

Report of the Strategic Director of Regeneration to the meeting of the Area Planning Panel (KEIGHLEY) to be held on 11 November 2010

H

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.	8 Studley Close, East Morton, Keighley, BD20 5TW - 10/03804/HOU [Approve] (page 2)	Keighley East
2.	8 Studley Close, East Morton, Keighley, BD20 5TW - 10/03805/LBC [Approve] (page 7)	Keighley East
3.	Brookfield Croft, 67A Bolling Road, Ilkley, LS29 8QA - 10/02832/VOC [Approve] (page 12)	Ilkley
4.	Land East Of 20 Cheltenham Avenue, Ilkley - 10/03956/OUT [Approve] (page 21)	Ilkley

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Portfolio:
Environment and Culture

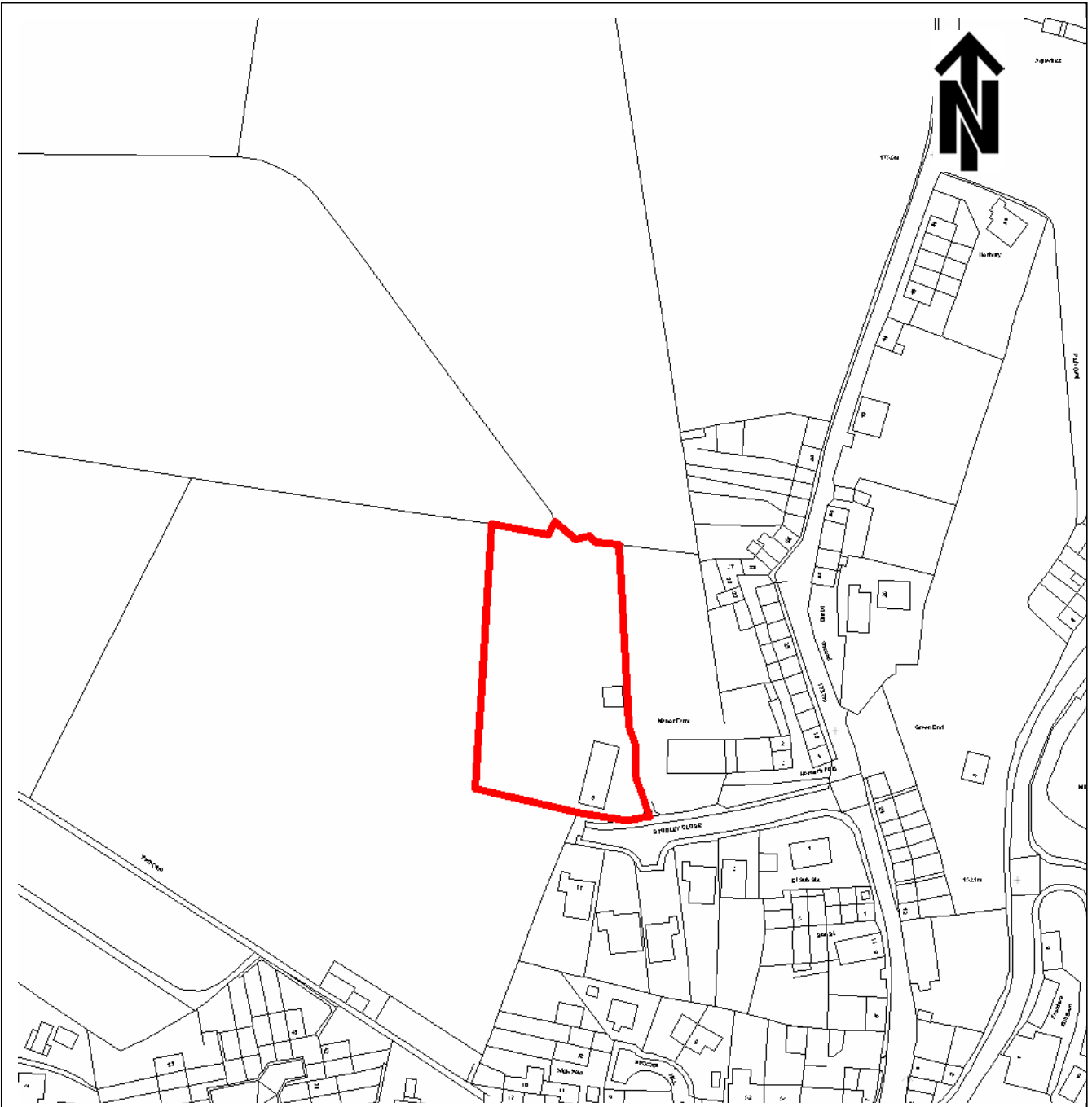
Improvement Committee Area:
Regeneration and Economy



Area Planning Panel (Keighley)

10/03804/HOU

11 November 2010



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<p>ITEM NO. : 1</p>	<p>LOCATION: 8 Studley Close East Morton Keighley</p>
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11 November 2010

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

Application Number:
10/03804/HOU

Type of Application/Proposal and Address:
Replacement sun room to side of 8 Studley Close, East Morton, Keighley.

Applicant:
Mr Richard Wilson

Agent:
Michael Hall Associates

Site Description:
The site is the side garden of a historic barn which is Grade II listed and is now converted to a dwelling. The barn is located at the end of a residential cul de sac called Studley Close and stands at a right angle to the road. The statutory listing description describes it as: "Barn. Probably C17. Stone, stone slate roof. Segmental-arched cart entrance. Small square vents. Kneelers, coping". It is proposed to replace an existing conservatory attached to the side wall of the barn, between it and the cul de sac.

To the rear of the property is an area of agricultural land which is designated green belt. The boundary of the East Morton Conservation Area runs along Studley Close and the western boundary of the site. The defined greenbelt boundary crosses the rear property, but the sun room is not located on green belt land.

Relevant Site History:
87/04877/COU & 87/04878/COU : Conversion of barn to one dwelling. Granted 9.9.87
05/00829/FUL & 05/00827/LBC : Replacement garage Granted 1.4.05

Replacement Unitary Development Plan (RUDP):
Allocation
Unallocated on the RUDP Proposals Map.

Proposals and Policies
UR3 – Local Impact of Development
D1 – General Design Considerations
BH7 – New Development in Conservation Areas
BH4 - Alteration Extension or Substantial Demolition of Listed Buildings
BH4A – Development within the Setting of a listed Building

Supplementary planning guidance contained within the Council's Revised House Extensions Policy 2003.

Parish Council:

Keighley Town Council recommends refusal, commenting: "We believe the proposed conservatory should be in timber and in keeping with the barn conversion. It should be traditional." The Town Council has confirmed it seeks referral of the application to Area Planning Panel.

Publicity and Number of Representations:

The applications were advertised by neighbour notification letters, a site notice and a notice in the Keighley News with an expiry date of 23.09.2010.

Summary of Representations Received:

None received.

Consultations:

Design and Conservation Officer Comments:

The existing conservatory is an inherently domestic structure which undermines the agricultural character and identity of the barn, which is key to its appearance and special architectural and historical interest.

The design of the new sun room structure is a significant improvement on the existing conservatory primarily because of its higher quality and the fact that it lacks the domestic appearance of the existing conservatory.

The applicant has responded to the Conservation Officer's recommendations to lower the eaves height of the structure and improve the detailing by reducing the fascia depth.

The Design and Conservation Officer is now content with the details of the glass, supporting columns and overall volume of the building. Whilst this is a very contemporary approach to extending a listed former barn, the Conservation Officer is satisfied that the effect will not harm the special interest of the listed building, and is arguably a more appropriate solution than an overtly domestic and pastiche extension which presently exists.

Summary of Main Issues:

1. Impact on the special architectural and historic interest of the Grade II listed building.
2. Impact on the character and appearance of East Morton Conservation Area.
3. Impact on amenity of neighbouring occupants.
4. Impact on the local environment.

Appraisal:

The proposal is to remove the existing conservatory and replace it with a contemporary style sun room with a flat zinc covered roof and walls of frameless glass fin walling with stainless steel support columns that will be set behind the glass.

Previous concerns regarding the detailing of the proposed structure have been addressed in the amended plans which have clarified details, and the overall height of the structure has been reduced. As a result of the amendments the Council's Design and Conservation Officer now supports this proposal and considers the new proposal to be a more appropriate solution than an overtly domestic and pastiche extension such as that which presently exists.

Although the Town Council calls for a more “traditional” conservatory, such structures do not generally look appropriate as additions to traditional barns because of their inherent domestic character which harms the historic character of the barn as a functional agricultural building. The simple lines and contemporary design of this proposed sun room would avoid the fussy detailing of a traditional conservatory and create a visually interesting but subordinate structure on the side of the barn. The use of a plain glass walling system would create a much simpler addition and the lack of a frame will mean it would not compete for attention with the main barn as much as a more conventional framed structure. The flat roof allows for a much lower and therefore less prominent structure than one with a traditional pitched roof.

In terms of its impact on the street scene, in this case, the sun room is set to the side of the property but will only be visible from limited vantage points as it is screened from the south by existing shrubs in the boundary hedge to the street, and in views from the north and west by rising ground. With the amendments requested by the Design and Conservation Team, it is considered that the proposal has a positive impact on the character, appearance and interest of the property given that it involves the removal of an existing overtly domestic structure that harms the character of the original historic barn.

The proposal will not harm the special interest of the listed building, nor will it adversely affect the setting of Manor Farm, the adjacent grade II listed building, and it is considered that it will have a neutral impact on the character and appearance of the East Morton Conservation area.

The proposal will not have any adverse effects on the occupiers of any adjacent properties. There are open fields to the west and the closest property is 11 Studley Close across the cul de sac to the south. The front of this property is almost 20 metres from the proposal and the presence of the hedge will ensure that the proposed sun room will be largely screened from view. There is no loss of any car parking space within the site or any adverse impact on highway safety.

Community Safety Implications:

There are no apparent community safety implications.

Reason for Granting Planning Permission:

The proposed single storey extension is considered to relate satisfactorily to the character of the existing listed building and adjacent properties and will have a neutral effect on the character and appearance of the East Morton 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 significant adverse effect upon their residential amenity. As such this proposal is considered to be in accordance with Policies UR3, D1, BH4 and BH7 of the Replacement Unitary Development Plan 2005 and the Revised House Extensions Policy 2003.

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 listed below:-

3009 DRG NO 001 Existing Plan and Elevations dated Dec 09
Received by the Council on 27.7.10

3009 DRG NO 005 Existing and Proposed Site Layout dated Jul 10
Received by the Council on 27.7.10

3009 DRG NO 004 Rev C Amended Proposed Plan and Elevations dated
22.09.10
Received by the Council on 22.09.10

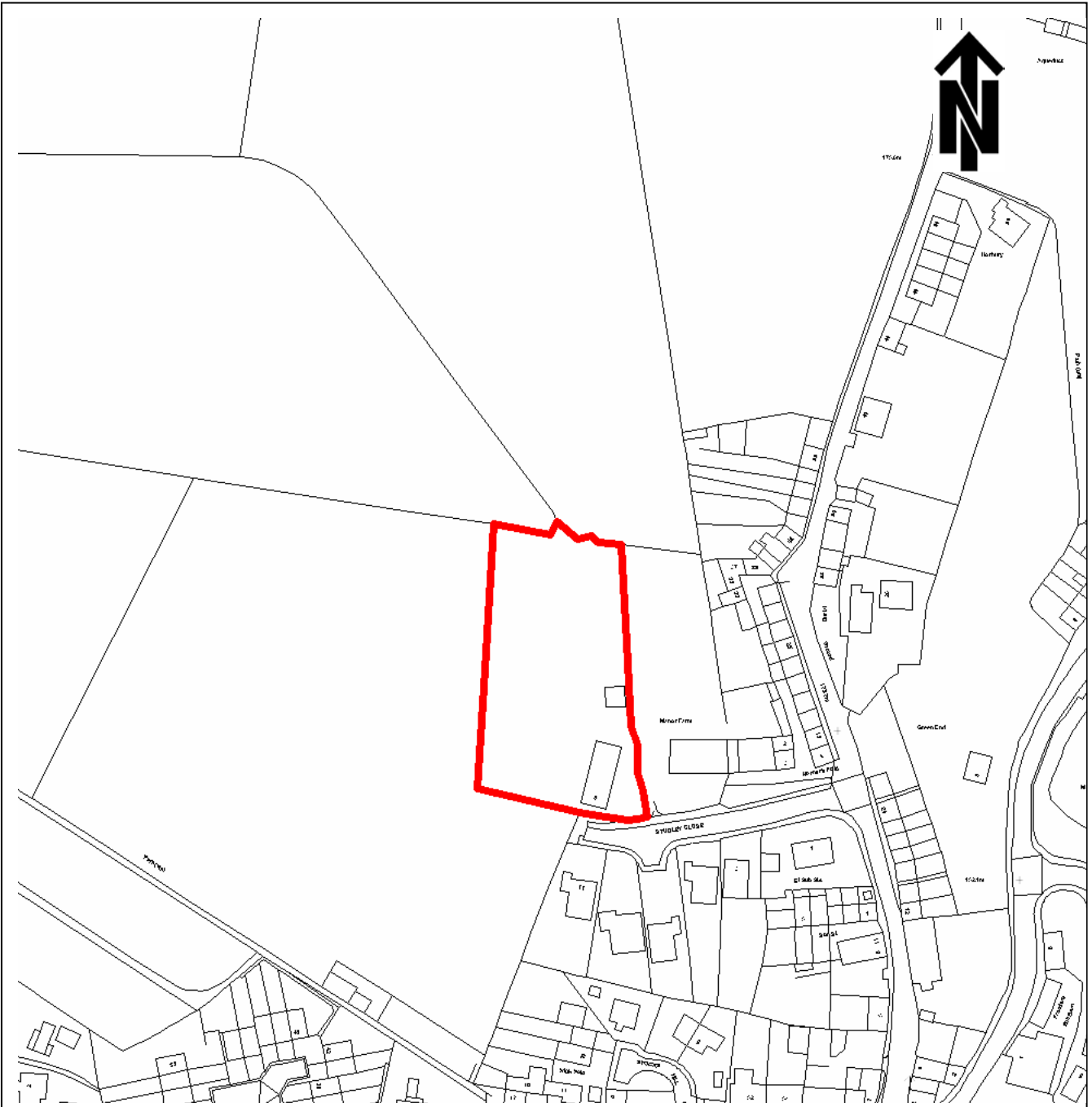
3009 DRG NO 006 Section A-A dated 22.09.10
Received by the Council on 22.09.10

Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted.

Area Planning Panel (Keighley)

10/03805/LBC

11 November 2010



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<p>ITEM NO. : 2</p>	<p>LOCATION: 8 Studley Close East Morton Keighley</p>
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11 November 2010

Item Number: 2
Ward: KEIGHLEY EAST
Recommendation:
TO GRANT LISTED BUILDING CONSENT WITH CONDITIONS

Application Number:
10/03805/LBC

Type of Application/Proposal and Address:
Replacement sun room to side of 8 Studley Close, East Morton, Keighley, BD20 5TW.

Applicant:
Mr Richard Wilson

Agent:
Michael Hall Associates

Site Description:
The site is a historic barn which is Grade II listed and is now converted to a dwelling. The barn is located at the end of a residential cul de sac called Studley Close and stands at a right angle to the road. The statutory listing description describes it as: "Barn. Probably C17. Stone, stone slate roof. Segmental-arched cart entrance. Small square vents. Kneelers, coping". It is proposed to replace an existing conservatory attached to the side wall of the barn, between it and the cul de sac.

To the rear of the property is an area of agricultural land which is designated green belt in the Unitary Development Plan. The boundary of the East Morton Conservation Area runs along Studley Close and the western boundary of the site.

Relevant Site History:
87/04877/COU & 87/04878/COU : Conversion of barn to one dwelling. Granted 9.9.87
05/00829/FUL & 05/00827/LBC: Replacement garage Granted 1.4.05.

Replacement Unitary Development Plan (RUDP) Allocation
Unallocated on the RUDP Proposals Map.

Relevant Proposals and Policies:
UR3 – Local Impact of Development
D1 – General Design Considerations
BH7 – development in or adjacent to conservation areas

Parish Council:
Keighley Town Council – recommends refusal, commenting: "We believe the proposed conservatory should be in timber and in keeping with the barn conversion. It should be traditional." Town Council has confirmed that it seeks referral to Area Planning Panel.

Publicity and Number of Representations:

The applications were advertised by neighbour notification letters, a site notice and a notice in the Keighley News with an expiry date of 23.09.2010.

Summary of Representations Received:

None received.

Consultations:

Design and Conservation Officer Comments:

The existing conservatory is an inherently domestic structure which undermines the agricultural character and identity of the barn, which is key to its appearance and special architectural and historical interest.

The design of the new sun room structure is a significant improvement on the existing conservatory primarily because of its higher quality and the fact that it lacks the domestic appearance of the existing conservatory.

The applicant has responded to the Conservation Officer's recommendations to lower the eaves height of the structure and improve the detailing by reducing the fascia depth.

The Conservation Officer is now content with the details of the glass, supporting columns and overall volume of the building. Whilst this is a very contemporary approach to extending a listed former barn, the Conservation Officer is satisfied that the effect will not harm the special interest of the listed building, and is arguably a more appropriate solution than an overtly domestic and pastiche extension which presently exists.

Summary of Main Issues:

Impact on the special architectural and historic character of the listed building.

Appraisal:

This converted barn property is a Grade II listed building within East Morton Conservation Area. The statutory listing description describes it as: "Barn. Probably C17. Stone, stone slate roof. Segmental-arched cart entrance. Small square vents. Kneelers, coping".

Consideration of the LBC application is concerned with the impact of the proposal on the special architectural and historic interest of the listed building. In considering this application the Local Planning Authority is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This legislation is reflected by local RUDP Policy BH4 and national policy set out in PPS5. In addition, the Local Planning Authority is required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to pay special attention to "the desirability of preserving or enhancing the character or appearance" of the conservation area.

The proposal is to remove the existing conservatory and replace it with a contemporary style sun room with a flat zinc covered roof and walls of frameless glass fin walling with stainless steel support columns that will be set behind the glass.

Previous concerns regarding the detailing of the proposed structure have been addressed in the amended plans which have clarified details, and the overall height of the structure has been reduced. As a result of the amendments the Council's Design and Conservation Officer now supports this proposal and considers it to be a more appropriate solution than an overtly domestic and pastiche extension such as that which presently exists.

Although the Town Council calls for a more "traditional" conservatory, such domestic structures do not look appropriate as additions to traditional barns and harm their historic character as functional agricultural buildings. The simple lines and contemporary design of this proposed sun room would avoid the fussy detailing of a traditional conservatory and create a visually interesting but subordinate structure on the side of the barn. The use of a plain glass walling system would create a much simpler addition and the lack of a frame will mean it would not compete for attention with the main barn as much as a more conventional framed structure. The flat roof allows for a much lower and therefore less prominent structure than one with a traditional pitched roof.

In terms of its impact on the street scene, in this case, the sun room is set to the side of the property but will only be visible from limited vantage points as it is screened from the south by existing shrubs in the boundary hedge to the street, and in views from the north and west by rising ground. With the amendments requested by the Design and Conservation Team, it is considered that the proposal has a positive impact on the character, appearance and interest of the property given that it involves the removal of an existing overtly domestic structure that harms the character of the original historic barn. The design form and materials are considered appropriate to the listed building and the conservation area within which it is located.

Community Safety Implications:

None.

Reason for Granting Listed Building Consent

The proposed replacement sunroom is considered to relate satisfactorily to the character of the application building and nearby Grade II listed buildings. It is considered to be a suitably low rise and subordinate addition, and the contemporary design avoids the domestic appearance of the conservatory that it replaces. It is considered that it will preserve the special architectural and historic interest of the listed building and complies with Policy BH4 of the Replacement Unitary Development Plan 2005.

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 18 of the Planning (Listed Buildings Conservation Areas) Act 1990 (as amended).

2. The development hereby approved shall only be carried out in accordance with the amended plans.

3009 DRG NO 001 Existing Plan and Elevations dated Dec 09
Received by the Council on 27.7.10

3009 DRG NO 005 Existing and Proposed Site Layout dated Jul 10
Received by the Council on 27.7.10

3009 DRG NO 004 Rev C Amended Proposed Plan and Elevations dated
22.09.10
Received by the Council on 22.09.10

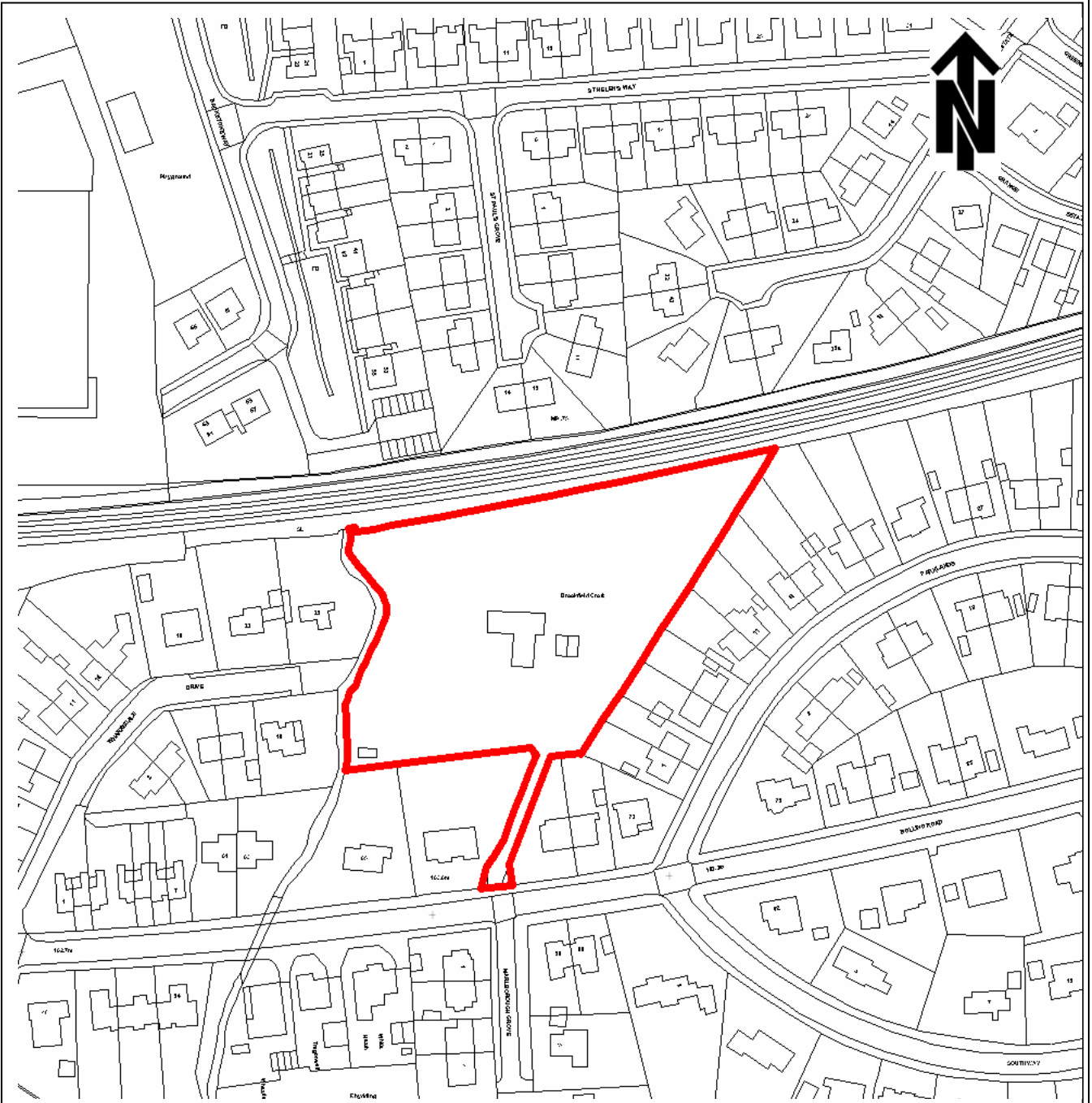
3009 DRG NO 006 Section A-A dated 22.09.10
Received by the Council on 22.09.10

Reason: For the avoidance of doubt as to the terms under which this listed building consent has been granted.

Area Planning Panel (Keighley)

10/02832/VOC

11 November 2010



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<p>ITEM NO. : 3</p>	<p>LOCATION: Brookfield Croft 67A Bolling Road Ilkley</p>
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11 November 2010

Item Number: 3

Ward: ILKLEY

Recommendation:

TO REMOVE CONDITION 16 OF PERMISSION 05/04712/OUT (DATED 26.06.2006) FOR THE DEMOLITION OF EXISTING BUNGALOW AND CONSTRUCTION OF 19 APARTMENTS

THIS IS SUBJECT TO THE APPLICANT SIGNING A DEED OF VARIATION TO THE S.106 AGREEMENT ATTACHED TO THIS PERMISSION

Application Number:

10/02832/VOC

Type of Application/Proposal and Address:

This is an application to remove condition 16 of planning approval 05/04712/OUT dated 26.06.2006: Demolition of existing bungalow and construction of 19 Apartments. The condition required the provision of pedestrian refuges on Bolling Road, Ilkley.

Applicant:

Mark O'Brien, Century Homes

Agent:

Mr Sam Warren, Rone Design

Site Description:

The site is in a residential area of Ilkley comprising mainly of detached properties. The site is accessed from between 67 and 69 Bolling Road and is presently occupied by a single bungalow. There are woodland belts to all four boundaries of the land with residential properties to the south, east and west boundaries and the Wharfedale railway lines to the north. The site is relatively flat with a gentle slope to the north.

Relevant Site History:

05/04712/OUT - Demolition of existing bungalow and construction of 19 apartments – Granted Subject to S106 legal agreement on

07/03599/REM - Demolition of existing bungalow and construction of 19 apartments: Reserved matters layout, scale and appearance – Granted 18.07.2007

09/01816/REM - Approval of reserved matters - landscaping scheme (05/04712/OUT - dated 26/06/06) – Granted 20.07.2009

05/04712/SUB01 - Submission of details to comply with conditions 9 and 10 of permission 05/04712/OUT dated 26/06/2010 (Demolition of existing bungalow and construction of 19 apartments): Foul and surface water drainage – Pending consideration

05/04712/SUB02 - Submission of details to comply with condition 5 of permission 05/04712/OUT dated 26 June 2006 (Demolition of existing bungalow and construction of 19 apartments): Tree protection fencing – Pending consideration

Replacement Unitary Development Plan (RUDP):

Allocation

The site is unallocated on the RUDP

Proposals and Policies

Policy UR3	<i>The Local Impact of Development</i>
Policy D1	<i>General Design Considerations</i>
Policy TM2	<i>Impact of Traffic and its Mitigation</i>
Policy TM19A	<i>Traffic Management & Road Safety</i>

Parish Council:

Ilkley Parish Council – Would like to see traffic calming measures in the place of the traffic islands and would like the application to be determined by the Planning Committee if Officers are minded to approve the application without these measures. The Parish Council is to send a representative to present their case.

Publicity and Number of Representations:

The application was publicised by a site notice and a press advertisement. The publicity period expired on 16 August 2010. Two representations have been received.

Summary of Representations Received:

- Residents welcomed the requirement of condition 16 of the previous application to improve safety. It is understood that the Highways department support the application on the grounds that the road is not wide enough. This goes against the grain of what was promised to residents.
- Historically residents supported a traffic calming scheme that covered Bolling Road/Springs Lane but this failed to materialise.
- Residents need to know what other traffic calming measures will be put in their place to warn motorists of the exit and to reduce speeds to a safer level.
- The road has not narrowed since the application was approved and the need for traffic calming has increased in the time since the original approval.

Response – These issues are considered in the appraisal that follows.

Consultations:

Highways Development Control – No objections. Consideration has been given to the introduction of alternative forms of traffic calming to reduce traffic speeds. There is no consensus within the Area Committee to provide traffic calming measures for the whole length of Bolling Road and Highways Development Control advise that no measures should be implemented in isolation on a site such as this.

Summary of Main Issues:

- Highway Safety
- S106 issues

Appraisal:

Planning application 05/04712/OUT proposed the development of 3 blocks of apartments on this land and was approved by Keighley Area Planning Panel in 2006. A subsequent reserved matters application was also considered by Panel and approved.

Condition 16 required the installation of two pedestrian refuges within the carriageway of Bolling Road - on either side of the proposed access to the development.

For information, the Condition required:

Prior to the commencement of development the traffic islands/pedestrian refuges shown on the approved plans to be provided in Bolling Road shall have been installed in accordance with full details of siting and design to be submitted to, and approved in writing by the Council.

Reason: In the interests of highway safety and to accord with Policy TM19A of the Replacement UDP.

In the time since that approval and following negotiations between the agents and the Council's highway Engineers, it has been found that Bolling Road is not of sufficient width to enable the construction of these islands without impeding access along the road for larger vehicles.

The pedestrian refuges were partially intended to reduce traffic speeds as vehicles approached the proposed vehicular access to the site. It was suggested that the two refuges be replaced with speed bumps/tables in order to achieve this aim. However following discussion the Highways department have advised that no traffic calming measures should be carried out in isolation on this road. It would be unreasonable to require the developer to provide traffic calming for the whole of Bolling Road. Similarly it would be unreasonable to require the developer to provide a commuted sum for highways works which have no guarantee of actually happening.

Notwithstanding the above, Bolling Road is a straight road with a 30mph speed limit. The proposed access achieves visibility splays of 2.4m x 90m which are greater than the Highway's departments recommended level for roads of this type, 2.4m x 43m.

Consequently it is considered, based on advice from the Council's Highway Engineers, that the proposal is acceptable in terms of its impact on highway safety without the necessity for the pedestrian refuges and therefore the removal of condition 16 requiring the provision of the pedestrian refuges is acceptable.

Section 106 Issues

The original application was approved subject to a section 106 legal agreement which secured contributions towards recreation open space provision (£14,500) and the provision of discounted Travel cards to residents. It is necessary to create a deed of variation to reflect the new application number. The deed should be signed and agreed prior to the grant of consent.

Community Safety Implications:

The proposal does not present any community safety implications.

Reason for Granting Planning Permission:

The application remains identical to the original approval other than the removal of the requirement to install pedestrian refuges on Bolling Road. Given that the introduction of the refuges would impede access for larger vehicles and that the proposal achieves satisfactory visibility splays their removal is considered to be acceptable. In all other respects the proposal remains acceptable in terms of its impact on visual amenity and neighbour's amenities. Subject to the same conditions as previously attached, with the exception of condition 16, the proposal is considered to comply with Policies H7, H8, D1, UR3, NE5, NE6, TM2, TM12, TM19A, NE10, NE11 and OS5 of the Replacement Unitary Development Plan.

Summary of Conditions of Approval:

1. Outline time limit – Development to begin no later than 2years after approval of the last reserved matter.
2. Amended plans.
3. Tree protection to be provided before commencement.
4. Woodland management plan approved as part of the reserved matters.
5. New tree planting to be in accordance with details approved as part of reserved matters.
6. No lopping, topping or felling of trees within the site except for those marked for approval on the approved drawings.
7. Separate drainage systems.
8. Drainage details to be approved.
9. All external car parking areas to have permeable surfaces.
10. Vehicular and pedestrian access to be provided before first use of any part of the development.
11. Residents Parking to be provided.
12. Construction management plan.
13. Bus stop on Bolling Road to be relocated.
14. Permanent protective fence to be installed between the dwellings and the badger setts within the site.
15. No floodlights to be used during construction.
16. External lighting details to be approved in writing.
17. Construction work only between 0730 – 1800 Monday to Friday and 0730 – 1300 Saturdays. Not at all on Sundays, Bank or Public Holidays.
18. All of the flats to be accessible for disabled people. Scheme to be submitted to and approved in writing.

Conditions to be re-applied

1. The development to which this notice relates must be begun not later than the expiration of two years from the date of the approval of the matters reserved by this permission for subsequent approval by the Local Planning Authority, or in the case of approval of such matters on different dates, the date of the final approval of the last of such matters to be approved.

Reason: To accord with the requirements of Section 92 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 0435/14 revision F, 0435/17 revision C and 0435/16 revision D dated March 2006 and received by the Local Planning Authority on 31st March 2006 showing the scheme reduced to a total of 19 dwelling units, reductions in the height of the proposed apartment buildings and amendments to siting in relation to trees and external parking areas unless subsequent reserved matter approvals indicate otherwise.

Reason: For the avoidance of doubt as to the terms under which this outline planning permission has been granted since amended plans have been received and to improve the relationship of the development to the surrounding area and trees and thereby accord with Policies D1, NE5/NE6 and UR3 of the Replacement Unitary Development Plan.

3. The development shall not be begun, nor shall any materials or machinery be brought on to the site, until a fence of not less than one metre in height has been erected and its erection approved in writing by the Local Planning Authority around all trees on the site shown as retained on the approved plans. Fence construction shall be of a minimum standard as indicated in B.S.5837 (2005) "Trees in Relation to Construction. Wherever possible, the fence shall be erected in a continuous length, one metre beyond the crown spread of the trees.

A detailed tree protection fencing drawing shall be submitted to and approved in writing by the Local Planning Authority as part of the Reserved Matters. The fence shall then be erected as indicated on that approved drawing and the Local Planning Authority must be notified in writing of the completion of erection of the fence and have confirmed in writing that it is erected in accordance with the above requirements.

Following such confirmation the fence must remain throughout the development and no materials or equipment shall be stored, nor shall any fires be lit or any excavation take place within the fenced areas.

Reason: To protect trees 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 Policy NE6 of the Replacement Unitary Development Plan.

4. The development shall proceed in accordance with recommendations of the Woodland Management Plan approved as part of planning application reference 09/01816/REM for a period of at least 25 years following the occupation of the development.

Reason: To ensure long term continuity of tree cover at the site. In the interests of the character of the area, the amenity of neighbouring occupants and the long term environmental quality and ecological health of the site. To accord with Policies D1, UR3, and NE4 of the Replacement UDP.

5. Prior to the occupation of any of the dwellings hereby approved, new tree planting shall be undertaken within the tree belts surrounding the development, in accordance with landscaping details approved in writing by the Council on 20.07.2009 as part of the Reserved Matters application referenced 09/01816/REM.

Reason : In the interest of visual amenity, environmental quality and to safeguard the amenity of neighbouring occupants and in accordance with Polices D1, UR3 and NE4 of the replacement UDP.

6. Except for those trees clearly scheduled for removal on the approved drawings, no other trees shall be lopped, topped or felled within the site except with the prior written permission of the Council.

Reason : For the avoidance of doubt as to the terms of this permission and to accord with Policies NE4, NE5 and NE6 of the Replacement UDP.

7. 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.

8. Before the first occupation of any of the dwellings hereby permitted the surface and foul water drainage shall be implemented in full in accordance with the details shown on Drawing L1526/D100 and approved as part of submission 05/04712/SUB01.

Reason: To ensure proper drainage of the site and reduce the rate of surface water run-off, and to accord with Policies UR3 and NR16 of the Replacement Unitary Development Plan.

9. Notwithstanding details shown on the approved plans, all external car parking areas not falling within the boundaries of the adopted highway shall be surfaced in permeable materials.

Reason : To reduce the rate of surface water run-off and accord with Policies UR3 and NE16 of the Replacement UDP.

10. Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access and the turning area hereby approved shall be laid out, hard surfaced, sealed and drained within the site in accordance with the approved plan 0435/17C and completed to a constructional specification approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

11. Notwithstanding details shown on the approved drawings, before any of the dwellings are brought into use, the proposed car parking spaces shall be laid out in accordance with design specifications to be submitted to and approved in writing by the Local Planning Authority. The car parking spaces so approved shall be kept available while ever the dwellings are in use.

Reason: In the interests of highway safety and to accord with Policy TM12 of the Replacement Unitary Development Plan.

12. Notwithstanding the provision of Class A, Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, or any subsequent legislation, the development hereby permitted shall not be begun until a plan specifying arrangements for the management of the construction site has been submitted to and approved in writing by the Local Planning Authority. The construction plan shall include the following details:

- i) full details of the contractor's means of access to the site including measures to deal with surface water drainage;

- ii) hours of construction work, including any works of demolition;
- iii) hours of delivery of materials;
- iv) location of site management offices and/or sales office;
- v) location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
- vi) car parking areas for construction workers, sales staff and customers;
- vii) a wheel cleaning facility or other comparable measures to prevent site vehicles bringing mud, debris or dirt onto a highway adjoining the development site;
- viii) the extent of and surface treatment of all temporary road accesses leading to compound/storage areas and the construction depths of these accesses, their levels and gradients;
- ix) temporary warning and direction signing on the approaches to the site

The construction plan details as approved shall be implemented before the development hereby permitted is begun and shall be kept in place, operated and adhered to at all times until the development is completed. In addition, no vehicles involved in the construction of the development shall enter or leave the site of the development except via the temporary road access comprised within the approved construction plan.

Reason: To ensure the provision of proper site construction facilities on the interests of highway safety and amenity of the surrounding environment and its occupants and to accord with Policies TM2 and TM19A of the Replacement Unitary Development Plan.

13. Before any of the dwellings are brought into use, the bus stop on the site frontage with Bolling Road shall be re-located in accordance with details to be approved in writing by the Council.

Reason : To ensure there is no harm to local public transport services and to accord with Policy TM6 of the Replacement UDP.

14. None of the dwellings shall be occupied until a permanent protective fence has been installed between the dwellings and the badger setts within the site in accordance with details of the design and alignment of this fence that have first been submitted to, and approved in writing by the Council.

Reason : To safeguard wildlife and accord with Policy NE10 of the Replacement UDP.

15. No floodlights shall be employed on the construction site during development except with the prior written permission of the Council.

Reason : To safeguard the wildlife and habitats on the site and accord with Policy NE10 of the Replacement UDP.

16. Before development commences on site, details of the type, degree of luminance and position of all external lighting fixtures to be installed on the buildings or fixed to illuminate external areas shall first be submitted to and approved in writing by the Local Planning Authority. The lights so approved shall be installed in accordance with the approved details and maintained thereafter to prevent the light sources adversely affecting wildlife habitats within the site.

Reason: To safeguard wildlife in the site and accord with Policy NE10 of the Replacement UDP.

17. Construction work on the site shall only be carried out between dawn and dusk or between the hours of 0730 and 1800 on Mondays to Fridays, 0730 and 1300 on Saturdays and at no time on Sundays, Bank or Public Holidays, unless specifically agreed otherwise in writing by the Local Planning Authority.

Reason: To protect the amenity of the occupants of nearby dwellings and to protect wildlife and to accord with Policies NE10 and UR3 of the Replacement Unitary Development Plan.

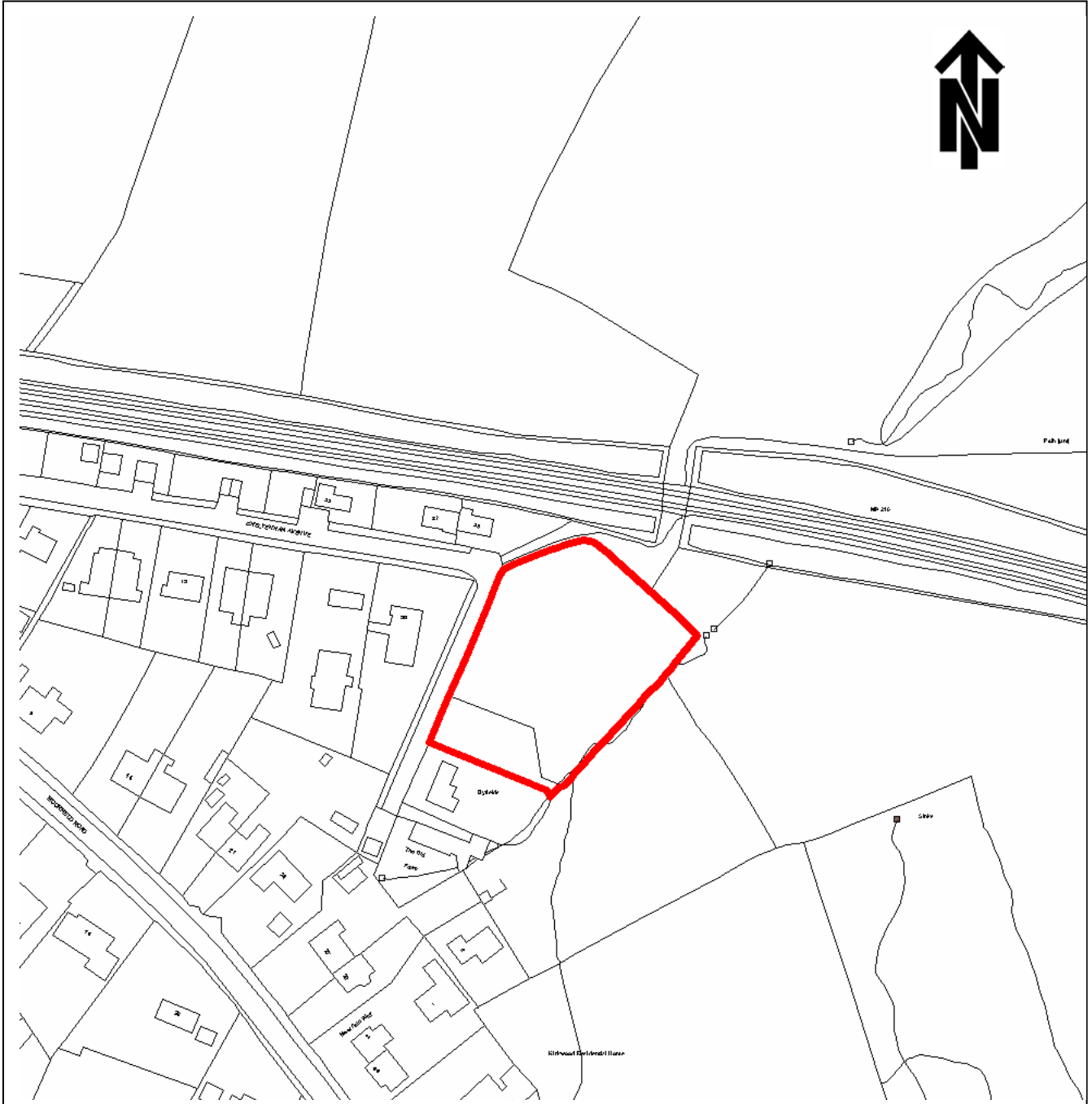
18. All of the flats hereby approved shall be made accessible for people with disabilities in accordance with a scheme indicating the provision to be made for disabled people which shall have been submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The agreed scheme shall be implemented before the development hereby permitted is brought into use.

Reason: To ensure adequate means of access for disabled people and to accord with Policy D3 of the Replacement Unitary Development Plan.

Area Planning Panel (Keighley)

10/03956/OUT

11 November 2010



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<p>ITEM NO. : 4</p>	<p>LOCATION: Land East Of 20 Cheltenham Avenue Ilkley</p>
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11 November 2010

Item Number: 4

Ward: ILKLEY

Recommendation:

TO GRANT OUTLINE PLANNING PERMISSION WITH CONDITIONS

Application Number:

10/03956/OUT

Type of Application/Proposal and Address:

Outline planning application for the construction of 6 dwellings on Land Opposite Oak Garth, Cheltenham Avenue, Ben Rhydding, Ilkley.

The principle and means of access only is tabled for consideration. All other matters are reserved and the submitted site layout plans are for indicative purposes only.

Applicant:

The Wright Family

Agent:

Dacres Commercial

Site Description:

The site covers 0.35 hectares and is an overgrown green field at the eastern extremity of the built up area of Ilkley. Access is via Cheltenham Avenue which is a wide but unadopted street with a partially made and uneven surface, poorly repaired in places. At the end of Cheltenham Avenue, Haywood Road turns north past the site frontage and serves two dwellings including 'Byfields', a detached stone built house immediately to the south of the application site. The site falls slightly towards the northern and eastern boundaries. To the north is the Wharfedale railway line. At the eastern boundary is a small watercourse and dense tree cover here forms a solid screen to the green belt beyond. The mature trees are subject to a TPO. A public right of way leads from the end of Cheltenham Avenue, skirts the north edge of the application site and heads under the railway line.

Relevant Site History:

07/05088/OUT: Outline planning applications for construction of 4 detached houses.
Refused 10.08.2007

06/09383/OUT: Outline planning application for construction of 4 detached houses
Application was withdrawn in April 2007

06/03932/OUT: Outline planning application for construction of 4 detached houses. Refused
18.9.06

05/03207/OUT: Outline application for construction of four detached houses:
Refused 3.6.2005.

02/02105/OUT: Outline application. Construction of 4 houses. Withdrawn

00/02526/OUT: Outline application for construction of 4 detached dwellings.

Refused 25.10.00. Subsequent appeal was dismissed 2 July 2001.

96/01437/OUT: Outline application for 2 dwellings. Granted 5 July 1996 but now expired.

Replacement Unitary Development Plan (RUDP):

Allocation

There are no proposals for the site on the Replacement UDP Proposals Map.

Proposals and Policies

UDP3- Quality of the built and natural environment

UR3 – Local impact of development

NE5/NE6 - Retention and protection of trees on development sites

D1- Environmental improvement and design

H7 – Efficient use of land

H8 – Efficient use of land

TM2 – Transport infrastructure/mitigation of highway impact of development.

TM19A – Traffic management and road safety

National Planning Policy and Guidance

PPS3 – Housing (as revised in June 2010)

Manual For Streets

Parish Council:

Ilkley Parish Council recommends refusal – concern re drainage to railway line. Dangerous access and egress onto Wheatley Lane.

Publicity and Number of Representations:

Site notice and neighbour notification expiry 01.10.2010

12 Objection letters from local residents have been received.

A Ward Councillor for Ilkley objects to the application on the grounds that that the junction of Wheatley Lane and Cheltenham Avenue is not adequate to take additional development and that the proposal would harm the character of the locality.

Summary of Representations Received:

1. This proposal is not materially different to previously refused applications and previous objections still apply. As this is the 7th unsuccessful application since 2000, most reasonable people would take the view that the applicants are intending to exert pressure and wear down the Council by making repeat applications.
2. Haywood Road and Cheltenham Avenue would not provide adequate access for further development. Both are unadopted with poor surfaces, inadequate street lighting and drainage and there are no continuous footways for pedestrians who have to walk in the road. Safety of children (especially since new families with children have moved onto the street) who have to use the road to walk to school and elsewhere is especially of concern. The additional traffic and construction traffic will further affect the road surface.
3. Bradford has a 5 year land supply and so does not need this land for development. It is a Greenfield site that is out side of the settlement boundary and it is not suitable for development.

4. The transport assessment is not credible and in some places is wrong – there is no newsagent on Bolling Road.
5. Turning out of Cheltenham Avenue into Wheatley Lane is difficult and dangerous due to poor visibility and the priority system under the railway bridge. Extra traffic generated by the development would worsen such safety problems.
6. The alleged benefits of the turning head do not outweigh the harm caused by the additional 6 dwellings.
7. Since the priority at the junction was changed cars speed up the hill knowing that the cars coming down will yield. This has created an additional hazard.
8. The building of 6 large properties on the field would be entirely out of keeping with this quiet semi-rural cul de sac.
9. The land is not allocated for residential development on the UDP. It is not a garden or previously developed land, it is a green field and should not be developed. Several neighbours who have lived here for many years say it is not a garden. The applicant now states it is not a garden as this suits their current arguments the revised PPS3 excludes gardens from the definition of “brownfield” land.
10. PPS3 states that priority for development should be given to previously developed land. The site is therefore, not suitable for development by statutory definition.
11. The SHLAA is currently underway in terms of future land allocation. There has been no sequential test and no convincing demonstration of local need. therefore object in principle to the development of this Greenfield site.
12. The UDP inspector in 2004 and the appeal inspector in 2001 considered that Cheltenham Ave was unsuitable for further development due to its condition and unsatisfactory junction with Wheatley Lane
13. Six dwellings would be even more out of character than the previously proposed four.
14. The site is an important part of the greenbelt around Ilkley and its development would affect the landscape.
15. The proposal would harm the amenity of the adjoining neighbours due to overlooking, over shadowing and dominance. The development will harm the amenity of “Byfield” due to the position of the dwellings, disturbance from the use of the gardens etc.
16. It will overload the sewerage system.
17. The large size, and layout of the turning head would significantly suburbanise the area.
18. This application has merits compared to previous schemes. The locations, building heights and materials are more in keeping. Whilst I would prefer the site not to be built on I do recognise the pressure on housing in the area, however I feel 2 or 3 properties would be more suitable.

Consultations:

Highways Development Control

A previous scheme for 4 dwellings was supported by the Highways Development Control team on the basis that a turning head would be provided within the development to an adoptable standard. This is shown on the proposed layout and will accommodate the manoeuvres of a standard sized refuse vehicle. It is not considered that the proposed 6 dwellings would significantly increase vehicular movements over and above this previous application. The scheme is considered to comply with the requirements of the updated highway advice contained within the Manual For Streets and no objections are raised.

Local Development Framework Team

The site is outside of the greenbelt on the edge of the urban area, in a locality where there are limited opportunities for new housing development. It is considered to be a sustainable area, albeit a greenfield site. The previous application was refused on principal as being in direct conflict with Policy UR4 of the RUDP, its purpose being to prioritise previously developed sites above greenfield sites for development following a sequential test. This Policy was not saved by Government Office beyond the 3 year time limit following the adoption of the plan in October 2005. As a consequence, there would be no objection to the approval in principal to this application, subject to other considerations. The changes to PPS3 issued in June 2010, in particular the relaxation of the minimum site density requirement of 30 units to the hectare; allows local planning authorities to have more flexibility in decisions over the number of residential units appropriate for a particular site. This aside, Policy H7 is still applicable and given the sites location within the 800m radii of Ben Rhydding railway station we would normally expect a higher number of units to be provided by the application. However, this is an improvement on the previous application for 4 and given the limitations on the local highway infrastructure, the character of the area and in the spirit of the revision of PPS3, and Policies D1, UR2 and UR3 it is considered that the form of development proposed would be a generally acceptable compromise in bringing this site forward for development.

Drainage

Note that it is the developer's intention to discharge surface water from the proposal to an "existing sewer". The nearest public sewer (into which there is a right of connection) is situated in Cheltenham Avenue. If it is proposed to discharge into an outlet which is not a public sewer then the outfall must be proven to be hydraulically and structurally adequate. As watercourses cross the site, being a potential source of flooding, the developer must provide a Flood Risk Assessment.

Summary of Main Issues:

- Site history.
- The principle of whether development should be accepted on this site.
- Density and character considerations.
- Highways Safety Considerations.
- The amenity of occupants of adjoining properties/Trees.

Appraisal:

Site History

The applicants have been trying to secure permission for residential development on this green field site for some time. An old permission for 2 houses has expired, and a similar outline application for 4 houses on the land was first refused and an appeal dismissed in 2001 for a number of reasons including the unsuitability of the access. As objectors note, this is the 7th application since 2000.

The suitability of the site for residential use was also considered by the Inspector conducting the Public Inquiry into the replacement UDP in 2004/2005. The applicants were seeking a residential allocation of the land but the Inspector rejected their arguments, concluding that the inadequacy of access arrangements described by his fellow Inspector in 2001 were a "*compelling reason for not allocating this site for residential purposes*". He also said these inadequate access arrangements were not outweighed by any locational advantages the site may have in terms of proximity to Ben Rhydding Station.

A succession of outline planning applications then followed. All were refused or were withdrawn prior to a decision being made. There were changes to the layout of the development compared with the proposal dismissed at appeal in 2001 and these are such that residential amenity, tree and drainage problems are considered to have been overcome.

Highway safety was not a reason for refusal of the last application 07/05088/OUT. The Council's Highway Officer considered that subject to construction of the proposed turning head the highway constraints had been overcome. Instead refusal was for the following reasons:

1. The land is not allocated for residential development on the replacement Unitary Development Plan for the Bradford District and is not considered to be previously developed land having regard to the definition contained in PPS3 on "Housing". The proposed development is therefore contrary to replacement UDP policy UR4 and the replacement UDP strategy of ensuring a sequential and sustainable approach to accommodating development. No evidence of local need has been identified to justify a departure from Policy UR4.
2. The proposed density of 4 dwellings on this 0.35 hectare site is an inefficient and wasteful use of the land that would not comply with Policies H7 and H8 of the replacement UDP or guidance within PPS3 on "Housing".

The principle of whether the site should be released for development

The site is not allocated for housing on the RUDP and so previous applications were determined with reference to Policies UR2 and UR4 of the replacement UDP. Policy UR2 is concerned with sustainable development while Policy UR4 dealt with the release of land not allocated for development and stated that development proposed on land within the defined urban areas (including Ilkley) that is not previously developed land would only be permitted if there were an overriding reason for the development in that particular location. As a consequence the issue of whether or not the land fell within the definition of "previously developed" received much attention at the time of application 07/05088/OUT.

However, Policy UR4 was not "saved" by Government Office beyond the 3 year time limit following the adoption of the plan in October 2005. As a consequence, the Local Planning Authority can no longer insist that only previously developed land is brought forward for development before green field sites like this one. Reason for refusal No 1 is no longer supported by Policy and the Council's LDF team have confirmed that there are no policy objections to the approval of this application, subject to other material considerations.

Given the substantive changes in planning policy since the time of the previous applications and the fact that Policy UR4 can no longer be used, it is considered that the scheme is acceptable in principle.

Density Considerations

Reason for refusal 2 of application 07/05088/OUT was the inefficient density being proposed. The changes to PPS3 on "Housing" in June 2010 removed the national minimum site density requirement of 30 units to the hectare. This has enabled 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 rigidly meeting minimum density targets.

However, RUDP Policy H7 is still in force as a saved policy of the RUDP and given the sites location within the 800m radii of Ben Rhydding railway station a high density of development in the order of 50 dwellings per hectare would normally be expected on such a well located site. The proposed development of 6 dwellings represents a density of 16.21 dwellings per hectare. As a consequence, the application is in conflict with Policy H7.

However, advice from the Council's LDF Officer is that, while falling below the normal density expectation, this scheme is an improvement on the previous application for 4 dwellings. Given the limitations on the local highway infrastructure, the character of the area and in the spirit of the revision of PPS3, and having regard to RUDP Policies D1, UR2 and UR3 it is considered that the form and density of development proposed would be a generally acceptable compromise in bringing this site forward for development in a sustainable location where there are limited opportunities for new housing development.

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 acceptable in principle despite being lower than would be normally acceptable by strict application of Policy H7.

Highway Safety Considerations

Most of the objectors have referred to the inadequacies of Cheltenham Avenue and Haywood Road as the means of access to the site – including its poor surface, constrained visibility at the junction with Wheatley Lane and the presence of the priority system under the railway bridge. The site was considered as a potential housing allocation by the Planning Inspector to the RUDP Inquiry in 2003 who found the inadequacy of local access arrangements to be the main reason for not allocating the site. Since this time the way in which highway design is assessed has changed with the publication of Manual for Streets in 2007. In addition, the proposed turning facility has been added to the proposed development and this is considered to be a gain in terms of highway safety which would mitigate the other deficiencies of Cheltenham Avenue. The Council's Highway Officers had no objections to the last planning application for 4 dwellings due to the inclusion of the turning head, and have no objections to the new outline proposal for 6 dwellings.

The planning application includes a Transport Assessment (TA) in support of the application proposal. In brief the TA argues that:

1. The applicant proposes localised widening and resurfacing of Haywood Road to form a full turning head constructed to adoptable standards within the applicant's land. This will be capable of accommodating service and emergency vehicles and although it will not be adopted, it will be available for the benefit of all road users. New street drainage would be provided within the resurfaced area and it is suggested that an additional street light will be added.
2. The worn white lined street markings at the junction with Wheatley Lane/Cheltenham Ave will be repainted at the expense of the developer
3. The development of 6 houses will generate minimal additional vehicle movements and will not increase the likelihood of accidents or materially affect vehicular or pedestrian safety.

4. There are 15 existing houses served by Cheltenham Avenue/Heywood Road and the 6 new houses would only make a total of 21 – still within the normal capacity of a shared surface road.
5. As the increase in traffic flows on Wheatley Lane arising from the development will not be perceivable there will be no significant damage to the existing road surfaces arising from the additional development and the new purpose built turning head will reduce the wear and tear on other sections of the roads.
6. None of the accidents recorded in the vicinity of the site have been linked to vehicles exiting from Cheltenham Avenue into Wheatley Lane.
7. New guidance from the Department for Transport in 'Manual For Streets' relating to visibility splays has changed in favour of the applicant; the previous comments of the Planning Inspectors was based on defunct Design Bulletin 32. The visibility splays achievable at the Cheltenham Avenue/ Wheatley Lane junction are now considered acceptable.
8. The site is exceptionally well placed for public transport and walking, which will reduce the number of trips from the development that need to be made by car.

Surface treatment and drainage

The applicant has not proposed any upgrade of the surface treatment, street drainage and illumination of Cheltenham Avenue. However, the Council's Highway officer does not consider more extensive improvements to be necessary given the scale of the development being proposed.

Lack of separate pedestrian footways

There is an acknowledged lack of footways along Cheltenham Avenue but the existing surface is wide and level, there is some street lighting and the condition of the surface has the effect of keeping speeds down enabling pedestrians to share the road with vehicles in reasonable safety. The applicant's TA points out that there are 13 existing properties on Cheltenham Avenue and 2 on Haywood Road. The addition of 6 houses will bring the total to 21 – less than the 25 dwellings that could normally be served by a shared surface road. The Council's Highway Officer does not consider that the lack of footways would be a defensible reason for refusal.

Increased used of the Cheltenham Avenue/Wheatley Lane junction

In 2007 the Department for Transport published the 'Manual For Streets' (MfS) which replaced the previous advice in "Design Bulletin 32". MfS was based on new research which indicated that many of the criteria that had routinely been applied to street design had been based on questionable or outdated practice.

MfS has changed the way in which junction visibility is assessed and the applicant's Highway Consultants have demonstrated that adequate visibility can be achieved in accordance with these new standards. These supersede previous measures of visibility and, therefore, the previous concerns of the Planning Inspectorate regarding safety at the junction. The 6 proposed dwellings will generate around 6 trips out and 4 in during peak periods and represents a 1% increase in traffic on Wheatley Lane in peak hours. National guidance indicates that shared surface roads (i.e. roads which lack a footway) can serve up to 100 dwellings, however it is preferable to keep numbers in the region of 25-30.

Provision of the turning head

A turning head available to all road users is proposed within the site adjacent to the end of Cheltenham Avenue. This will allow cars, delivery and refuse vehicles to enter Cheltenham Avenue in forward gear, turn and exit in forward gear. The Council's Highway Officer considers that the benefits of providing the turning facility for the use of all road users would mitigate any adverse effects arising from other defects of Cheltenham Avenue and Haywood Road. The turning head would be constructed to adoptable standards but will not be adopted and it is suggested that it would be maintained at the expense of the residents of the new development. It is suggested that if the principle of development is accepted, it needs to be made conditional upon completion of this turning head before any dwellings are occupied, and that details of arrangements for maintenance of the turning head need to be submitted to, and approved in writing by the Local Planning Authority. Suggested conditions 5 and 6 deal with these matters.

In view of the above, the Council's Highway Officer now advises that the new proposal is acceptable and the turning head will provide appropriate mitigation of the highway impact of 6 dwellings in accordance with Policies TM19A and TM2 of the RUDP.

Other Issues: Impact on the amenity of adjoining occupants

Neighbours have expressed concern about the impact of the houses on their amenity. The last application proposed a linear development of 4 dwellings running north to south across the site. The new application indicates a U shaped development with 2 dwellings backing onto the side boundary with "Byfields" at a distance of approximately 10-12m from the existing boundary wall. 'Byfields' has only two small secondary windows in the gable facing the application site.

It should be borne in mind that the proposal is in outline only and the submitted site layout plan is for indicative purposes. However, the illustrative layout does demonstrate that it seems perfectly feasible to design a layout of 6 dwellings that would have very little adverse impact on the adjoining properties. However, matters relating to the layout, design (including the position of windows) and scale of the dwellings will be determined at the reserved matters stage.

In principle, it has been shown that a layout of 6 dwellings could be designed to have a satisfactory relationship to the adjoining dwellings and without any undue harm to the living conditions of their occupants.

Other Issues : Impact on trees

The indicative layout demonstrates that 6 dwellings can be accommodated outside of the root protection areas of the existing trees which bound the rear of the site and the copper beech at the sites entrance. Again, It should be borne in mind that the proposal is in outline only; the submitted site layout plan is for indicative purposes only and the actually layout of the site can be controlled at the reserved matters stage to ensure that the trees are adequately protected.

Other Issues : Drainage

There are no objections to the proposals on drainage grounds, the drainage officer has requested that if it is proposed to discharge into an outlet which is not a public sewer then the outfall must be proven to be hydraulically and structurally adequate. Drainage officers have pointed to the nearby watercourse; this does not cross the site and the land is not in an area of flood risk. A flood risk assessment is not required.

Community Safety Implications:

None relevant.

Reason for Granting Planning Permission:

Previous applications for residential development on this site have been refused due to the conflict with Replacement UDP policies UR4 and H7 and the national planning guidance contained within PPS3 "Housing". Policy UR4 was not "saved" by the Secretary of State and expired on 31 October 2008. PPS3 was modified by the Government in June 2010. Due to these changes in planning policy the principle of residential development on this site is now considered acceptable. Whilst the proposed density of 16 dwellings per hectare is below the minimum requirements of policy H7 it is considered to reflect the character of the area in line with the revised version of PPS3. The proposed development would not result in significant harm to highway safety, trees or residential amenity and is therefore considered to comply with the requirements of Policies UDP1, UR2, UR3, D1, NE6 and NE7, NR16, TM2, TM12 and TM19A of the Replacement Unitary Development Plan, Planning Policy Statement 3 and the Manual for Streets.

Conditions of Approval:

1. Application for approval of the matters reserved by this permission shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason: To accord with the requirements of Section 92 of the Town and Country Planning Act, 1990 (as amended).

2. The development hereby permitted shall begin not later than the expiration of two years from the date of the approval of the matters reserved by this permission for subsequent approval by the Local Planning Authority, or in the case of approval of such matters on different dates, the date of the final approval of the last of such matters to be approved.

Reason: To accord with the requirements of Section 92 of the Town and Country Planning Act, 1990 (as amended).

3. Details of the, appearance, landscaping, layout and scale of the development (hereinafter called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: To accord with the requirements of Section 92 of the Town and Country Planning Act, 1990 (as amended).

4. The development hereby approved shall only be carried out in accordance with the approved plan(s) listed below:

Unreferenced edged red site location plan
Existing site survey drawing 18.02.02
Existing and proposed site section drawing 18.02.03
Residential Layout Proposed Roof Plan incorporating tracking movements 18.02.04
Proposed Site Plan Drawing 18.02.100

Received by the Council on 04 August 2010.

Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted.

5. Before any of the dwellings are occupied, the proposed means of vehicular and pedestrian access, including the vehicle turning area shown on the approved drawing, shall be hard surfaced, sealed and drained within the site in accordance with the approved Proposed Site Layout/Ground Floor plan reference 18/02/100 and completed to a constructional specification to be approved in writing by the Local Planning Authority. Thereafter, the means of access and the turning area shall be retained as long as the development is in use.

Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policies TM2 and TM19A of the Replacement Unitary Development Plan.

6. Before any development commences on site, details of arrangements for the maintenance of the means of access shall first be submitted to, and approved in writing by the Local Planning Authority and before any part of the development is brought into use, the access and turning area shall be laid out and made available for use in accordance with the approved details.

Reason: To ensure that arrangements are in place for the effective maintenance of a safe and adequate means of access and that the turning area will remain available for the benefit of all road users. To accord with Policies TM2 and TM19A of the Replacement Unitary Development Plan.

7. The development shall not be begun, nor shall any site preparation, groundworks, construction materials or machinery be brought on to the site until temporary Tree Protective Fencing has been erected around the Root Protection Areas of the retained trees within the site and along the boundaries of the site. The Tree Protective Fencing shall be to a minimum standard as indicated in BS 5837 (2005) Trees In Relation To Construction. The position of the temporary Tree Protective Fencing will be outside Root Protection Areas (unless otherwise agreed with the Local Planning Authority). It shall be fixed in position and mounted on poles driven at least 0.6m into the ground and shall not move or be moved for the duration of the development.

The Local Planning Authority must be notified in writing of the completion of erection of the temporary Tree Protective Fencing and have confirmed in writing that it is erected in a satisfactory position and to a satisfactory specification.

No development, excavations, engineering works and storage of materials or equipment shall take place within the protected areas 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 and NE5 of the Replacement 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.

9. The development shall not begin until details of a scheme for foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The scheme so approved shall thereafter be implemented prior to the commencement of the development.

Reason: To ensure proper drainage of the site and to accord with Policies UR3 and NR16 of the Replacement Unitary Development Plan.
