newly created separate units - 1 and 2 - is considered appropriate for this location and reflects the appearance of the existing buildings on this site. It is not considered that the units will adversely affect the local environment within this employment zone. The creation of additional parking spaces and turning facilities throughout the site in the manner proposed is considered appropriate to an employment zone (note that the impact of these facilities on nearby residents will be considered in the report below). As such, it is considered that the design and functional infrastructure for the proposed business uses is acceptable and in accord with Replacement Unitary Development Plan policies. Suitable measures and distances have been retained to the protected trees on the site and subject to appropriate conditions regarding protection and long term management objectives, it is considered that the proposal is in accord with policies NE4 and NE5 of the Replacement Unitary Development Plan.

5. Impact on neighbouring occupants

This existing employment zone is located adjoining an established enclave of residential properties. The close relationship of different uses – industrial and residential – clearly has the potential to detract from the established amenities of the occupiers of the residential units by reason of creation of excessive noise and general disturbance over and above that which already exists in the locality. It is therefore considered appropriate to limit the hours of operation of the units in closest proximity to the residential properties to between 07.00 and 19.00 Mondays to Saturdays only and at no time on Sundays and Bank Holidays. Conditions limiting the use of the car parking spaces in this location are also suggested to be attached to any permission granted. The applicants have agreed to the proposed limitations which aim to meet the aspirations which the local residents have put forward in their petition. Furthermore, a condition is also suggested on any permission granted to ensure that externally mounted flues, extraction, chiller, compressor or similar equipment on the elevations and roofs of buildings 1 and 2 (which face residential properties) need the agreement of the LPA. Such limitations will help to minimise the potential adverse impact of the business users on the adjoining residential properties.

6. It is considered that there will be no undue loss of privacy or detrimental overlooking created by the changes to the existing buildings. Indeed, the removal of a portion of an existing building ensures a minimum distance of 28m is retained to the western boundary of the site which itself is partially screened by a fence and trees which are covered by a TPO. It should also be noted that from this site boundary there is a further distance of over 6m before the residential cartilages of the dwellings are evident. As such, it is considered that the proposal for smaller more flexible types of business units in the north western apex of the site (those which are in closest proximity to the residential units), will not unduly compromise the amenities of the residential properties, if the business uses are limited in their hours of operation. The remainder of this established commercial site that is located away from the residential properties around Strong close will retain 24 hours of operation as currently exists at present.

7. Impact on Highway Safety

The proposal is considered to be acceptable in terms of highway safety. The proposed access remains as currently evident on site. 319 parking spaces (including 15 disabled spaces) are to be provided and distributed around the site in close proximity to each unit. Appropriately designed turning circles are also proposed at various locations throughout the site. As such, it is considered that the proposed redevelopment of this site is in

accordance with policies TM2, TM11 and TM19A of the Replacement Unitary Development Plan.

8. Site contamination

The vast majority of the existing site is covered by three large buildings and concrete hard standing. The proposal is to maintain this coverage and as such, it is considered that the proposed commercial development at the site is “fit for purpose” and that there are no contamination issues to address.

9. Comments on representations made

The majority of issues raised in the representations have been addressed in the above report. In order to protect the amenities of the surrounding residential properties as far as practically possible, it is considered appropriate to restrict the hours of usage of the units which front onto the residential properties (namely units 1, 1C, 1D and 1E) and to restrict the use of the car parking areas in this location in addition to ensuring that there is also no outdoor storage in this area.

10. Similarly, a condition is suggested on any permission granted to ensure that externally mounted flues, extraction, chiller, compressor or similar equipment on the elevations and roofs of buildings 1 and 2 which face residential properties need the agreement of the LPA. Residents are concerned regarding the lack of maintenance to the protected trees at the site. A condition regarding the submission and agreement of an arboricultural method statement which includes long term management and detailed tree management programme with timescales is proposed to be attached to any permission granted.

Community Safety Implications

The site is currently enclosed with a metal palisade fence around its perimeter and the applicant intends to retain this existing fencing. It is considered that the proposal is acceptable in this respect and will comply with the principles of Secure by Design and policy D4 of the Replacement Unitary Development Plan.

Reasons for Granting Planning Permission

The principle of B2 (General Industry) and B8 (Storage and Distribution) development is acceptable in this location and is in accordance with policies E3 and E6 of the Replacement Unitary Development Plan. The proposal has been considered in terms of its impact on the local environment (including protected trees), neighbouring occupants and highway safety and subject to conditions, it is not considered that the development will adversely affect these interests. As such this proposal is considered to be in accordance with Policies UR3, D1, D4, P4, TM2, TM11 and TM19A of the Replacement Unitary Development Plan

Conditions of Approval

1. Time Limit – development to commence within 3 years
2. To be built in accordance with the amended plans received – dwg. 6478 (200) 01 RevD
3. Materials as already existing at the site
4. Limited hours of use of units 1, 1C, 1D and 1E which abut or are in close proximity to nearby residential properties. Hours of use to be limited to between 07.00 and 19.00 Mondays to Saturdays and no use on Sundays or Bank Holidays.

5. The parking bays and turning facility to the west of units 1, 1C, 1D and 1E, to the south of the southern elevation of unit 1 and to the south of the southern elevation of unit 2 shall only be used between the hours of 07.00 and 19.00 Mondays to Saturdays and there shall be no use on Sundays or Bank Holidays.
6. There shall be no installation of any externally mounted flues, extraction, chiller, compressor or similar equipment on the elevations or roofs of buildings 1 and 2 which face onto residential properties in Strong Close Grove and Middle Way.
7. There shall be no outdoor storage or display of equipment, plant, good or materials outside units 1, 1C, 1D, 1E, 2 and 2A.
8. Limited hours of construction, including any works of demolition associated with the approved development. 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 and Public Holidays unless specifically agreed otherwise in writing by the LPA.
9. Turning areas to be provided before commencement of the use of the units and retained whilst ever the development is in use.
10. Parking spaces to be provided before commencement of the use of the units and retained whilst ever the development is in use.
11. The development shall not be begun, nor shall any demolition, site preparation, ground works, materials or machinery be brought on to the site until a until a Tree Protection Plan showing Root Protection Areas and location of temporary Tree Protective Fencing has been submitted to and approved in writing by the Local Planning Authority.
12. No works forming part of or ancillary to the development shall be carried out on the site until an Arboricultural Method Statement for Arboricultural Works has been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement for Arboricultural Works shall include a detailed programme of timescales for the carrying out of the works identified in the statement during the period immediately prior to, during and after the proposed development. The works the subject of this statement shall be carried out in accordance with the timescale set out in the approved statement. The management statement shall include a detailed tree management programme with timescales. The programme shall be carried out in accordance with the timescales set out in the approved statement.

