

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

Miscellaneous Item

Site

Land Former Ilkley Middle School, Valley Drive, Ilkley
[Approve] - page 28

Ward

Ilkley

Julian Jackson
Assistant Director (Planning)

Report Contact: Ian Wilson
Phone: 01274 434605

Email: ian.wilson@bradford.gov.uk

Portfolio:
Environment and Culture

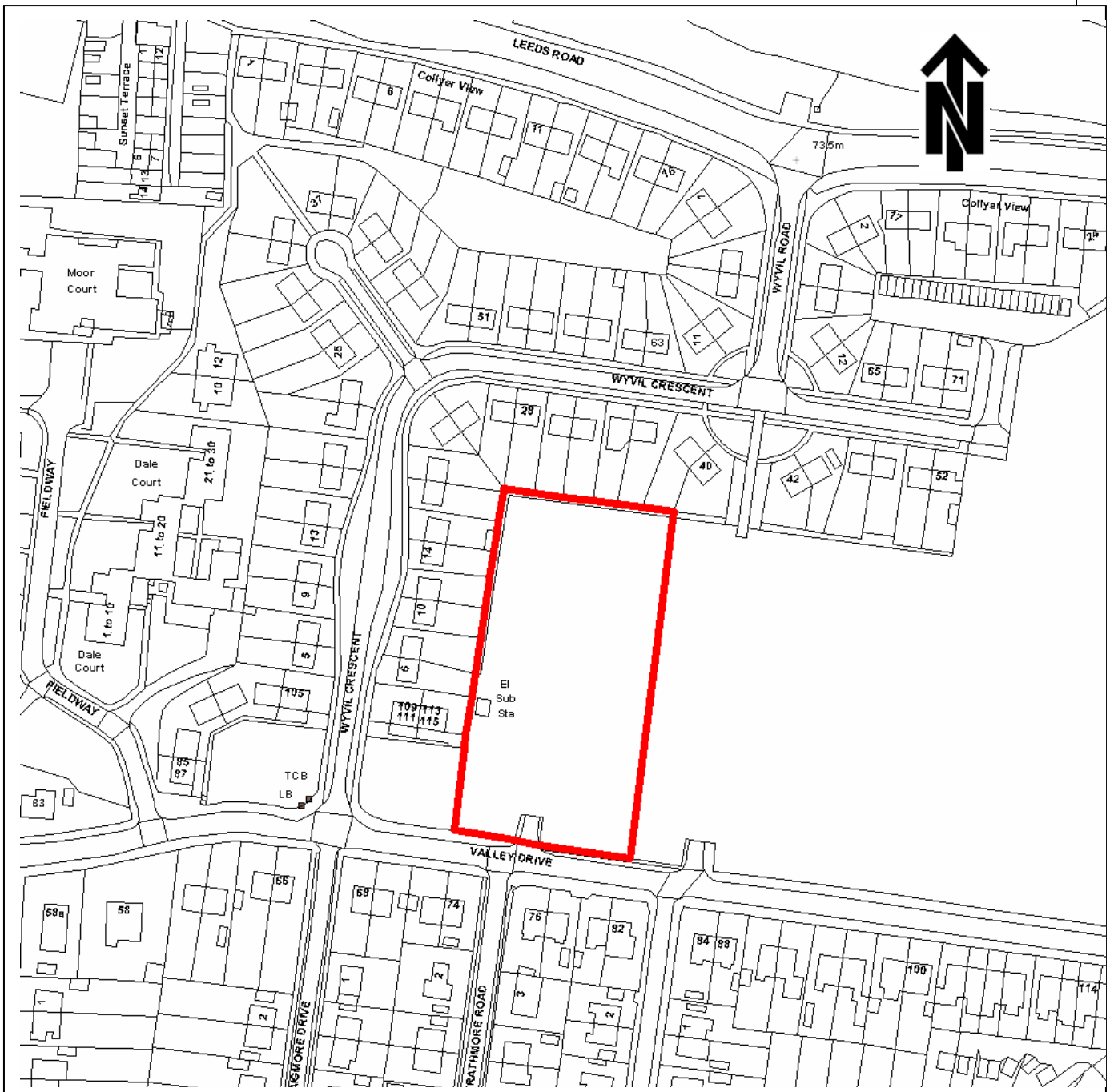
Improvement Committee Area:
Regeneration and Economy



Area Planning Panel (Keighley)

09/03175/FUL

24 February 2010



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ITEM NO. :

LOCATION:

**Land Former Ilkley Middle School
Valley Drive
Ilkley**

24 February 2010

Item Number:

Ward: ILKLEY

Recommendation:

TO GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS AND A SECTION 106 AGREEMENT

Application Number:

09/03175/FUL

Type of Application/Proposal and Address:

Full application for the construction of 56 specialised housing apartments for persons aged 60 and over (class C2) on Land at former Ilkley Middle School, Valley Drive, Ilkley

Site Description:

A 0.58 ha rectangular site allocated as a Phase I housing site (K/H1.11) within the Replacement Unitary Development Plan. The development site is currently vacant, has a frontage of 54m to Valley Drive and is located within an area of mixed style residential properties. Tree Preservation Order 0818 covers trees along both the north and south boundaries of the site. The site slopes from the south to the north reducing by approximately 3.5m to 4m over the length of the site. Vehicular access is via Valley Drive.

Relevant Site History:

Planning application 09/00175/FUL was withdrawn from determination earlier this year pending more information on tree issues, resolution of the car parking and servicing, and resolution of the type of accommodation proposed including the provision of affordable accommodation.

Replacement Unitary Development Plan (RUDP):

Allocation

The site is allocated as part of a phase I housing site (identified on the Proposals Map as K/H1.11). The following Replacement Unitary Development Plan policies are relevant:-

Proposals and Policies

UDP1 Location of development
UDP3 – Quality of built and natural development
UDP7 – Reducing the need to travel
UR2 – Sustainable development
UR3 – Local Impact of development
UR6 – Planning Obligations and conditions
H7 – Housing Density
H8 – Housing Density
H9 – Affordable housing
D1 – Design considerations
D5 – Landscaping
D6 – Meeting the needs of Pedestrians
TM2 – Impact of traffic and its mitigation
TM8 – New pedestrian and cycle links
TM12 – Parking standards for residential developments
TM19A – Traffic management and road safety
NE4 – Trees and woodland
NE5 – Retention of trees on development sites

NE6 – Protection of trees during development

Parish Council:

Object to the application on the following grounds:

Overdevelopment

Lack of parking

Out of keeping with the existing environment

Contrary to Ilkleys' Design Statement

Should retain for educational use.

Publicity and Number of Representations:

Individual neighbour notifications were carried out and a notice was also displayed at the site with the statutory period for comments being 13 August 2009. 3 representations have been received objecting to the development

Summary of Representations Received:

1. the loss of a green space on which many children play
2. the building of more houses in Ilkley when services are already overstretched
3. needs to be reinstated as school provision
4. traffic problems will be created
5. object to the density of the flats which is not in keeping with the local area
6. the mass and height of the proposed development is too much – the surrounding houses are generally two storeys
7. object to the lack of car parking proposed
8. Need pedestrian crossing
9. Need to create a cycle lane

Consultations:

Yorkshire Water – no objections in principle subject to conditions.

Environment Agency – this application is considered to have a low environmental risk.

Local Development Framework Section - There are no policy objections to the use of the allocated housing site for housing needs. This site forms part of a larger RUDP housing site and there is a need to ensure that future housing on the remainder of the allocated area is not prejudiced.

Rights of Way Section – there is no recorded public right of way within or adjacent to the development site. No comments to make on the application.

Highways (Development Control) Section –. *Parking*: The proposal is for 56 extra care apartments with up to 8 staff on duty at the busiest times. The normal requirement is for a nursing home is 1 space per 5 residents plus 1 space for every two members of staff. Twenty spaces are shown however 10 of these are doubled parked. Consideration also needs to be given to service traffic and the fact that the area available within the car park is incapable of accommodating the parking and servicing of vehicles.

Metro - There are several bus services running next to the development serving various locations. Metro advise that bus stops nearby should have raised kerbs installed (cost £3000 per kerb).

Tree Section – Need a root protection area plan. Significant planting is required to the eastern boundary to reduce the impact of the scale of the development and compensate for tree loss.

Development and Enabling (Housing) Section – the 6 affordable elderly apartments (1 x 1 bed and 5 x 2 beds) for rent meet the affordable housing requirements for this location and type of tenure of property.

Parks and Landscape Service – an off site recreation contribution of £8,025 is required in order to enhance recreation provision in the vicinity of the site.

Drainage Section – No objections in principle. The site must be investigated for its potential for the use of sustainable drainage techniques in disposing of surface water from the development. There should be no change the overland surface water flow patterns to the detriment of adjacent landowners.

Police Architectural Liaison Officer – Whilst there is no objection in principle to the development, the application in its current form does not satisfactorily address the requirements of policy D4. In particular, a section of 1.8m fencing needs to be erected from the south east corner of flat 25 to the boundary fencing and also from the western corner of the kitchen to the boundary fence. It is also considered that a lighting schedule and access control details are required. A condition requiring all three of the above issues to be addressed can be attached to any permission granted.

Summary of Main Issues:

1. Principle
2. Density
3. Impact on the surrounding locality/residential amenities
4. Effects on trees
5. Highway Safety
6. Contributions/Conditions/Heads of terms of S106
7. Comments on the letters of representation
8. Community safety

Appraisal:

Permission is sought for the construction of a part three/four storey building to provide 56 housing apartments for sale to the elderly (Class C2). Access is proposed from Valley Drive and associated parking is provided – 20 spaces. Materials are of reconstituted stone and concrete interlocking tiles. A mix of tarmac and block pavements will be used for the hard standing areas.

Principle

The principle of residential development on this site has already been established within the Replacement Unitary Development Plan – this site is a Phase I site identified for immediate development. Indeed, policy UDP1 itself sets out locational strategy and an important tool in promoting sustainable patterns of development is the phasing of development sites on the basis of their sustainability. Applying this strategy to the provision of housing is supported through Planning Policy Statement No. 3 and Regional Planning Guidance and helps promote effective reuse of Brownfield sites and buildings in more sustainable locations. As such, the Council is committed to ensuring that phase 1 sites are developed before those in latter phases, in accordance with the sustainable development strategy of the Replacement Unitary Development Plan.

Policy UR2 of the Replacement Unitary Development Plan also requires that development on 'brown field' sites in well-located settlement areas with good public transport links, such as the application site, should be permitted if it reuses previously developed land. Therefore, there is no objection in principle to a redevelopment of this site. Moreover, the provision housing units on the site is welcomed as such a scheme maximizes the re-use of urban Brownfield land whilst fulfilling the priority for housing development. An appropriate amount of affordable housing is to be provided on the site in accordance with policy H9 of the Replacement Unitary Development Plan.

Density

The appropriate density for this site area (0.58ha) would be a minimum of 50 dwellings to the hectare, which equates to 28 dwellings. The proposal for a total of 56 units on the site would therefore comply with this requirement. Such a density will ensure a more efficient use of land on this well placed site that has good public transport accessibility.

Impact of development on surrounding locality/residential amenities

The development of the site in the manner proposed is considered to be acceptable and will not unduly impact on the surrounding neighbouring properties by reason of its scale, massing, design and proximity. Indeed, the proposed scheme is in excess of the minimum spatial standards required between habitable room windows (21m between the built elements of the existing and proposed new building). Moreover, the scheme uses the topography of the site will to provide the four storey element of the new building in the middle of the site along the eastern boundary where no residential properties exist at present. The use of the site levels ensures that the massing of the development is not over dominant.

Whilst there is some boundary screening in the form of trees bushes and fences many parts of the site along the southern boundary are fairly open. A new boundary line will also have to be established along the eastern boundary of the site. A landscaping scheme has been submitted which reinforces these boundaries in order to ensure that the established amenities of dwellings surrounding the site are not unduly eroded. The details of this scheme have not been finalised to date and it is hoped that much of the new planting will be with native species. A condition can be attached to any permission granted to ensure a full landscaping scheme is submitted before development commences

Effects on TPO trees/loss of trees

The Council is committed to protecting existing tree covers and increasing its coverage where appropriate. Tree Preservation Orders are actively used to sustain the landscape character of the District and influence the layout of new development. In particular, they are used to ensure retention of the mature treescape where development occurs providing pleasant visual amenity of the community.

There is a Preservation Order on this site that covers a wide range of mature trees. This amended scheme is considered to have successfully overcome the positioning of habitable room space unacceptably close to the trees. Further details are required with regard to Root Protection Areas and the applicants are happy to discuss this aspect along with the landscaping scheme. With regard to the parking elements of the scheme, these have been carefully designed to ensure that the proposed car parking spaces and roads are kept away from the preserved trees.

Highway safety

There is no objection in principle to the development from a highway point of view. Although the level of parking proposed is acceptable and in accord with Replacement Unitary Development Plan policies concerns have been raised as to the form of this car parking and

how it can be managed effectively. The applicants have proposed that parking spaces 5-10 are allocated to staff so that the parking can be managed properly. All other spaces will be unallocated. In terms of the servicing of the development, the scheme has been designed on the basis that a refuse vehicle can reverse down the access road to the location of the bin store. The applicants have shown how a fire appliance could turn around in the existing design (ambulances and delivery vehicles would be smaller). In addition to providing the above parking and servicing facilities, a traffic regulation order is proposed (which forms part of the S106 details which are outlined in the report below) to ensure that parking is prohibited in close proximity to the access and around the development site.

The development is within walking distance of a parade of shops in Ben Rhydding that serve the local community and the nearby Ben Rhydding train station. Bus stops are evident along Valley Drive and the applicants have agreed to upgrade these stops (provision of a raised kerb at bus stops either side of Valley Drive) to facilitate easier access to the buses. As such the scheme is considered comply with policies TM2, TM12, TM19A and D6 of the Replacement Unitary Development Plan.

Contributions/conditions

In line with policy UR6 of the Replacement Unitary Development Plan, it is considered appropriate to seek a planning obligation in conjunction with any permission granted to ensure the provision of social infrastructure such as recreational provision and affordable housing. Policy OS5 of the RUDP requires that new residential development makes appropriate provision either for recreational open space or for an equivalent commuted sum payment. Since no recreational space is provided within the development, there is a requirement for a commuted sum of £8,025 to be provided.

With regard to other contributions, the applicants have agreed to the provision of a specific amount of affordable housing as defined by policy H9 of the RUDP. The provision of this affordable housing will be in the form of 6 housing units (5 x 2 beds and 1 x 1 bed) for rent. In the usual way, the dwellings will first be offered to persons in housing need from the nearby locality (administrative area of Addingham, Ilkley, Ben Bhydding, Burley in Wharfedale and Menston Town or Parish Council. Second priority will be then offered to those in housing need in the parliamentary constituencies of Shipley and Keighley.

It will be necessary for the developer to enter into a S106 agreement that will address the above issues contained within the report in detail. Head of Terms of any agreement should include: -

- Payment of off site recreation contribution (£8,025);
- Provision of affordable housing on the site (6 affordable elderly apartments (1 x 1 bed and 5 x 2 beds) for rent;
- Provision of funds for the promotion of a traffic regulation order along parts of Valley Drive in close proximity to the development site (£6,000)
- The provision of funds to raise the kerbs of the nearest two bus stops along Valley Drive (£3,000 per kerb).

Comments on the letters of representation

Most of the issues raised have been addressed in the above report. The site is an allocated phase 1 housing site and thus this proposed housing use is considered to fully accord with established planning policy. Sufficient parking is to be provided for the proposed use. The formation of a cycle route is essentially outside the scope of this development proposal but it should be noted that the provision of upgraded bus facilities will be undertaken to help promote use of public transport.

Community Safety Implications:

It is considered that providing appropriate conditions regarding: - (i) defensible space and the clear definition, differentiation and robust separation of public, private and semi-private space including boundary fences; (ii) lighting of the development, and; (iii) an access control strategy to the buildings are attached to any permission granted, the proposal will accord with the spirit of policy D4 of the Replacement Unitary Development Plan.

Reason for Granting Planning Permission:

The redevelopment of this site is considered a beneficial reuse of a vacant, visually unattractive Brownfield site that gives the opportunity to provide a sustainable pattern of housing development within the existing urban fabric of Ilkley. The effect of the proposal on the surrounding locality and the adjacent neighbouring properties has been assessed and is acceptable. The provision of an access in the manner and location proposed is appropriate and in conformity with established highway standards. As such, the proposal and the requirements of the S106 legal agreement are in general conformity with the principles outlined within the Replacement Unitary Development Plan.

Permission is recommended accordingly subject to the provision of a S106 legal agreement outlined within the text of this document and the following conditions:

Conditions of Approval:

1. Time limit – 3 years
2. Materials to be submitted and approved prior to commencement of development
3. Landscaping scheme – based on native species
4. Landscaping implementation
5. TPO tree protection fencing
6. Details of security measures proposed including appropriate defensible space (boundary treatments), a suitable lighting scheme and an access control strategy,
7. Implementation of above security measures
8. Provision of parking before occupation of any of the units.
9. Construct access before commencement
10. Construction plan details
11. Trees to be planted during first season
12. Boundary treatments
13. Turning area provided before use
14. Separate systems for foul and surface water on and off site
15. Submission of details of means of disposal of foul and surface water, including balancing works and off site works. The site must be investigated for its potential for the use of sustainable drainage techniques.
16. No piped discharge of surface water from the development until completion of approved surface water drainage and no buildings to be occupied or brought into use prior to the completion of the approved foul drainage works.
17. Surface water from vehicle parking and hard standing areas to be passed through an interceptor.

Heads of Terms:

1. Provision of affordable housing (1x 1 bed and 5 x 2 beds) for rent – to be offered in the first instance to persons with connections to the administrative area of Addingham, Ilkley, Ben Rhydding, Burley in Wharfedale and Menston Town or Parish councils with second priority given to persons within the administrative areas of the Parliamentary Constituencies of Shipley and Keighley.
2. Contribution towards recreational provision - £8,025

3. Provision of two raised kerbs at the nearest bus stops (identified by metro as 14133 and 14134) on each side of Valley Drive
 4. The provision of a traffic regulation order around the access to the development site and along Valley Drive in close proximity to the site.
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