

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of the Regulatory and Appeals Committee to be held on 10 August 2017

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Subject:

Planning application 17/00570/MAF for the demolition of Darkwood House and cottage and erection of 10 replacement dwellings on land at Darkwood House, The Street, Addingham LS29 0JY.

Summary statement:

The committee is asked to consider a full planning application for the redevelopment of a site presently occupied by two existing houses with 10 new-build dwellings (3 bungalows, 7 houses). The rectangular plot is a 0.4 ha in size and lies to the south west of Addingham, between an existing modern residential estate and the Addingham By Pass. The land is unallocated on the RUDP Proposals Map and is not protected by any Development Plan designations. Being occupied by two existing houses, located centrally on the plot, it is previously developed land and this scheme will provide for more effective use of the land for housing.

A number of representations of objection have been received, including from Addingham Parish Council.

A full assessment of the application against all relevant Development Plan policies and material planning considerations is included in the report at Appendix 1. Taking development plan policies and other relevant material considerations into account it is recommended that conditional Planning Permission is granted for the reasons and subject to the planning conditions set out in the report at Appendix 1.

Julian Jackson
Assistant Director (Planning,
Transportation & Highways)
Report Contact: John Eyles
Major Development Manager
Phone: (01274) 434380
E-mail: john.eyles@bradford.gov.uk

Portfolio:
Regeneration, Planning and Transport

Overview & Scrutiny Area:
Regeneration and Economy

1. SUMMARY

The Regulatory and Appeals Committee is asked to consider the recommendations for the determination of planning application ref. 17/00570/MAF as set out in the report of the Assistant Director (Planning, Transportation and Highways) - Technical Report at Appendix 1. It is recommended that planning permission be granted, subject to the conditions recommended at the end of the Technical Report.

2. BACKGROUND

Attached at Appendix 1 is a copy of the Technical Report of the Assistant Director (Planning, Transportation and Highways). This identifies the material considerations relevant to the consideration of the application.

3. OTHER CONSIDERATIONS

All considerations material to the determination of this planning application are set out in the Technical Report at Appendix 1.

4. OPTIONS

If the Committee proposes to follow the recommendation to grant planning permission then the Assistant Director (Planning, Transportation and Highways) can be authorised to issue a Decision Notice granting conditional planning permission for the proposed development. The Committee may also opt to grant planning permission subject to additional conditions, or conditions which differ from those recommended, provided these meet the tests for planning conditions.

If the Committee decide that planning permission should be refused, they may refuse the application accordingly, in which case reasons for refusal will have to be given based upon development plan policies or other material planning considerations.

5. FINANCIAL & RESOURCE APPRAISAL

The Council has now adopted a Community Infrastructure Levy (CIL) charging schedule. CIL is a standardised charge levied on all residential developments with the purpose of funding the delivery of the infrastructure improvements which will be required within the District to serve the additional housing. The types of infrastructure funded through CIL include schools and recreation facilities. Affordable Housing is not covered by CIL and will continue to be dealt with separately and secured through Planning Obligations set out in legal agreement made under Section 106 of the Act.

The application site is within CIL Zone 1 where there is a charge of £100 per square metres of new gross internal residential floor space being created. Under the CIL Regulations any floor space within buildings to be demolished or retained and which have been in lawful use for at least a period of 6 months within the last 3 years can be deducted from the chargeable floor space total. Therefore the CIL liability may be reduced. As it is not known whether the existing floorspace qualifies for this deduction it is not known at the time of this report what the exact total CIL charge would be.

No requirements have been identified for any other off-site infrastructure improvements which would be necessary to make the development acceptable.

6. RISK MANAGEMENT & GOVERNANCE ISSUES

Not applicable.

7. LEGAL APPRAISAL

Both options set out above are within the Council's powers as the Local Planning Authority under the provisions of the Town and Country Planning Act 1990).

8. OTHER IMPLICATIONS

8.1 EQUALITY & DIVERSITY

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, in accordance with the duty placed upon Local Authorities by Section 149 of the Equality Act 2010.

The context of the site, the nature of the development scheme proposed and the representations that have been made have been reviewed to identify the potential for the determination of this application to disadvantage any individuals or groups of people with characteristics protected under the Equality Act 2010. The outcome of this review is that there is not considered to be any sound reason to conclude that the proposed development would have a significantly detrimental impact on any groups of people or individuals with protected characteristics. Furthermore it is not considered that the proposal would lead to significant adverse impacts on anyone, regardless of their characteristics.

Likewise, if planning permission were to be refused by the Committee, it is not considered that this would unfairly disadvantage any groups or individuals with protected characteristics. Full details of the process of public consultation which has been gone through during the consideration of this application and a summary of the comments which have been made by members of the public are set out in the report attached at Appendix 1.

8.2 SUSTAINABILITY IMPLICATIONS

The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three dimensions to Sustainable Development, comprising:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

In terms of Local policies designed to shape a sustainable pattern of development within the District, the Strategic Core Policies of the Local Plan set out the overall approach and key spatial priorities for planning in the District. Key overarching sustainability criteria for the location of new development within the District are set by Policies SC01 – SC09.

The development will result in social benefits, by providing for the supply of housing to meet the needs of present and future generations on previously developed land within an existing settlement which possesses a range of facilities and services and some public transport links. The proposal would result in demolition of two existing houses, but the dis-benefits of the loss of these is outweighed by the opportunity to make more effective use of the land for housing. The benefits of re-developing previously developed land are also accompanied by the provision of soft landscaping designed to provide environmentally beneficial outcomes. It is considered that the development should not result in significant harm to the natural environment. The impact of the development upon the historic environment is considered to be moderate in terms of the setting of the listed buildings located some distance to the west of the site.

Good design is a key aspect of sustainable development. Well-designed developments should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, establish a strong sense of place, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks, respond to local character and history, and reflect the identity of local surroundings and materials, create safe and accessible environments and be visually attractive. As assessed in detail in the report at Appendix 1, it is considered that the development is well designed in relation to the above factors.

Overall it is therefore considered that the proposal represents sustainable development consistent with the sustainability principles set out in the National Planning Policy Framework, the Local Plan Core Strategy and those policies of the Replacement Unitary Development Plan which are still saved.

8.3 GREENHOUSE GAS EMISSIONS IMPACTS

The development of new buildings will invariably result in the release of additional greenhouse gases associated with both construction operations and the activities of future occupiers. However greenhouse gas emissions can be minimised through the concentration of development in locations where the need for transportation by private car is minimised, through energy efficient approaches to construction and insulation and through the provision of micro renewables and facilities to stimulate the uptake of low emission vehicles.

In this case the proposed development site is located within an existing local centre, within reasonably convenient access by foot to the facilities, services and public transport links of the village centre.

8.4 COMMUNITY SAFETY IMPLICATIONS

Policy SC09 and Thematic Policy DS5 of the Core Strategy aim to create safe and inclusive places. Development proposals should be designed to ensure a safe and secure environment and reduce the opportunities for crime. The Police Architectural Liaison Officer has reviewed the submitted proposals and raised some concerns and points of detail in relation to boundary detailing. These have been addressed in amendments to the layout plans.

It is not considered to be appropriate for the planning system to regulate all of the aspects of the development referred to by the Police Architectural Liaison Officer, such as the security standards of doors and windows, locks and alarms, as these matters are not generally considered to be land use planning concerns.

It is considered that the development has generally been designed to reflect the principles of secured by design and that the spaces which would be created by the development would not be unacceptably insecure or susceptible to antisocial behaviour.

8.5 HUMAN RIGHTS ACT

The Council must seek to balance the rights of applicants to make beneficial use of their property with the rights of nearby residents to quiet enjoyment of their land; together with any overriding need to restrict such rights in the overall public interest. In this case there is no reason to conclude that either granting or refusing planning permission will deprive anyone of their rights under the Human Rights Act.

8.6 TRADE UNION

There are no implications for Trades Unions relevant to this application.

8.7 WARD IMPLICATIONS

The proposal site is within the Craven Ward. Ward Councillors, the Parish Council and local residents have been made aware of the application through the normal mechanisms and given opportunity to submit written representations. In response to this publicity 16 representations have been received which object to the proposals. In addition there is an objection from the Parish Council. No comments have been submitted by Ward Councillors. The Technical Report at Appendix 1 summarises the material planning issues raised by the public, and Parish Council representations. The appraisal also gives full consideration to the material planning effects of the development on residents in the Craven Ward.

9. NOT FOR PUBLICATION DOCUMENTS

None

10. RECOMMENDATIONS

To Grant Planning Permission subject to the conditions recommended at the end of the Technical Report at Appendix 1.

11. APPENDICES

Appendix 1: Technical Report

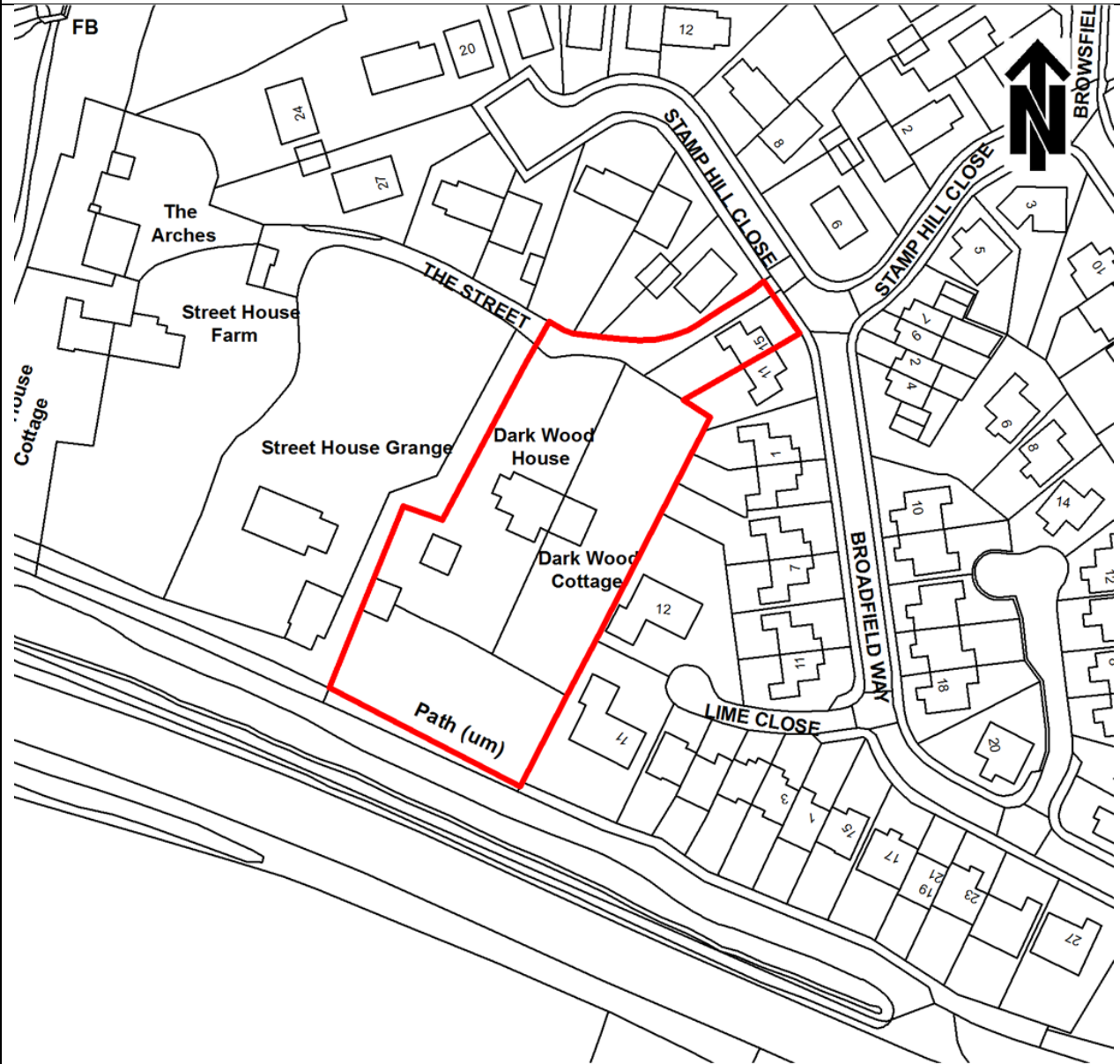
12. BACKGROUND DOCUMENTS

- Replacement Unitary Development Plan for the Bradford District
- Local Plan Core Strategy Publication Draft, Subject to Main Modifications
- National Planning Policy Framework
- Application File 17/00570/MAF

17/00570/MAF

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**Land at Darkwood House
The Street
Addingham**

APPENDIX 1 – TECHNICAL REPORT

Ward: Craven
Recommendation:
To grant planning permission with conditions

Application Number:
17/00570/MAF

Type of Application/Proposal and Address:
Full application for the demolition of Darkwood House and Darkwood Cottage and construction of 10 dwellings.
Land at Darkwood House The Street Addingham LS29 0JY

Applicant:
S.K.Hall & Son

Agent:
Allison and MacRae (Architects) Ltd.

Site Description:
This land comprises an irregular parcel of land, around 0.4 hectares in size. It is presently occupied by a pair of adjoining houses (Darkwood House and Darkwood Cottage) which are placed more or less centrally upon it. The land is unallocated on the Replacement Unitary Development Plan but, being occupied by two houses, is previously developed land. Vehicular access to the land is from the north from an unmade track called The Street which leads to a group of older listed buildings at Street House Farm to the west of the application site. At its eastern end The Street emerges onto Stamp Hill Close near its junction with Broadfield Way. These are estate roads to the north and east of the application land which serve an existing suburban residential development, including bungalows, built during the 1980's and 1990's. Immediately to the west is a large modern detached house built in around 2010 together with a row of 3 recently constructed houses. All are built in stone. The fourth (south) side is bounded by a public footpath that runs alongside an embankment colonised by vegetation on top of which is the Addingham By Pass.

Relevant Site History:
There are no previous planning applications relevant to this plot.

The adjacent land to the west has recently been developed under permission 13/03716/FUL : Residential development of three dwellings (Plots 1, 2 and 3) as amended). Granted by Area Planning Panel : 17 June 2015.

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 on the RUDP Proposals Map.

Proposals and Policies

Core Strategy :

The Core Strategy for Bradford was adopted on 18 July 2017 and so policies contained within it now carry significant weight. Some of the policies contained within the RUDP, are saved until adoption of the Allocations Development Plan Document/Area Action Plan Development Plan Documents, but none of the saved policies are applicable to this proposal.

Local Plan Core Strategy Policies

Strategic Core Policies

- SC3 – Working together to make Great Places
- SC4 – Hierarchy of settlements
- SC5 – Location of development
- SC8 – Protecting the South Pennine Moors
- SC9 – Making Great Places

Thematic Policies

- H01 - Scale of housing required
- DS1 – Achieving good design
- DS2 – Working with the landscape
- DS3 – Urban Character
- DS4 – Streets and Movement
- DS5 – Safe and Inclusive Spaces
- EN2 – Biodiversity
- EN3 - Historic Environment
- EN4 – Landscape
- EN5 – Trees and Woodland
- EN7 – Flood Risk
- EN8 – Environmental Protection Policy
- TR1 – Travel reduction
- TR2 – Parking policy
- EN2 – Biodiversity
- HO5 – Density of Housing Schemes
- HO6 – Maximising use of previously developed land.

Parish Council:

Addingham Parish Council recommends refusal. Considers that 10 new dwellings would lead to an unacceptable over-development and density of building on this plot to the detriment of residential amenity and the environment. Also this scale of housing would lead to problems of access and traffic safety on the narrow lane, and drainage issues for the existing properties in the area. For these reasons, consider that the development would contravene Strategic Objectives 3 and 4 of the draft Core Strategy of the Development Plan Document.

Publicity and Number of Representations:

Publicised by site notices and neighbour letters.

Objections have been received from 16 local addresses.

Summary of Representations Received:

OBJECTIONS

1. Overdevelopment - the proposed scheme is too intensive and the houses too large in scale. 10 new houses would affect the character of the area. The density is inappropriate to an edge of village, semi-rural location.
2. It will particularly impact on the footpath along the south side of the site.
3. Being on a slightly elevated site the houses will dwarf the surrounding bungalows and small semi-detached houses. The proposed development would be too close to the bungalows on Lime Close and will cause overshadowing and loss of light to those buildings.
4. Poor access via The Street which is a narrow access road already serving a number of houses. Over the last few years an extra 4 properties have been built on this road. This new application would mean at least 10-20 more vehicles exiting on a potentially dangerous junction into the neighbouring estate. There will be an increased risk of accidents, especially from visiting service and delivery vehicles who are unfamiliar with the area.
5. Removal of trees by the occupier of Darkwood House in October 2016 planted to reduce noise levels from the nearby bypass has exposed houses to noise. Removal of further trees would cause noise nuisance to neighbouring properties and may increase run-off from the area.
6. There is a listed building adjacent to the proposed new development. This development will be of detriment to the setting of this listed building.
7. Darkwood House and cottage are older dwellings that provide a link with the history of Addingham and should not be knocked down.
8. Impact on the local bat population. Bats are regularly seen around the bungalows at the end of Stamp Hill Close.
9. The proposed development will cause extra surface flood water. Rainwater that regularly flows from Street Lane into Stamp Hill Close creating a skid hazard in winter.
10. These large houses will not serve the needs of the Addingham community which needs small and inexpensive housing for young people and those with low incomes, not more expensive 4 and 5 bed roomed houses.
11. Planning drawings show changed traffic priority when exiting Stamp Hill Close. Residents have not been notified or asked to comment.

SUPPORT COMMENT

The builder has completed three properties adjacent to this site built in a style that is reflective of the local area. This land is ideal for an infill development and being on the fringe of a large housing estate will have little impact on the neighbouring properties.

COMMENT IN SUPPORT and OBJECTION

Addingham Civic Society considers that housing here would take development pressure off more sensitive sites such as green belt and green space sites and with no impact on the village Conservation Area or loss of important landscape or landscape features. But it should include 30% affordable housing and some smaller dwellings as opposed to an entire development of larger 4 and 5 bedroom houses.

Consultations:

Environment Agency : This proposal falls outside the scope of issues the Environment Agency wish to be consulted on, as set out in the Consultation Screening Tool and Article 18 and Schedule 4 of the DMPO, 2015.

Drainage : Lead Local Flood Authority (LLFA) (the Council) : If the drainage details are implemented and this is secured by way of a planning condition on any planning permission the Lead Local Flood Authority has no objection to the proposed development.

Parks and Greenspaces Service : Requires a contribution of £14,048 for 10 houses/units for provision or enhancement of Recreation Open Space and Playing Fields due to the extra demands placed on the locality by this development. This is in compliance with policy OS5 of the RUDP. The money would be used towards the provision and or enhancement of existing recreational facilities and infrastructure work at Addingham Recreation Ground.

Education Service : To meet the increased demands on local education services the financial contribution total request for 10 houses would be £47,322

Natural England : Has no comments to make but refers the LPA to its published Standing Advice to assess impacts on protected species.

West Yorkshire Police ALO : Has provided some crime prevention advice to prevent the development from becoming a target for crime, including advice on boundary treatments.

Rights of Way Officer : Public footpath No 9 (Addingham) abuts the site. It is a well-used recreational footpath. A minimum of two metres must be left for the path between the boundary structure of the dwellings and the existing trees bordering the bypass. Until October 2016 the path ran through an attractive area of woodland (now removed). If built as planned the path will become more enclosed and feel less rural, placed between the bypass and the housing.

Yorkshire Water : If planning permission is to be granted, standard conditions should be attached in order to protect the local aquatic environment and YW infrastructure.

Highways DC : Amendments sought to the width of the access and design of the turning facility have been secured through the amended drawings. The applicant has

now submitted an amended proposal addressing the highway issues raised previously and the Highway Officer has no further objections to raise in highway terms subject to the imposing standard conditions requiring implementation of the access works and car parking proposals.

Summary of Main Issues:

Principle and density of residential development

Impact on listed buildings to west

Access and highway issues

Layout and design

Impact on the amenity of occupiers of adjoining properties

Impact on landscape character

Public footpath

Appraisal:

Principle and density of residential development

Land Allocation/Housing Need

The site is unallocated but it is not subject to any restrictive designations that would prevent development in principle.

Although it is unallocated, the potential of the land for delivering housing needs to be considered. Paragraph 14 of the National Planning Policy Framework stresses a presumption in favour of sustainable development. For decision-taking in respect of planning applications where the development plan is absent, silent or relevant policies are out-of-date, this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole or specific policies in the Framework indicate development should be restricted.

The Replacement Unitary Development Plan can be regarded as being silent on the principle of residential use of the land. The National Planning Policy Framework is therefore the key material consideration to be given weight. In addition, the Council cannot demonstrate a deliverable 5 year supply of housing land and this application needs to be considered in that context. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites.

This is considered to give a strong policy backing to the release of the land for housing and granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Highway and Drainage Constraints

Until recently, development of the various parcels of land between Stamp Hill Close and the Addingham By Pass including the curtilage of Darkwood House has been constrained by the poor access via the unmade track known as The Street.

In 2008, planning permission was given for the single large house to the west of the application site. At that time, Highway Officers considered one house to be the limit of the additional development that could be supported off the access, especially in view of

its narrow width along the section just off Stamp Hill Close. However, the applicant (who also developed the large house) then acquired the residential property at 15 Stamp Hill Close which stands alongside the entrance to The Street from the adopted highway and was able to propose a widening of the access sufficient to enable the Council's Highway Officers to support the row of 3 houses to the west that were approved by Area Planning Panel and have now been completed.

The developer now proposes a further widening of the access onto the curtilage of 15 Stamp Hill Close to create a 4.8 metre wide carriageway to overcome Highway objections and facilitate the larger residential scheme now proposed.

Addingham Parish Council says that problems of access, traffic safety and drainage issues in the area are sufficient reasons to consider that development here will contravene Strategic Objectives of the Core Strategy which seek to ensure that appropriate critical infrastructure (including green and social) is delivered to support growth and that the timing of development and infrastructure delivery are aligned.

In response, firstly, the developer would address drainage needs of the development and there is no evidence that drainage issues are anything more than localised. Drainage section has raised no objections on grounds of sewerage or drainage capacity. Secondly, improvements are now proposed to the access and are considered adequate. There are no other identified physical infrastructure constraints. Thirdly, with regard to community infrastructure, the proposals will deliver significant amounts through Community Infrastructure Levy (CIL) towards education, recreation and other community infrastructure.

It will be argued below that infrastructure constraints have been overcome by the proposed scheme.

Scale of development in relation to the role of Addingham in the settlement hierarchy
Addingham is defined as a Local Service Centre by Policy SC4 of the Local Plan Core Strategy. Strategic Policy SC4 (as modified) says that within the Local Service Centres, including Addingham, the emphasis will be on a smaller scale of developments which meet local needs comprising both market and affordable housing, together with the protection and enhancement of those centres as attractive and vibrant places and communities. Development permitted should achieve a high standard of design that protects and enhances settlement and landscape diversity and character.

Addingham Parish Council considers the scale of development proposed in this application to be excessive in the context of this policy. However, Officers do not accept this argument. The scheme for 10 dwellings is a relatively modest and appropriately sized scheme entirely suitable to the status of Addingham as a Local Centre in the Core Strategy settlement hierarchy and so in accordance with Policy SC4. Furthermore, as will be discussed below, the design quality of the scheme is high and reflective of the character and setting of the village.

Indeed, other representations have recognised the merits of the scheme and how such a small scale of housing release would contribute to the housing allocation of the village whilst taking some pressure off more sensitive sites including key open spaces close to the village conservation area, and the Green Belt.

Density

The site is 0.4 hectares in size. The development of 10 dwellings represents a density of 25 per hectare. This is therefore not an over intensive scheme, as is claimed by objectors, but the density does reflect the prevailing pattern and character of development in the locality and is appropriate to the edge of the village where development is generally of low density. The density is considered to achieve the appropriate balance between density and character as required by Policies HO5 and DS3/DS2 of the Local Plan Core Strategy.

There are therefore no valid planning reasons to oppose the principle of residential development on this land, at the scale and density proposed by the submitted drawings.

Impact on Listed Buildings

Darkwood House and Cottage themselves are not listed or protected by any heritage designations, and so their demolition to secure more effective use of the land is also not opposed.

Several objectors have pointed out that a grouping of listed buildings lies to the west of the site at Street House Farm. The presence of this historic group was an important consideration in respect of the scale, siting and design of the 3 new houses recently built to the west. These are closer to the listed buildings, but the listed group is sufficiently removed from the land around Darkwood House as not to constrain the principle of making more effective use of the land. Houses replacing Darkwood House and Darkwood Cottage would not directly impinge on the setting of the listed group and

Highway Issues

The 2 existing dwellings would be replaced with 10 new dwellings. This would intensify vehicle movements along the access from Stamp Hill Close via The Street. This access is presently unmade and already serves 6 existing dwellings plus the 3 new dwellings approved by permission 13/03716/FUL. Objectors have focused on the narrow width of the access. The Street varies in width but towards Stamp Hill Close it is around 3m wide in places with no passing places.

To address this Highway mitigation measures are being carried out under the terms of permission 13/03716/FUL. These included widening of The Street by taking part of the curtilage of the house on Stamp Hill Close and demolishing its garage. These improvements are currently being implemented on site. To support the new proposals, which would result in a net increase of 8 additional dwellings, further widening and improvements are necessary. The proposed development would bring the total number of dwellings served from The Street to around 14 dwellings.

The Council's Highway Officer considers that the local highway network beyond The Street is capable of accommodating this additional volume of traffic but further improvements to the width of The Street are necessary so that the access can function as a Mews Court access built to an adoptable standard, rather than as a private drive. The applicant is proposing a 4.8 metre wide shared surface access road from Stamp Hill Close up to the site entrance. A further Mews Court cul de sac would then head south off The Street with the houses aligned along its length and around a turning head for cars at the end. The turning head for service vehicles is now created in the centre of the site where the access roads meet.

The proposals have been amended to meet the required highway standards with amendments now shown to the junction with Stamp Hill Close. As well as the 4.8 metre carriageway, a 2m designated footway would be provided to one side and 0.6m margin to the other side.

The original site plan mistakenly showed changes to the priority system at Stamp Hill Close / Broadfield Way junction. This has now been deleted as a proposal. The Council's Highway Officer agreed with objectors that changing traffic priorities at this junction could confuse drivers and lead to highway safety problems.

The level of parking provision within the scheme layout is in accordance with normal parking standards. The majority of dwellings are provided with a garage and at least one parking space on the drive.

Layout and design

Although of some age and built in stone, Darkwood House and the attached cottage are not of any special architectural merit, nor protected by any heritage designations. Demolition could not be reasonably opposed.

These existing buildings will be replaced by a row of 7 x 2-storey cottages arranged in pairs linked by intervening garages, and 3 detached single storey dwellings standing along the west side of the access. The form and design of these two-storey reflect the traditional style of the row of 3 houses already built to the west of the site.

The design and scale of the houses and single storey bungalows seems carefully considered to reflect the surroundings of the village. All 10 proposed dwellings are of traditional appearance and to be built in natural stone to all external walls. The elevation drawings show an attractive development, the scale and proportions of which will be balanced with the recent development of 3 houses to the west and the more conventional bungalows and houses on Lime Close to the east and Stamp Hill Close to the north.

Overall it is therefore considered that the proposal has been well designed to respect and harmonise with the locality in accordance with Thematic Policies of the local Plan Core Strategy.

Addingham Parish Council is also concerned that the development contravenes strategic objectives seeking to provide a range of quality dwellings, in terms of type and affordability, in well-designed neighbourhoods, to cater for the current needs and future growth of the District. However, these proposals clearly show a mix of houses and bungalows, designed to a high standard and with gardens that would provide high levels of amenity.

Impact on the amenity of occupiers of adjoining properties

The proposed housing will be set a significant distance from the 3 new houses now built to the west, and from the rear gardens of the houses and bungalows along Stamp Hill Close to the north. Although objections have been received from occupiers of the dwellings to the north, the new houses and bungalows are set some distance away with The Street set between the site and the gardens of the existing houses and bungalows.

The gable of the row of 7 two storey houses faces towards the dwellings on Stamp Hill Close such that the effects of the proposed houses on the outlook, daylight and privacy of the occupiers of these will not be significant.

The two storey houses on Broadfield Way, bounding the eastern edge of the land have significant back gardens and so will not be affected in terms of losing any outlook, daylight or privacy.

The impact on bungalow properties at 11 and 12 Lime Close which adjoin the eastern boundary of the land has been carefully considered. The proposed new houses would be separated from the boundaries with these properties by between 10 and 12 metres. There are existing perimeter hedges and fences providing screening between the existing and proposed dwellings. In addition, the agent has now amended the arrangement of the dwellings so that garages are now aligned with the positions of some secondary windows in the back elevations of the two bungalows. In addition it is proposed to install screen fencing where existing fencing or hedges are insufficiently robust.

The amended layout now achieves a satisfactory relationship between existing and proposed dwellings sufficient to secure satisfactory standards of amenity for existing and future occupiers.

Boundaries

Further to comments of the Police Architectural Liaison Officer, boundary details have been reviewed and are now shown on a layout plan which confirms retention of an existing 1200 mm high fence behind Plots 1 and 2, and the fencing to the east where there is a 1700mm high close boarded fence. Where existing rear garden boundary treatments are low, an 1800mm high closed boarded timber fence will be installed to provide more security for the rear gardens, and rear plot dividers will be to a minimum height of 1500mm.

It is considered that elsewhere the houses are arranged to give surveillance of the front approaches to the development and adequate protection of more vulnerable rear gardens in accordance with the objectives of Local Plan Policy DS5.

Landscape character and landscaping

The proposed redevelopment will obviously change the open character of land around Darkwood House and views into the site from surrounding areas and the footpath to the north will be primarily of housing elevations. However, with the building of the houses to the west the character has already changed the local landscape as well as the open aspect looking west. Overall, the opportunity to secure more effective use of the land for housing outweighs any modest effects on the previous open character of the land and no conflict with Policy DS2 is identified.

The site itself does not contain any natural features such as trees. It is claimed that trees have been removed from the south boundary of the plot alongside the footpath. However, such trees that may have once lined the site were not protected. The agent has said new planting will be carried out. A scheme of replacement tree planting scheme for the south boundary should be submitted to mitigate the loss of the trees that were on the site and help improve the character of the development.

The existing buildings themselves would be demolished are old, but are of no particular architectural merit. There are therefore no built or natural features on the land itself that would constrain or prevent a suitable residential redevelopment. The scheme itself will be built in natural stone and slates to reflect local character and enhance the setting of the village. No conflict with Thematic Policies DS1 or DS2 of the Local Plan Core Strategy are identified.

Land Quality

The application has been accompanied by a Phase I investigation of land quality. Darkwood House was built prior to 1889 and historic maps suggest that there has been no previous or subsequent development on the land that would have caused ground contamination. The EH officer refers to potential for domestic boiler waste to have been disposed of on site, but this would be localised.

Requirement for Phase II intrusive investigation prior to approval of the application would seem disproportionate, but in view of the consultation advice and the nature of the intended use, it will be necessary for further investigation to be carried out prior to commencement of development. It is recommended that a condition to secure further detailed ground investigation and subsequent remediation of any contamination that may be encountered before the site is brought into use be imposed as a proportionate response to the likely risk.

Public Footpath improvement

Public footpath No. 9 (Addingham) abuts the southern boundary of the site. This is a well-used recreational footpath and a minimum of two metres must be left for the path between the boundary structure of the dwellings and the existing trees bordering the bypass. This is accommodated on the submitted drawings.

The Rights Of Way Officer is concerned that the path will become more enclosed, placed between the bypass and the outbuildings in the gardens of the adjoining housing. Restriction of the path corridor, concentrating users on a particular line could result in the path surface becoming muddy and difficult to use, possibly resulting in repair costs for the Council. Therefore, the Rights Of way Officer recommends a condition requiring the path to be surfaced with a crushed stone dressing to prevent deterioration of the path surface. The applicant has signalled agreement that this footpath improvement will be carried out to an agreed specification. A planning condition is suggested to deliver this aspect of the scheme.

Affordable Housing

Addingham Civic Society seeks for 30% of the scheme to be in the form of affordable housing. Local Plan Core Strategy Policy HO11 sets out requirements for Affordable Housing. Whilst a quota of 30% affordable housing is set for schemes in Wharfedale, criterion C under Policy HO11 of the Core Strategy has been modified as follows:

'Affordable housing will be required on sites developments of 15 dwellings units or more and on sites over 0.4 hectares in size. The site size threshold is lowered to 11 (dwelling) units or more in Wharfedale, and the villages of Haworth, Oakworth, Oxenhope, Denholme, Cullingworth, Harden, Wilsden, and Cottingley.

This is in line with Government guidance.

This housing scheme for 10 dwelling units is below that threshold so no affordable housing is required to be provided as part of this application.

Ecology

The land carries no protective nature conservation designations. A preliminary ecological appraisal is submitted with the application and identifies the land as being of limited value for wildlife and protective species. This is borne out by an inspection of the character of the land. Also there are also no records of protective species at the site. In this case, the conclusion of the submitted ecological appraisal that no further investigations are deemed necessary seems a reasonable conclusion.

The existing house displays limited evidence of use by pipistrelle bats and the consultants do recommend that further activity surveys be undertaken before it is demolished. The applicant is aware of this advice and requirement.

Habitat Regulations Assessment – Impact on South Pennine Moors

The site is to the south of the edge of the South Pennine Moors SPA/SAC (European Site), which is also a SSSI and includes Ilkley Moor. Potential detrimental impacts of additional housing have been highlighted in the Habitat Regulations Assessment of the emerging Core Strategy for the Bradford District and the Core Strategy includes a policy SC4 to consider the impact of proposed housing developments on the European Site.

There are 3 ways in which additional residential development close to the SPA/SAC could impact on its nature conservation interest: Loss of supporting habitat; urban edge effects (risk of fire, predation of birds by pets, loss of air quality etc); and additional recreational pressure.

However, in this case, the site is low grade former garden land and is not supporting habitat to the SPA/SAC as it is not a habitat for nesting birds. The site is also well beyond the 400m zone of influence in respect of damaging urban edge impacts (e.g. fire-spread, fly-tipping, cat predation) and is physically separated from the SPA/SAC moors by some intervening development, a significant road and grazed agricultural land. Possible impact from urban edge effects will be negligible.

It is acknowledged that a net increase of residential dwellings can, in principle, add increased recreational pressure on the SPA/SAC. However, the relatively small size of the proposal and availability of amenity space in the form of reasonably generous gardens within the site itself are such that ten additional houses are unlikely to add significantly to recreational pressure on the moors compared with that from the general population already within the 7km zone and that arising from visitors to the moors.

Furthermore, the CIL payments expected from the development could also be used for mitigation; although as yet the Council does not have an adopted supplementary planning document outlining preferred means of mitigating recreational pressure on the SPA/SAC.

Archaeology

Objectors have raised possibility of a Roman road somewhere nearby, given the obvious connotations of the road name, The Street. However, it is pointed out in the submission that archaeological investigation was undertaken in 2014 on the adjoining site with the involvement of West Yorkshire Archaeology Advisory Service. However, this field work found no evidence for the remains of a road under that site and so it is unlikely that remains of a road would exist on this site immediately to the east.

Flood Risk/Drainage

Contrary to some remarks by objectors about effects on drainage, the site is not in an identified area of Flood Risk. It is not near any known watercourses, nor in an area with any known significant problems of localised flooding. The Environment Agency has said it has no wish to comment on the application.

The Council's Drainage Section, being the Lead Local Flood Authority (LLFA) has reviewed the submitted drainage strategy. If details of the drainage strategy are implemented and this is secured by way of a planning condition on any planning permission, the Lead Local Flood Authority has no objection to the proposed development.

Although objections have been made on the grounds of drainage, there is no demonstrable evidence that the scheme will cause issues of flood risk. Localised problems of water flowing into Stamp Hill Close are possibly caused due to the absence of any positive drainage to the existing unmade access track. These localised issues would be resolved upon improvements being carried out to facilitate the development. Standard conditions are suggested to require agreement of surface and foul water drainage prior to commencement of the development. Subject to this, there is no evidence that the proposals would cause drainage problems or contribute to flood risk. No conflict with Local Plan policy EN7 can be identified.

Community Infrastructure Levy Requirements (CIL)

The Council's Parks and Greenspaces Service and Education Service have identified a requirement for tariff contributions for provision or enhancement of Recreation Open Space and Education facilities that will be caused due to the extra demands placed on the locality by this development. However, whilst these contributions would previously have been secured via S.106 obligation, the proposal falls under the Community Infrastructure Levy (CIL). The Council formally approved the CIL Charging Schedule in March 2017, and it will apply to 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 Levy would be obtained on commencement of development. The CIL charge is variable across the District. In Wharfedale it will be charged at a rate of £100 per square metre of net internal gross floorspace being created. Subject to exemptions, this fee will be collected through a separate mechanism to the granting of planning permission.

Where planning permission is granted for a new development that involves the demolition of an existing building in lawful use, as could be the case here, the existing

floorspace contained in the building(s) to be demolished can be deducted from the total floorspace of the new development when calculating the CIL liability.

The levy would also cover mitigation of impacts on the South Pennine Moors SPA/SAC caused through the additional recreation pressure arising from the extra houses, thus according with Policy SC08 of the Local Plan Core Strategy.

Community Safety Implications:

Comments raised by the Police Architectural Liaison officer have been addressed through a review of rear boundary treatments and amendments shown on drawing F-022-15 Rev B. It is considered that the development has generally been designed to reflect the principles of secure by design and that the spaces which would be created by the development would not be unacceptably insecure or susceptible to antisocial behaviour. Therefore, it is not considered that there are grounds to conclude that the proposed development would create an unsafe or insecure environment or increase opportunities for crime and it accords with Local Plan Policy DS5.

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, in accordance with the duty placed upon Local Authorities by Section 149 of the Equality Act 2010.

There is not considered to be any sound reason to conclude that the proposed development would have a significantly detrimental impact on any groups of people or individuals with protected characteristics. Furthermore it is not considered that the proposal would lead to significant adverse impacts on anyone, regardless of their characteristics. Likewise, if planning permission were to be refused by the Committee, it is not considered that this would unfairly disadvantage any groups or individuals with protected characteristics.

Reason for Granting Planning Permission:

Although the proposal will result in the loss of two existing dwellings, these carry no protective heritage designations and their demolition permits more effective use of the land for housing at a scale compatible with the role of Addingham in the settlement hierarchy and in accordance with policies SC4, SC5, HO1 and HO3 of the Core Strategy.

The proposed dwellings are of a scale and in a location which would not harm the setting of the listed building group to the west. The proposed form, scale and design of the dwellings, consisting principally of a row of linked town-houses of a traditional design and in natural stone and slate materials, would be sympathetic to the character of the area. Being similar in design to a nearby row of houses recently completed to the west.

The layout has been amended to address any perceived impact on the amenity of occupiers of adjoining dwellings and to clarify and amend proposals for boundaries. The highway layout has been amended to achieve an appropriate width and standard of vehicular and pedestrian access to support the scale of development being proposed.

It is considered that, subject to the planning conditions recommended at the end of this report, the development will not result in unacceptable impacts upon the environment or the occupants of surrounding land, or in terms of having any unacceptable traffic and highways impacts, nor effects on flood risk, or ecology. The proposals are deemed in accordance with the relevant national planning policies set out in the National Planning Policy Framework; with the saved policies of the Replacement Unitary Development Plan, and with those strategic core policies and thematic policies of the adopted Local Plan Core Strategy that are now in effect.

Conditions of Planning Permission:

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 SC9, DS1 and DS3 of The Local Plan for Bradford.

3. Before any works towards construction of the dwellings commence on site, the proposed means of vehicular and pedestrian access hereby approved shall be laid out to base course level in accordance with the dimensions shown on the approved plan, Drawing No. F-022 09 REV B.

Before the first occupation of any part of the development, the final wearing course to all means of vehicular and pedestrian access shall be laid out, sealed and drained within the curtilage of the site in accordance with details and dimensions shown on that drawing.

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 DS4 of the Local Plan for Bradford.

4. Before any part of the development hereby permitted is brought into use, the off street car parking and garaging facilities for each dwelling shall be constructed as shown on the approved drawings. All external parking areas 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.

Reason: In the interests of highway safety, drainage and to accord with policies DS4 and EN7 of the Local Plan for Bradford.

5. The development shall be drained using separate foul sewer and surface drainage systems within the site.

Reason: In the interests of pollution prevention and to ensure a satisfactory drainage system is provided and to accord with Policies DS1 and EN7 of the Local Plan.

6. No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority. Unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason: To ensure proper drainage of the site and to accord with Policies DS1 and EN7 of the Local Plan for Bradford.

7. Before any of the dwellings is brought into use, and as is shown on the approved drawing F-022-15 Rev B, Public Footpath No 9 (Addingham) which runs along the southern edge of the development site shall be surfaced for a distance corresponding to the extent of the development site. The surfacing shall use crushed stone of a type and to a specification to be approved in writing by the Local Planning Authority.

Reason : In the interests of promoting continued use of the footpath to accord with Policy DS4 of the Local Plan for Bradford.

8. The boundaries to the development plots shall accord with specifications shown on drawing F-022-15 Rev B and these boundaries shall be installed prior to the occupation of the relevant part of the development.

Reason : To safeguard future occupiers and accord with Policies DS1 and DS5 of the Local Plan.

9. Prior to development commencing, results of a site investigation that assesses the nature and extent of any contamination present on the site must be submitted to and approved in writing by the Local Planning Authority.

If contamination is encountered on site, a detailed remediation strategy, which removes unacceptable risks to all identified receptors from contamination shall also be submitted to and approved in writing by the Local Planning Authority. The remediation strategy must include proposals for verification of remedial works and proposals for phasing of works.

The remediation strategy shall be implemented as approved and prior to the first occupation of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to comply with policy EN8 of the Local Plan for Bradford.

10. In the first planting season following the completion of the development, replacement trees shall be planted along the southern perimeter of the site in accordance with specifications and details of proposed sizes and species of trees that shall first be submitted to, and approved in writing by the Local Planning Authority.

Any trees or plants comprising this replacement planting scheme that become diseased or which die or are removed or damaged within the first 5 years after the completion of the planting shall be removed and a replacement tree of the same species/specification shall be planted in the same position no later than the end of the first available planting season following the disease/death/removal of the original planting.

Reason: To mitigate the impact of the buildings on the landscape, and provide appropriate replacement planting, in the interests of visual amenity and to accord Policies EN5 of the Local Plan for Bradford.

11. Before any development commences on site, full details of arrangements for wheel cleaning of construction vehicles and equipment, including the location of such a facility in relation to the highway and arrangements for disposal of contaminated surface water shall be submitted to and approved in writing by the Local Planning Authority. The details and measures so approved shall be installed, maintained in good operational condition and used for wheel cleaning whilst ever construction or delivery vehicles are leaving the site.

Reason: To prevent mud being taken on to the public highway in the interests of highway safety and to accord with Policy DS4 of the Local Plan.

12. Construction work 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, Bank or Public Holidays, unless specifically agreed otherwise in writing by the Local Planning Authority.

Reason: To protect the amenity of the occupants of nearby dwellings and to accord with Policy DS1 of the Local Plan for Bradford.