

Report of the Strategic Director of Regeneration to the meeting of the Area Planning Panel (KEIGHLEY) to be held on 03 August 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.	16 Westwood Rise Ilkley West Yorkshire LS29 9SW-10/01678/HOU [Approve] – page 1	Ilkley
2.	2 Springfield Mount Addingham West Yorkshire LS29 0JB - 10/00953/FUL [Approve] – page 7	Craven
3.	Beechwood 2 St Nicholas Road Ilkley West Yorkshire LS29 0AN - 10/01849/HOU [Approve] – page 16	Ilkley

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Portfolio:
Environment and Culture

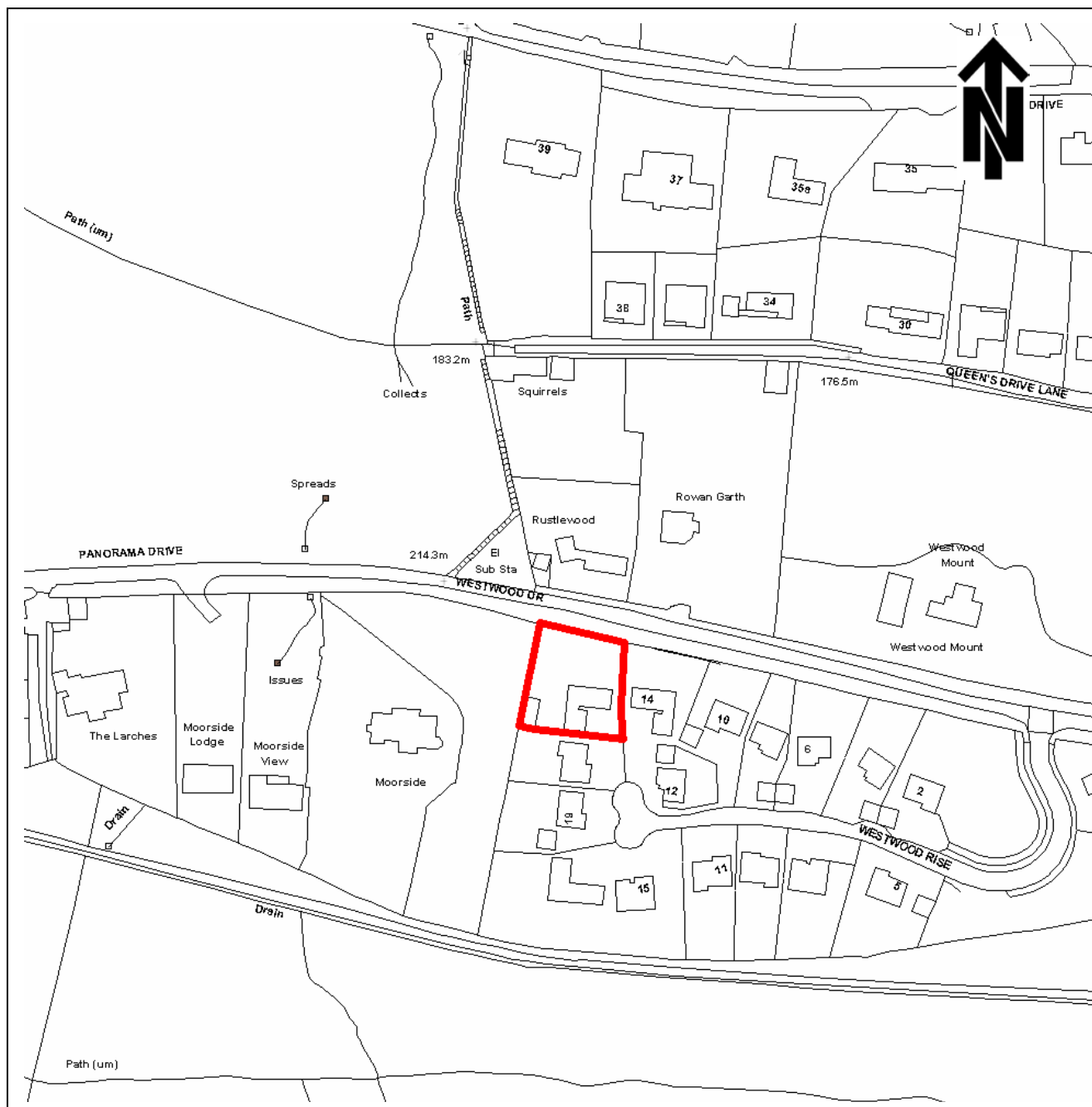
Improvement Committee Area:
Regeneration and Economy



Area Planning Panel (Keighley)

10/01678/HOU

3 August 2010



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ITEM NO. : 1

LOCATION:

**16 Westwood Rise
Ilkley**

3 August 2010

Item Number: 1

Ward: ILKLEY

Recommendation:

TO GRANT PLANNING PERMISSION WITH CONDITIONS

Application Number:

10/01678/HOU

Type of Application/Proposal and Address:

Householder application for the construction of a raised patio to the rear of 16 Westwood Rise, Ilkley (retrospective).

Applicant:

Mr and Mrs Woodhead

Agent:

Mr David Lowe - Think Design

Site Description:

The property is a modern detached dwelling built in the mid 1990s and sited in a residential cul-de-sac. To the rear (north) of the property, the land slopes steeply down towards Westwood Drive and Panorama Drive. The property is not a Listed building and is not sited in a Conservation area. However, it is located just beyond the boundary of the Ilkley Conservation Area and the patio structure is visible from within the Conservation Area.

Relevant Site History:

09/05197/HOU: Formation of a raised patio area. Refused 8.1.2010

07/05217/FUL: Single storey rear extension. Granted 14.08.2007

Replacement Unitary Development Plan (RUDP):

Allocation

The site is unallocated on the RUDP Proposals Map.

Proposals and Policies

UR3 - The Local Impact of Development

D1 – General Design Considerations

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

Supplementary guidance- The Revised House Extensions Policy Document

Parish Council:

Ilkley Parish Council: Whilst it is recognised that the proposed screening on the east side is an attempt to address concerns of neighbours at number 14, this screening would be extremely high and would be overbearing. Whilst it is recognised that the lowering of the decking on the North Side is an attempt to address concerns of neighbours, the decking would still be overlooking and overbearing to neighbouring properties on Panorama Drive

and 14 Westwood Rise. It is recommended that the decking on the north side should be lowered significantly with steps leading down to it from the patio at the North West corner.

Publicity and Number of Representations:

The application was initially publicised by neighbour notification letters. Expiry date 11.06.2010. Three representations were received which include a request from a Ward Councillor for the application to be referred to the Area Planning Panel.

Following amendments to the scheme, the proposal was re-advertised by neighbour notification letters. Expiry date 17.05.2010. Two letters were received which include a further request from a Ward Councillor for the application to be referred to the Panel.

Summary of Representations Received:

- Occupants of 14 Westwood Rise would be completely dominated by the existing recent large house extension coupled with a nearly 3metre high patio and fence, the prospect of which will be overbearing, oppressive and intrusive.
- Also the patio is said to overlook the front of the property at 'Rustlewood' which is below the site on Panorama Drive.
- In the absence of the fence, there would continue to be a direct view into living room and conservatory at number 14 Westwood Rise from the new raised patio. This would impinge on the privacy levels.
- If the fence is added as shown on the amended plans this would loom over the neighbouring house which is set at a lower level and be an overbearing and intimidating feature for occupiers of the neighbouring property.
- The patio structure dominates the view from the street below.
- It is out of keeping with surroundings

Consultations:

Trees Team: No objections

Design and Conservation Team: Concerned about the visual prominence of the patio wall from Westwood Drive. The lowering of the wall will mitigate slightly the visual impact as would the stone cladding, but will create a hard edge that appears at odds with the more natural character of the locality.

If mindful to Grant, would ask that significant amounts of soft landscaping be placed to the bank in front of the wall.

Summary of Main Issues:

1. Impact upon Local Environment
2. Impact upon Neighbouring Occupants
3. Impact upon Highway safety
4. Community Safety Implications

Appraisal:

Proposal

Planning permission 07/05217/FUL authorised construction of a single storey extension on the rear (north) side of this property. During its construction, the applicants have also constructed a raised patio area adjacent to it. This needs planning permission as it is raised more than 300mm off existing ground levels. Complaints were received which led to the first

retrospective application which was refused. This resubmission attempts to address the problems and the proposals have been further amended.

The existing boundary fence between property number 14 and number 16 Westwood Drive has been returned to its existing height of 1.8metres. Instead it is proposed that the patio is set back from the adjoining boundary by 2.8metres and lowered a metre from the floor level of the existing extension. A 1.8metre high close boarded screen is proposed to be installed along the edge of the patio at a depth of 4metres.

Impact on Local Environment

To the rear of the dwelling, the site experiences a significant change in levels with the land dropping substantially to the north of the site toward Westwood Drive/Panorama Drive.

To reduce the impact when seen from below and to address the concerns of the Conservation Officer, the plans indicate that the proposed patio will be reduced in height and faced in stone to match the host dwelling. Planting is also intended to the area of exposed banking below the patio.

Subject to these changes, it is not considered that the patio will have a detrimental impact upon the character of the host dwelling or the character or appearance of the adjacent Ilkley conservation area. Although visible from some points on the road, other views are obscured by existing mature planting and it is likely, over time, that garden vegetation would grow back to screen views that are presently open. As viewed from Westwood Drive, the patio does not form a dominant feature since it is set immediately in front of the rear elevation of the dwelling which naturally dominates the view from Westwood Drive. With planting to the front of the patio upon the bank, it is considered that in terms of visual amenity, the patio will not form an incongruous material addition, and subject to the amendments which form part of this application and suggested conditions, it is considered to comply with policy D1 of the RUDP.

Impact on Neighbouring Occupants

Due to the changes in level at this site, the raised patio with screen above (along the eastern boundary) will have a height of 2.1metres increasing to 2.6metres. The amended proposals show that the patio would be set 2.8metres back from the boundary line with property number 14 Westwood Rise and it is proposed to install a screen fence level with the side wall of the extension so that users of the patio would not be able to stand in positions immediately next to the neighbour's fence. The existing boundary fence will remain at a height of 1.8metres and planting is proposed to the space between the boundary fence and patio.

As such, it is considered that the useable patio area would be set back sufficiently from the boundary with the neighbouring property to prevent any unreasonable overbearing or invasive impact upon the private amenity space of 14 Westwood Rise.

The proposal will not result in any greater degree of overshadowing. The proposed fence is considered to be set sufficiently back from the boundary so that it would not be unduly dominant of either the external garden areas or the internal rooms of No.14.

The proposed development does not break a 45 degree line drawn to the nearest habitable room window on the ground floor rear elevation of number 14 Westwood Rise and as such, it is not considered that the level of outlook will be significantly reduced.

The proposed close boarded screen upon the patio will prevent any overlooking to the neighbouring garden and habitable room windows.

In terms of impact on Rustlewood – the property at a lower level on Westwood Drive - the distance to the boundary with the highway is approximately 7metres. The width of Westwood Drive then cuts between the site and the neighbouring dwelling giving a distance of over 20 metres between these dwellings and the proposed patio. It is also noted that while the patio is presently visible from some parts of Rustlewood, such as from its roof patio, other views are hidden by existing mature vegetation. Overall, and subject to the changes proposed on the amended drawings, it is considered that the retention of the patio will not result in any significant or unreasonable overlooking or dominance of that property.

In terms of its impact on the living conditions of adjoining properties, the concerns expressed in the objection letters have been carefully considered but it is considered that, subject to the suggested conditions, the proposal satisfactorily complies with policy UR3 of the Replacement Unitary Development Plan and guidance contained in the Revised House Extensions Policy Document.

Impact on Highway Safety

There are no highway safety implications

Community Safety Implications:

There are no apparent community safety issues

Reason for Granting Planning Permission:

The proposed patio is considered to relate satisfactorily to the character of the existing dwelling, adjacent properties and the setting of the Conservation Area. The impact of the patio 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, BH7, UR3 and D1of the Replacement Unitary Development Plan and the Revised House Extensions Policy.

Conditions of Approval:

1. The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

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

2. The development hereby approved shall only be carried out in accordance with the amended plans P576 drawing 01 REV E dated 20.05.2010 and received by the Council on 21st May 2010 showing a reduction in the height of the patio, insertion of a 1.8metre high screen on the east elevation of the patio and the boundary fence between number 14 and 16 Westwood Rise returned to its existing height of 1.8metres.

Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted since amended plans have been received.

3. The close-boarded timber screen hereby approved at a height of 1.8m shall be retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

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

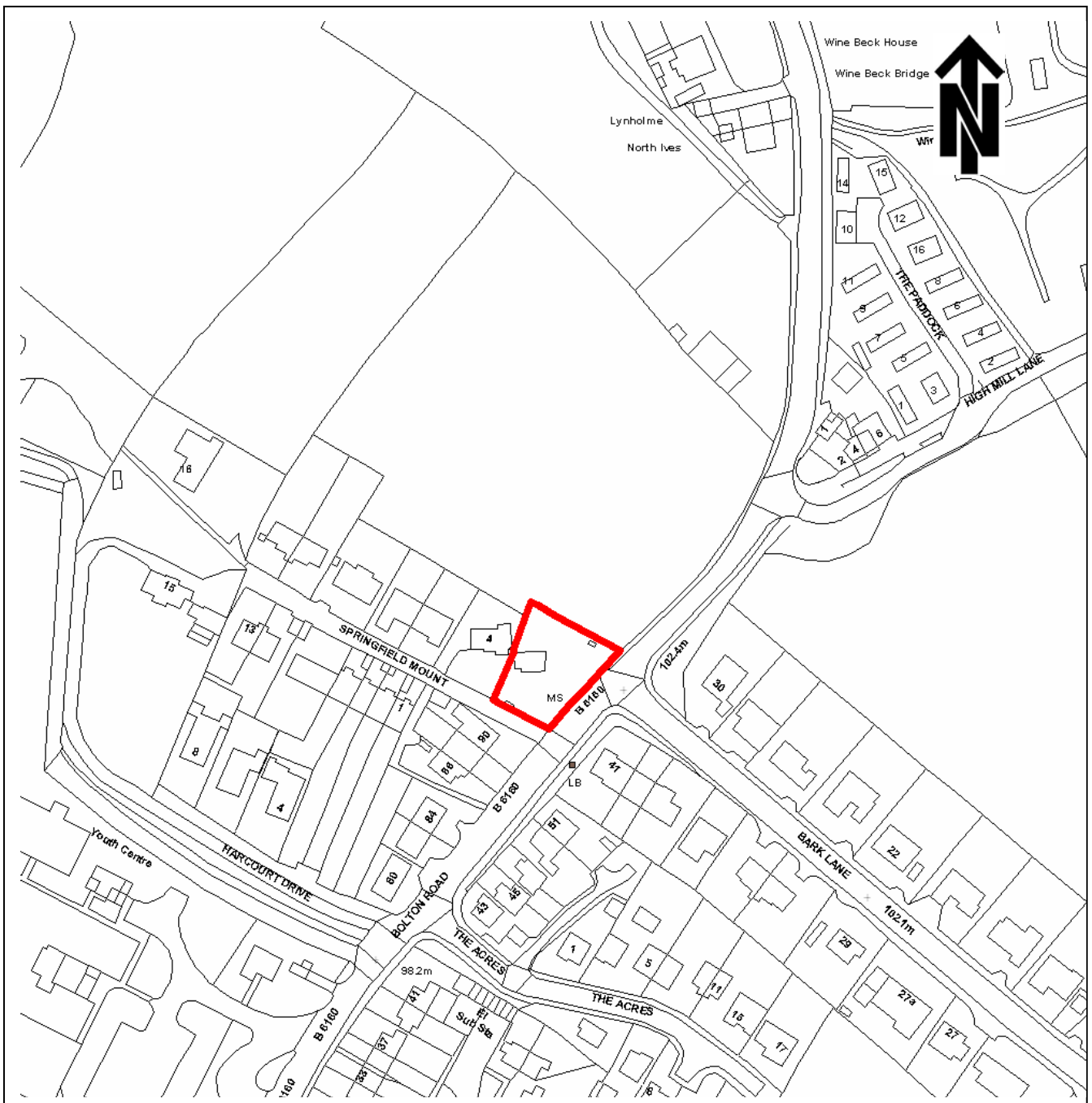
4. Notwithstanding the details shown on the approved drawings, a scheme of soft landscaping will be implemented to the front of patio on the exposed bank before the end of the first available planting season following this permission. The details of the proposed planting scheme are to be submitted and approved in writing by the Local Planning Authority. The planting scheme shall thereafter be carried out as approved.

Reason: To achieve a satisfactory standard of landscaping in the interests of amenity and to accord with policies D1 and UR3 of the Replacement Unitary Development Plan

Area Planning Panel (Keighley)

10/00953/FUL

3 August 2010



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ITEM NO. : 2	LOCATION: 2 Springfield Mount Addingham
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3 August 2010

Item Number: 2
Ward: CRAVEN
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
10/00953/FUL

Type of Application/Proposal and Address:

Full application, as amended, for the demolition of the existing dwelling and the construction of two detached dwellings at 2, Springfield Mount, Addingham.

Applicant:

Mr Andrew Rollinson

Agent:

Rollinson Planning Consultancy

Site Description:

Springfield Mount is located on the northern side of Addingham in a semi rural location on the edge of the village. The site comprises a corner plot on the northern side of the entrance to Springfield Mount; an unmade single track road. It is bounded by Bolton Road to the south east, Green Belt pasture to the north and a modern detached bungalow to the North West which is set on an angled building line. The site is currently occupied by a modern dormer bungalow which is set on a corresponding angled line. The built environment in the locality is characterised by its variety; the neighbouring dwellings being a mix of imposing Victorian stone villas, 1970's semis, detached two storey dwellings and infill dormer bungalows with little consistency to the styles, sizes or scales. The majority of dwellings along this road front onto Springfield Mount, the exception being the three Victorian villas located on the opposite corner plot which front onto Bolton Road.

Relevant Site History:

75/05325/FUL – Extension to dining room

09/04880/FUL – Demolition of the existing dwelling and the construction of two detached dwellings. Refused

10/00112/APPFUL – Appeal against the refusal of application No. 09/04880/FUL. Pending

Replacement Unitary Development Plan (RUDP):

Allocation

The site is unallocated on the RUDP Proposals Map but is bounded by Green Belt land to the north

Proposals and Policies

Relevant rUDP Policies are:

UDP3 – Quality of the built and natural environment

UR3 – Local impact of development

D1 – General Design Considerations

D2 - Energy Efficiency and Sustainable Design

TM12 Parking Standards for Residential Developments
TM19A – Traffic management and road safety
NE10 - Protection of Natural Features and Species

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 it provides useful guidance on separation distances which can reasonably be applied to infill development.

Parish Council:

Addingham Parish Council

Recommend refusal for the following reasons:

- The development is not in keeping with the surrounding area.
- The development is too large in size and represents an over development of the plot.
- The properties are too high, being too dominant in their surroundings. The development should not exceed two storeys.
- The access to the site is still unsatisfactory.
- The parking provision may not be the sufficient for the proposed size of the properties, 1 of 4 bedrooms and 1 of 5 bedrooms. Parking on Springfield Mount itself would cause obstruction to other users.
- Highway's recommendation to alter the boundary to improve sight lines at the junction of Bolton Road would increase the impact of above points concerning visual impact.
- Junction of Springfield Mount and Bolton Road is already problematic. Increasing the amount of traffic would add to the problems

Publicity and Number of Representations:

The application was publicised by neighbour notification letters and a site notice with the overall expiry date for representations being the 04.06.10. 7 letters of objection have been received.

Summary of Representations Received:

- The proposal is out of keeping with its surroundings
- The size and height is dominating and reduces visual amenity – 3 storeys is out of place
- Concerned about the urban style on the edge of the green belt
- The render is not in keeping with the surrounding stone properties
- Will place to great a burden on the local sewers
- The access is unsuitable and there is insufficient parking given the lack of on street parking in the area
- If both parking spaces are occupied cars will have to reverse out onto the highway
- The development would create unnecessarily high density on the edge of the green belt in contrast to the current density
- Springfield Mount is unadopted; no permission has been sought from us for use of the road for an additional dwelling. Added use will increase the need for repairs
- The proposed angled building line is out of character with the area
- One of the best views in Addingham would be obscured by the development

Consultations:

Drainage

Separate drainage system required. Developer should investigate the potential for permeable surfaces to be used for areas of hardstanding.

Highways

The site access width, at 5.5m is acceptable. Springfield Mount is the route of a public right of way and the new access must provide a 2.4m x 2.4m sight line with no obstructions above 600mm to ensure that any pedestrians are not at risk.

One of the reasons for refusal of the previous application was the very poor sight lines at the junction with Springfield Mount and Bolton Road (the B6160). This is clearly possible by altering the existing boundary treatment. This amendment should be sought from the developer.

It is noted that the bin storage is in the rear garden. Clarification should be sought as to where these are to be placed on collection day.

Rights of Way Section

Provided the standard requirements are adhered to regarding maintaining the route of the public footpath during construction, there are no objections to the proposal.

West Yorkshire Ecology

This is a hit on the bat alert layer and seems likely to need a bat survey prior to determination.

Summary of Main Issues:

1. Principle of development and density considerations
2. Design issues and appropriateness of the scheme to the character of the area
3. Impact on residential amenity and neighbours
4. Considerations of highway safety
5. Sustainability
6. Impact on bats

Appraisal:

Principal of development and density considerations

Two recent amendments to national planning policy on Housing relating to the development of previously developed land and density have been considered in relation to this proposal.

Amendments to PPS3 on "Housing" in June 2010 have taken residential gardens out of the definition of "previously developed land". However, Officers do not consider that this change is relevant in this instance. What is under consideration is not an additional dwelling within the garden at the site but the demolition of the existing dwelling and the development of two new dwellings in its place. Demolition of the existing dwelling would not require planning permission and once the dwelling was demolished the site would fall within the definition of "previously developed land". National and local planning policies would continue to encourage more efficient use of previously developed land for housing. This is a reasonably sized plot and there are no policy reasons to oppose the principle of constructing of a further dwelling on it subject to other relevant material considerations being satisfied.

The proposal for two houses on the land at Springfield Mount represents a density 25 dwellings per hectare (DPH), which is below the minimum of 30 DPH required by policy H7 of the RUDP. However, recent changes to PPS3 have deleted reference to 30 dwellings per hectare as a national indicative minimum density. This change enables the Local Planning Authority to much more confidently assess housing developments on the basis of the appropriateness of that density to the local area and its character - with far less weight now having to be afforded to meeting minimum density targets.

However, judged on its merits and against considerations of local character, it is considered that the proposed density of this scheme generally reflects the character of the surrounding area and, subject to design, it is considered that developing two dwellings on the plot rather than just one is acceptable in principle.

Design issues and appropriateness of the scheme to the character of the area

The scheme which was refused planning permission under application 09/04880/FUL featured two detached dormer bungalows on an angled building line with a large double garage block in the most prominent corner at the junction with Springfield Mount and Bolton Road and conservatories on the north facing elevations. This was felt to be ill considered and raised a number of specific concerns regarding the quality of the design, the efficiency of the layout, access and vehicle manoeuvrability. The scheme now under consideration is considered to be a significant improvement to this previous proposal.

The proposed dwellings are positioned on the straight building line which is the predominant characteristic of development along the northern side of Springfield Mount. The buildings are proposed in three distinct blocks with varying ridge lines intended to break up the massing and provide visual interest. The north-west section of the building has a ridge line approximately 2m taller than the neighbouring bungalow, reflecting the ridge heights of the two storey dwellings located further along Springfield Mount. The central block would be set 1m lower and provides a single garage for each dwelling with domestic accommodation above. This eliminates the need for separate garages or a garage block and provides room for a turning head and further parking spaces, making efficient use of the available land.

The ridge line then rises again; the south eastern section being the tallest of the three. The corner plot opposite 2 Springfield Mount is occupied by a large Victorian 2-3 storey villa comprising three dwellings (No's 86-90) which are set behind garden and front on to Bolton Road. Because the south eastern block is adjacent to Bolton Road special attention has been paid to the design of its side elevation. This is to ensure that it provides a "book end" to the development which complements these Victorian dwellings, rather than presenting a blank gable wall with the dwellings firmly fronting on to Springfield Mount.

The proposal as originally submitted featured blocks of render and a Juliet balcony on the side elevation facing Bolton Road. These design elements were not considered appropriate in this edge of village location and have been amended. The design now features two small pitched roof dormer windows and a feature arched window on this side elevation, providing visual interest and an active presence to the street scene on this section of Bolton Road. This block is 3 storeys tall with the dormer windows enabling the room in the roof space to be used for accommodation.

It is acknowledged that local objectors and the Parish Council are opposed to the 3 storey element of the development and that this wall would be prominently placed in views along

Bark Lane. However, it is intended that the existing hedge along Bolton Road would be retained and this would screen a good portion of the 3 storey wall and reduce its impact. Also the ridge height of this section of the building is comparable to that of the Victorian villa opposite, albeit set closer to the road. The render has been omitted and the proposal is now for the dwellings to be constructed entirely from natural stone and with a much more appropriate rural character than the original proposals.

The site sections provided show how the development would sit within the street scene; the scale and massing is considered appropriate to the context with heights and bulks similar to adjacent dwellings. In design terms, where the local vernacular is very varied in character, the scheme is considered acceptable. Overall the proposal is considered to comply with policies UDP3, UR3 and D1 of the RUDP.

Impact on residential amenity and neighbours

The relationship between the proposed dwelling and the neighbouring dormer bungalow is considered acceptable. There are no habitable room windows that would be affected by the development and no unacceptable levels of overshadowing or overbearing would arise. 90 Bolton Road is separated from the development by Springfield Mount and a distance of approximately 20m whilst 41 Bark Lane is, again, over 20m away across a highway. These distances are more than adequate to ensure that there would be no adverse effects by way of overshadowing or over dominance. Objections about impact on neighbours have been carefully considered, but overall, given the context, such effects are not considered significant and the development is considered to comply with the requirements of policies UDP3, UR3 and D1 of the RUDP.

Considerations of highway safety

Springfield Mount is an unadopted road and forms part of a public footpath. It is rather narrow and lacks a separate footway. The Council's Highways Officer has previously advised that improvement to highway safety should be sought as part of the development proposal by ensuring that cars are able to enter and leave the site in forward gear, and that sight lines should be improved.

The applicant has addressed these concerns and proposes that sight lines at the entranceway to Bolton Road are improved by lowering the boundary hedge and moving it back slightly from the boundary - providing a much improved visibility splay to the north along Bolton Road (approximately 2.4 x 15m). At the entrance to the site itself the boundary wall will be reduced to 600mm. These alterations will have benefits for highway safety which are considered to be a suitable response to the small intensification of use that will result from the net increase of one dwelling on the site. A suggested condition is proposed to ensure that these improvements are secured.

Within the site, the previously proposed detached garage has been omitted by integration of garages within the central block. This enables an efficient use of the space and gives room for adequate parking and turning areas. Whilst the level of off street parking (2 spaces per dwelling) is above the maximum number of 1.5 per dwelling across the development set by policy TM11 of the RUDP a higher level of parking provision is deemed acceptable due to the lack of suitable off street parking along Springfield Mount and in the light of concerns by neighbours about this issue.

The scheme is therefore considered to comply with the requirements of policy TM2, TM11 and TM19a of the RUDP.

Sustainability

The dwellings have been designed to facilitate compliance with level 3 of the Code for Sustainable Homes; the national standard for sustainable design and construction of new homes. Level 3 is designed to be 25% more energy efficient than would be required under the building regulations. The use of natural materials including stone, slate and timber windows is welcomed. Whilst more could have been done to improve the environmental performance of the dwellings proposal the increase in density of development on the site and the provision of an additional dwelling close to the services and transport links of Addingham has some sustainability benefit. Overall the scheme is considered to meet an acceptable minimum standard. The previously refused application featured design elements, such as conservatories on the north facing elevations, which would have impacted negatively on the energy efficiency of the homes; these at least have been omitted.

Impact on bats

The site is on the edge of open countryside close to the River Wharfe and bats are likely to be active in the area. A bat survey was supplied with the application. This has been conducted by a reputable consultant at an appropriate time of year and the findings are considered valid and reliable. No bats were discovered and the existing building was considered to have low "bat roost potential".

Community Safety Implications:

There are no community safety implications.

Reason for Granting Planning Permission:

The development, as amended, will have no significant adverse effects on local amenity, the amenity of neighbours or the character of the local environment. The design is considered sympathetic to its setting in terms of design, scale, height, massing and materials. The level of parking provision and the proposed improvements to vehicle sight lines at the driveway and junction of Springfield Mount and Bolton Road are found to be adequate and it is not considered that the development will have a detrimental impact on highway safety. It complies with Policies UDP3, UR2, UR3, TM12, TM19a, NE5, NE6 and D1 of the Replacement Unitary Development Plan.

Conditions of Approval:

1. The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

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

2. The development hereby approved shall only be carried out in accordance with the amended plans which were received by the Council on 17/07/10 showing amendments to the materials, fenestration, access arrangements and streetscapes.

Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted since amended plans have been received.

3. Samples of all facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority before the development commences. This shall include a sample panel of the walling stone to show appropriate coursing of the stone work. The development shall be constructed in the approved materials

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

4. Before any part of the development is brought into use the boundary wall along Springfield Mount shall be lowered to 600mm and the section of hedging along the boundary with Bolton Road removed and replanted as indicated on the approved plans.

Reason: To ensure that visibility around the access points is maintained at all times in the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

5. With the exception of the section to be removed and replanted the existing hedge along the boundaries of the site with Bolton Road shall be retained during the course of the development and thereafter and construction work shall be implemented so as to avoid damage to this feature.

Before any part of the development is brought into use the replacement section of hedging as indicated on the approved plans shall be planted. Any hedging plants which becomes diseased or which dies within the first 5 years after the completion of the development shall be removed immediately after the disease or death is apparent and a replacement tree of the same species and specification shall be planted in the same position no later than the end of the first available planting season following the disease or death of the original tree.

Reason: For the maintenance of hedges in the interests of visual amenity, the character of the area and the amenity of existing and future adjacent occupiers and to accord with Policies D1, D5 and NE12 of the Replacement Unitary Development Plan.

6. Before any part of the development is brought into use the proposed off street parking and vehicle turning area shall be laid out, surfaced, sealed and drained within the curtilage of the site in accordance with the approved plan numbered The parking and turning area so approved shall be kept available for vehicular use while ever the development is in use.

Reason: In the interests of highway safety and to accord with Policy TM11 and TM19a of the Replacement Unitary Development Plan.

7. The parking and other hard surfaced areas within the site shall comprise solely of permeable surfaces unless otherwise agreed in writing by the Local Planning Authority.

Reason : To reduce the rate of surface water run-off from the development and to protect adjoining properties from flooding and to accord with Policies NR16 and UR3 of the Unitary Development Plan.

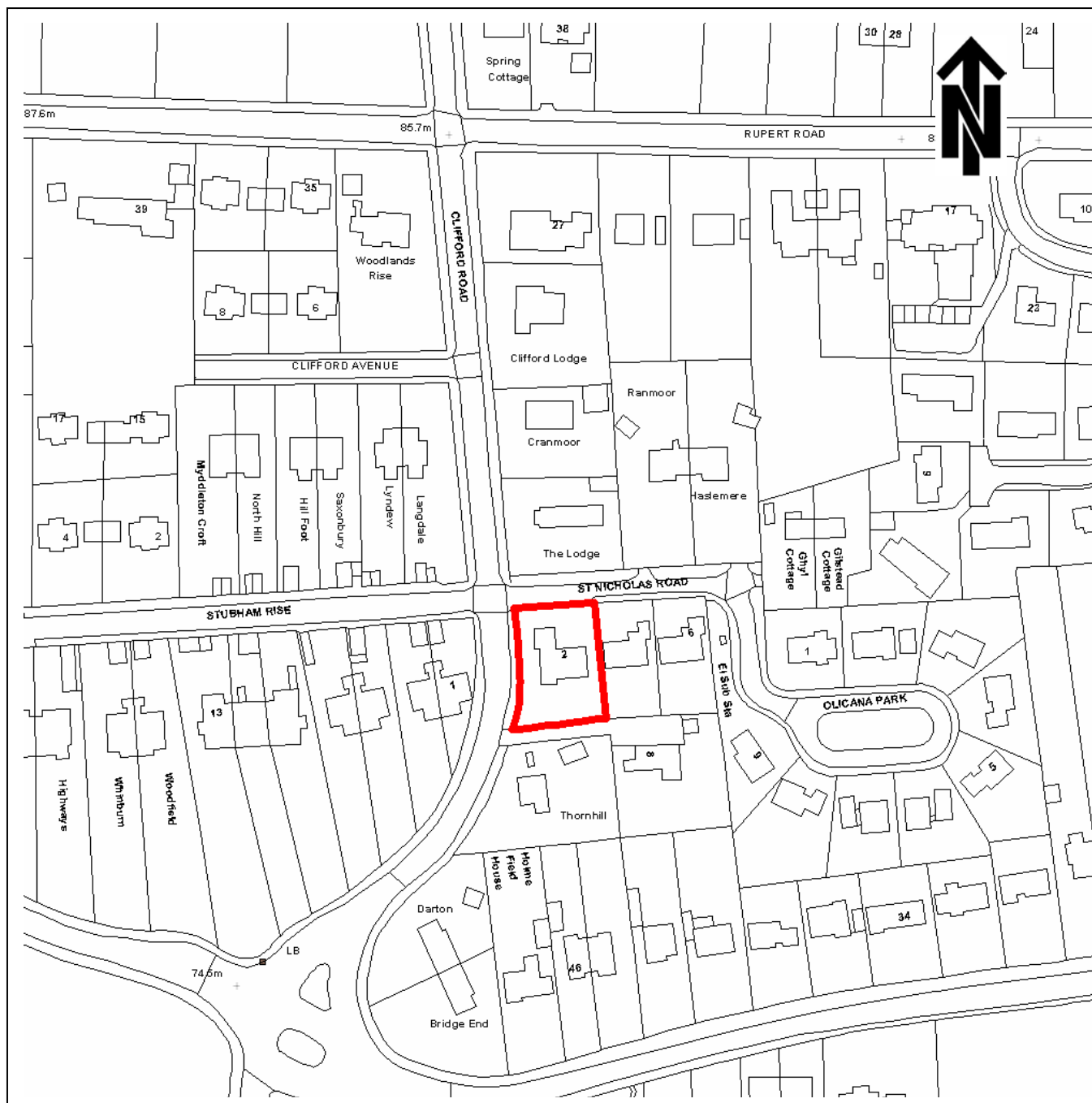
8. The development shall be drained using separate foul sewer and surface drainage systems.

Reason: In the interests of pollution prevention and to ensure a satisfactory drainage system is provided and to accord with Policies UR3 and NR16 of the Replacement Unitary Development Plan.

Area Planning Panel (Keighley)

10/01849/HOU

3 August 2010



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ITEM NO. : 3

LOCATION:

**Beechwood
2 St Nicholas Road, Ilkley**

3 August 2010

Item Number: 3
Ward: ILKLEY
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
10/01849/HOU

Type of Application/Proposal and Address:
Full application for the construction of an extension to Beechwood, 2 St Nicholas Road, Middleton, Ilkley.

Applicant:
Mrs Cheryl Chapman

Agent:
Mr Lee Stringer (Rone Design)

Site Description:
Beechwood, 2 St Nicholas Road is a detached property dating from the late 20th century set on a plot at the corner St Nicholas Road and Clifford Road. St Nicholas Road is an unmade road and the application property is one of a row of three modern dwellings facing onto the south side of this road. These three dwellings may at one time have been similar style bungalows, but due to extensions, they are now relatively individual in their appearance and the application property at No. 2 has previously been partially extended at first floor level. The property is set at a slightly lower level than the land surrounding the site, and slightly below the level of St Nicholas Road, and the boundaries are screened by established trees, some of which are protected, and tall hedges.

Relevant Site History:
07/04556/FUL - Demolition of existing dwelling and construction of two storey dwelling – Withdrawn
08/01171/FUL - Retrospective application for the demolition of existing timber gate and construction of new natural stone piers and electrically operated stained timber gates – Granted

Replacement Unitary Development Plan (RUDP):

Allocation

The site lies within the Middleton Conservation Area the relevant policies are:

UDP3 – Quality of Built and Natural Environment
UR3 – The Local Impact of Development
D1 – General Design Considerations
BH7 – New Development in Conservation Areas
NE4 - Trees and Woodlands
NE5 - Retention of Trees on Development Sites
NE6 - Protection of Trees During Development

Proposals and Policies

Supplementary Planning Guidance comprised in the adopted, revised House Extensions Policy must be given weight.

Parish Council:

Ilkley Parish Council considers the proposal over development of the site contrary to the character of the original dwelling which will result in a negative impact on a key view within the conservation area. The response includes a request for the application to be determined by Area Planning Panel.

Publicity and Number of Representations:

Two representations have been received objecting to the application.

Summary of Representations Received:

The representations received object to the proposal on the following grounds:

Overlooking will be caused to neighbouring properties

Hedge is not within the applicant's ownership

Principle and precedent will be set

The extension will be overbearing and over dominating

The extension will be out of character with the original dwelling and with the Middleton conservation area.

It will have an adverse impact on important views within the conservation area

The objectors have provided supporting information with their objections in the form of previous appeal decisions from elsewhere in Ilkley and Middleton conservation area and extracts from the adopted Middleton Conservation Area Assessment.

Consultations:

Council's Design and Conservation Team – In principle raise no objection to the proposal. The existing dwelling does not contribute to the conservation area in terms of design, appearance or as part of the wider streetscape and the alterations do not significantly change the impact on the setting of the conservation area. The design and materials are in keeping with the property and will not create an incongruous feature on the street scene.

Council's Tree Officer – The tree officer has no objection to the proposal; but suggests a condition protecting the trees during construction of the development.

Summary of Main Issues:

- Design and impact on the character and appearance of the Middleton Conservation Area.
- Impact on the amenity and living conditions of occupants of neighbouring property.

Appraisal:

Beechwood, 2 St Nicholas Road falls within the Middleton Conservation Area boundaries. The proposed development is for extension to the existing dwelling through a 2m increase in the foot print of the existing garage block and the addition of a first floor above the garage. The drawings propose the use of matching materials for construction.

Impact on the conservation area and visual amenity

Within a conservation area the Council must have regard to its duty to preserve or enhance the character and appearance of the conservation area. The representations received raise concerns that this proposal is not appropriate and is out of character with the conservation area.

However it is the view of the Council's Design and Conservation Officer that the design and character of the existing modern dwelling are such that it does not make a notable contribution to the conservation area and the proposed extension is sympathetic to the host building in terms of its form, scale, materials and design. The existing dwelling is relatively unobtrusive, being set below the level of St Nicholas Road and screened by a tall hedge to St Nicholas Road and a tall hedge and mature trees to Clifford Road. These are factors indicate that the proposed extension will have a negligible impact on the appearance of the dwelling and a negligible impact on the character or appearance of the wider conservation area.

It is acknowledge that the dwelling occupies a relatively prominent corner plot within the locality, but the nature of the locality in terms of the grain of development and the individual design of the properties mean the extension would not have a significant detrimental impact on the street scene of St Nicholas Road or Clifford Road; the level changes and existing boundary screening also help soften the appearance of the proposed extension.

The Middleton Conservation Area Assessment highlights the importance of the gardens, mature planting and the spacious landscape surroundings to the character and appearance of the conservation area. Objectors to this extension are concerned that it would result in a loss of open space and therefore adversely affect local character. However the front garden of no. 2 St Nicholas Road is not considered to play a significant role in the open feel of this locality, and it is not thought that the extension will unduly impact the open feel given the level changes, the significance of the boundary screening. Nos. 4 and 6 St Nicholas Road appear to have been altered at ground floor level already and press closer to the street frontage, yet do not unduly impinge on local character due to the retention of the screen hedges. The Council's Tree Officer is happy that the development will not threaten the trees or hedges if protective fences are installed during construction and the Council's Conservation Officer is happy that the extension will not undermine local character.

Impact on the amenity and living conditions of occupants of neighbouring property.

The proposed extension is not anticipated to unduly impact on neighbouring amenity. New windows are suitably positioned to avoid a significant increase in overlooking; to the West side new windows are approximately 13.5m from the boundary with the front garden of no.4 St Nicholas Road which is quite open to public view from the road. No direct views of habitable room windows of no.4 are afforded within 21m. To the Northern boundary, the proposed two windows serve a walk-in wardrobe and a secondary window to the bedroom. Again the distances to The Lodge positioned to the north, i.e. on the opposite side of St. Nicholas Road are deemed adequate to prevent a significant increase in overlooking and, there are also favourable level changes further alleviating overlooking concerns.

The distances to the boundaries and the noted level changes also mean it is not foreseen that the proposed extension would result in an overbearing relationship with neighbouring dwellings or appear over dominant in the locality. The majority of the dwellings within this locality are two-storey and no.2 St Nicholas Road is already in part two-storey.

Other matters raised in the representations

The ownership of the hedge is not a material planning consideration, and the hedge is not protected and could be removed without further Local Planning Authority involvement.

The appeal decisions referred to in the objections have been considered but are not directly relevant to this application. The circumstances are not directly comparable and each application must be assessed on its own merits.

Conclusion

In conclusion it is considered that the proposal will not present a harmful impact on neighbouring amenity or the character and appearance of the Middleton conservation area and as such accords with the relevant policies within the RUDP.

Community Safety Implications:

No community safety issues are anticipated as a consequence of this application.

Reason for Granting Planning Permission:

The proposed extension forms a sympathetic extension to the host dwelling, which does not represent a significant detrimental impact on neighbouring amenity or the character or appearance of the Middleton Conservation Area. As such it is deemed in accordance with policies UDP3, UR3, D1, BH7, NE4, NE5, and NE6 of the RUDP.

Conditions of Approval:

1. The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

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

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

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

3. The development shall not be begun, nor shall any demolition, site preparation, ground works, materials or machinery be brought on to site until Temporary Tree Protection Fencing is erected in accordance with the details submitted on a tree protection plan to BS 5837 (2005) approved by the Local Planning Authority. The Temporary Tree Protective Fencing shall be erected in accordance with the approved plan, or any variation subsequently approved, and remain in the location for the duration of the development. No excavations, engineering works, service runs and installations shall take place between the Temporary Tree Protective Fencing and the protected trees for the duration of the development without written consent by the Local Planning Authority.

Reason: To ensure trees are protected during the construction period and in the interests of visual amenity. To safeguard the visual amenity provided by the trees on the site and to accord with Policies NE4, NE5, and NE6 of the Replacement Unitary Development Plan.

4. 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 first floor of the extension hereby approved 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 Policy UR3 of the Replacement Unitary Development Plan.
