

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 13th November 2008

O

SUMMARY STATEMENT - PART TWO

Application recommended for approval

The sites concerned are:
5 Clough Avenue, Steeton, Keighley
'Highcliffe' Cliffe Street, Haworth, Keighley

Mike Cowlam Assistant Director (Economic Development Service)
Regeneration

Report Contacts: Ian Wilson
Phone: 01274 434605
Fax: 01274 722840

E-Mail: Ian.Wilson@bradford.gov.uk



2006-2007
Improving Rural Services
Empowering Communities



INVESTOR IN PEOPLE

Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



KEIGHLEY AREA PLANNING PANEL

DATE
13 November 2008



For reference only. (Crown copyright)
ITEM No. 8

LOCATION
5 CLOUGH AVENUE, STEETON

DATE: 13 NOVEMBER 2008
ITEM No: 8
WARD: CRAVEN (WARD 09)
RECOMMENDATION: TO GRANT PLANNING PERMISSION WITH A
CONDITION
APPLICATION No: 08/05577/FUL

The application is referred to Panel at the request of a local Ward Councillor.

Type of Application/Proposal & Address

A retrospective application for a rear part single part two storey extension, alterations to the existing garage and a porch to the front elevation and hardstanding to the front at 5 Clough Avenue, Steeton, Keighley.

Site Description

The site comprises of a 1960s hipped roofed, semi-detached house in a street of similar residential properties. A driveway exists to the front and side of the property. A detached garage has been built to the rear of the property within the small private rear amenity space. The site is level and within a uniform street scene of semi-detached housing. A bowling green is located at the rear of the house.

Relevant Site History

06/02965/FUL: Two storey side and rear extension and alterations to existing garage.
Granted 20.6.2006

Replacement Unitary Development Plan (RUDP) Proposals and Policies

The site is unallocated.

Relevant Policies are

UR3 – The Local Impact of Development

D1 – General Design Consideration

D4 – Community Safety

TM19A – Traffic Management and Road Safety

Supplementary Planning Guidance in the Council's approved revised House Extensions Policy Document has also been considered as a material consideration.

Town/Parish Council

Steeton with Eastburn Parish Council: The Parish is very unhappy about how this application and the previous application for this site have been handled. The Parish Council will, reluctantly, support the planner's decision as members feel they have no suitable course of action. Representations will be made to Senior Planning Officers as the council feels a dangerous precedent is being set in that enforcement action is not taken against applicants who go ahead and build structures for which they do not have planning permission.

Publicity and Number of Representations

The application was publicised by neighbour notification letters, the expiry date for representations being the 20.10.2008. Three letters were received in objection to the proposals and one letter was received in support of the extension.

Summary of Representations Received

Objectors comment on the way in which the development has been handled and set out a brief history of how the development has proceeded.

Objectors are very concerned that the extension has already been built.

- The old garage was pulled down and a new one with a tiled roof built.
- What checks have been carried out to ensure the work has been done correctly? If it has not been carried out correctly what action shall be taken?

The new garage is longer, wider and taller than the original garage.

The guttering and all of the troughing overhangs the neighbour's garden. The garage overhangs the kitchen of No.5 Clough Avenue and causes overshadowing.

No mention of a porch being constructed to the front. The description now includes the built porch.

The plans show a grassed area to the front which has actually been covered over with black tarmacadam.

Drainage issues relating to the hardstanding.

Loss of view to the bowling green due to the new garage.

The house now looks totally out of place and not in keeping with the surrounding properties.

Waste of public money in undertaking further consultation.

Failure of the planning department to supervise and oversee construction at key points and enforce adherence to planning permission granted.

One letter was received stating a neighbour was very happy with the way the extension was built.

Consultations

None necessary

Summary of Main Issues

1. Impact on the local environment
2. Impact on neighbours
3. Highway Safety

Appraisal

Circumstances/Proposal

A previous application for a two storey extension to the side and rear of this property, a conservatory at the rear was approved under application 06/02965/FUL. The approved plans also showed minor modifications to an existing garage.

However, the applicant has not proceeded in accordance with the approved plans. The two storey side extension is not to be built. Part of the rear part of the two storey extension has been built and instead of the approved conservatory, the applicant has built a solid walled single storey extension. The garage has been demolished and re-built with a larger footprint and a pitched roof rather than a flat roof.

Complaints were received via the Parish Council and an enforcement investigation revealed that the owner was not building in accordance with the approved plans. As a result, a new application was submitted seeking to regularise the situation. This is a retrospective application for the construction of a part two-storey, part single storey

extension to the rear of the house and a new garage with a pitched roof rather than a flat roof, a porch to the front and an area of hardstanding.

Impact on the local environment

Porch

The front porch is considered to be of an appropriate scale and design and does not over dominate the front elevation of the property or adversely affect the symmetry of the semis. The materials of render and concrete tiles match the host dwelling and helps the development relate to the street scene. Although no other properties have front porches within the street this aspect of the development is not considered to be detrimental or form an incongruous feature within the street scene.

Garage alterations

The pitched roof to the garage is an improvement in design terms and looks acceptable in terms of visual amenity. The garage is located to the rear of the house and has been built from matching materials, it is therefore considered to relate sympathetically to the host property.

Rear Extension

The rear extension is not visible from the street. However, it is visible from the bowling green and from public vantage points such as Skipton Road. However, it has been finished using a pebble dash render to match the host property and other neighbouring properties. The design includes a gable end facing the rear which matches an extension on 3 Clough Avenue. The scale of the extension is considered acceptable, and the materials proposed are help the development relate satisfactorily to the host property in accordance with Policy 1 of the Council's revised House Extensions Policy Document and sufficient amenity space is retained to the rear of the property in accordance with policy No.8.

Hardstanding

The area of hardstanding would have been classed as permitted development when it was carried out and would not have required planning permission.

Impact on Neighbours

The single and two storey parts of the extension project out a distance of 3 metres from the rear of the property. The previously approved extension showed the two storey part projecting the same distance from the existing back wall of the house and the rear extensions are still considered to comply with the Council's revised House Extensions policy document which permits extensions to project by up to 3 metres.

Part of the rear extension is two storey but it does not project beyond a 45 degree line taken from the edge of the nearest habitable room windows of any adjacent dwellings. In this respect, the two-storey extension therefore complies with the guidelines set by Policy No.4 of the council's revised house extensions policy document. There are no windows in the side elevations of the rear extension therefore no overlooking occurs to the neighbouring properties, so the proposal accords with Policy No.6 of the Council's revised House Extensions Policy document.

A bowling green is located directly to the rear of the extension and therefore no overlooking will occur to the rear so no neighbours are affected in this direction.

It would be appropriate to remove permitted development rights to prevent windows being added to the extensions which may result in overlooking of neighbours to either side.

The new detached garage on site is causing concern to neighbours. It has replaced a mono pitched garage which was in a similar location. The new detached garage has a pitched roof and extends further back towards the rear of the garden than the previous garage and extends further forward toward the host property. However the increase in size is not considered to result in any significant increase in harm to residential amenity in terms of overshadowing or any overbearing effects on the neighbours. The garage is located to the north of No.3 Clough Avenue therefore no overshadowing will occur to this property. No overshadowing from the garage will occur to the property to the north as it is set back away from their boundary line by about 5 metres. There is a detached garage to the rear of No.3 Clough Avenue which will impact more in terms of overbearing effects from the rear habitable rooms than the new detached garage at No.5 Clough Avenue.

Although the comments of neighbours regarding gutters overhanging their property are noted, this issue is a private matter with a remedy under the Party Wall Act 1995.

Highway safety

The detached garage is set back more than 5.6m from the edge of the highway so as to provide an adequate standing space in front of the door and therefore accords with policy No.16 of the House Extensions Document. The garage is considered to be in accordance with RUDP policy TM19A.

Conclusion

Although the applicant has departed from the previously approved plans, in the opinion of Officers the development that has been built has had no significant adverse impact, in planning terms, on either neighbours or the street scene. The work accords with relevant aspects of the Council's House Extensions Policy and has actually resulted in a smaller extension given that the two storey extension to the side of the house has not been built. Judged on its planning merits, this application is considered acceptable.

Community Safety Implications

There are no apparent community safety implications raised and therefore the proposal complies with policy D4 of the RUDP.

Reasons for Granting Planning Permission

The development is not considered to adversely affect the character of the host dwelling or the character of the street scene. It is considered that the proposal will not have any significant adverse effects upon the residential amenity of the neighbouring residents and is acceptable in terms of highway safety. As such the proposal is considered to be in accordance with policies UR3, D1 and TM19a of the Replacement Unitary Development Plan and the Council's revised House Extensions Policy Document.

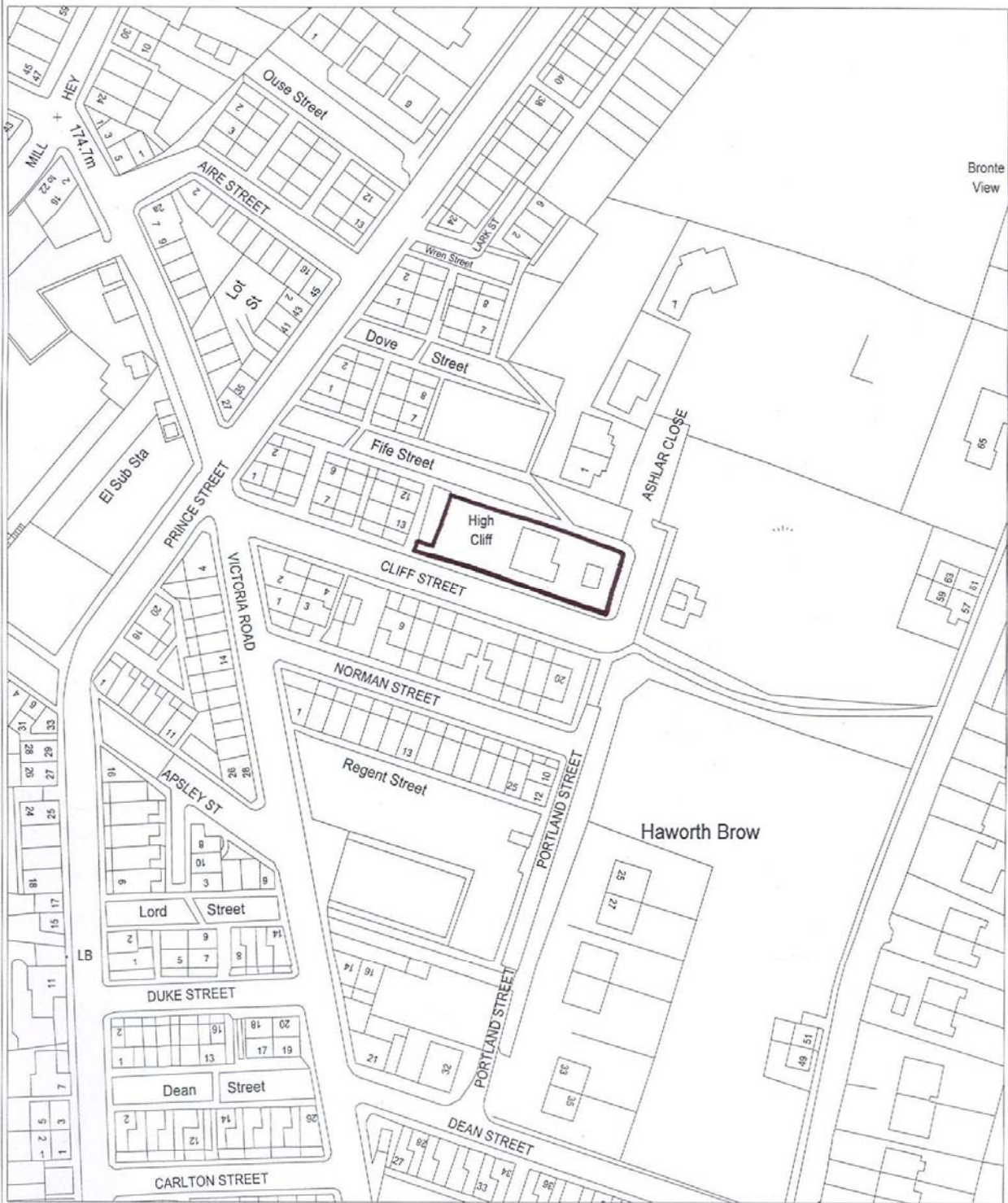
Conditions of Approval

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any subsequent equivalent legislation) no further windows, including dormer windows, or other openings shall be formed in the rear extension without prior written permission of the Local Planning Authority.

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

KEIGHLEY AREA PLANNING PANEL

DATE
13 November 2008



For reference only. (Crown copyright)

ITEM No. 9

LOCATION

Highcliffe, CLIFF STREET, HAWORTH

DATE: 13 NOVEMBER 2008
ITEM No: 9
WARD: WORTH VALLEY
RECOMMENDATION: TO GRANT PLANNING PERMISSION WITH CONDITIONS
APPLICATION No: 08/04639/FUL

Type of Application/Proposal & Address

Full application for demolition of existing bungalow and construction of 7 town houses on land at "Highcliffe", Cliff Street, Haworth BD22 8JL

Site Description

The site is in the Haworth Brow area and is a rectangular plot 49 metres long by 15.5 metres wide (ie. 0.07 sq metres) and presently occupied by a rendered bungalow known as "Highcliffe". The land slopes downhill from east to west and the existing bungalow stands towards the top of the site looking out over a garden occupying the rest of the site. The land has frontages to the adopted Cliff Street and to Fife Street which is one of the streets that was pedestrianised and landscaped as part of General Improvement Area works in Haworth Brow in the 1980s. Beyond the stone boundary wall at the bottom of the slope is the side wall of two back to back houses which has 4 secondary windows in the gable wall facing the site. Behind High Cliffe bungalow is a garage and a low boundary wall to Ashlar Close where there are some modern stone built semi detached houses. Across Cliff Street are some pebbledashed town houses stepping down the hill. The predominant type of housing in Haworth Brow are small, traditional back to back and terraced houses lining steeply sloping streets.

Relevant Site History

06/05856/OUT : Redevelopment of site to form 8 town houses. Withdrawn.

Replacement Unitary Development Plan (UDP) Proposals and Policies

The site is unallocated on the Replacement Unitary Development Plan (2005)

The following policies are relevant:

- UR3 - local impact of development
- H7/H8 – housing density expectations
- TM12 – parking standards in residential development
- TM19A - traffic management and road safety
- D1 - general design considerations

Town/Parish Council

Haworth Parish Council expresses concern as to the density of the development. The site is very steep and there is concern about whether the off street parking works. The dormer windows are not considered to be in the vernacular.

Publicity and Number of Representations

Publicised by letters to neighbours and site notices expiring 3rd September 2008.

26 objections, mostly from nearby residents, have been received.

A Ward Councillor has also objected and requests determination by Area Planning Panel.

Summary of Representations Received

1. This large development would increase the volume of traffic on unsuitable narrow streets and create more traffic chaos.
2. Cliff Street is too steep for any more housing, it is especially a problem in winter.

3. No turning is provided for vehicles.
4. Parking on Cliff Street is already horrendous. This is compounded by the lack of off street parking in Haworth Brow so that Cliff Street is frequently reduced to a single track road in large parts.
5. Formation of all the entrances to the 7 houses would prevent vehicles parking on this side of the street thus forcing them to park elsewhere, causing congestion.
6. There are too many houses – it is over development and not good planning for the village.
7. There are large reservations about the design and appearance of the houses which does not blend in with surrounding properties which are largely comprised of traditional Victorian houses.
8. The buildings would impact on privacy and light to houses opposite (6-20 Cliff Street). The new 3 storey houses will overlook them and affect the view.
9. Specific comments regarding overlooking windows in 1 Ashlar Close.
10. Disturbance for residents will be caused during construction and damage could be caused to the sewers in Cliff Street.
11. The development will cause loss of a green space, affect the nature conservation value of the garden and cause loss of a laburnum tree and hedges.
12. Questions regarding adequacy of bin store arrangements.
13. Concerns about flooding/run off affecting the houses below the site.
14. Questions about infrastructure. Haworth Brow residents have problems with drainage, roads, sewers, school and medical facilities.
15. Haworth has already seen enough recent residential development affecting traffic levels so there is not a need for any more cramming.

Consultations

Yorkshire Water : Drain on separate surface water and foul water drainage systems. Details of surface water arrangements required for approval but YW confirms that both foul and surface water can drain to the public combined sewer in Fife Street. Surface water will need to be restricted to the existing rate of run off or a rate of not more than 3 litres per second.

Drainage Services : Separate drainage system required.

Highways DC : No objections in principle but has asked for clarification regarding drive gradients.

Summary of Main Issues

The principle of development and density

Impact on the character and appearance of the area

Impact on amenity of neighbours

Traffic and parking

Drainage

Other miscellaneous issues

Appraisal

The principle of development and density

Both the existing bungalow and its garden would be classed as previously developed land and, being presently occupied by just one dwelling, the existing density is significantly lower than prevailing densities in Haworth Brow. The proposed development of 7 houses

would give a high density of 92 dwellings per hectare. This is well above the national indicative minimum density of 30 dwellings per hectare advocated by PPS3 and the target set by RUDP Policy H7 for development to achieve a density of at least 30-50 dwellings per hectare.

However, such a high density of housing would seem appropriate for this site in view of the strong environmental character of the locality which consists of densely developed traditional terraces and back to backs. Across Cliff Street, a comparably sized area occupied by Nos 6 to 20 Cliff Street is actually occupied by 8 houses.

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. 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 and appearance of the area

The applicant proposes 7 x 3-bedroom townhouses in a row that steps down the sloping site. The houses have been designed with a strong resemblance to the traditional back to back and terrace housing elsewhere in the Haworth Brow and Haworth areas.

Accommodation is provided on 2 ½ floors with dormers serving the roofspace rooms. The houses are proposed in coursed natural stone to all sides and with an artificial slate roof. Chimneys are to be built to reflect the character of Haworth Brow's older housing stock. Contrary to what some objectors have said, it is considered that the scale, design and materials of the proposed housing and the manner in which the houses step down the slope do reflect the prevailing character of housing in Haworth. The new development would harmonise with the established housing in the area much more successfully than the existing rendered bungalow.

Although concerns by local residents about an increased density of housing are noted, it is hard to argue that the proposed development in the form of 7 stone terrace houses stepped down the hillside fits in well with the local pattern and form of housing and the density of housing is virtually identical to the density of the housing across Cliff Street. Although the design utilises accommodation in the roofspace, the overall height to the ridge is only 9 metres – comparable to the nearby Victoria terraces. It is not considered that the density is excessive or inappropriate and the heights of the terrace houses are comparable to nearby housing. The design of the development is considered well related to the existing character of the locality in terms of its design, scale, massing, height and materials.

It is proposed to retain and rebuild existing dry stone walls to the perimeter of the site – this will also help retain the character and setting of the development. Parking provision on the Cliff Street frontage will require demolition of the low wall along this boundary but this is considered necessary in view of concerns by neighbours about ensuring adequate parking. The parking areas will be paved in permeable block paving.

Impact on amenity of neighbours

Neighbours have expressed concern about overlooking and overshadowing. However, the houses now proposed will be far less dominant than the fully 3-storey houses proposed under the previous withdrawn application and which it was agreed were too tall and domineering. The houses proposed as part of this application have a ridge height of about 9 metres and would be sited 22.4 metres from the existing housing at 6-20, Cliff Street. This relationship is considered acceptable and the new buildings will not have any significant impact on daylight to these existing properties across the street. Although concern has also been expressed about overlooking, the main wall containing habitable room windows would be located 22.4 metres from windows of 6-20 Cliff Street which exceeds the 21 metre separation normally considered acceptable. It is therefore not accepted that any undue effects on privacy would arise for the residents on Cliff Street opposite the site.

The side wall facing the back to back houses immediately below the site would contain no windows and the degree of separation to the windows in the side walls of these houses is considered acceptable.

Note is made of concerns regarding a window in the side wall of 1, Ashlar Close. This window appears partially concealed by a boundary hedge. The new housing would have back windows looking towards this window but as this window already faces and is open to views from the pedestrianised street, it is not considered that any additional impact on privacy from the new housing would be significant. It is not considered that any impact on the amenity of surrounding houses is sufficient to justify refusal of this application.

Traffic and parking

The strongest points of objection made by local residents are in relation to parking and traffic congestion and the extra pressure likely to result on local streets from an increase in housing. It is fully acknowledged that Haworth Brow generally lacks space for residents parking and streets can be fully occupied by residents' cars. However, Cliff Street is a 7.5m wide, surfaced road with footways and so can safely accommodate on street parking. Also, the development is designed so that each house would have space for two vehicles to park clear of the highway. These spaces are 5.6 metres long to enable cars to stand clear of the footway and the agent has confirmed that the spaces will enter the site on a level or not exceeding a gradient of 1 in 15. The parking being created exceeds the 1.5 spaces per dwelling that would be the maximum level of parking sought by the RUDP. Although the formation of the 7 drives would displace an amount of parking from the kerbside, it is not considered that this would result in a deficiency of parking available in Cliff Street for the existing residents.

It is not accepted that the additional housing being proposed would significantly add to local congestion or highway safety problems and is capable of being accommodated on surrounding highway network. As the scheme provides off-street parking at a ratio in excess of the maximum parking standards of the RUDP, it would not be reasonable to refuse the application on such grounds.

Servicing

The scheme makes provision for a screened bin storage facility alongside the parking bays. Objectors queried these arrangements and a larger scale drawing of the bin store arrangements and parking was requested. This shows bin stores capable of accommodating a number of refuse bins and so it is considered that adequate arrangements are being made for waste bin collection and storage.

Drainage

Note is made of local concerns regarding drainage. However, the Council's Drainage Officer and Yorkshire Water have no objections to the principle of development but Yorkshire water, in recognition of the deficiencies of the local drainage system, will require that the rate of surface water run-off from the site is restricted. Yorkshire Water confirms that both foul and surface water can drain to the public combined sewer in Fife Street. Surface water will need to be restricted to the existing rate of run off or a rate of not more than 3 litres per second. It is proposed to deal with this constraint by Planning Condition.

Other miscellaneous issues

Loss of open space - Comments regarding loss of the open gardens to development are understood, but these are private gardens and the local area is not lacking in green space given that Fife Street is pedestrianised and provides extensive grassed areas available for public use. The laburnum tree on the site will be lost is of no great merit and there are no significant habitat features on the land.

Community Infrastructure – The development is well below thresholds which would require developer contributions to local infrastructure. Although Haworth has seen other housing development in recent years, it is not accepted that the 6 additional houses proposed here would appreciably worsen local congestion or overburden local community facilities.

Community Safety Implications

None

Reasons for Granting Planning Permission

The proposed development would provide a density of dwellings appropriate to the character of the surrounding area and the form, scale, design and materials of the proposed development are considered compatible with the local pattern of development in the Haworth Brow area. Adequate separation is maintained between the new housing and existing houses and 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 to be 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. Samples of walling and roofing materials shall be submitted to, and approved in writing by the LPA prior to commencement of development.
3. Require retention of perimeter stone walls to rear and sides of the site to reflect local character.
4. The indicated parking areas shall be installed and made available for use prior to the houses being brought into use. Car parking not to exceed 1 :15 gradient.
5. Limit construction hours to 07.30 – 18.00 hours with no Sunday or Bank/Public holiday working.
6. Separate drainage system required.
7. Details of surface water arrangements and flow balancing to be submitted to and approved in writing by the Local Planning Authority prior to commencement of development and thereafter implemented as approved.