

Report of the Strategic Director of Regeneration to the meeting of the Area Planning Panel (KEIGHLEY) to be held on 24 February 2010

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Summary Statement - Part One

Applications recommended for Approval or Refusal

The sites concerned are:

<u>Item No.</u>	<u>Site</u>	<u>Ward</u>
1.	20 Craiglunds Park Ilkley West Yorkshire LS29 8SX [Approve] - page 2	Ilkley
2.	30 Queens Road Ilkley West Yorkshire LS29 9QJ [Approve] – page 6	Ilkley
3.	Land At 22 Moorfield Road Fronting Ben Rhydding Drive Ilkley West Yorkshire LS29 8BA [Approve] – page 10	Ilkley

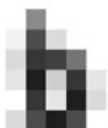
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Portfolio:
Environment and Culture

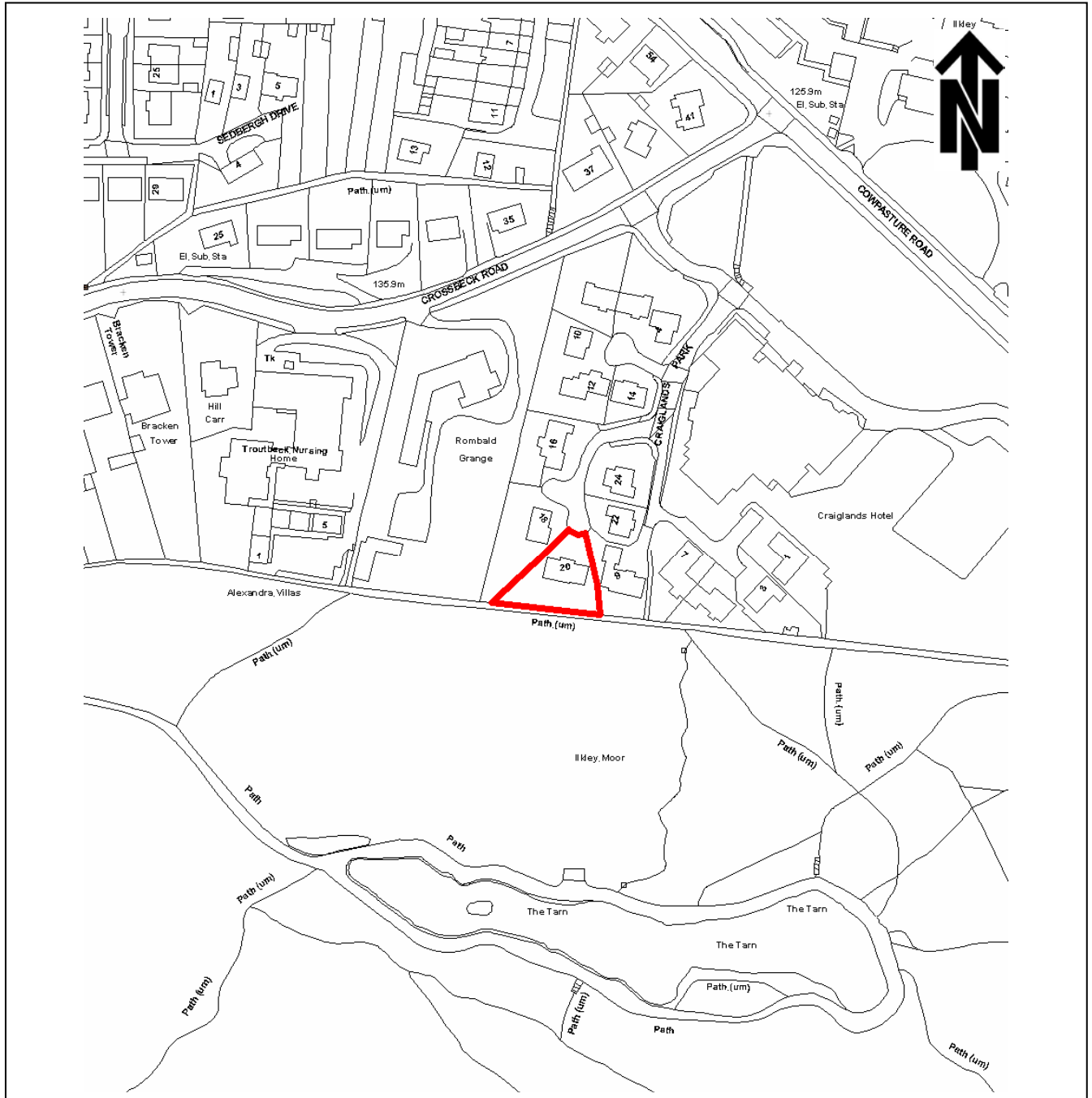
Improvement Committee Area:
Regeneration and Economy



Area Planning Panel (Keighley)

09/05455/HOU

24 February 2010



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ITEM NO. : 1	LOCATION: 20 Craiglunds Park Ilkley
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24 February 2010

Item Number: 1
Ward: ILKLEY
Recommendation:
TO GRANT PLANNING PERMISSION WITH CONDITIONS

Application Number:
09/05455/FUL

Type of Application/Proposal and Address:

This is a full planning application for the construction of a porch to the front of the property at 20 Craiglands Park, Ilkley.

The porch would have a depth of 1.5 metres, height of 6 metres (from lowest ground level point) and width of 5 metres. The existing steps up to the front entrance would be moved forward to accommodate the porch and would be re-constructed from the existing materials.

Site Description:

The property is located on a modern suburban housing development adjacent to Craiglands Hotel and backing onto Ilkley Moor. The existing property is a detached stone built dwelling located at the top of a cul-de-sac. This proposal is for the construction of a front porch with a depth of 1.5 metres.

The housing estate itself was built circa 1993 and comprises predominately of stone built detached housing. Properties within this area tend to have open front gardens, driveways and rear gardens and all vary in terms of design.

The site is located in the Ilkley Conservation Area.

Relevant Site History:

92/07373/FUL - Construction of detached dwelling. Granted subject to conditions including the removal of Permitted development rights.

Replacement Unitary Development Plan (RUDP):

Allocation

The site is unallocated on the Bradford Replacement Unitary Development Plan adopted in October 2005 but is within the Ilkley Conservation Area.

Proposals and Policies

Relevant policies are:

UR3 The Local Impact of Development

D1 General Design Considerations

BH7 Development within or which would affect the setting of a Conservation Area.

Supplementary Planning Guidance – Council's Revised House Extension Policy

Parish Council:

Ilkley Parish Council: Recommends approval

Publicity and Number of Representations:

The application has been publicised through one round of neighbour notification letters, a site and press notice. The expiry period for publicity was on the 31st December 2009. No letters of objection were received.

Summary of Representations Received:

None.

Consultations:

Design and Conservation Team: No objections to the construction of the front porch and suggest overall, the porch would have a minimal impact on the conservation area.

Summary of Main Issues:

1. Impact upon local environment
2. Impact on neighbouring occupants
3. Impact on highway safety
4. Community Safety

Appraisal:

Impact on local environment

The application property is in a Conservation Areas where development is expected to be of the highest standards of design and to preserve or enhance the character or appearance of the area. However, the property is a modern dwelling built in the early 1990s as part of a housing development in the former grounds of the Craiglunds Hotel.

The proposed front porch is to be constructed from materials (natural stone, slate and timber windows and doors) that will match the existing property. The design achieves a sensitive appearance that is not considered significantly harmful to the character of host building or the surrounding area. The proposal is considered acceptable in terms of its size, creating a design that is considered subordinate to the original dwelling, complying with Policies 1 and 2 of the Revised House Extensions Policy.

The impact on visual amenity, the local environment and Ilkley Conservation Area is therefore considered minimal. It would comply with the Council's duty to preserve or enhance the character or appearance of the conservation area and is compliant with the requirements of the Council's Revised House Extensions Policy and Policies UR3, D1 and BH7 of the Replacement Unitary Development Plan.

Impact on neighbouring occupants

The proposed porch includes two windows in the front elevation (north) which faces toward the highway. The proposed porch also includes a further window to each side elevation which would be approximately 5m from the boundaries with No 9 and No 18 Craiglunds Park. Given the nature of the extension and its size it is not considered that the siting of the side windows will give rise to significant levels of overlooking.

In view of the distance between the porch and neighbouring boundaries it is not considered that porch will pose any risk of overshadowing or being overbearing in relation to neighbouring properties.

As such the proposal complies with policies 6 and 15 of the Council's Revised House Extensions Policy (2003) and Policies D1 and UR3 of the Replacement Unitary Development Plan.

Community Safety Implications:

There are no apparent community safety implications.

Reason for Granting Planning Permission:

The proposed development is considered to relate satisfactorily to the character of the existing dwelling and adjacent properties and Ilkley Conservation Area. The impact of the extension upon the occupants of neighbouring properties has been assessed and it is considered that it will not have a significantly adverse effect upon their residential amenity. As such this proposal is considered to be in accordance with Policies UR3, D1 and BH7 of the Replacement Unitary Development Plan and the Revised House Extensions Policy.

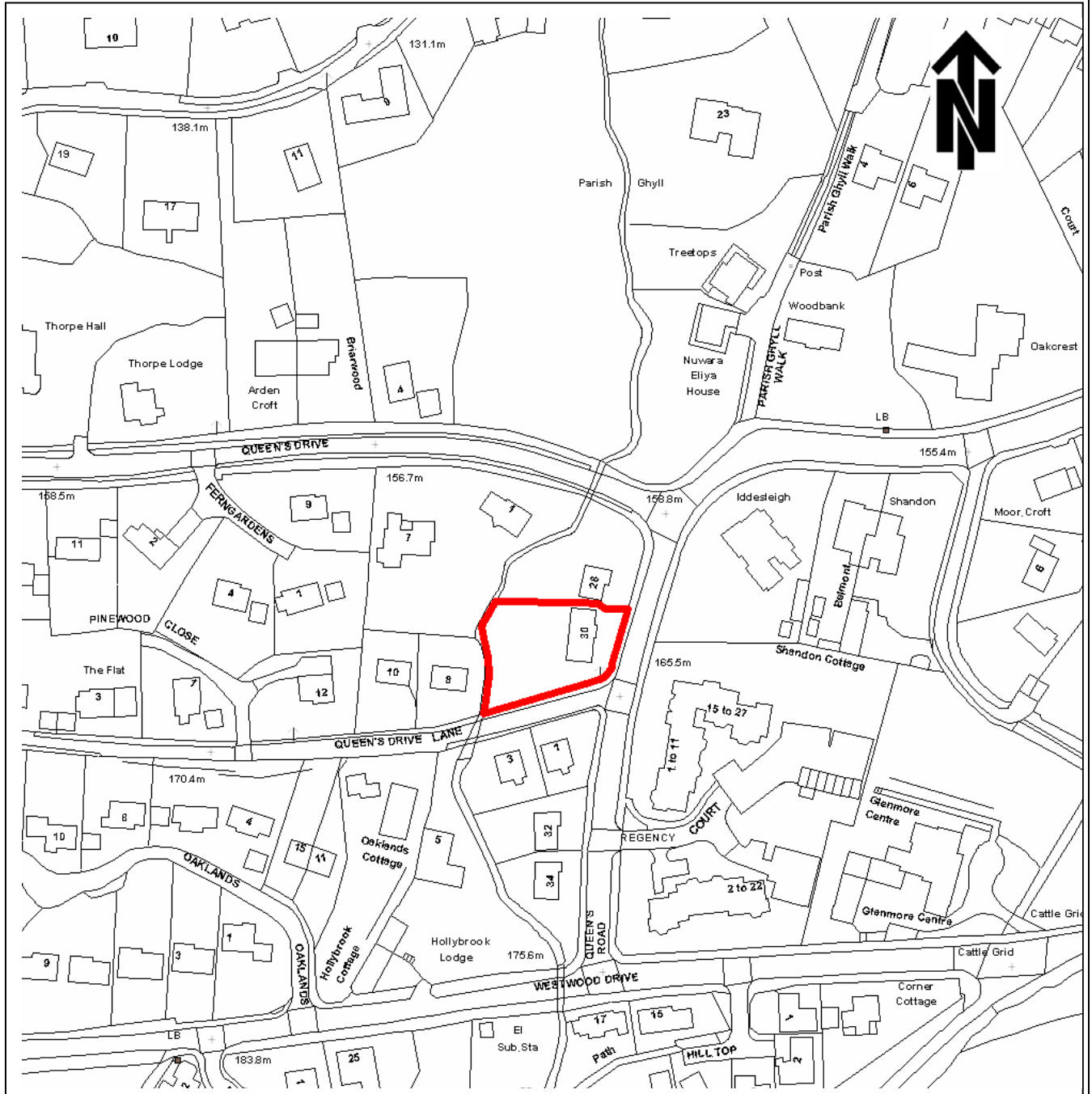
Conditions of Approval:

1. Time limit for commencement 3 years
 2. Matching materials to be used as shown on the submitted drawings.
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Area Planning Panel (Keighley)

09/05771/HOU

24 February 2010



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<p>ITEM NO. : 2</p>	<p>LOCATION: 30 Queens Road Ilkley</p>
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24 February 2010

Item Number: 2
Ward: ILKLEY
Recommendation:
TO GRANT PLANNING PERMISSION WITH CONDITIONS

Note: This application is being taken to panel as the application agent is an elected member.

Application Number:
09/05771/HOU

Type of Application/Proposal and Address:

Full application for the construction of a first floor extension to form a bedroom and en-suite over the existing garage at 30 Queens Road, Ilkley, LS29 9QJ.

Site Description:

The application property is a detached modern house situated in a low density residential area comprising predominantly large, detached individually designed dwellings. The existing house at No. 30 is constructed from stone and render, slate and brown stained frames and has a flat roofed garage at the side.

Relevant Site History:

No relevant site history.

Replacement Unitary Development Plan (RUDP):

Allocation

Unallocated on the RUDP Proposals Map.

Proposals and Policies

Relevant Policies

Policy UR3 – Impact on local planning consideration

Policy D1 – design considerations

Policy TM19A – traffic management and road safety

The Councils Revised House Extensions Policy (2003)

Parish Council:

Ilkley Parish Council recommends approval.

Publicity and Number of Representations:

Publicised by neighbour notification letters expiry period for the publicity was 8th January 2010.

No representations have been received.

Summary of Representations Received:

None received

Consultations:

None deemed necessary.

Summary of Main Issues:

Design/impact on surrounding environment

Impact on amenity of neighbours

Appraisal:

Impact on the surrounding environment

In terms of visual amenity, the proposed first floor extension incorporates the use of matching materials (stone and render, slate and brown stained frames) to that of the host dwelling, compliant with Policy No 1 of the Councils Revised House Extensions Policy (2003). It is considered that the overall design of the proposal is sympathetic to the individuality of the original dwelling and its appearance is not considered to have any significant adverse impact on the character of the street or the surrounding area. The proposal incorporates a setback to the first floor as well as a lower roof ridge line. These contribute to the proposal achieving a design that is subordinate to the host dwelling and the extension would appear as a proportionate and balanced addition to the original dwelling, blending sensitively with the form/design of the building. Therefore, in terms of visual amenity, the proposal is considered compliant with Policies UR3, D1 of the Replacement UDP.

Impact on Neighbouring Occupants

The proposed first floor extension incorporates a window in its front elevation. This window is not considered to significantly harm the existing amenity levels of the nearby dwellings opposite as it is no nearer their existing windows than the existing windows of the house.

A 'Juliet' style balcony is incorporated into the first floor of the rear elevation of the proposed extension which overlooks a long back garden. This opening is not considered to significantly alter or intensify any overlooking or the existing privacy levels of the occupants of the surrounding residential dwellings, specifically No 28 Queens Road, beyond the levels that are currently experienced.

The proposal includes a bedroom window in the side elevation of the proposed first floor extension but this would be obscure glazed and it faces onto the blank gable wall of 28 Queens Road. A condition is suggested to ensure this window is retained with obscure glass.

The proposal is considered compliant with Policy No 6 of the Councils Revised House Extensions Policy (2003) as the privacy to the only close property at No 28 Queens Road is retained.

The siting of the extension in relation to the adjacent dwelling (No 28 Queens Road) are such that it would not cause any undue overshadowing / loss of light and the outlook of the adjacent dwelling is unaffected.

The proposal does not impact on the space to the rear for the property for private amenity purposes of the occupant and the storage of waste bins.

Consequently the proposal is considered compliant with Policy No 8 of the councils Revised House Extensions Policy (2003).

In terms of residential amenity the proposal is considered acceptable, and would not have any significant adverse impact on neighbouring properties by reason of overshadowing, being overbearing or overlooking. Therefore the proposal is compliant with Policy UR3 of the Replacement UDP.

Impact on Public and Highway Safety

The proposal would not affect existing garaging or parking facilities, or the existing access to the property and so is not considered to alter existing highway safety. Therefore the proposal is considered to be compliant with policies TM19A of the Bradford Council Replacement UDP.

Community Safety Implications:

The proposed development is not considered to have any adverse community safety implications.

Reason for Granting Planning Permission:

The proposed first floor extension is considered to relate satisfactorily to the character of the existing dwelling and adjacent properties. The impact of the extension on the occupants of neighbouring properties has been assessed and it is considered that it will not have a significantly adverse effect upon their residential amenity. As such this proposal is considered to be in accordance with Policy UR3 and D1 of the Replacement Unitary Development Plan (2005) and supplementary planning guidance comprising the Council's Revised House Extensions Policy (2003).

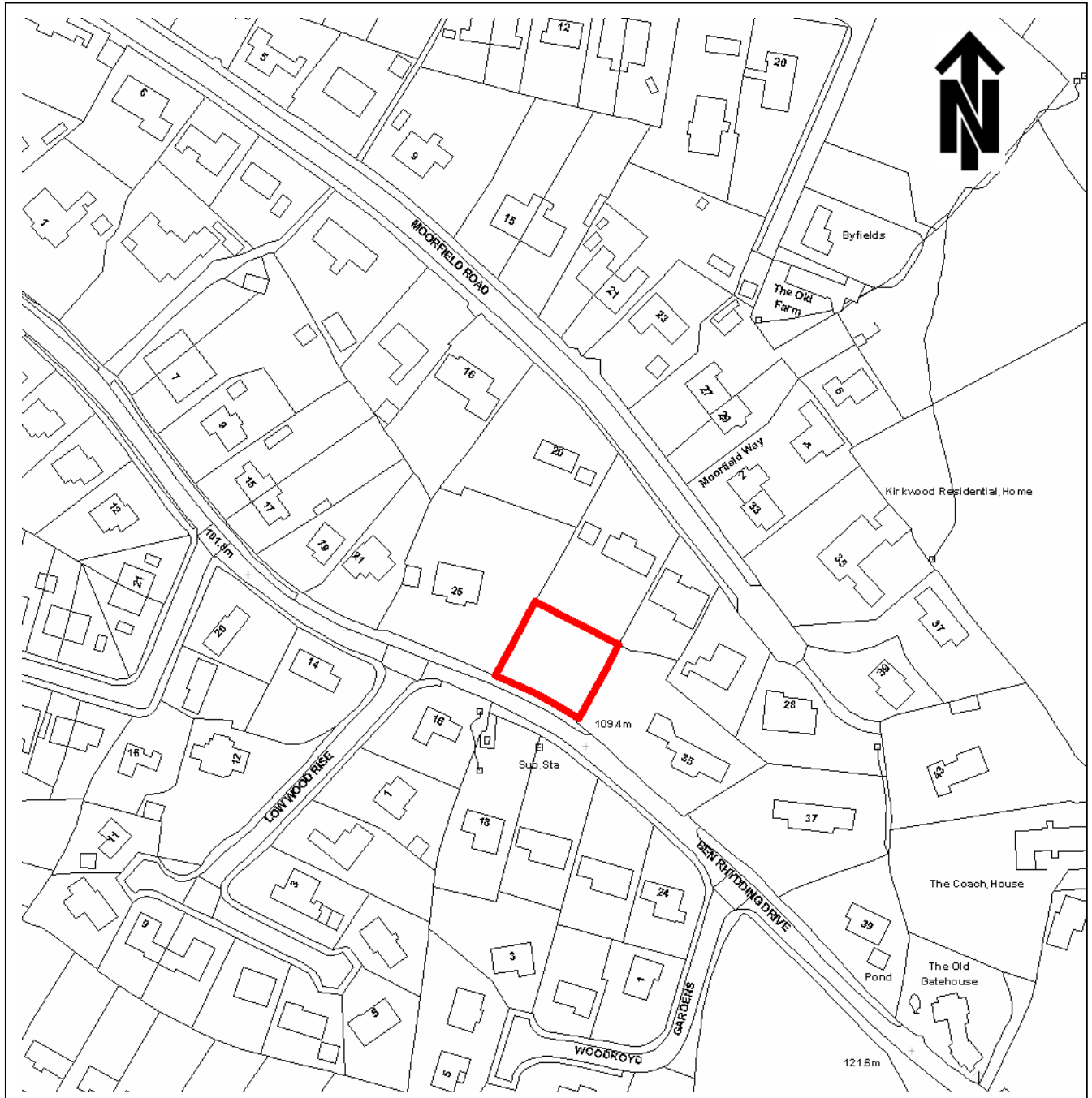
Conditions of Approval:

1. Time Limit Three Years
 2. Materials to match existing
 3. Permitted Development rights removed to prevent any additional windows being installed in the extension
 4. Side elevation window to be installed with obscure glazing and to be retained as such thereafter.
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Area Planning Panel (Keighley)

09/05768/FUL

24 February 2010



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<p>ITEM NO. : 3</p>	<p>LOCATION: Land At 22 Moorfield Road Fronting Ben Rhydding Drive Ilkley</p>
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24 February 2010

Item Number: 3

Ward: ILKLEY

Recommendation:

TO GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS

Application Number:

09/05768/FUL

Type of Application/Proposal and Address:

Full application for the construction of a detached four bedroomed property on land at 22 Moorfield Road, Ben Rhydding.

Site Description:

22 Moorfield Road is a large two story detached dwelling with a detached double garage constructed in brick with a concrete tiled roof. To the rear of the property is a large lawned garden some 45m long which slopes steeply up to a south west facing frontage on Ben Rhydding Drive; an unadopted residential road with grass verges but no pavements. The road climbs steeply to the south east as it passes the application site. Ben Rhydding Drive comprises large detached or semi detached properties on substantial plots with no distinct vernacular. All have generous gardens and there are generally significant gaps between buildings. There is a line of mature trees along the boundary with 25 Ben Rhydding Drive to the north west of the site. These are protected by a TPO. The proposed development plot has recently been severed from 22 Moorfield Road and the two sites are now under separate ownership.

Relevant Site History:

09/04272/FUL - Construction of detached 4 bedroom residential unit and associated works including new access, landscaping and associated garaging/parking. Withdrawn

08/01315/FUL - Demolition of existing dwelling and construction of 4 residential dwellings (two of which were proposed on the site now under consideration with access from Ben Rhydding Drive). Refused and subsequent appeal dismissed.

07/07667/FUL - Demolition of 1 residential dwelling and construction of 4 residential dwellings. Withdrawn

Replacement Unitary Development Plan (RUDP):

Allocation

The site is unallocated on the RUDP Proposals Map.

Proposals and Policies

Relevant Replacement Unitary Development Plan Policies:

UDP3 – Quality of the Built and Natural Environment

UR3 – The Local Impact of Development

D1 – General Design Consideration

D2 – Energy efficiency and Sustainable Design

NE4 – Local Amenity Value of Trees

NE5 – Retention of Trees on Development Sites

TM2 – Impact of Traffic and its Mitigation
TM12 – Parking Standards for Residential Developments
TM19A – Traffic management and road safety
NR16 – Surface Water Run Off and Sustainable Drainage Systems

Relevant National Planning Guidance:

PPS 1 – Delivering sustainable development
PPS 3 – Housing

Supplementary Planning Guidance contained in the Council's approved Sustainable Design Guide has been considered as a material consideration, as has the House Extensions Policy which provides useful guidance on separation distances which can reasonably be applied to infill development.

Parish Council:

Recommends refusal. Traffic/highway issues, dangerous narrow access to the site, overbearing, especially the rear elevation, known local flooding and drainage issues, design out of character with other properties.

Publicity and Number of Representations:

The application was publicised by neighbour notification letters and a site notice with expiry date for representations being the 08.01.2010.

8 representations have been received from local residents and one from a Ward Councillor. One neighbour objection was subsequently retracted.

Summary of Representations Received:

- The property will completely overlook the property to the rear.
- The overlooking will lead to a loss of privacy which must breach human rights and child protection laws
- The application contains inaccuracies – the site does not slope “gently” and there is a water course; a beck passes down the side of the garden at 22 Moorfield Road. There is also a spring and a boggy area
- Neighbour notification letters were sent out over Christmas. Was this intentional? Many people are away over this period
- Lower parts of Ben Rhydding Drive and Moorfield Road suffer from flooding from surface water. The garden of 22 Moorfield Road acts as a sump. Two wooden archway doors between the house and the garden were removed to let flood water through
- If the house is built lower sections of Moorfield Road and Ben Rhydding Drive will suffer an increase in flooding during periods of heavy rain and the existing springs may be re routed
- Why should it look so modern? The house is very ugly and does not complement our property
- The frontage onto Ben Rhydding Drive is at a narrow and potentially dangerous point where there have been accidents in the past. It is especially difficult to negotiate in wintry weather
- If the Council approve the application they would have to take some responsibility for any accidents and associated injury or death

- Issues relating to the refused scheme, such as overlooking, are still pertinent
- We will lose most of our natural light
- There will be the potential for damage to trees and their roots

Consultations:

Trees

The revised siting of the building is acceptable. The proposed drainage to the western elevation needs to be re routed away from this elevation into the existing manhole in the northern garden area. Due to the complexity of the site a detailed construction methodology is required including a construction plan, site compound and clarification regarding external retaining structures. When at point of approval attach conditions relating to protective fencing and method statement.

Drainage

The proposal is to drain to an existing sewer so the developer must establish that this existing drainage system is hydraulically and structurally suitable prior to commencement of the development.

Highways

Point out that the unadopted road has no footway at this point. The width of the carriageway is substandard and the street lighting is poor. Therefore the general advice would normally be that further intensification of use would not be desirable without significant highway improvements being offered. Consideration should be given to improving the width of the carriageway.

However, Highways DC have been made aware of the previous appeal decision and amended drawings from the agent have confirmed provision driveway gradients not exceeding 1 in 15 and accommodating a turning area within the site boundary. The visibility splays are also demonstrated.

Summary of Main Issues:

1. Principle of development
2. Impact on local amenity and neighbours
3. Design considerations and environmental sustainability
4. Impact on protected trees
5. Drainage
6. Highway safety

Appraisal:

1. Principal of Development

National and local planning policies encourage more efficient use of land for housing. This is a large garden plot within the urban area of Ben Rhydding and there are no policy reasons to oppose the principle of constructing of a dwelling on it. The proposal represents a density of just 12.5 dwellings per hectare, much below the recommended minimum of 30 dwellings per hectare prescribed by PPS 3 and policy H7 of the RUDP. However, PPS 3 also stresses that more intense development is not always appropriate. Given the prevailing characteristics of the locality, the slope of the site, the position of the protected trees on the western boundary The previously rejected scheme for two dwellings on this plot showed the difficulties of squeezing more than 1 house on this frontage to Ben Rhydding Drive and the Planning Inspector supported rejection on grounds of impact on local character. However, it is

considered that this revised proposal for a single dwelling is a suitable response to the constraints of the site and is acceptable.

2. Impact on local amenity and neighbours

The proposal is for a generously sized 4 bedroomed family home. The plot is large and the proposed dwelling would not occupy a greater percentage of it than is characteristic of the area, retaining a reasonable amount of useable garden space. The three floors would be incorporated into two storeys plus rooms in the roof with the dwelling stepping down with the slope of the site.

When dismissing the appeal for the previous scheme which proposed the demolition of the existing dwelling and the erection of 4 new dwellings, two within the edged red area of the current application, the inspector noted that “dwelling D” featured a blank south east facing elevation about 11.5m wide and about 7.5m high to the ridge less than 1m away from the principle garden area at 35 Ben Rhydding Drive and a terrace significantly higher than the dwellings on Moorfield Road, 30m from their rear elevations. These factors were felt to have a significant detrimental impact on residential amenity due the overbearing impact and the overlooking from the terrace.

However, the ridge line of the dwelling now proposed is, at the highest point, approximately 7.5m from ground level on the side elevation facing 35 Ben Rhydding Drive, stepping down to 5.5m. It is set further down the slope than the rejected “dwelling D” and has a smaller bulk and mass and no rear terrace. Furthermore it is set 5m from the boundary with 35 Ben Rhydding Drive. These factors are considered to be significant in combination to overcome the previous reasons for refusal. It is not considered that the proposed dwelling would have a significant overbearing impact on the garden area of 35 Ben Rhydding Drive.

The building would be positioned approximately 11m from the plots rear boundary and approximately 30m from the existing dwellings at 22 and 24 Moorfield Road. A small section of the rear boundary is screened by existing shrubbery and this could be extended and strengthened to provide some screening to the rear lower ground floor windows of the proposed dwelling.

The top floor windows are set approximately 5m back from the outer rear wall of the dwelling due to the stepped design. From these windows the view will extend over the roof of the lower storeys and out over the ridge lines of 22 and 24 Moorfield Road to the attractive landscape beyond. The rear upper ground floor windows will afford some views over and into the rear garden spaces of 22 and 24 Moorfield Road but the distances to the rear boundary is adequate. It is not considered that the overlooking would be appreciably worse than one would expect in an urban area and nor detrimental enough to residential amenity to warrant refusal of the application. Due to the separation distances and the angled relationship of the building fears that the proposed dwelling would result in considerable overshadowing of 24 Moorfield Road are considered unfounded. Sectional drawings have been submitted which provide an illustration of the relationship between the proposed dwelling and the existing dwelling to the rear and the context of the development in the street scene.

The proposal is considered to comply with policies UDP3, UR3 and D1 of the Replacement Unitary Development Plan and the national planning guidance contained within PPS3 “Housing”.

3. Design considerations and environmental sustainability

Ben Rhydding Drive is characterised by large detached properties on extensive plots in a variety of styles and designs. The site is not in a conservation area and there is no strong local vernacular; each dwelling being a reflection of the architectural style of its age. Whilst some are arguably of greater design merit than others this diversity has produced a varied townscape which contributes to local distinctiveness. Given this the site is an appropriate location for a piece of contemporary, sustainable architecture that is sympathetic and complementary to its setting. The submitted sections show that the proposal would sit slightly below street level and would appear as a modest single storey dwelling with a sloping mono pitched roof and two small dormer windows. To the north, the dwelling steps down the sloping topography of the site presenting as two and a half storeys to the rear. It is considered that the massing, siting and design are appropriate to the local context.

The stone and lime render have been chosen because of their sustainable credentials and the design features a glazed central atrium. This takes advantage of the passive solar gain from the south facing elevation and acts as a thermal buffer between the two sections of the building. It also functions as a natural ventilation stack, allowing air to be drawn through the building without the need for air conditioning. This design is considered to be an interesting response to the constraints and opportunities of the site and the guidance in the Sustainable Design Guide and is certainly a considerable improvement on the pastiche architecture which was proposed under application 09/04272/FUL.

The scheme as proposed is considered to comply with Policies UDP3, D1, and D2 of the Replacement Unitary Development Plan and the national guidance contained within PPS3 "Housing".

4. Impact on protected trees

This revised application shows the trees accurately plotted on the site plans and the dwelling has been sized and positioned in order to sit more comfortably in the available space and with reasonable clearance to trees. The Council's Tree Officer is now satisfied that the siting of the dwelling is appropriate and revised plans have been submitted which show the proposed drainage re routed to the eastern side of the building away from the protected trees. Subject to a condition requiring a construction methodology and protective fencing plan to be submitted and agreed the proposal is now considered to comply with Policies NE5 and NE6 of the RUDP.

5. Drainage

Issues regarding drainage and overland flooding have been raised by several objectors who stated that at times of heavy rainfall water flows down Ben Rhydding Drive onto the site with the land acting as a "sump". The developer is proposing to discharge both foul and surface water to an existing private drainage system within the site, with the line of drains routed to the east of the dwelling away from the protected trees. In light of the concerns of the residents and the comments of the Council's Drainage Officer it would be appropriate to reserve further details of the drainage proposals by condition. These should demonstrate that the existing drainage system is hydraulically and structurally suitable and that surface water can be safely managed. Provision should be made for the holding of surface water within the site if necessary. However, it is noted that the Council's Drainage Officer has not raised an objection in principle to development on the plot if the details are satisfactory.

Site levels at the boundaries of the plot will not be altered and it is not considered that the proposal will significantly increase the risk of flooding to other properties by diverting

overland flows to areas which are currently unaffected or that it conflicts with the requirements of Policy NR16 of the Replacement Unitary Development Plan.

6. Highway Safety

Ben Rhydding Drive is an unadopted highway. It has no footway at this point, the width of the carriageway is substandard (approximately 5m) and the street lighting is poor. Therefore the initial opinion of the Highway Officer was that further intensification of use would not be desirable without highway improvements being offered. Highway safety has been raised as a concern by a number of objectors who consider this to be the most dangerous point of Ben Rhydding Drive.

However, Ben Rhydding Road is maintained in good condition and visibility on both sides of the proposed site entrance seems good. Indeed, revised plans have been received from the agent which now show that sight lines at the entrance to the development would be generous (2.5m x 90m). The SLOW sign in the carriageway outside the neighbouring property is in good repair and is clearly visible and the driveway (which has now been shown to have a gradient of less than 1 in 15) would provide space for vehicles to turn.

When assessing the previously refused scheme which proposed two dwellings to be accessed from Ben Rhydding Drive, the Inspector acknowledged that the road does have an incline and does narrow at the site frontage but considered that traffic levels were low, on street parking unrestricted and visibility was good in each direction. He concluded that there was insufficient evidence to suggest that the parking and vehicular activity associated with the occupation of the two proposed dwellings would undermine highway and pedestrian safety.

The Inspector's opinion that two houses on the same plot are acceptable on highway grounds would not be binding, but would obviously be a material consideration which could make defence of a further appeal difficult. Although he dismissed the appeal on other grounds, the Planning Inspector did not have any objections on grounds of highway safety to two additional houses being served off Ben Rhydding Drive at this point. Although concerns about the highway are acknowledged, in the light of this recent appeal decision, a refusal of a single dwelling on the grounds of highway safety would be difficult to sustain at any subsequent appeal and on balance it is considered that a single dwelling would not significantly conflict with local highway safety.

Community Safety Implications:

There are no community safety implications.

Reason for Granting Planning Permission:

The proposed dwelling will have no significant adverse effects on local amenity, the amenity of neighbours or the protected trees located along the western boundary of the site. The design is considered sympathetic to its setting in terms of design, scale, height, massing and materials and its sustainable design features are considered to be a satisfactory response to the guidance contained within the Councils adopted Sustainable Design Guide. The level of parking provision is adequate and it is not considered that the development will have a detrimental impact on highway safety or surface water run off. It complies with Policies UDP3, UR2, UR3, TM12, TM19a, NE5, NE6, NR16, D1 and D2 of the Replacement Unitary Development Plan.

Conditions of Approval:

1. Standard 3 year time limit condition
 2. Full permission – compliance with amended plans.
 3. Tree root protection plan and arboricultural methodology to be submitted, approved and implemented.
 4. Details of drainage proposals to be submitted, approved and implemented
 5. Permitted Development rights to be removed for further windows and extensions.
 6. Restrict hours of construction.
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