

# Report of the Strategic Director of Place to the meeting of the Area Planning Panel (KEIGHLEY AND SHIPLEY) to be held on 19 July 2017

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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.	42A Nelson Road Ilkley LS29 8HN - 17/01668/FUL [Approve]	<b>Ilkley</b>
2.	99 Bradford Road Menston Ilkley LS29 6BU - 17/00098/FUL [Approve]	<b>Wharfedale</b>
3.	Addingham Primary School Bolton Road Addingham LS29 0NR - 17/03290/FUL [Approve]	<b>Craven</b>
4.	The Bungalow Mill Hill Haworth Keighley BD22 8QH - 17/00684/FUL [Approve]	<b>Worth Valley</b>
5.	369 Bradford Road Sandbeds Keighley BD20 5LN - 17/00525/HOU [Refuse]	<b>Keighley East</b>
6.	Holme Royd Woodville Road Keighley BD20 6JA - 17/01299/HOU [Refuse]	<b>Keighley Central</b>
7.	Land At 77 Belgrave Road Keighley BD21 2HL - 17/00660/FUL [Refuse]	<b>Keighley Central</b>

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Julian Jackson  
Assistant Director (Planning, Transportation and Highways)

Report Contact: Mohammed Yousuf  
Phone: 01274 434605

Email: [mohammed.yousuf@bradford.gov.uk](mailto:mohammed.yousuf@bradford.gov.uk)

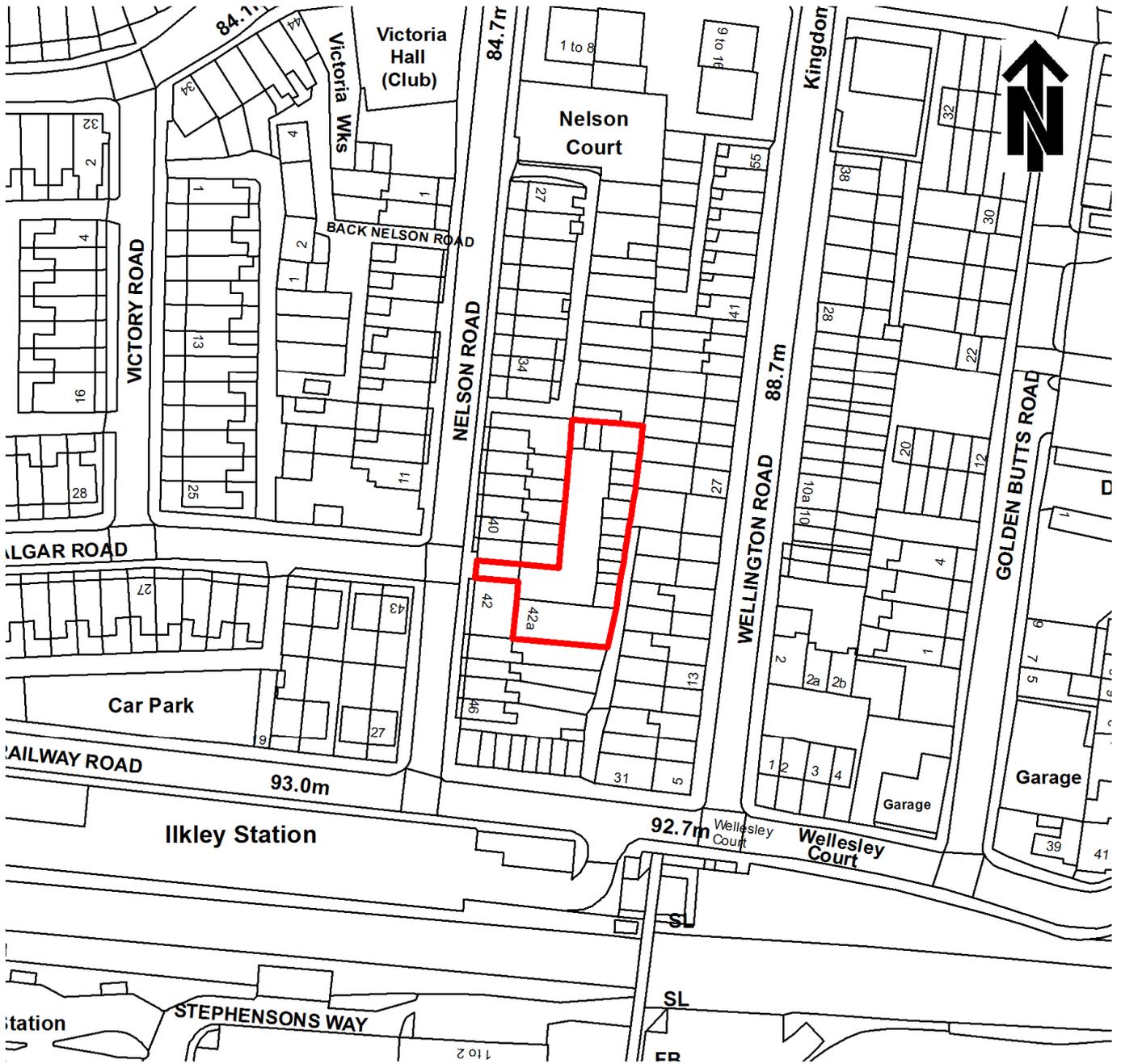
**Portfolio:**  
Regeneration, Planning & Transport

**Overview & Scrutiny Committee Area:**  
Regeneration and Economy

17/01668/FUL



City of  
**BRADFORD**  
METROPOLITAN DISTRICT COUNCIL



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**42A Nelson Road**  
**Ilkley**  
**LS29 8HN**

**19 July 2017**

**Item: A**  
**Ward: ILKLEY**  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
17/01668/FUL

**Type of Application/Proposal and Address:**

Full application for demolition of 13 existing lock up garages and construction of 7 new units for storage use at 42A Nelson Road, Ilkley, LS29 8HN.

**Applicant:**

Mr M Hanson - Town and Country Properties Ltd

**Agent:**

Mr Alex Allin - Prohaus Design Limited

**Site Description:**

No 42A Nelson Road is a two storey workshop set behind terraced houses on Nelson Road near Ilkley town centre. The main workshop is now vacant but was used for many years as a business that repaired and sold bicycles. To the north is an associated yard that is lined on both sides by 13 lock up garages. These garages are the subject of this application. Those on the west side back onto the yards and rear gardens of terrace houses along Nelson Road and those to the west have rear walls facing towards gardens of houses along Wellington Road. The site is accessed through a narrow covered archway from Nelson Road which - at 2.6 metres - is of restricted width and has limited standards of visibility for emerging traffic. Nelson Road is also usually congested with on street car parking. The site is in Ilkley Conservation Area but is otherwise unallocated by the Council's Replacement Unitary Development Plan.

**Relevant Site History:**

16/07931/FUL: Demolition of garages and redevelop for new 'personal' storage units with management office - Application Withdrawn.

97/00063/COU: Change of use from workshop to a mixed use of workshop and retail sale of cycles. Granted: 20 FEB 1997.

**The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;

- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

**Replacement Unitary Development Plan (RUDP):**

***Allocation***

Unallocated.

***Proposals and Policies***

D1 General Design Considerations  
UR3 The Local Impact of Development  
BH7 Conservation Areas  
TM19A Traffic Management and Road Safety

**Parish Council:**

Ilkley Parish Council – Recommends refusal of the application due to concerns regarding the parking and manoeuvring area. It is too small and would not accommodate vans and larger vehicles. The access point is very narrow and not adequate for the proposed use of this site.

**Publicity and Number of Representations:**

Publicised by neighbour notification letters and site notice and advertisement in the local press with an overall expiry date for comments of 27.04.2017.

Eight objections have been received from seven separate addresses.

**Summary of Representations Received:**

- Disturbance to the neighbourhood.
- Proposal would erode the feeling of space the area has presently.
- Intensification in use of the site would affect amenities of neighbours.
- The heritage statement is not fit for purpose.
- Highway concerns, the site is not designed to accommodate vans.
- Added height would affect light and outlook for neighbouring properties.
- Use of industrial materials is inappropriate.
- Overdevelopment of the site.
- The plans are not accurate and are misleading.
- The units will attract more use in evenings and at night time.
- What are the hours of operation for the lock up garages?

**Consultations:**

Drainage – No objections raised.

Highways Development Control – Expressed concern regarding adequacy of parking and manoeuvring space in the site but following adjustments to the plans and discussions regarding conditions can now support the proposal.

Design and Conservation – Query the form and finishes and implications for the character of the conservation area.

**Summary of Main Issues:**

Principle.

Visual amenity/Heritage considerations.

Impact on local and residential amenity.

Access and Highway Safety.

**Appraisal:**

The application seeks permission for the demolition of the existing 13 lock up garages and the replacement with 7 storage units.

Initially the application included a proposal for 1st floor extension over Unit 7 but this upwards extension has been deleted in response to the concerns raised.

**Principle of development**

The site is unallocated on the RUDP but is previously developed land, having been occupied by the 13 existing lock up garages. These garages are old and in poor state of repair. The applicant has said he has identified a need and local demand for small storage units which would be used by small businesses and domestic clients.

The applicant says that use of the garages as storage units has actually existed for some considerable time, and that few if any of the garages were actually used by occupiers of adjoining houses. There is no direct access from the gardens of houses on Nelson Road into the yard. The applicant says people have used them as "lock ups" without this causing any harm to the neighbouring properties, and says that cars and small vans have been able to access the site and leave safely in a forward gear.

The applicant maintains that he simply proposes to continue this use in a fewer number of newly built but larger units. Overall, he does not envisage an increase in the numbers of visits for the proposed storage use as the units are more likely to be accessed by clients only perhaps once a week or even once per month, rather than every day.

The site is an established commercial site but it is appreciated that it is close to residential properties and the access is restricted. If such constraints can be addressed, the proposal to improve and reuse the site would be acceptable in principle.

### **Impact on Visual Amenity and the Conservation Area**

The site is not prominent as it does not have a public street frontage and has to be accessed through a covered archway from Nelson Road. It is only visible from the rear windows and gardens of the properties to the east and western boundaries on Wellington Road and Nelson Road.

The site is in Ilkley Conservation Area but the existing garages on the site are of no visual or heritage merit and are in varied states of repair, being generally constructed in red brick with flat, sheet clad roofs. The garages and yard make a neutral or negative contribution to the conservation area, due to their age and limited aesthetic value.

The agent's revised drawings clarify the proposed materials and boundary details for the proposed Units that would replace the dilapidated garages, particularly with regard the rear of the units to the east of the site which along the rear boundaries of Wellington Road properties. Red brick is now proposed for the rear elevations to replicate the walls of the existing garages, and a render finish would be used to the front elevations that would face into the yard.

The roof would be covered with dark coloured sheeting. The intention is for the roof to be a dark grey colour to resemble slates. The precise form and type of the roof materials has not been put forward, but details of the roof material could be reserved for approval using a planning condition to ensure an appropriate finish.

The form, materials and appearance of the replacement buildings is considered acceptable and the new buildings would not be prominent or appear unduly imposing or out of keeping with the locality. They would enhance the present appearance of the site and bring it into a productive use. The existing structures are not of any particular visual merit or heritage value. The development would maintain or enhance the character of the conservation area. The proposals as such would accord with the NPPF and policies D1, UDP3 and BH7 of the RUDP.

### **Impact on residential amenity**

Neighbours have objected, expressing concerns about the feared impact especially on adjoining gardens to the east due to the raising of the height of the buildings compared with the existing garages.

It was initially proposed to add another full storey to one of the Units, but this has now been omitted from the plans.

Whilst the height of the replacement storage units would be increased, all 7 remain one storey in height – but featuring a pitched roof, the void under which can be used for storage.

The existing garages on the site have flat roofs and are typically around 3 metres in height. The eaves heights of the replacement units would be of similar height, being shown at around 3.3 metres. The pitched roofs would increase the height to around 6 metres. However, as is demonstrated on the revised drawings, whilst the replacement storage units are taller due to the pitched roofs, they would occupy almost identical footprints and the new roofs would slope away from the boundaries with the adjoining gardens towards the yard.

The actual height to the eaves will be only marginally taller than the existing line of brick walled garages. There is also an intervening private path between the gardens and the backs of the neighbouring gardens. The increase in height caused mostly by the new pitched roofs would have a significant detrimental effect on the amenity of neighbouring occupiers.

The neighbours also raise concerns regarding increased noise and disturbance from the Units. However, no openings are proposed facing towards the residential properties and all activity, such as loading and unloading would be taking place in the central yard. The 13 garages have historically been used for garaging cars or (it is understood) for storage purposes, including by small businesses. In effect the use of the site and levels of activity would likely remain as existing, and the number of units would be reduced from 13 to 7.

As such it is not accepted that existing homes along the site boundaries will notice significantly harmful loss of light, outlook or privacy from the proposed replacement storage units and the proposals would not conflict with Policies D1 or UR3 of the RUDP in this respect.

### **Access and Highway Issues**

The site is accessed only off Nelson Road via a narrow (2.6 metre wide) archway from Nelson Road. It is acknowledged that houses along Nelson Road have a high on street parking dependency and concern has been raised by neighbours and the Parish Council that the proposals could exacerbate existing traffic congestion difficulties.

The Councils Highways Section initially raised some concerns regarding the restricted nature of the submitted parking and manoeuvring area with particular concern that larger vans accessing the site may find it difficult to turn within the site, especially if vehicles are parked in the indicated parking spaces.

During the course of the application the agent has clarified that parking spaces should not be required for the development. The units will serve solely as storage spaces, and so are likely only to attract occasional and infrequent visits as owners visit at various times to collect or drop off items for storage. Indeed, some storage units may be visited only very infrequently.

A revised layout has been submitted that proposes a marking out of the yard area to demarcate drop off areas where parking will be discouraged so as to protect the space for loading and unloading, as and when the units are being accessed. The revised markings would allow vehicles to turn within the site without conflicting with parked vehicles.

The size of the storage units is not large, so none is likely to be of use to large business operators and the applicant envisages that many will be rented by householders for domestic storage purposes. Indeed the reduction from 13 to 7 units could well lead to fewer vehicular movements at the site overall. Furthermore, the restriction of the archway entrance would physically limit the width, height and type of vehicle that can visit the site. It is not expected that the level of vehicle movements and demand for parking would differ greatly from past levels of activity.

In view of the restrictions of the site, and proximity to residential properties, it is suggested that a planning condition be attached to limit the use of the Units to storage purposes only and that they shall not be used for distribution purposes within the B8 Use Class. Use for distribution or as a depot would attract more frequent traffic activity and more frequent visits to the site than just storage.

The applicant has agreed with such a restriction to the use, confirming his intention that the use is intended only as storage, possibly for small businesses but mostly by householders.

On this basis, the proposal would not be considered likely to result in any significant intensification of traffic activity or noise and disturbance. The Council's Highway Officer is therefore supportive of the proposal subject to the appropriate condition limiting the use to storage, and requiring the setting out of the yard as shown on the amended plan.

**Community Safety Implications:**

None identified.

**Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance quality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

**Reason for Granting Planning Permission:**

The proposed development would replace existing dilapidated garages with a storage facility for which there is evident demand. The subservient scale and form of the replacement units relate satisfactorily to the Conservation Area and, subject to the proposed restriction of use to storage purposes and the demarcation of the site for parking and loading as shown on the amended plan, would not result in any significant loss of residential amenity or harm to highway safety. The proposal is considered to comply with Policies UR3, D1, BH7 and TM19A 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. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, or any subsequent equivalent legislation, the units hereby approved shall only be used for purposes of storage and shall not be used for purposes of distribution or any other activity within Class B8 of the Order.

Reason: In order that the Local Planning Authority retains control over future changes of use with particular regard to the deficiencies of the means of access and restricted off street car parking and the proximity to residential properties. To accord with Policies TM19A, TM11 and UR3 of the Replacement Unitary Development Plan.

3. Before development commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.

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 proposed loading, unloading and parking areas within the yard shall be laid out, and demarcated within the site in accordance with the approved plan numbered 03 Revision J. This layout shall be retained as long as the units are in use.

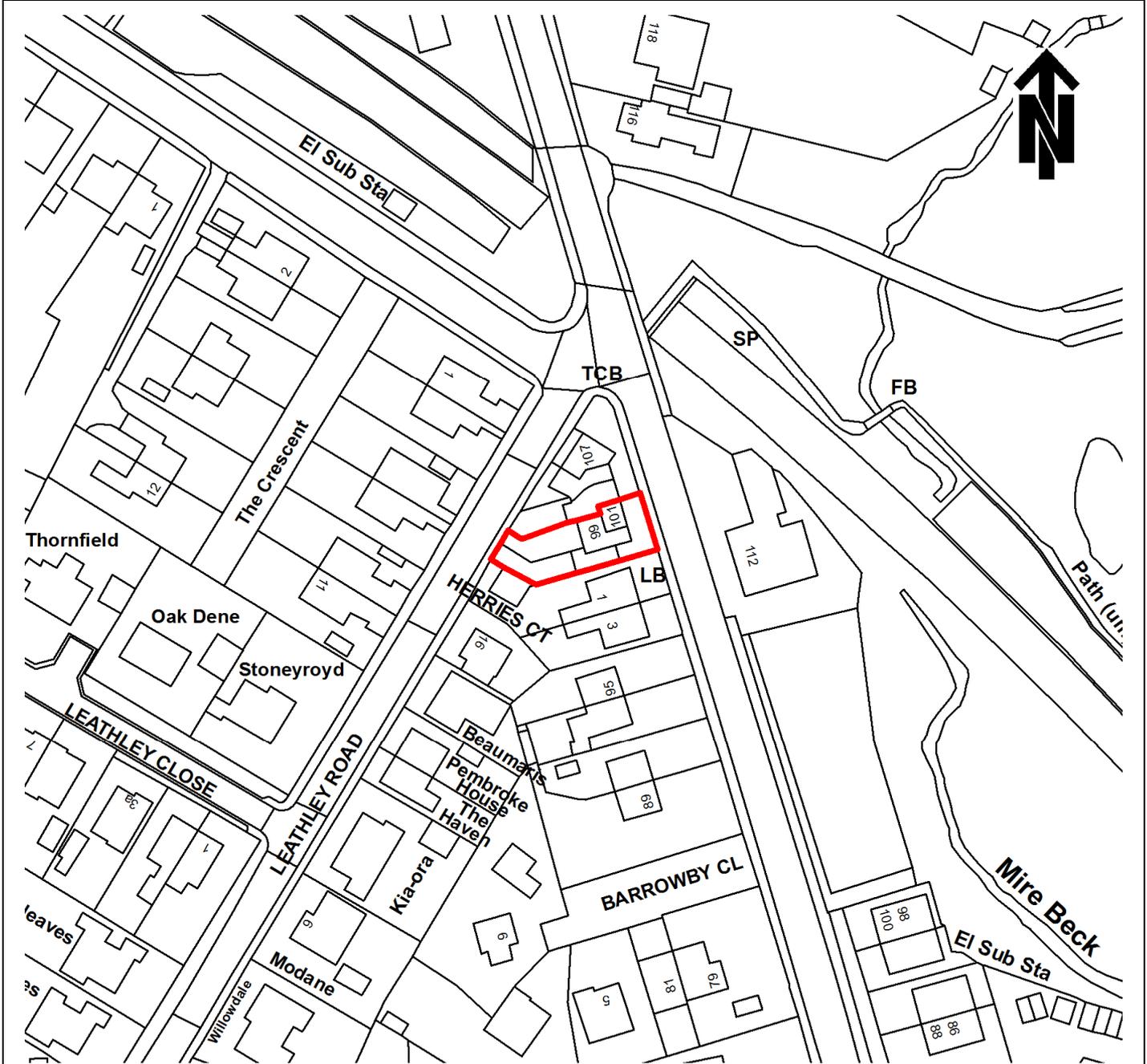
Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

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17/00098/FUL



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**99 Bradford Road  
Menston  
Ilkley LS29 6BU**

**19 July 2017**

**Item: B**  
**Ward: WHARFEDALE**  
**Recommendation:**  
**TO GRANT PLANNING PERMSSION**

**Application Number:**  
17/00098/FUL

**Type of Application/Proposal and Address:**

Change of use to create four residential units and construction of side extension with alterations to front elevation and demolition of outbuilding at 99 Bradford Road, Menston, Ilkley, LS29 6BU.

**Applicant:**

Mr Anthony Quinn

**Agent:**

Plans and Design Services

**Site Description:**

The site comprises a two-storey dwelling with dormer window to the roof, which is in need of repair/refurbishment. The property was originally combined residential and retail unit as evidenced by the retained shopfront at ground floor level onto Bradford Road. The retail element of the premises has not been in operation for some time and has been used as additional living accommodation. Access is available via Bradford Road and from the rear off Leathley Road. The area is a mix of residential and commercial uses, the adjoining property is currently in use as hairdressers and across the road is a golf retailer and recent small supermarket. A scheme of works to the highway has recently been completed as part of the supermarket development, which includes pedestrian crossing.

**Relevant Site History:**

None.

**The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;

- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

**Replacement Unitary Development Plan (RUDP):**

***Allocation***

Unallocated.

***Proposals and Policies***

D1 General Design Considerations  
UR3 The Local Impact of Development  
TM2 Impact of Traffic and its Mitigation  
TM12 Parking Standards for Residential Developments  
TM19A Traffic Management and Road Safety

**Publicity and Number of Representations:**

Publicised by neighbour notification letters and site notice with an overall expiry date for comments of 07.02.2017.

Three Letters/emails of objection have been received from separate addresses.

**Summary of Representations Received:**

- Proposed parking spaces would block access to 'The Studio' of Leathley Road.
- Proposed demolition of outbuilding could expose boundaries of surrounding property and attached buildings.
- Proposal would lead to highway safety concerns.
- Proposal would exacerbate existing drainage concerns.

**Consultations:**

Menston Parish Council – Recommends refusal of the application. The proposed parking spaces fail to provide adequate sight lines for turning right onto Bradford Road and are likely to lead to conditions prejudicial to highway safety with access issues arising, referral to area planning panel is made.

Drainage – No objections raised.

Highways Development Control – No objections as amended.

**Summary of Main Issues:**

Principle  
Visual amenity  
Impact on local and residential amenity  
Highway Issues  
Drainage

### **Appraisal:**

The application seeks permission for the sub division of the existing building to form four separate apartments. It includes amendments to the front elevation that would fill in the existing dilapidated shopfront, refurbish a bay window, construct two lightwells, one to the front and another to the side. Also the proposal includes a two storey extension to the side to provide an enclosed stairwell to provide access and also demolition of an existing lean to extension to the side of adjacent commercial property known as 'The Studio'.

Access would remain from both Leathley Road to the rear and via the existing dropped crossing off Bradford Road to the front.

### **Principle of development**

The application seeks permission to convert a large two storey building with roof and basement accommodation into four separate apartments.

The NPPF urges provision of a wide choice of high quality homes. Paragraph 50 says LPAs should deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities and plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

The scheme now submitted reflects similar recent developments along Bradford Road including above the recent supermarket development across the road to provide accommodation that takes advantage of the very good local public transport links. The site is in close proximity to Menston Rail Station and a bus stop is located directly outside the site.

For the reasons noted above and subject to compliance with other RUDP policies, the proposal is acceptable in principle.

### **Visual Amenity**

The site is set within a mixed residential area typified by a mixture of property type. 99 Bradford Road is in a state of disrepair which the proposal would address. Refurbishment of the frontage is proposed with some blocking up in matching stonework of the existing shop front with retention of some of the shop front features. The alteration to the shop front is sympathetic and would not result in significant harm with regard the wider street scene, subject to well matched stone infilling.

To the side of the property is an existing garage/outbuilding that is attached to 'The Studio' to the rear would be demolished and two storey extension has been proposed to provide stairwell for the proposed flats.

The extension would be set well back from the frontage and would incorporate a dropped ridge height to ensure that the extension would remain subordinate and would not be prominent in views from the front (Bradford Road).

Light wells are proposed for the basement apartment, the most prominent of which would be to the frontage on Bradford Road. The proposal would be modest to this elevation with windows only proposed and no entrance. The light well would project around half a metre from the front elevation and metal railings attached around. Additional light well would also be provided to the side and larger one with entrance door to the rear. The larger light well to the rear would provide lighting to the main habitable areas and is set some distance from Leathley Road. As such the proposed light wells would not be unduly prominent or visually harmful.

Some comment has been raised regarding concern that the demolition of the outbuilding may impact upon or expose areas of attached buildings and boundaries. Any damage to adjoining property would be at the liability of the developer and would be appropriately dealt with under the Party Wall Act.

For the above reasons, the proposal is considered acceptable and would not appear unduly imposing or out of keeping with the locality, and accord with Policy D1 of the RUDP.

### **Impact on local and residential amenity**

The extension to the property is to provide a stair well and does not create additional floor space or introduce new windows or openings that might impact upon neighbouring properties amenity or result in a significantly harmful increase in activity.

There is a rear yard that would be increased in size through the demolition of the existing garage/store which provides sufficient room for bin storage etc. The position of the property is convenient for local amenities and public transport and not be considered likely to result in significant intensification in the use of the property over and above what could already be expected.

As such the proposal would not be considered likely to be harmful to neighbouring properties residential amenities and would provide for the amenities of prospective occupants.

The additional net increase of dwellings at three would not be considered likely to result in additional noise and disturbance for surrounding property which is largely commercial in nature.

Whilst the concerns of neighbours have been carefully noted, the plans submitted, demonstrate that development could be accommodated on the site which meets with acceptable spacing standards and would not have adverse impact on neighbouring amenity and would not conflict with policies D1 or UR3 of the RUDP in this respect.

### **Highway Issues**

Comment and the main objection including from Menston Parish Council has been raised relating to highway safety and parking considerations that might be expected to arise from the proposed development with particular concern relating to impact from Bradford Road.

The Council's Highways Engineer has advised and the application and asked for amendments to the scheme.

The site lies close to the busy junction between Bradford Road (A65) and Station Road. There are two existing access points for the property, one off Bradford Road which has dropped crossing giving access down the side of the property to the dilapidated garage/outbuilding and also an access off Leathley Road that is shared 'The Studio'.

With respect to the access from Leathley Road, concern has been raised regarding conflict with deliveries and daylighting at 'The Studio'. Following discussion with the Council's highways section the provided spaces to the rear has been reduced to one, which would help to address the adjacent occupiers concerns. It is noted that 99 Bradford Road currently has existing access rights to this area.

The two spaces shown to the frontage off Bradford Road are existing that can currently be accessed from the dropped crossing in situ. It is acknowledged that there is a stone wall restricting visibility from the South but as previously described this is an established access point.

There have also been some highway improvements as part of the Sainsbury's development across Bradford Road to the south to slow traffic that has been installed from the recent supermarket development, additional traffic regulation order works are also scheduled to increase parking restrictions, yellow lining, etc.

The proposal also suggests low stone wall between the application property and the adjoining 101 Bradford Road that would prohibit parking in front of that premises and as such restrict traffic movements off Bradford Road via the dropped crossing in front of the application property. It is noted that the adjacent hairdressers has separate off street parking to the rear, off Leathley Road. On street parking is already restricted by double yellow lines around the nearby junction between Bradford Road and Station Road.

Overall the proposal would provide 3 off street spaces. Whilst this is an under provision of one, the Council's Highways Engineer advises that there are appropriate restrictions in place on Bradford Road to prevent dangerous on street parking and do not object to the proposal.

The NPPF promotes the use of sustainable transport stating that encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion and should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.

In the case of this application the site is very well located with respect to public transport, in close proximity to Menston railway station and bus stop directly outside the frontage. As such the proposal is considered to accord with policies UR3, TM2, TM12 and TM19A of the RUDP and the NPPF.

### **Drainage**

The Council's Drainage Engineer has assessed the application and does not raise any objections. The proposal would not change the amount of surfaced areas over the existing situation.

### **Community Safety Implications:**

None identified.

**Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance quality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

**Reason for Granting Planning Permission:**

The proposed development is considered to provide additional housing at a sustainable location that would relate satisfactorily with the existing street scene and is not considered to result in any significant loss of residential amenity or significant harm to highway safety. As a result the proposal is considered to comply with policies UR3, D1, TM2, TM12 and TM19A of the RUDP and the NPPF.

**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. Before development commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.

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. Prior to the development being brought into use a 1000mm high stone wall shall be erected to the northern edge of the site frontage, between the front elevation and the back of the footpath as shown on plan reference 105/02 Rev C and retained whilst ever the uses exists.

Reason: In the interests of highway safety to prevent additional parking along the Bradford Road frontage and to accord with policies TM2, TM12 and TM19A of the Replacement Unitary Development Plan.

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17/03290/FUL



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**Addingham Primary School**  
**Bolton Road**  
**Addingham LS29 0NR**

**19 July 2017**

**Item: C**  
**Ward: CRAVEN**  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
17/03290/FUL

**Type of Application/Proposal and Address:**

Full planning application for the installation of a 2.4m high safeguarding fence around the grounds of Addingham Primary School, Bolton Road, Addingham, LS29 0NR.

**Applicant:**

Addingham Primary School

**Agent:**

Bradford Council – Facilities Management Service

**Site Description:**

Addingham Primary School is a school for children aged between 4 and 11 years. The school occupies a single storey building set within large grounds, including playing fields. Mature vegetation and trees surround the majority of the site which abuts open countryside to the north and west. Access is from Bolton Road where there is a hard-surfaced forecourt area immediately to the south of the building and a car parking area and drop-off facility to the east. Another hard surfaced play area is to the immediate west of the building with the remainder of the site being grassed or with vegetation planting. The school itself is not in the Addingham Conservation Area but a section of the southern perimeter runs along the boundary of the Conservation Area.

**Relevant Site History:**

None of relevance to this proposal.

**The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;

- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

**Replacement Unitary Development Plan (RUDP):**

**Allocation**

Unallocated.

**Proposals and Policies**

UR3	The local impact of development
D1	General design considerations
D3	Community safety
BH7	Impact on conservation areas
NE3/NE3A	Landscape Character Area
TM19A	Traffic management and road safety

**Parish Council:**

Addingham Parish Council supports the application in principle, but asks that amendments to the scheme are sought which include reducing the height of the fence and appropriate screening.

**Publicity and Number of Representations:**

The application was publicised by site notice. Publicity expired on 10 July 2017. 12 representations of objection have been received.

**Summary of Representations Received:**

The fence will be an unattractive feature and is not appropriate for Addingham.

It will spoil the beautiful setting of the school on the edge of the countryside.

It will have a harmful impact on the conservation area.

It is too high: Schools do need to ensure safety and security but a 3 metre high wall is over the top.

At Addingham Primary (Ofsted) feedback shows that parents and children already feel safe and protected.

There has been no parent consultation about it. This needs community discussion.

Ofsted have not raised a concern. The idea that schools will be put in special measures if they don't have a strong enough security fence is a myth.

It will involve unnecessary resources and cost when education budgets are being cut.

Safety concerns raised regarding (fire) escape routes.

**Consultations:**

Rights of Way Officer: Notes that the definitive map records public footpath (Addingham) 19 in the incorrect location. Following a public path diversion order in 1979 the diverted route skirts around the school grounds and will not be affected by the fence. Therefore, provided the standard requirements are observed during installation, Rights of Way Section has no objection to the proposals.

**Summary of Main Issues:**

Impact on local visual amenity.  
Safeguarding and security.

**Appraisal:**

The proposal is to place boundary fencing around Addingham Primary School. The height of the fencing was initially proposed as 3.0 metres, but the agent/applicant has now agreed that it is to be installed to a height of 2.4 metres. It will comprise a wire mesh fence with a green powder-coated finish. This type of fence is typical of the type installed around many schools across the Metropolitan District. Two gated entrances will be provided along the eastern perimeter of the fencing; a double gated entrance between the school building and a community building to the north of the site and two additional gates along the southern boundary leading onto Back Beck Lane.

The agent says the fencing is proposed in the interests of improving the safety and well-being of its pupils and staff. The purpose is to secure the site against intruders and improve the safeguarding of the staff and pupils during school hours. It is acknowledged that this proposal has not arisen as a result of an Ofsted report or any specific threats. However, the applicant says that with more schools utilising outdoor areas to help facilitate learning, the need for safe and secure fencing continues to grow. At this particular site, the grounds are substantial - with low level boundary treatments and existing boundaries that are relatively exposed and open.

For information, it should be noted that under permitted development rights conveyed by the Town and Country Planning (General Permitted Development) (England) Order, 2015, the school could install a fence of any description up to 2 metres in height without requiring planning permission. However, the applicant feels that a height of 2.4 metres is necessary to provide effective safeguarding.

**Impact on visual amenity**

The objectors are all concerned principally about the effects of the 2.4 metre fence on the character of the village and whether it is an appropriate feature in these surroundings adjoining the countryside and close to part of the conservation area.

However, for much of its length, the fence will run alongside existing vegetation and trees along the eastern, north-eastern and southern boundaries. The agents have deliberately set the line of the fence inside this vegetation rather than along the exact property boundary so that the planting can be preserved and serve to soften the effects of the fence. Along these boundaries the backdrop of the retained vegetation, the open mesh design and the green finish will all combine to reduce the visual impact.

Along the east side, the school building is set back from Bolton Road and the boundary treatment for the car park and drop off facility to the front will remain un-changed. The fence itself would be set back, and the degree of vegetation, would also soften the effects of the fence in limited views from points within Bolton Road.

To the north of the site, the fencing will appear more visible due to a reduced cover of vegetation. Nonetheless, on this side it would be better related to the school buildings and the use of mesh fencing and its green colour will allow a significant degree through-visibility.

Effects on the character of the conservation area have been carefully considered but the position and nature of the fence is such that any impact on the character and appearance of the Addingham Conservation Area away to the south would be very limited.

### **Security and safeguarding**

The aim of the proposed fencing is to improve the security of the site. Community safety is an objective of RUDP Policy D4, which seeks for development to be designed to ensure a safe and secure environment and reduce opportunities for crime. The safeguarding of the pupils is, of course, especially important. Whilst no specific incidents or threats to this school and its pupils have been identified, the general risks and need for child protection will be well understood and is an important material planning consideration. The applicant has explained why the school perceives a need to address the lack of fencing due to the increased use of its outside areas for teaching and other activities.

This needs to be considered alongside any perceived adverse visual impact.

### **Conclusion**

Whilst people's concerns regarding the effects on local character and the setting of the school are understood, the effects of the safeguarding fence on visual amenity are not considered to be so substantial as to warrant refusal.

The applicant has responded to the evidently strong feelings of objectors by reducing the proposed height of the fencing from 3.0 to 2.4 metres. (A 2.0 metre high fence could be erected under permitted development rights).

In the context of the site as a whole, which is quite extensive, the fencing will create a new feature that will be noticeable from certain public vantage points, but it is not one that will be especially intrusive or incongruous. The mesh design will create a lighter structure than, say, a palisade fence, and one that will allow significant through visibility and a continued ability to see beyond the school boundary to the wider open areas beyond. The mesh construction and the green colour will also allow the fence to sit unobtrusively against the backdrop of the encircling planting which will further lessen its visual impact.

As discussed, any visual impact must be weighed against the security and safeguarding needs of the school. This proposal is considered to be acceptable and no significant conflict with policies UR3, BH7, NE3/NE3A D5 or D1 of the Replacement Unitary Development Plan would be caused.

### **Other matters raised in the representations**

The agent (Facilities Management) confirms that the position of the perimeter fencing would not block emergency escape doors in the existing building or prevent the provision of safe designated assembly points within the school grounds.

Although a lack of prior consultation with parents has been referred to, this is a matter for the school not the planning authority and is not a requirement of planning law. Comments regarding whether the proposal is necessary or represents the right use of education resources is, similarly, not a matter relevant to considering the planning merits of the proposal.

**Community Safety Implications:**

The purpose of the fence is to improve safety of pupils and staff and this important consideration has been given weight - as described above.

**Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

**Reason for Granting Planning Permission:**

The installation of a 2.4metre high safeguarding perimeter fence will provide the school with additional measures to secure the site for the safety and well-being of the staff and pupils working at, and attending the school. The design, height, position and colour of the fence have been devised to reduce the impact on local visual amenity. Such effects are not judged significant and any impact on amenity is considered to be outweighed by the resulting improved safeguarding benefits. The proposal satisfies policies D1, D4, UR3, BH7 and NE3/NE3A 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.

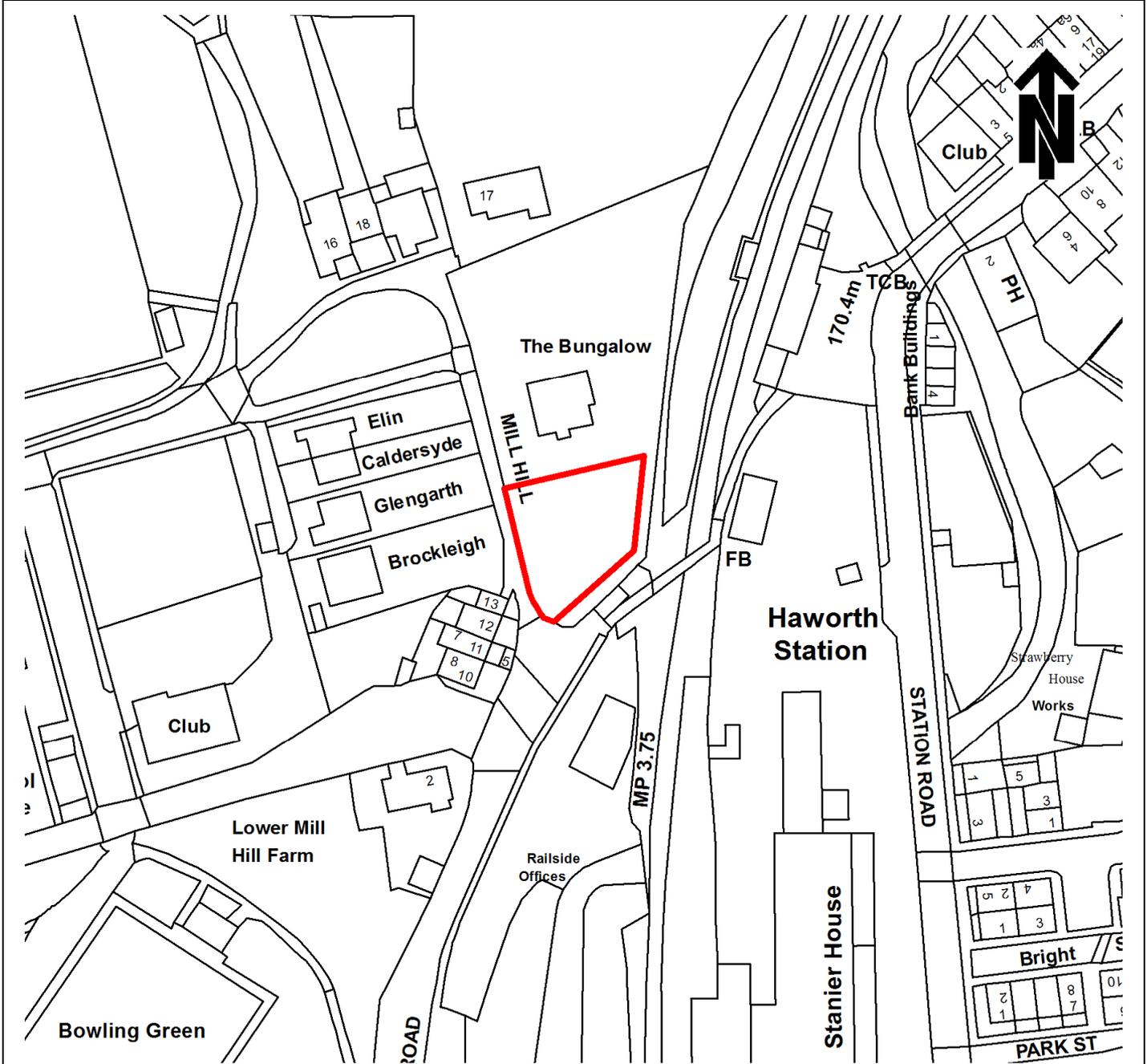
Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. The fencing hereby approved shall be a wire mesh fence with a green powder-coated finish as shown on the submitted drawing and this appearance shall be retained as such thereafter, except as is otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance in the interests of visual amenity and to accord with policies UR3 and D1 of the Replacement Unitary Development Plan.

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17/00684/FUL



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**The Bungalow**  
**Mill Hill Haworth**  
**Keighley BD22 8QH**

**19 July 2017**

**Item: D**  
**Ward: WORTH VALLEY**  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
17/00684/FUL

**Type of Application/Proposal and Address:**

A full planning application for the construction of a two-storey dwelling with undercroft garage at 'The Bungalow', Mill Hill, Haworth.

**Applicant:**

Philip and Kathryn Sagar

**Agent:**

Simon Cape

**Site Description:**

This site of 616m<sup>2</sup> comprises part of a large garden/curtilage of a split level bungalow, itself dating from the mid/late 20th century and located to the northern end. Generally, the site is enclosed by a mix of domestic boundary treatments, however trees to the southern perimeter have recently been cleared leaving it much more evident from the adjacent Haworth Conservation Area and the Keighley and Worth Valley Railway (KWVR). A short row of grade II listed cottages stands a short distance to the south-west and the western boundary of the site is delineated by an unmade roadway known as Mill Hill. Vehicular access to the site is available from the junction of Butt Lane and Belle Isle Road, and it is close to a footbridge over the rail lines to Haworth Station, also grade II listed.

**Relevant Site History:**

06/08919/FUL: Four-bed detached house with integral garage, withdrawn 21 March 2007.

07/04409/FUL: Four-bed detached house with car parking, granted 30 August 2007.

10/03135/FUL: Erection of a detached dwelling (renewal of permission 07/04409/FUL), granted 17 November 2010.

13/03263/FUL: Renewal of permission 10/03135/FUL, granted 10 October 2013.

**The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;

- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

### **Replacement Unitary Development Plan (RUDP):**

#### ***Allocation***

The site is not allocated for any specific land-use in the RUDP but is within the Worth and North Beck Valley Landscape Character Area and adjacent to the Haworth Conservation Area. Taking account of policies saved for the purposes of formulating the Local Plan for Bradford, the following RUDP policies are applicable to the proposal.

#### ***Proposals and Policies***

UR2: Promoting Sustainable Development  
UR3: The Local Impact of Development  
H7: Housing Density - Expectation  
H8: Housing Density - Efficient Use of Land  
TM2: Impact of Traffic and its Mitigation  
TM12: Parking Standards for Residential Developments  
TM19A: Traffic Management and Road Safety  
D1: General Design Considerations  
D2: Energy Efficiency and Sustainable Design  
D4: Community Safety  
D5: Landscaping  
BH4A: Setting of Listed Buildings  
BH7: Conservation Areas  
NR16: Surface Water Run Off and Sustainable Drainage Systems  
NE3 and NE3A: Landscape Character Areas  
NE10: Protection of Natural Features and Species  
NR16: Surface Water Run-Off  
P7: Noise

Householder Supplementary Planning Document (HSPD)

#### **Parish Council:**

Haworth, Cross Roads and Stanbury Parish Council raises concerns about the design and materials of the dwelling being out of character with adjacent properties and its surroundings.

#### **Publicity and Number of Representations:**

The application was advertised by individual neighbour notification letters a site notice. The publicity period expired on 18 March 2017.

Six objections and one supporting comment had been received.

### **Summary of Representations Received:**

#### **In Objection:-**

1. Harm to visual amenity: the chalet-type dwelling would be an 'eyesore' and not in keeping with surrounding properties, views from the KWVR, Haworth generally and surrounding valley.
2. Acknowledgement that the design of the house is innovative but inappropriate for this locality.
3. Inappropriate use of wooden cladding, painted render and welsh blue slate roofing.
4. Harm to setting of nearby grade II listed buildings immediately behind the railway
5. Under the terms of the Planning (Listed Buildings and Conservation Areas) Act 1990 local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by this proposal. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.
6. Removal of a substantial amount of well-established trees and shrubs from the site that formed the backdrop, and screened the existing bungalow, from views from Haworth station platform; replanting should be a condition.
7. Loss of natural habitats for a variety of protected species, particularly birds and bats.
8. An application several years ago for 'eco houses' on land behind the grade II listed buildings near Parkside Social Club was refused.
9. There's no correlation between the proposed building and the grade II listed buildings.
10. The proposed building would be quite close to the existing bungalow and listed cottages, which is quite imposing.
11. It is alleged that submitted computer aided design drawings are not a true reflection of how the proposed build would actually sit in the site.
12. Harm to revenue generated by thousands of visitors each year who come specifically to see the steam trains and the surrounding area.
13. No site notices have been posted and no neighbouring properties have been notified of the proposal.
14. There has also been a 'very short window' of the time for objections to be made.
15. Concerns about accessing the site by construction vehicles, storage of materials, etc.
16. What measures are to be put in place to ensure the safety of the Haworth Primary School children, parents and local residents; conditions should be imposed.
17. Existing drainage issues that the Parish Council is already aware of.
18. Safety element in terms of the strengthening of the land.
19. Has the assumption been made already that permission has been granted, as significant amount of preparation work has already been carried out on the land. There is a presumption that the land will need underpinning and preparation for this has already commenced.

#### **In Support:-**

1. The proposed dwelling is a visual improvement on that previously approved on the site.
2. Amended plans show use of natural stone to replace timber and render, which is more in keeping with nearby properties.
3. Once completed and landscaped the building will have limited visual impact on the surrounding area, including views from KWVR and its tourism.

**Consultations:**

Building Control (Drainage): No objections subject to conditions to ensure use of a separate, sustainable system and porous materials for parking and hard standings.

Highways Development Control: No objections subject to one condition to ensure provision of off-street parking.

Minerals and Waste Team: No objections as there are no apparent adverse minerals or waste legacy issues.

Design and Conservation Team: Objections raised as the plans give little context regarding adjacent listed buildings, the surrounding street scene, topography or the KWVR. The proposed form, design and materials may have merit in some locations but do not respond to the context of this site.

**Summary of Main Issues:**

Principle of development and density

Visual amenity and historic context

Residential amenity

Highway safety

Other planning matters

Outstanding issues raised by representations

**Appraisal:**

**Principle of Development and Density**

In relation to housing land supply, the NPPF indicates that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years-worth of housing against the Council's housing targets. Where there has been a record of persistent under-delivery of housing the local planning authority should identify an additional 20%. The Council's Strategic Housing Land Availability Assessment (SHLAA) identifies that there is a substantial shortfall in the five-year housing land supply position well below the level required by the NPPF. Under these circumstances, the NPPF confirms that relevant policies for the supply of housing should not be considered up-to-date.

In light of the record of persistent under-delivery and the housing land supply shortfall relative to the requirements of the NPPF, there is an urgent need to increase the supply of housing land in the District. The scheme would make a contribution (albeit small) towards meeting local housing need.

Generally, the site of the proposed dwelling is not previously developed but is within the built form of Haworth, with access to shops, some employment opportunities, local facilities and public transport offering opportunity for travel other than by private car. The site is also within a built form substantially surrounded by other residential properties. As noted above, the site was until recently the subject of extant planning permission for residential development. For these reasons, the principle of development is acceptable.

With regards the density, the NPPF puts less emphasis on this aspect of development than previous advice, however RUDP policies H7 and H8 remain germane. The proposed dwelling would equate to 28 dwellings/hectare (d/ha), which falls just below the 30 to 50d/ha sought by Policy H7 to make efficient use of land. Given the existing grain of the built form and particular site constraints (such as residential amenity, topography, heritage issues) it would be inappropriate to require an increased density in this instance.

### **Visual Amenity and Historic Context**

Based upon the application as originally submitted, the proposed contemporary building would have merit in its own right but in its context would appear highly intrusive and discordant, dominating adjacent listed buildings and harming their setting and that of the nearby conservation area, with no mitigating benefits. Accordingly amended plans were sought to address the identified matters relating to the design, scale and materials. As amended, the proposed dwelling would be of an overall massing, scale, height and siting that would give it a vernacular appearance to complement established neighbouring properties. The use of natural coursed stone walling and slate roofing materials throughout, and traditional design detailing such as window openings, would further help the dwelling remain in keeping with the better examples of nearby houses, including the adjacent listed buildings. The dwelling would also enhance the character of the adjacent Haworth Conservation Area the boundary to which runs along the southern boundary of the site and the wider locality including the KWVR. The final quality of the materials can be properly ensured by a standard condition. For these reasons the proposal would provide a positive benefit to visual amenity and the site's historic context, the preservation of which has been given special regard, compliant with policies UR3, D1, BH4A and BH7 of the RUDP, the NPPF and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **Residential Amenity**

The proposed residential development is a use that would be consistent with the existing land uses in terms of noise generation and general disturbance. Generally, the proposed dwelling would be sited relative to neighbouring properties consistent with the relationship between other houses elsewhere in the area. The nearest property (13 Mill Hill) would be about 14 metres distant that, combined with the scale and height of the proposed dwelling, is sufficient to prevent excessive overshadowing, over-dominance or loss of outlook. The proposed dwelling would be nine metres to the new common boundary with No. 16 Mill Hill, with non-habitable room windows in the facing elevation and it would be constructed at an angle to other neighbouring properties. These relationships would ensure that no excessive increase in overlooking would occur. Taking all the above matters into consideration, the proposal as amended would not cause any excessive harm to the amenities of residents of neighbouring properties and so complies with RUDP policies UR3 and D1 in this regard.

### **Highway Safety**

This small site would not generate a volume of traffic that would overwhelm the local highway network. The proposal would provide off-street parking for two vehicles and maintain the same for the existing bungalow. Subject to conditions to ensure provision of car parking, the proposal would have no adverse impact on highway safety compliant with policies TM2, TM12 and TM19A of the RUDP.

### **Other Planning Matters**

Community Infrastructure Levy (CIL): The Council formally approved the CIL Charging Schedule earlier this year, which will affect any application determined after 1 July 2017. CIL will apply to the construction of new homes, etc., which place an added demand on local infrastructure, subject to some exemptions including residential self-build. The CIL charge is variable across the District, in Haworth it is £20/m<sup>2</sup> internal gross floorspace. The proposed dwelling's floorspace has been calculated to be a total of 242m<sup>2</sup> equating to a CIL charge of £4840. Subject to exemptions, this fee will be collected through a separate mechanism to the granting of planning permission. The proposal raises no other matters, such as

biodiversity, contamination, drainage, trees, etc., that cannot be controlled through conditions and footnotes as necessary.

### **Outstanding Issues Raised by Representations**

Removal of a substantial amount of well-established trees and shrubs from the site that formed the backdrop, and screened the existing bungalow, from views from Haworth station platform; replanting should be a condition.

Comment: Removal of the trees (and shrubs) did not require consent from the Local Planning Authority as they were not statutorily protected. It is contended above that the proposed dwelling, as amended, would make a positive contribution to the appearance of the area such that a full replanting condition would not be necessary; a condition requiring details of boundary treatments would be appropriate.

Loss of natural habitats for a variety of protected species, particularly birds and bats.

Comment: As a domestic garden, the site does not form part of a site recognised for its contribution towards wildlife, which in any case is statutorily protected by other legislation.

An application several years ago for 'eco houses' on land behind the grade II listed buildings near Parkside Social Club was refused.

Comment: No further details of this development have been provided, nevertheless it is a well-established tenet of the planning process that each application must be judged on its own merits.

It is alleged that submitted computer aided design drawings are not a true reflection of how the proposed build would actually sit in the site.

Comment: The submitted plans, as amended, are clear and unambiguous such that the Local Planning Authority is able to properly assess the proposal.

Harm to revenue generated by thousands of visitors each year who come specifically to see the steam trains and the surrounding area.

Comment: This is not a matter for consideration under the current planning system.

No site notices have been posted and no neighbouring properties have been notified of the proposal.

There has also been a 'very short window' of the time for objections to be made.

Comment: Publicity of the application is noted above, which more than meets the statutory requirements for this type of proposal. Representations have been received from local people and from outside the county indicating that the publicity measures have been effective.

Concerns about accessing the site by construction vehicles, storage of materials, etc.

Comment: Construction of the dwelling would take place over a relatively short period in terms of land use that, combined with the relatively small scale of the development, would have no implications regarding local amenity or highway safety sufficient to justify refusal on these grounds. A condition can be imposed to control hours of construction.

Safety element in terms of the strengthening of the land.

Comment: No information has been provided to detail this particular issue. Nevertheless the NPPF makes it clear that where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Has the assumption been made already that permission has been granted, as significant amount of preparation work has already been carried out on the land. There is a presumption that the land will need underpinning and preparation for this has already commenced.

Comment: Previous permission permissions have lapsed and his current application is still pending a decision. Site preparation works may not necessarily constitute a formal start of development, nevertheless any such works would be undertaken at the developer's risk.

**Community Safety Implications:**

There are no apparent community safety implications.

**Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. Any issues with regard thereto are noted above in relation to this application but do not raise any matters that would outweigh the material planning considerations.

**Conclusion:**

The proposed dwelling is acceptable in principle and detailing, and would comply with the NPPF and the relevant RUDP policies subject to conditions. The points raised in objection, though mainly valid, are not considered to be of sufficient weight to go against these policies and so the proposal is recommended for approval.

**Reason for Granting Planning Permission:**

The development is acceptable in principle and raises no excessively harmful implications for historic context, visual or residential amenity, highway safety or any other planning- related matter. The proposal is therefore compliant with the above-noted RUDP policies and the NPPF.

**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. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no development falling within Classes A, B, C, D or E of Part 1 of Schedule 2 of the said Order shall be carried out without the prior written permission of the Local Planning Authority.

Reason: To safeguard the privacy and amenity of occupiers of neighbouring properties, in the interests of visual amenity and the Haworth Conservation Area, and to accord with policies UR3, D1 and BH7 of the Replacement Unitary Development Plan.

3. Before the development hereby permitted commences above damp-proof course, arrangements shall be made with the Local Planning Authority for the inspection of all facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity, the setting of nearby listed buildings, the Haworth Conservation Area and to accord with Policies UR3, D1, BH4A and BH7 of the Replacement Unitary Development Plan.

4. Before the development hereby permitted commences above damp-proof course, a plan showing the position, design, height and materials of boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The treatments so approved shall then be provided in full prior to the first occupation of the dwelling and shall be retained whilst ever the use subsists.

Reason: To ensure the use of appropriate materials in the interests of visual amenity, the setting of nearby listed buildings, the Haworth Conservation Area and to accord with Policies UR3, D1, BH4A and BH7 of the Replacement Unitary Development Plan.

5. The upper floor windows in the rear (north-facing) elevation serving the bathroom and en-suite of the dwelling hereby permitted shall be glazed with opaque glass, to Pilkington privacy level 4 or higher, prior to the first occupation of the building and thereafter retained.

Reason: To prevent overlooking or loss of privacy to adjacent occupiers and to accord with policies UR3 and D1 of the Replacement Unitary Development Plan.

6. Construction work, including any works of demolition associated with the approved development, shall only be carried out between the hours of 0730 and 1800 on Mondays to Fridays, 0730 and 1300 on Saturdays and at no time on Sundays and Public Holidays.

Reason: To protect the amenity of the occupants of nearby dwellings and to accord with policies UR3 and D1 of the Replacement Unitary Development Plan.

7. Before any part of the development hereby permitted is brought into use, the off-street car parking facility shall be constructed of porous materials, or made to direct run-off water from a hard surface to a permeable or porous area within the curtilage of the site, and laid out with a gradient no steeper than 1 in 15. The parking so formed shall be retained whilst ever the use hereby permitted subsists.

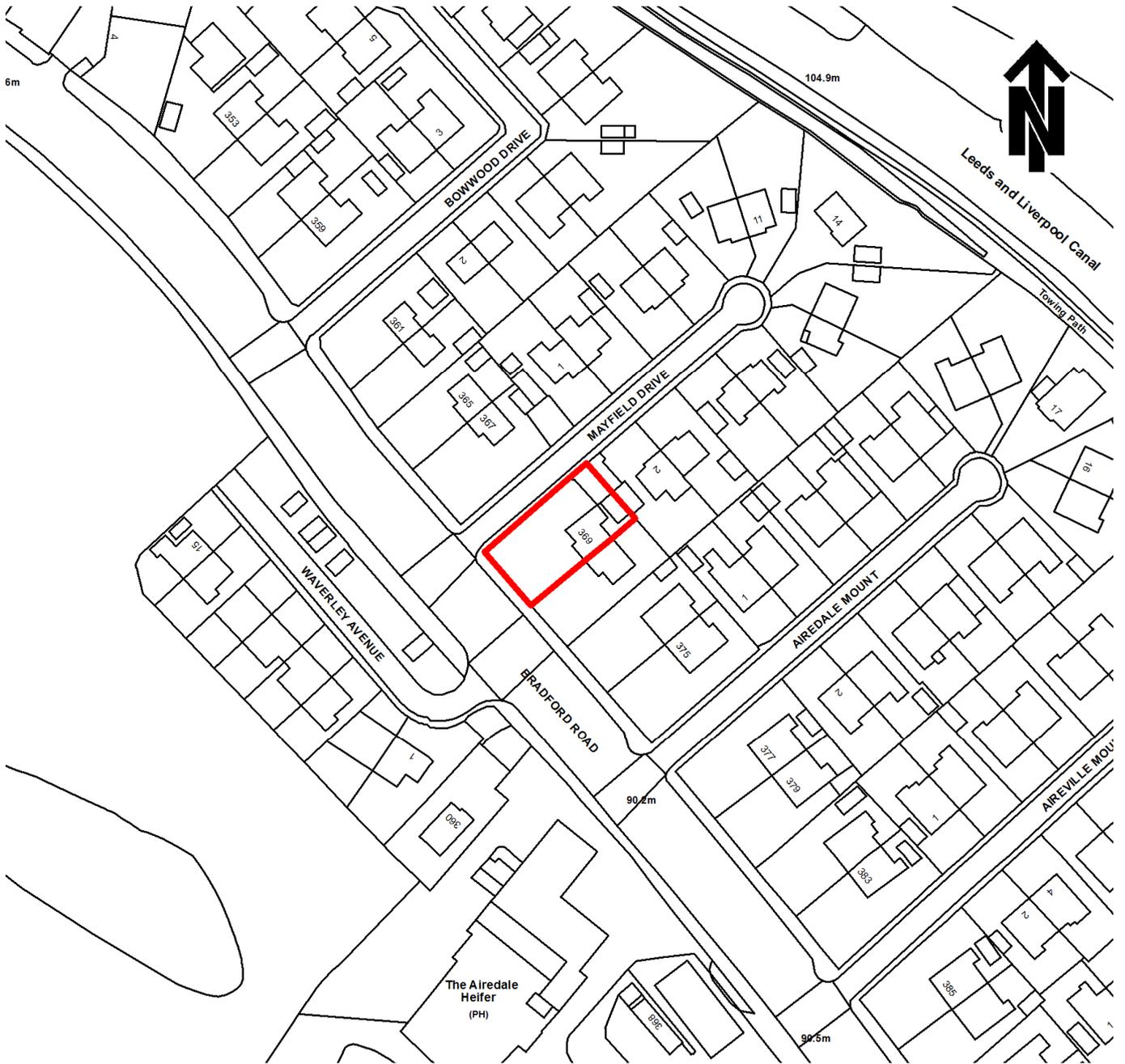
Reason: In the interests of highway safety, drainage and to accord with policies UR3, TM12, TM19A and NR16 of the Replacement Unitary Development Plan.

8. Before the development hereby permitted commences, details of a scheme for separate foul and surface water drainage, including any existing water courses, culverts, land drains and any balancing works or off-site works, shall be submitted to and approved in writing by the Local Planning Authority. Surface water must first be investigated for potential disposal through use of sustainable drainage techniques and the developer must submit to the Local Planning Authority a report detailing the results of such an investigation together with the design for disposal of surface water using such techniques or proof that they would be impractical. The scheme so approved shall thereafter be implemented in full before the first occupation 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.

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17/00525/HOU



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**369 Bradford Road  
Sandbeds  
Keighley BD20 5LN**

**19 July 2017**

**Item: E**  
**Ward: KEIGHLEY EAST**  
**Recommendation:**  
**TO REFUSE PLANNING PERMISSION**

**Application Number:**  
17/00525/HOU

**Type of Application/Proposal and Address:**  
Householder planning application for two-storey side and rear extension at 369 Bradford Road, Sandbeds, Keighley.

**Applicant:**  
Mr Farah Rashid

**Agent:**  
Mr Michael Ainsworth

**Site Description:**  
This planning application relates to a two storey semi-detached dwelling situated on a plot at the corner of Bradford Road with Mayfield Drive. The property is elevated above the level of the main road. The other dwelling of this semi-detached pair has been extended at both ground and first floor on the side in the past. The surrounding area is residential in nature.

**Relevant Site History:**  
None.

**The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

**Replacement Unitary Development Plan (RUDP):**

**Allocation**

Unallocated.

**Proposals and Policies**

UR3 The Local Impact of Development

D1 General Design Considerations

TM12 Parking Standards for Residential Developments

TM19A Traffic Management and Road Safety

NR16 Surface Water Run Off and Sustainable Drainage Systems

Householder Supplementary Planning Document (SPD)

**Parish Council:**

Keighley Town Council recommends approval.

**Publicity and Number of Representations:**

This application was publicised by means of individual neighbour notification letters. Overall publicity for the application expired on 3 March 2017.

15 Representations supporting the application have been received.

**Summary of Representations Received:**

1. Development has been carefully considered and is respectful of the area and its design fits in with existing dwellings in the area.
2. The development provides assistance without adding strain to local services.
3. Needed for family with disabled member. Difficult to find such accommodation in the surrounding area.
4. Extension stays in line with the neighbouring buildings.
5. Development will add value to the application building and other buildings in the area.

**Consultations:**

Minerals and Waste Team: There are no apparent minerals or waste legacy issues that would have an adverse impact on the proposed development. No Objections.

**Summary of Main Issues:**

Background and principle of development.

Visual amenity.

Amenities of occupiers of adjacent land.

Highway safety.

Other planning matters.

**Appraisal:**

**Background and Principle of Development Background**

The proposal is for a domestic extension within the curtilage of a dwelling-house that is neither a listed building nor within a conservation area and so is not statutorily protected from such works. The principle of development is therefore acceptable.

The application has been driven by the needs of adapting the residence for a disabled member of the family and evidence has been submitted proving their need. The Householder SPD does allow relaxation of policy to ensure disabled people can continue to live in their own home and avoid the often distressing need to move home or otherwise seek alternative accommodation. The proposal has been assessed bearing in mind this potential relaxation of policy.

### **Visual Amenity**

The two storey side and rear extensions would change a three bedroomed house with bathroom and two reception rooms at ground floor into an four bedroom dwelling with one of the bedrooms having a lift, a bathroom, two ensuite bathrooms and medication room at first floor level and two lounges one with a lift and bathroom attached to it, extended kitchen/dining room, equipment room and toilet.

The side extension would represent a 79% increase in the width of the dwelling and will be significantly in front of the established building line of Mayfield Drive, with only 1.23m being left between the extensions gable and footpath. The extension also fails to be set back by 1m behind the main elevation of the dwelling and does not have a reduced ridge to give it the appearance of being secondary to the host dwelling.

The extensions have been designed to reflect the materials and architectural design of the host dwelling but scale of the extensions, with them being more than 2/3rds of the maximum width of the host dwelling fails to maintain the symmetry and balance of the semi-detached block viewed from Bradford Road or respect the street scene of Mayfield Drive. In addition the lack of set back of the extension by a similar amount to 371 Bradford Road is also considered to adversely affect the balance of the pair of semi-detached properties.

Whilst it is accepted that there is a member of the household with special needs it is considered that there are elements of the scheme which are not required to meet their needs such as larger bedrooms for other members of the family, an extended kitchen and en-suite bathroom and that the amount of extension work being proposed could be reduced to ensure balance and symmetry and a more acceptable impact on the visual amenities of both Bradford Road and Mayfield Drive.

### **Amenities of Occupiers of Adjacent Land**

The gable end of the extension with habitable room windows in it at both ground and first floor would face the side garden and gable of 367 Bradford Road across Mayfield Drive. 367 Bradford Road is situated to the north of the site and has habitable room windows in its gable elevation. A high hedge screening the side garden of 367 Bradford Road will give privacy to the side garden and prevent loss of privacy between ground floor windows. There will be a distance of approx. 15.89m between gables, which will provide adequate privacy between habitable room windows and prevent adverse impact on residential amenities by reason of overbearing or overshadowing.

2 Mayfield Drive lies to the east of the site with the dwelling being separated from the extension by driveways and garden. The extension will have a habitable room window at ground floor and a habitable room window at first floor facing the common boundary, however, the position of the dwellings is such that these windows will not lead to any overlooking/loss of privacy at close quarters. The position of the extension in relation to 2 Mayfield Drive is such that it is not considered it would have an adverse impact on residential amenity by reason of overbearing or overshadowing.

The extension would extend out 2m from the rear of the dwelling on the common boundary with 371 Bradford Road both at ground and first floor level. 371 Bradford Road has been extended at the rear at ground floor level and therefore the extension along the common boundary will have no impact on residential amenity. At first floor level 371 Bradford Road has a rear facing habitable room window where a 45 degree angle taken from the edge of the window will foul the extension contrary to design principle 3 of the Householder SPD as the extension would damage outlook and reduce daylight reaching the first floor habitable room window of 372 Bradford Road in the afternoon.

### **Highway Safety**

This application preserves onsite parking that accords with policy and will not adversely affect access to/from the site and is therefore considered to accord with policies TM12 and TM19A of the RUDP.

### **Other Planning Matters**

None.

### **Outstanding Matters Raised by Representations**

Property value is not a material consideration in determination of this planning application.

### **Community Safety Implications:**

This proposal will cause no community safety implications.

### **Equality Act 2010, Section 149:**

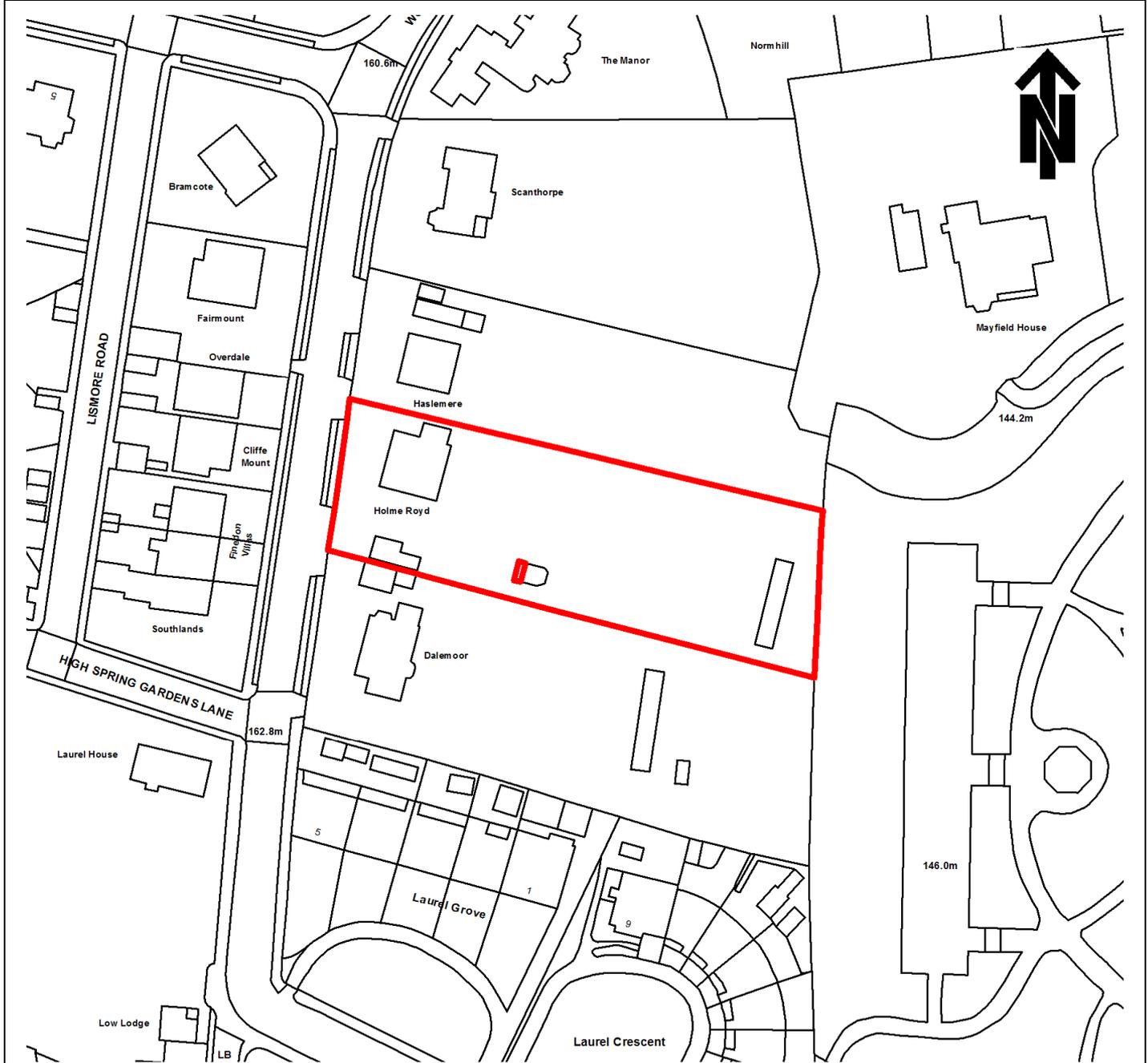
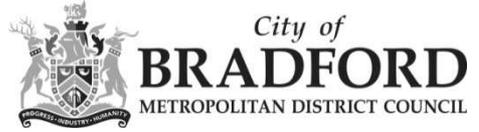
In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. The issues with regard thereto are noted above in relation to this application but do not raise any matters that would outweigh the material planning considerations.

### **Reasons for Refusal:**

1. The proposed side extension is unacceptable by reason of its width that would cause the resultant semidetached block to look unbalanced in the street scene of Bradford Road and have an overly dominant impact on the street scene of Mayfield Drive to the detriment of the visual amenities of the area. It is not considered that a case has been proved for an exception to be made. As such the proposal is considered to be contrary to policies D1 and UR3 of the Replacement Unitary Development Plan and design principle 1 of the Householder Supplementary Planning Document and does not form sustainable development compatible with the National Planning Policy Framework.

2. The rear first floor extension is unacceptable by reason of its depth, which would damage outlook and reduce daylight reaching the first floor habitable room window of 372 Bradford Road in the afternoon contrary to design principle 3 of the Householder Supplementary Planning Document and policies D1 and UR3 of the Replacement Unitary Development Plan and as such fails to form sustainable development compatible with the National Planning Policy Framework.
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17/01299/HOU



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**Holme Royd  
Woodville Road  
Keighley BD20 6JA**

**19 July 2017**

**Item: F**  
**Ward: KEIGHLEY CENTRAL**  
**Recommendation:**  
**TO REFUSE PLANNING PERMISSION**

**Application Number:**  
17/01299/HOU

**Type of Application/Proposal and Address:**

Partially retrospective application for the construction of a single-storey raised extension to the south elevation, three-storey extension to the north elevation, single-storey extension to the rear with two-storey bay above, replacement of existing dormer windows with rooflights, internal balcony and new dormer window, and widening and repositioning of entrances at Holme Royd, Woodville Road, Keighley, BD20 6JA.

**Applicant:**  
Mr Karim

**Agent:**  
Michael Ainsworth Design Partnership

**Site Description:**

Holme Royd is a detached house constructed around the start of the 20th century. It is one of a line of individually designed detached dwellings aligned on this side of Woodville Road probably built around the same era. The site is in the Devonshire Park/Cliffe Castle Conservation Area. The original building is of broadly square plan faced in split faced stone, under a hipped slate roof with ground floor bay windows to the south and east elevations and a formal entrance with stone overthrow to the west elevation. Windows are generally single and paired sliding sash. To the north a single storey extension has been added early in the 20th century to provide a ground floor kitchen. The roof is notable for a prominent overhang at the eaves, multiple prominent chimneys and 2 original dormers with flat roofs and moulded timber eaves. To the east side, the falling ground enables additional accommodation in the basement, resulting in 3 levels of accommodation to this aspect.

The house is set back behind a low wall and shrubs to the street frontage. Gardens fall away to one of the boundaries of Keighley's Devonshire Park. Until recently the grounds had mature and tree cover. The house, as with its neighbours, is recognised as a key unlisted building in the conservation area.

**Relevant Site History:**

16/08944/HOU: Construction of single-storey raised extension to south elevation, three storey extension to north elevation, single-storey extension to rear with two-storey bay above and replacement of existing dormer windows with roof lights, internal balcony and new dormer window. Refused 13.02.2017.

**The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

**Replacement Unitary Development Plan (RUDP):**

***Allocation***

Unallocated

Devonshire Park Conservation Area.

***Proposals and Policies***

Householder Supplementary Planning Document

UR3 – Local Impact of Development

D1 – General Design Considerations

BH7 – Development in Conservation Areas

**Parish Council:**

Keighley Town Council recommends approval.

**Publicity and Number of Representations:**

Advertised by neighbour notification letters and site notice to 3.6.17.

Six representations received.

Five in support of the development.

One representation of objection (from the Victorian Society).

A Ward Councillor has made representation in support and requests that the application is put before the Area Planning Panel.

**Summary of Representations Received:**

**Support**

A welcome improvement of a previously derelict house.

Extensions are not visible from the (Devonshire) park.

Extensions would look modest.

### **Objection**

The Victorian Society objects to this application, as the works proposed constitute a serious over-development of the building which in its present form is recorded as being a positive building in the Conservation Area. Such very extensive extensions and alterations would irretrievably damage its positive character.

### **Consultations:**

Council's Design and Conservation Officer – The proposals are disproportionate to the dwelling, causing substantial harm to its significant contribution as a key unlisted property in the conservation area. It would be excessively scaled and excessively evident in an environment where the buildings have a subtle and complementary relationship to their setting, their neighbours and the landscaped components of the conservation area. The proposals are harmful and contrary to policies UDP3, D1, BH7 and BH10 of the RUDP.

### **Summary of Main Issues:**

Impact on the character and appearance of the conservation area.

Impact on neighbouring occupants.

Highway safety.

### **Appraisal:**

#### **Background**

Woodville Road is lined on this side by large detached houses standing in extensive grounds. Historically it is an area of high status that developed as the town expanded. The character of the area is further defined by the consistent stone boundary walls with individually styled gate piers, and mature landscaping, softening the presence of the buildings and blending the gardens of the private dwellings with the public parks.

Holme Royd is defined in the Conservation Area Appraisal as being a key unlisted building, of importance to the character and appearance of the Conservation Area.

Significant works of extension and alteration are proceeding at this residential property and a previous application proposing similar extensions and alterations (16/08944/HOU) has been refused on similar grounds to those now recommended.

The works are partially retrospective. The dormer, two storey side, and rear extension being already constructed. Two enforcement investigation cases have been opened relating to the felling of a number of protected trees (16/00104/TPOCN) and the unauthorised development (16/01020/ENFUNA).

The only alteration made to the previous proposed plans is a small stone detail to the roof of the side extension to create the illusion of a pitch.

The applicant has not lodged an appeal against the original refusal, and has chosen to resubmit a new application for essentially the same scheme.

### **Impact on the character and appearance of the conservation area**

The Council's Conservation Officer advises that the combined impact of the various extensions is excessive in scale in comparison to the scale and proportions of the original property. The proposed flat roofed 2 storey structure to the north elevation and which projects to the rear is especially discordant with the host property, though any other roof form to this height of extension would also result in an uncomfortable relationship.

The application proposes a number of extensions, the individual impact of which is considered in turn.

1. An extension with a flat roof at first floor level on the north (side) elevation of the house, also extending the existing single storey structure here beyond the east elevation.

#### **Assessment**

The flat roof of this extension and the squat proportions of the windows in comparison with those on the host property will result in a discordant relationship.

2. To the east, the basement is extended out 6500mm, with a ground floor bay window and the projected north wing above.

#### **Assessment**

This extension will result in a substantial increase in the mass of the dwelling. The formation of a roof level inverted balcony would not on its own compromise the character of the building, although balustrades which are not shown will interrupt the plane of the roof.

3. To the south side, a single storey orangery-style structure is proposed.

#### **Assessment**

The orangery, on its own, is reasonably proportionate to the house and balances the single storey kitchen wing to the north. Subject to detailing being consistent with the host property and using matching coursed stone, stone cornice and parapet detailing, and windows set deep into reveals this feature is acceptable.

4. A dormer proposed on the southern roof slope

#### **Assessment**

This dormer is considered to be a poor feature. It has a pitched top and uPVC cladding so it is inconsistent with the quality and character of the dwelling. The Conservation Officer also expresses concern that the plans appear to show all chimneys removed from the roof, leaving a featureless roofscape. The intentions of the applicant are unclear.

Much vegetation has been removed from the site and the proposals do not present any landscaping information for the stark and newly cleared site, which now has an inconsistent and harmful relationship with the conservation area.

The Conservation Officer concludes that the proposals are disproportionate to the dwelling, causing substantial harm to its significant contribution as a key unlisted property in the Devonshire Park Conservation Area. It would be excessively scaled and excessively evident in an environment where the buildings have a subtle and complementary relationship to their setting, their neighbours and the landscaped components of the conservation area. The proposals are harmful and contrary to policies UR3, D1 and BH7 of the RUDP.

**Other issues**

The property is detached and situated within its own grounds with a relatively large rear garden and some distance from any neighbours. Accordingly, the proposals will not affect neighbouring amenities through overshadowing, over-dominance, loss of outlook or overlooking.

There are no changes to existing parking which are likely to have an adverse impact on local highway safety.

**Community Safety Implications:**

The proposal poses no apparent community safety implications and is considered to accord with Policy D4 of the Replacement Unitary Development Plan.

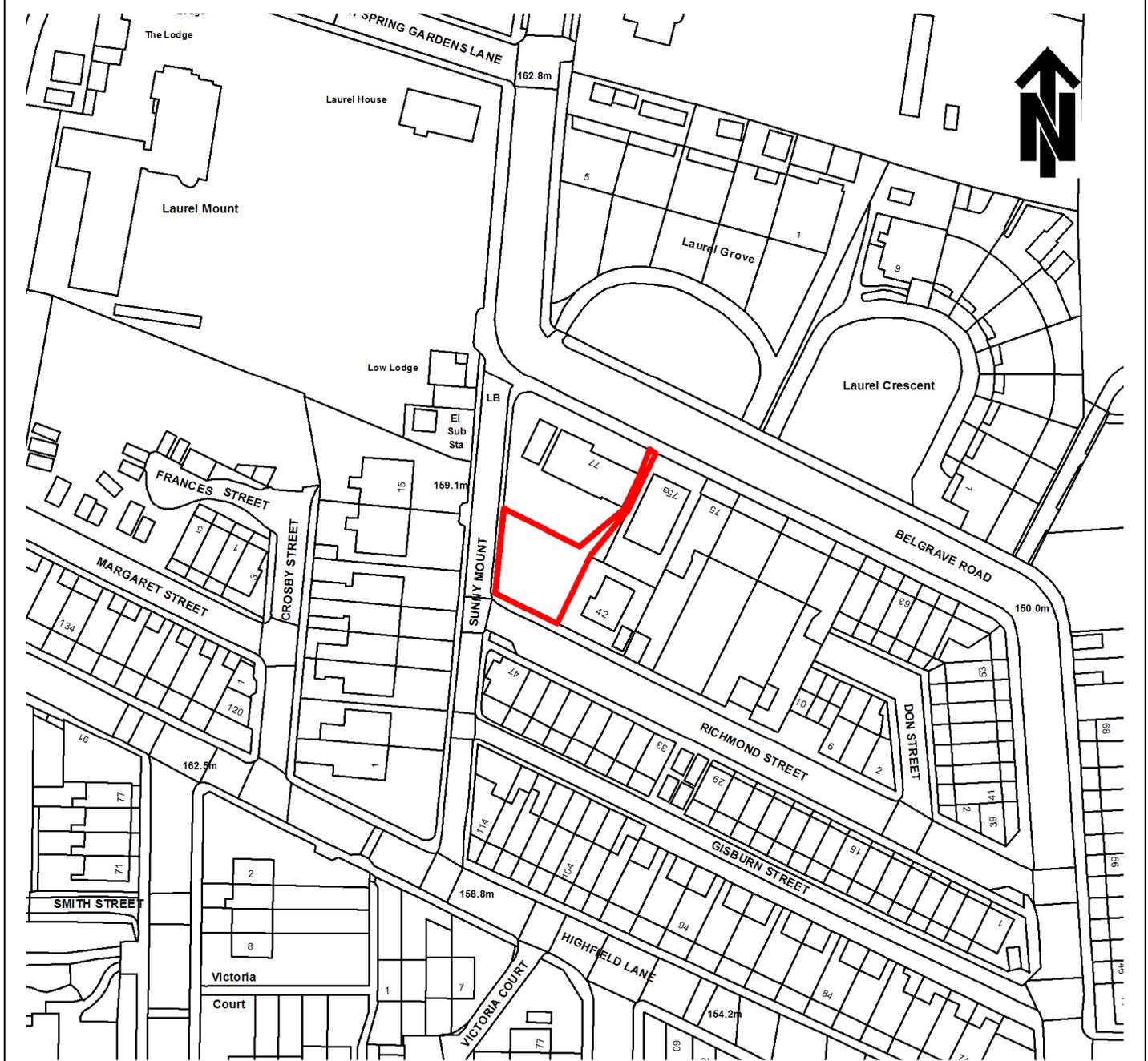
**Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance quality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

**Reasons for Refusal:**

1. The proposed extensions are disproportionate to the dwelling, and will cause substantial harm to its significant contribution as a key unlisted property in the Devonshire Park/Cliffe Castle conservation area. The extensions would be excessively scaled and excessively evident in an environment where the buildings have a subtle and complementary relationship to their setting, their neighbours and the landscaped components of the conservation area. The proposed two-storey side extension would, by reason of its excessive size, flat-roofed design and unsympathetic fenestration details, be especially harmful. The proposals are harmful and contrary to policies UDP3, D1, BH7 and BH10 of the Replacement Unitary Development Plan.
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17/00660/FUL



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**Land At 77 Belgrave Road  
Keighley  
BD21 2HL**

**19 July 2017**

**Item: G**  
**Ward: KEIGHLEY CENTRAL**  
**Recommendation:**  
**TO REFUSE PLANNING PERMISSION**

**Application Number:**  
17/00660/FUL

**Type of Application/Proposal and Address:**  
Full planning application for construction of a three storey detached house at land at 77 Belgrave Road, Keighley, BD21 2HL.

A Ward Councillor has requested that the application is considered by Panel.

**Applicant:**  
Mr Javed Bashir

**Agent:**  
Mr Michael Ainsworth

**Site Description:**  
This application proposes a house in the rear garden of 77 Belgrave Road. The garden runs through to Richmond Street and the west side abuts Sunny Mount. Sunny Mount is at a higher level and there is a bollard closure where it leads into Belgrave Road. To the east of the plot is 42 Richmond Street which is a stone fronted modern bungalow. The area is residential in nature and the housing stock is a mixture of different styles. Across Richmond Street are traditional small terrace houses. The terraces and semi-detached houses facing the site across Sunny Mount are more substantial. The local materials including render, coursed stone and grey slate. The site lies adjacent to, but not in Keighley's Devonshire Park Conservation Area.

**Relevant Site History:**  
11/01454/HOU: Demolition of existing garage and construction of single storey extension to side of 77 Belgrave Road. Refused 23.5.2011.

**The National Planning Policy Framework (NPPF):**  
The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;

- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

**Replacement Unitary Development Plan (RUDP):**

***Allocation***

Unallocated

Adjacent to Devonshire Conservation Area

***Proposals and Policies***

UDP1 Promoting Sustainable Patterns of Development

UR2 Promoting Sustainable Development

UR3 The Local Impact of Development

H7 Housing Density – Expectation

H8 Housing Density - Efficient Use of Land

TM12 Parking Standards for Residential Developments

TM19A Traffic Management and Road Safety

D1 General Design Considerations

D4 Community Safety

BH7 New Development in Conservation Areas

**Parish Council:**

Keighley Town Council recommends approval.

**Publicity and Number of Representations:**

Publicised by means of neighbour notification site notice and individual neighbour notification letters. Overall publicity expired 27 March 2017.

Eight representations have been received.

**Summary of Representations Received:**

Six representations of support on the following summarised grounds:

1. The development will assist meeting housing needs.
2. Next door neighbour at 42 Richmond Street has no objection.
3. The development will have a positive impact on the visual amenity of the street.
4. The development will increase security on the street by increasing surveillance.

Two representations object on the following summarised grounds:

1. Loss of view.
2. Adverse impact of construction work on neighbours.

A Ward Councillor considers that the application fully complies with all the planning requirements and requests that the application is considered by the planning panel.

**Consultations:**

Drainage Unit: No comments.

Highways Section: No objection subject to the provision of the on-site parking shown on the drawing.

**Summary of Main Issues:**

Background and principle of development.

Design and Impact on Visual amenity.

Amenities of occupiers of adjacent land.

Highway safety.

**Appraisal:**

**Background and Principle of Development**

The site is in a built up residential area of Keighley relatively near the town centre and its facilities. It is in a sustainable location. The proposal represents an efficient and effective density of development in accord with policies H7 and H8 of the RUDP. The existing garden does not make any meaningful contribution to the quality of the environment or local character and there are no trees or other features of merit. There is therefore no objection in principle to the development of this rear garden area for an additional residential dwelling - subject to scale and design being appropriate.

**Design and Impact on Local Visual Amenity**

The design of the dwelling takes reference from existing traditional housing in the area such as using strong gable features, barge boards, with stone heads and cills to traditionally proportioned windows. The proposed materials would be grey slate/tiles for the roof with stone facing for the principal elevation to Richmond Street and render to the less prominent sides and rear. The design is in keeping with local character and materials reflect the mix of stone, render and grey slate found in the area. The appearance of the proposed dwelling would not adversely affect the adjacent Devonshire Park Conservation Area and accords with policies D1, UR3 and BH7 of the RUDP.

**Amenities of Occupiers of Adjacent Land**

The objections are from occupiers of properties across Sunny Mount. However, although the proposed house is large, the houses on Sunny Mount are set some distance back from the frontage and the application land is set slightly below the level of that street and the degree of separation is favourable. Although the objections are acknowledged, it is not considered that the proposed house would significantly affect the outlook or amenity of the occupiers on the other side of Sunny Mount. Simple loss of view is not a material planning consideration.

The front windows of the proposed dwelling would face onto Richmond Street which is relatively narrow. The house has therefore been designed to place 1st floor rooms so as to avoid overlooking / loss of privacy for dwellings on the opposite side of Richmond Street given that the separation distance between existing and proposed dwellings would only be 13.1m.

However, the placement of habitable room windows at the upper levels in the rear elevation of the proposed dwelling sets them close to the rear elevation of the existing house at 77 Belgrave Road. There is a separation distance of only 15 metres between the windows in the proposed and existing rear elevations. This will mean that the proposed dwelling will cause overlooking and loss of privacy to that existing house at close quarters. In turn, the future occupiers of the new house and the limited rear garden space available behind the house would be overlooked from windows in No 77 Belgrave Road. This would adversely impact on the residential amenities of both existing and future residents contrary to policies D1 and UR3 of the RUDP.

The proposed house is of significant size. In comparison, the dwelling immediately alongside at 42 Richmond Road is a fairly low rise bungalow and has two habitable room windows positioned facing the site. The proposed dwelling is arranged to not cause overlooking of 42 Richmond Street but it would present a large, three storey mass of new building very close to the boundary and only 5.1 metres from those two windows. The scale and elevation of the new house is such that it would cause loss of light to the occupiers of 42 Richmond Street through being overbearing and causing overshadowing of the side windows.

A representation from the occupier of 42 Richmond Street raises no objection to the proposal. Nevertheless, it is not known whether the occupier fully appreciate the likely effects and the Local Planning Authority needs to consider the effects on all future occupiers as well as the existing resident.

### **Highway Safety**

The proposal provides three off road parking spaces from a new access formed onto Richmond Street. The proposal raises no highway safety problems and will accord with policies TM12 and TM19A of the RUDP.

### **Community Safety Implications:**

The dwelling is open to surveillance from the street and will be set within a curtilage that can be secured and therefore raises no community safety issues contrary to policy D4 of the RUDP.

### **Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

### **Reasons for Refusal:**

1. The proposal is unacceptable as the arrangement of habitable room windows in the rear elevation of the proposed dwelling and the rear elevation of 77 Belgrave Road and the lack of distance between the two rear elevations at 15m will mean that the proposed dwelling will introduce overlooking / loss of privacy at close quarters adversely impacting on the residential amenities of both existing and future residents contrary to policies D1 and UR3 of the Replacement Unitary Development Plan and thus will not form sustainable development compatible with the National Planning Policy Framework.

2. The proposal is unacceptable as it will have an adverse impact on residential amenity of the occupiers of 42 Richmond Street by reason of overbearing and overshadowing impacts due to the closeness of the gable elevation of the proposed three storey dwelling and the gable elevation of 42 Richmond Street which has two habitable room windows in it facing the site. As such the proposal will be contrary to policies D1 and UR3 of the Replacement Unitary Development Plan and fails to form sustainable development compatible with the National Planning Policy Framework.
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