

Report of the Strategic Director of Place to the meeting of the Area Planning Panel (KEIGHLEY AND SHIPLEY) to be held on 29 August 2018

E

Summary Statement - Part One

Applications recommended for Approval or Refusal

The sites concerned are:

<u>Item</u>	<u>Site</u>	<u>Ward</u>
1.	2 Clifton Road Ilkley West Yorkshire LS29 8TT - 18/01858/FUL [Approve]	Ilkley
2.	Car Park Oastler Road Shipley West Yorkshire - 18/02769/FUL [Approve]	Shipley
3.	Former Annexe Structure Land At Main Street Menston Ilkley West Yorkshire LS29 6LQ - 18/01686/FUL [Approve]	Wharfedale
4.	Land At Tong Park Baildon West Yorkshire - 18/02249/FUL [Approve]	Baildon
5.	Oddfellows Hall Hotel 125 Otley Road Shipley West Yorkshire BD18 2BL - 18/02784/FUL [Approve]	Shipley
6.	The Holy Family Catholic School Spring Gardens Lane Keighley West Yorkshire BD20 6LH - 17/06927/FUL [Approve]	Keighley Central
7.	The Sidings Station Approach Ben Rhydding Ilkley West Yorkshire LS29 8EB - 18/01342/FUL [Approve]	Ilkley

Julian Jackson
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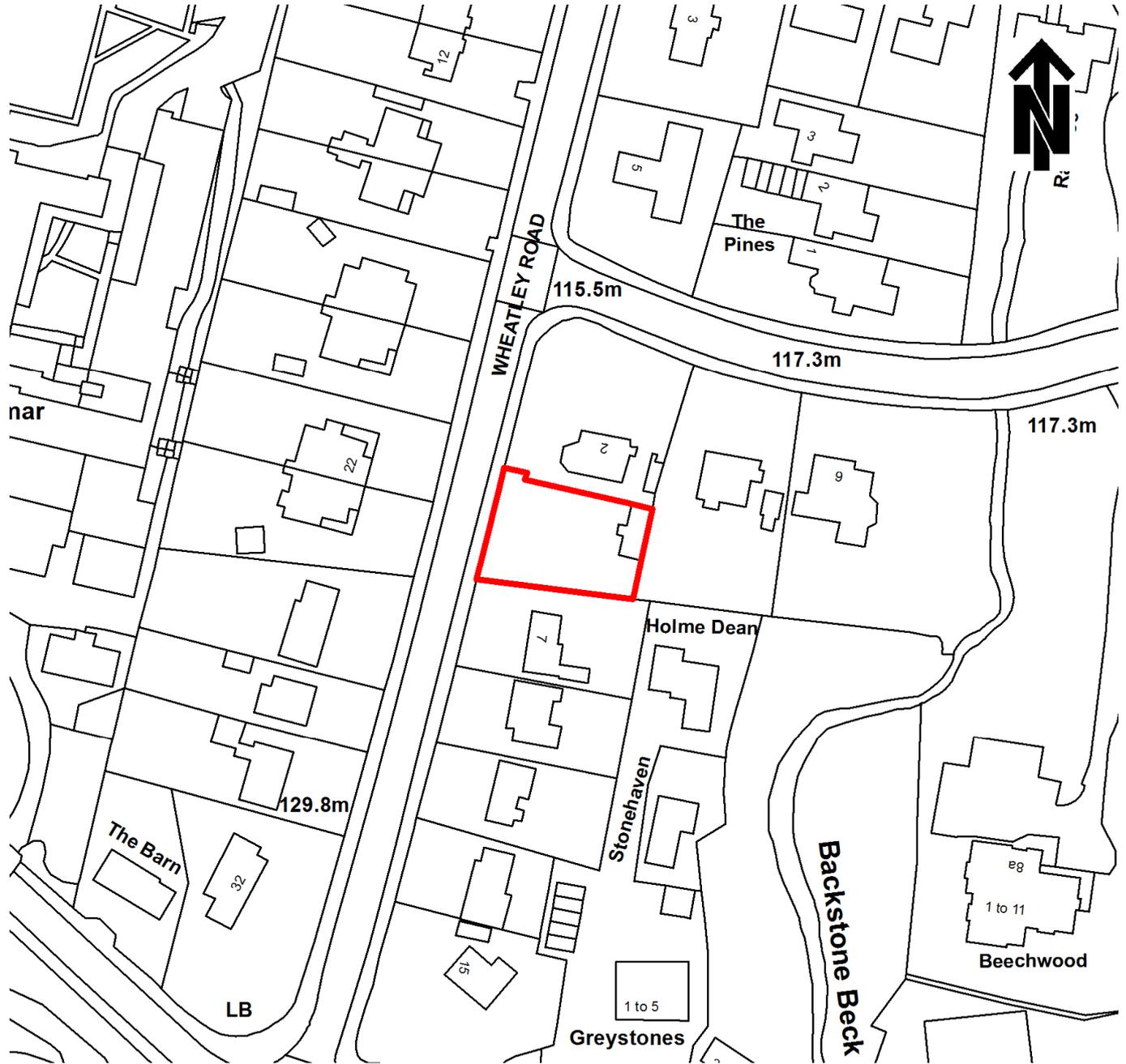
Portfolio:
Regeneration, Planning & Transport

Overview & Scrutiny Committee Area:
Regeneration and Environment

18/01858/FUL



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

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**2 Clifton Road
Ilkley
West Yorkshire
LS29 8TT**

29 August 2018

Item: A
Ward: ILKLEY
Recommendation:
TO GRANT PLANNING PERMISSION WITH CONDITIONS

Application Number:
18/01858/FUL

Type of Application/Proposal and Address:
Full application for demolition of an existing detached garage and construction of a dwelling within the rear garden of 2 Clifton Road, Ilkley.

Applicant:
Mr S. Burgess

Agent:
Halliday Clark Architects Ltd.

Site Description:
The site is on the corner of Clifton Road and Wheatley Road in a residential suburb to the east of Ilkley town centre. The existing property occupying the site is a substantial stone-built Victorian detached house with its principal elevation facing north onto Clifton Road. The existing house has one vehicular access from Clifton Road and another drive access entering the rear of the property from Wheatley Road via an opening in the stone boundary wall. This application proposes to build a new two storey dwelling on the garden behind the existing house. It would replace an existing parking area and a garage that is set against the east boundary wall. The garden plot is relatively level but a retaining wall divides the main part of the site from an area of conifer planting against the boundary with 7 Wheatley Road. This neighbouring house is a modern (1960s), rendered house standing at a significantly higher level behind a boundary wall.

Relevant Site History:
No previous planning applications.

The National Planning Policy Framework (NPPF):
The NPPF was updated in July 2018 and is a material planning consideration on any development proposal. It says the purpose of the planning system is to contribute to the achievement of sustainable development, explaining that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy

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

Replacement Unitary Development Plan (RUDP):

Allocation

Unallocated

Core Strategy & Replacement Unitary Development Plan (RUDP):

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, however, are saved until adoption of the Allocations Development Plan Document/Area Action Plan Development Plan Documents.

Proposals and Policies

DS1 Achieving Good Design

DS3 Urban character

DS4 Streets and Movement

DS5 Safe and Inclusive Places

SC9 Making Great Places

EN5 Trees and woodlands

TR2 Parking Policy

SC8 – Protecting the South Pennine Moors : Zone A - urban edge effects, supporting habitat, recreational impacts.

Parish Council:

Ilkley Town Council recommends approval of this application but would like assurance that the (submitted) tree report is adhered to.

Publicity and Number of Representations:

Publicised by site notice and letters to neighbour to 30.5.18

3 objections have been received including an objection from an Ilkley Ward Councillor referring the application to the Area Planning Panel if it is recommended for approval.

Summary of Representations Received:

1. This development means a substantial loss of garden land, leaving a large house out of proportion to the surrounding garden land. It represents a clear over development.
2. 2 Clifton Road is an impressive house designed by a significant architect in the Victorian period but will now have its amenity space on the north side and will be ruined by the new development

3. The property is higher than the boundary wall and views into the garden of 7 Wheatley Road will cause a loss of privacy, especially as 3 screening trees are to be cut down. There is also a loss of view for No 7 across the valley from the upstairs window looking west.
4. Concerns are expressed regarding car parking.
5. Squeezing another house into the overly developed Ilkley with an additional 1000 other homes will result in unsustainable car parking provision and (pressure on) infrastructure of the town.
6. Removal of trees is not acceptable as these are part of the setting and ambiance of the area.

Consultations:

Council's Countryside Manager – see appraisal.

Summary of Main Issues:

1. Impact on local character and setting
2. Impact on amenity of neighbours
3. Trees
4. Access and parking arrangements
5. South Pennine Moors

Appraisal:

Impact on local character and setting

No 2 Clifton Road stands on the corner of Clifton Road and Wheatley Road in a suburban area to the east of Ilkley town centre. It is an impressive and imposing Victorian house with its principal elevation facing north towards Clifton Road. Ilkley Civic Society has informed the Council that it was built in the 1870s and is designed by George Smith, a recognised local Victorian architect.

Although it is certainly a fine building, the site is outside the conservation area and it is not listed. Nevertheless, it is acknowledged that the house and the boundary walls to the two frontages contribute significantly to the character of this area and careful attention has been given to the impact of this additional house on that character and setting.

The proposed new house would occupy the walled garden to the rear of the house. The existing house has two separate accesses so parking can be provided for the existing and proposed dwellings without the need for any new access points through the boundary walls. The new house would take access from Wheatley Road via the existing opening in the boundary wall and over the existing dropped crossing. In this way, the existing boundary wall will be preserved intact.

Furthermore, the new dwelling would be set unobtrusively on the garden behind the boundary wall and would occupy the spacious gap between the applicant's house and the house at 7 Wheatley Road whilst leaving good separation to the two existing houses.

The scheme is clearly presented on the drawings - which show a well-designed two storey house set back into the site. The new house would be built in coursed natural stone with a blue slate roof. It is well proportioned. Ilkley Civic Society describes the design as successfully "fusing a contemporary style with its Victorian context".

The concern of the objector, the Ward Councillor and the Civic Society is that the new house will not sit well in close proximity to the existing Victorian house at No 2 Clifton Road.

However, Officers disagree. The proposed house will occupy the rear garden but its scale is not excessive and it would not appear cramped or out of proportion with the surrounding garden land. Statements that it represents over development are not borne out by the architect's plans : the proposed house is clearly shown to be of a height and scale that will not dominate the plot or its neighbours. It would be subservient to No 2 Clifton Road and set well below the level of 7 Wheatley Road. It would be set back into the site, behind the retained boundary wall and so would maintain the spacious qualities of the neighbourhood.

In the position shown, a dwelling of this scale, that is to be built using good quality natural stone and slate would be unobtrusive and appropriately subservient to the existing house. It would maintain the qualities and character of the area and the setting of the existing house and accord with design policies SC9, DS1 and DS3 of the Core Strategy DPD.

Impact on neighbouring properties

Although objections are made by and on behalf of occupiers of the house to the south of the site, No 7 Wheatley Road, the modest scale of the new house and the site levels will enable the new dwelling to be built whilst having very little impact on the amenity of its occupiers.

The neighbour is concerned that the new house is higher than the boundary wall and will have views into the garden and cause a loss of views for No 7 across the valley. Protection of views is not a material planning consideration, but also concerns regarding privacy seem over-stated. This is because No. 7 Wheatley Road is set up the slope to the south, with its gable wall (blank at 1st floor level) towards the site. There is an existing boundary wall separating the plots and no habitable room windows are being proposed in the south wall of the new house. The position of the new house would not afford direct views onto the garden and the change in levels and retention of most of the existing boundary vegetation on the banking would further protect amenity and mean that little of the new house would be visible and it would not appear overbearing from No 7, nor would it have any significant effects on privacy.

To the east, the existing boundary wall and vegetation including a Scots Pine tree will be retained to provide screening to the garden to No 4 Clifton Road.

The amenity of existing and future occupiers will be maintained in accordance with Policy DS5 of the Core Strategy DPD.

Removal of trees

Objectors have raised concerns about the removal of a number of trees from within the garden and the effects on trees of a retaining wall shown running on the south side.

However, these comments also seem over-stated. The retaining wall would simply replace the existing retaining wall supporting the banked area of garden alongside No 7 Wheatley Road. The trees (T2, 8, 9 and 10) that are shown for removal to facilitate development are small, low quality garden trees (a holly and cypress conifers). Although the trees do contribute to the ambience of the site, none of the trees are of any great significance and, contrary to what is said by objectors, none are subject to tree preservation orders.

Despite this, the applicant has commissioned a thorough, professional arboricultural assessment and has presented measures for tree protection as part of the application. This would ensure that sufficient planting would be retained within the garden to both maintain the environmental quality of the site and continue to provide screening along the south boundary.

Also it is noted that the parking layout has been specifically designed to retain T1 (a pollarded lime) visible at the site entrance and other well considered tree protection measures are shown on the tree protection plan. Condition 3 requires implementation of those measures to protect retained trees during the construction period in accordance with Core Strategy Policy EN5.

Car Parking and Access

The application includes the removal of an old garage and driveway presently used by the existing occupiers. However, the house has another existing drive access directly off Clifton Road which leads to a large surfaced area that can be used for parking. The proposals for the new house include provision of an integral garage and parking/turning area. These arrangements are acceptable and in accordance with normal standards. Adequate parking facilities are being provided for new and existing houses so the proposal raises no concerns regarding highway safety.

Impact on South Pennine Moors Special Protection Area/Special Area of Conservation (SPA/SAC)

Core Strategy DPD Policy SC8 seeks to protect the South Pennine Moors SPA/SAC and its zones of influence from the pressure of additional residential development. This site lies within Zone A of the policy, which extends up to 400m from the SPA/SAC boundary. In this zone, urban edge effects can impact adversely on the moor, there is potential for loss of supporting habitat and additional recreation pressure on the moors will result from an increase in residential development. The policy requires an applicant to demonstrate why this new house should be regarded as an exception.

This application is therefore accompanied by an Ecological Appraisal prepared on behalf of the applicant.

The recreational impact of the net increase in dwellings in close proximity to the moor will be resolved by the developer contribution that will be sought via the relevant CIL payment. In terms of Zone B effects, it is accepted that the site does not form supporting habitat to the South Pennine Moors due to its current use as garage space and enclosed, managed garden.

In terms of the urban edge effects, the submitted appraisal correctly identifies the key issues and argues that they can be minimised or avoided because whilst the site is some 225m from the SPA/SAC boundary, it is separated from it by other intervening residential properties, busy roads and other urban form which will dilute the significance of some of the impacts (eg. light pollution, increased risk of wildfire and fly-tipping, predation by wandering domestic pets).

With regard to Policy SC8, the Council's Countryside Manager, accepts that the scale of the proposal is not significant and the site will be large enough to provide features like composting facilities so that risk of tipping of garden waste onto the SPA/SAC is minimised.

The reasonably sized garden (471 sq. m) will also deflect some recreational pressure from the moor and reduce the risk of wildfire. Therefore this development would not have an adverse effect upon the integrity of the SPA or SAC.

Community Safety Implications:

None

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 new dwelling is well designed and would appear subservient to the existing house, leaving good separation to the neighbouring property at 7 Wheatley Road. It would maintain the character of the locality and the setting of the existing house. It would not appear overbearing from No 7, nor would it have any appreciable effects on the privacy of adjoining occupiers. Sufficient perimeter vegetation would be maintained within the site to retain the character of the area, and adequate car parking arrangements are provided for existing and proposed dwellings. The amenity of existing and future occupiers and the character of the area will be maintained and the proposals are in accordance with relevant Policies SC9, SC8, DS1, DS3, DS4 and DS5 of the Core Strategy Development Plan Document 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 above damp proof course commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all external 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 DS1 and DS3 of the Core Strategy Development Plan Document.

3. The development shall not begin, nor shall there be any demolition, site preparation or ground works, nor shall any materials or machinery be brought on to the site, nor any works carried out to any trees that are to be retained on the site until the tree protection fencing and other tree protection measures have been installed in the locations and in strict accordance with the specifications and details shown on the submitted Tree Protection Drawing TPP01.

The agreed tree protection measures, shall remain in place, and shall not be moved, removed or altered for the duration of the development without the prior written consent of the Local Planning Authority. There shall be no excavations or alteration of ground levels within the tree protection areas/construction exclusion zones created on the site, and no engineering or landscaping works, service runs, or installations shall take place and no materials shall be stored within them without the prior written consent of the Local Planning Authority.

Reason: To ensure that trees are adequately protected prior to development activity beginning on the site in the interests of amenity and to accord with Policy EN5 of the Core Strategy Development Plan Document.

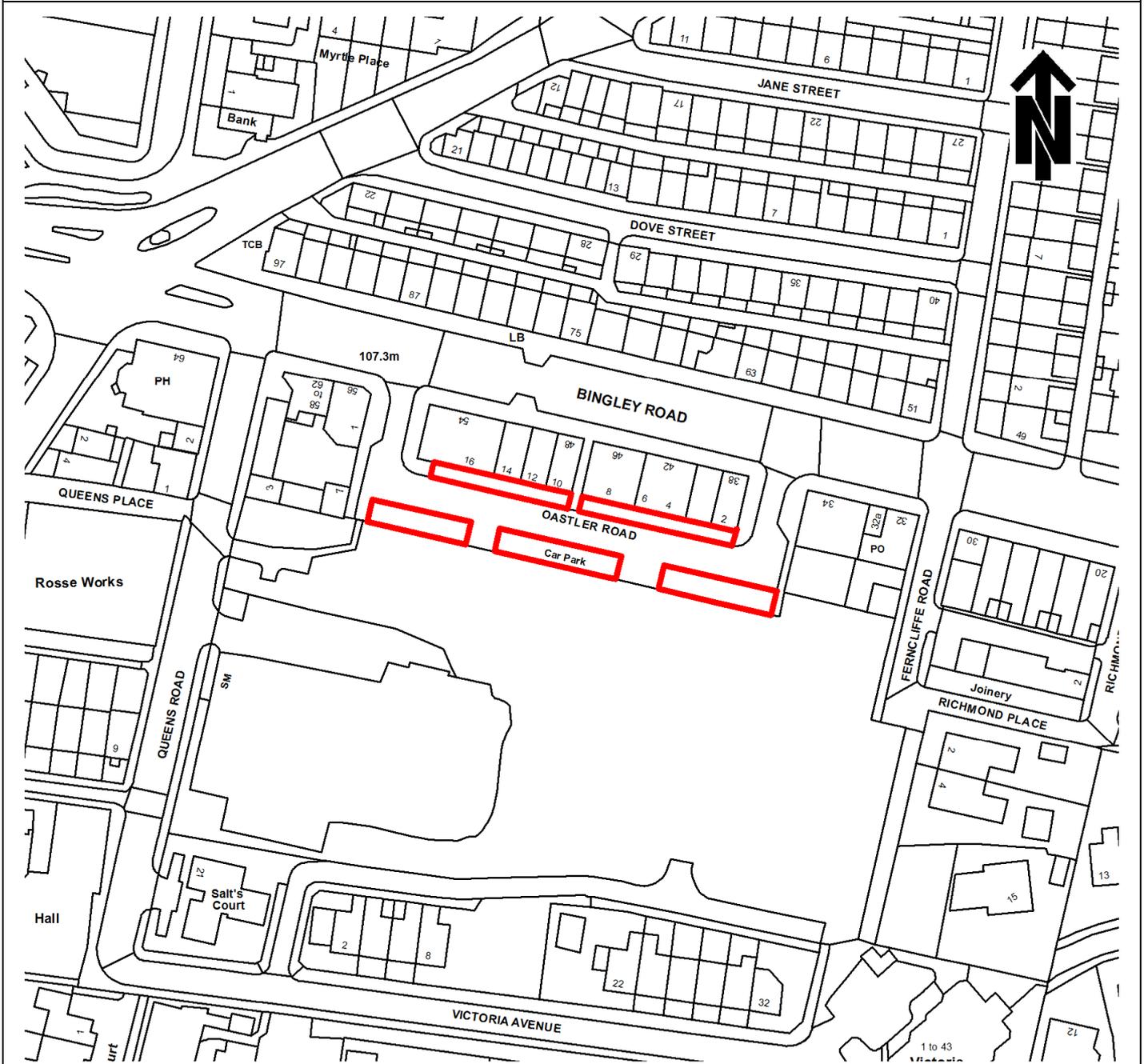
4. Before the development is brought into use, the off street car parking facility for the new dwelling shall be laid out, hard surfaced, sealed and drained within the curtilage of the site in accordance with the approved drawings and the gradient shall be no steeper than 1 in 15.

Reason: In the interests of highway safety and to accord with Policy TR2 of the Core Strategy Development Plan Document.

18/02769/FUL



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**Car Park
Oastler Road
Shipley
West Yorkshire**

29 August 2018

Item: B
Ward: SHIPLEY
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
18/02769/FUL

Type of Application/Proposal and Address:
Application for a change of use of parts of the adopted highway to privately managed car parking spaces and curtilage for adjoining shop at land at Oastler Road, Saltaire, Shipley.

Applicant:
Saltaire Investments Ltd.

Agent:
Mr Jonathan Possenheimer

Site Description:
Oastler Road is an adopted highway with a tarmac surface drained by road gullies that turns off the main Bingley Road, runs to the rear of shop units, including the Co-Op convenience store, before re-emerging onto the main road further east. It has the character of a formal road with footways and a one way system is in operation. On the south side, the highway land extends towards an area of open ground and this part has been marked out and used as car parking spaces for many years. A pay and display system used to be in operation. There is also some chevron car parking bays set at an angle to the road on the north side of the road immediately adjoining the back of the shops where there are rear loading doors. The Co-Op store has positioned some waste and recycling skips on part of this land on the north side. The site is in the Saltaire Local Centre, but outside its conservation area and World Heritage Site.

Relevant Site History:
17/05650/ADV : Application for advertisement consent in respect of car park signage. Withdrawn 19 December 2017.
18/00365/FUL : Change of use of adopted highway to private car park. Refused 19 March 2018. That proposal, as presented, would have been detrimental to highway safety and contrary to Policies DS4 and TR2 of the Core Strategy DPD.

The National Planning Policy Framework (NPPF):
The NPPF was updated in July 2018 and is a material planning consideration on any development proposal. It says the purpose of the planning system is to contribute to the achievement of sustainable development, explaining that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right

time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy

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

**The National Planning Policy Framework (NPPF):
Replacement Unitary Development Plan (RUDP):
Allocation**

Saltaire Local Centre

Local Plan for Bradford:

The Core Strategy for Bradford was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is not allocated for any specific land-use purposes in the Replacement Unitary Development Plan. Accordingly, the following adopted Core Strategy and saved RUDP policies are applicable to this proposal.

Proposals and Policies

DS4 Streets and Movement
TR2 Parking Policy

Parish Council:

None for this area.

Publicity and Number of Representations:

Publicity by site notice and letters to previous contributors.
Expiry 11 August 2018.

88 objections have been received - including from a Shipley Ward Councillor who requests determination of the application by Area Planning Panel.

Summary of Representations Received:

1. Oastler Road is a thoroughfare, it is not the site for a private car park company to allegedly rake profits from residents.
2. It is alleged that previous ANPR cameras caught residents who returned a few minutes late. The changes resulted in hundreds of fines and a lot of stress to local residents and

visitors. The fines of £100 were way in excess of any loss the owner would have for someone overstaying.

3. The applicant has failed to provide the Council with any information about the ways in which parking at the site will be managed (charges, penalties, enforcement, use of ANPR technology, etc). There is no reassurance whatsoever that the car park will be operated responsibly and in the interests of the local community.
4. The site is currently operating highly effectively as a free short stay car park. It enhances the safety of this busy area by providing parking off the main road. Whilst it is essential to the local residents and businesses that Oastler Road car parking is maintained, the Council need to allow this to happen in a way that best supports those that benefit from the shops.
5. The current 20 minutes free works sufficiently, this is not a long term car park. Adding a charging structure is at complete odds to how the site is currently used and would not benefit local businesses.
6. Allegedly illegal and unfair parking fines have already reduced business and led to several businesses closing. If this company again runs it in the way it did previously it will be to the detriment of local businesses, shoppers and pharmacy customers and those who live in the flats above the shops.
7. The re-introduction of ANPR technology and the alleged draconian enforcement charges and penalties will show complete disregard for the convenience of users of businesses in the area and on Gordon Terrace in particular.

The Ward Councillor strongly objects and urges refusal. If, however, the Panel grants permission six conditions are suggested:-

- First, the applicant must ensure that 20 minutes initial free parking is provided without the need to first obtain a ticket from the machines - the same free parking conditions that existed when the Council ran the car park for many years and which worked admirably.
- Second, grace periods of five minutes should be the norm following the end of the 20 minutes free parking.
- Third, the use of penalties to enforce the parking arrangements must be reasonable and graduated.
- Fourth, the use of ANPR cameras should not be allowed at this site.
- Fifth, the amount of signage associated with the car park must be tightly restricted. The operator festooned the site with warning notices last time they operated this car park.
- Sixth, in the event that this is granted permission to operate a private car park at this location, he requests that they are required to install 2x Electric Vehicle Charging points.

Consultations:

Highways DC : No objections.

Rights of Way Officer : Shipley Public Footpath 135 connects with the existing area of adopted highway and provides pedestrians a number of different walking options to get to Bingley Road. As the proposals appear to be now retaining public access to Bingley Road we raise no objections.

Conservation Officer : Although situated in the buffer zone of the Saltaire World Heritage Site, the proposed development would have no adverse heritage implications for the setting of the World Heritage Site.

Drainage Section : Have no comments to make.

Summary of Main Issues:

Background
Previous application
This proposal
Impact on local road safety and connectivity
Other Issues raised

Appraisal:

BACKGROUND

This highway land has been acquired by the applicant company, and in June 2017, the applicant introduced a new management regime for the existing car parking spaces that it had contracted to a private parking company (Smart Parking). The new regime included new ticketing requirements and CCTV (ANPR) monitoring. The new arrangements resulted in many penalty charge notices being issued to unwary users which provoked anger amongst the local community, and complaints from Ward Councillors and the MP for Shipley. This is reflected in the large number of objections made against this new application.

The whole of the land has status as an adopted public highway, known as Oastler Road, and there are Traffic Regulation Orders (double yellow lines) restricting parking along some sections, and a one-way system is in effect.

Therefore, for the applicant company to lawfully operate a private car park, it is necessary to (1) formally change the use of the land from highway to car park, and then (2) secure extinguishment of highway rights. In respect of the latter, in order to close a public highway, there is a separate legal procedure under Section 247 of the Town and Country Planning Act 1990 before any part of the planning permission may be implemented. Planning permission does not in itself alter the status of a public highway.

PREVIOUS APPLICATION

The previous application 18/00365/FUL proposed to make the whole of the highway land presently comprising Oastler Road into a private car park.

However, Oastler Road is a one way, adopted road that provides more than access to the parking bays on each side. It is a thoroughfare that provides delivery and loading access to several shops, most notably the Co-Op convenience store which relies on frequent daily services by large delivery wagons. The thoroughfare also provides access to the flats above the Co-Op; to doors possibly serving businesses at either end; as well as giving access to the other parking areas along the southern boundary of the land marked on site as 'Private Parking' facilities but not included in this application. Previous objectors had also highlighted that complete closure would remove the ability of motorists to use Oastler Road as a safe means of changing direction and heading back towards Bradford.

The previous application was refused because loss of Oastler Road as a thoroughfare and as a highway giving access to other properties and the servicing and delivery facilities for adjoining businesses and residential properties would be likely to cause displacement of vehicles onto the A650 Bingley Road. There was concern that this would thereby cause obstructions to the safe flow of traffic, and that the parked delivery vehicles would cause impairment of visibility for the significant number of pedestrians who cross between the shops and restaurants on the two sides of the road to the detriment of highway safety.

Policy DS4 of the Core Strategy Development Plan Document, says that developments should strive to improve connectivity between existing street and path networks, public transport services and places where people want to go. The previously proposed complete closure of Oastler Road as a highway showed lack of consideration of its multi-purpose function as a thoroughfare and delivery access, and also the need for maintaining a connection between Shipley Public Footpath 135 and Bingley Road.

THIS REVISED PROPOSAL

However, this new proposal reduces the extent of the edged red application site, confining the change of use to the parking bays to either side and an area of highway on the north side currently occupied (and obstructed) by waste storage facilities for the Co-Op. The remainder of Oastler Road will be retained as a thoroughfare, and public highway, with the existing one way system and double yellow lines unchanged.

The land now shown as the edged red application site has been used as car parking spaces for many years, in part previously operated by the Council. The use of the land for car parking can therefore be seen to have operated for a significant period of time without any known problems or conflicts having been caused. There is no evidence that continued use of the land shown edged red for car parking would cause any loss of amenity or harm to the environment, road safety or connectivity in the future.

Layout details have also been presented whereby the applicant has shown on plan how Oastler Road can retain its existing role as a thoroughfare. The Council's Highway Engineer confirms that the swept path drawings provided by the applicant show that Oastler Road would continue to be capable of accommodating the same delivery vehicles and other traffic movements that it has in the past. Its function as a highway will therefore not be diminished by this revised scheme.

Shipley Public Footpath 135 connects with the existing area of adopted highway in Oastler Road and there were concerns that, previously, it would be left disconnected to Bingley Road. However, this pedestrian link would now continue to connect with the retained footway outside Bar 56. Local pedestrian connectivity between Bingley Road and Queens Road is therefore maintained unchanged.

Finally, it must be noted that this car parking will continue to provide an important facility to support the Coop and the other shops and businesses in the Saltaire Local Centre. The need to retain car parking facilities seems to be recognised by the objectors, but the issue for them is how it will be run.

There is no material reasons to oppose the requested change of use in Town Planning terms.

OTHER ISSUES RAISED: CAR PARK MANAGEMENT

The many public comments show the degree of anger in the local community about the approach to management of the car park introduced in June 2017. Objectors say the car park must provide a fair parking scheme with a management regime that ensures some free parking as happened before and the inclusion of an appropriate period of grace for overstaying.

The Ward Councillor has listed six conditions to be imposed should planning permission for change of use be granted.

However, the suggested requirements in relation to allowing a period of free parking, giving grace periods, the grading of parking charges to ensure "fair" and differential pricing of the car parking and dictating the subsequent approach of a private operator to penalty charging would not only be very difficult matters for the Local Planning Authority to control, they would stray beyond land use issues and would not be material considerations in the determination of this application for change of use. These are detailed operational matters for the operator and are not appropriate to control under the planning process.

There are also comments from objectors that signage displaying full terms and conditions should be adequate but also a request for a condition by the Ward Councillor that it needs to be tightly restricted in the interests of the World Heritage Site. However, signage and advertising is subject to separate control under the Advertisement Regulations and it would not be appropriate to impose any conditions on a planning permission, should that be granted. Some small signage could be displayed without needing express consent, whilst other signage would be subject to control and assessment as regards impacts on safety and amenity.

Similarly, APNR cameras, if mounted on new structures would need separate planning consent. It is not known whether the applicant intends to introduce such features.

Whilst the points raised by objectors and the Ward Councillor are understood, fears about whatever management and ticketing regime might be re-introduced in the future cannot be given weight in the consideration of a change of use application.

Community Safety Implications:

None.

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:

This revised proposal overcomes previous reasons for refusal because it retains the access road, including the footways, and it has been demonstrated that the existing servicing and delivery areas, and the connection to the public footpath, will be unaffected. The revised proposal accords with Core Strategy Development Plan Document policies DS4 and TR2 as it will not discourage people to walk, cycle and use public transport and would not negatively affect the present network of routes or make it less convenient and less easy for all people move around this locality.

Conditions of Approval/Reasons for Refusal:

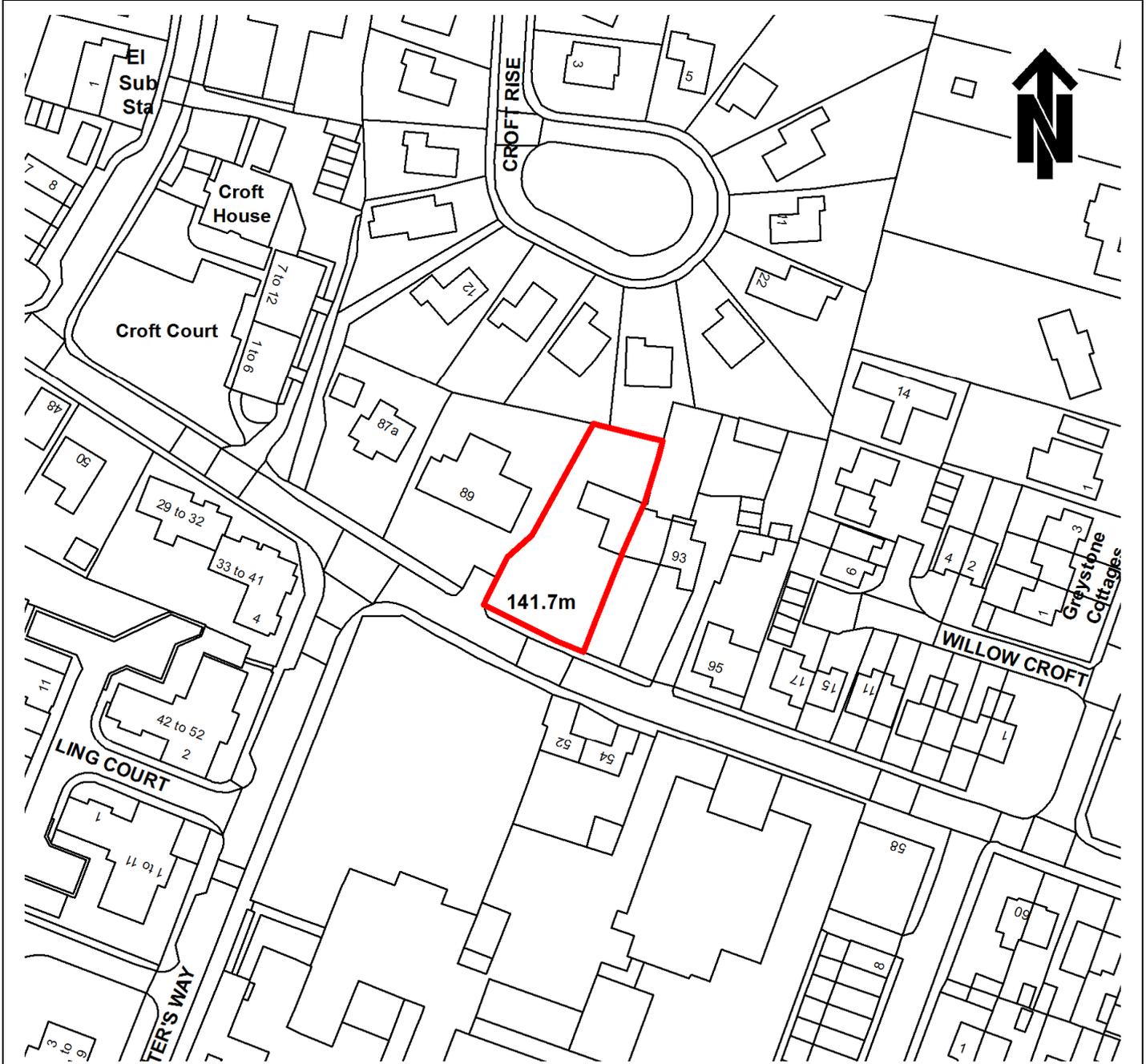
1. The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

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

18/01686/FUL



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METROPOLITAN DISTRICT COUNCIL



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**Former Annexe Structure
Land At Main Street
Menston
Ilkley LS29 6LQ**

29 August 2018

Item: C
Ward: WHARFEDALE
Recommendation:
TO GRANT PLANNING PERMISSION WITH CONDITIONS

Application Number:
18/01686/FUL

Type of Application/Proposal and Address:

Full application for the construction of detached dwelling utilising existing access from Main Street and to include the demolition of the former annexe at Main Street, Menston, Ilkley LS29 6LQ.

Applicant:
Bankhead Group

Agent:
Mr Matt Brooke

Site Description:

The application site is on the north side of Main Street in the centre of Menston and comprises a former annexe and garage building which formerly belonged to No 89 Main Street (Willow House Farm), but which is actually attached to the side of No. 91 Main Street. The outbuilding/annexe is now separately owned. It is a stone built, single storey "L" shaped stone outbuilding which is set well back from the street behind a stone boundary wall and vegetation. The properties to the east are traditional two storey stone cottages. To the west is Willow House Farm – No 89 Main Street – which is another traditional two storey stone residence. To the rear (north) of the site are the back gardens to an estate of modern (1970's) detached houses on a cul de sac called Croft Rise. The back gardens of No.s 16 and 18 Croft Rise adjoin the application site. Although the properties to either side are traditional cottages and houses, the site is well outside Menston's Conservation Area.

Relevant Site History:

18/00531/FUL - Demolition of annexe building and construction of one dwelling utilising existing access from Main Street – Refused on visual impact reasons. Date Issued: 29-MAR-2018.

14/05010/FUL - Conversion and extension of coach house annex to form separate dwelling – Granted. Date Issued: 11-MAR-2015

13/04208/FUL : Conversion and extension of coach house to form separate dwelling- Status: REFUSED Issued: 17-DEC-2013.

98/02850/COU : Change of use of part of outbuilding to business use- Status: GRANT- Date Issued: 08-JAN-1999.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework was updated in July 2018 and is a material planning consideration on any development proposal. It says the purpose of the planning system is to contribute to the achievement of sustainable development, explaining that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and 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:

Unallocated

Local Plan for Bradford:

The Core Strategy Development Plan Document was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is unallocated. Accordingly, the following adopted Core Strategy policies DS1, DS3, DS4 and DS5 policies are applicable to this proposal.

Core Strategy Policies

DS1 – Achieving good design

DS3 – Urban Character

DS4 – Streets and Movement

DS5 – Safe and Inclusive Places

SC9 – Making great places.

Parish Council:

Menston Parish Council considers that the application fails to appease the previous reasons for refusal. Particular concern is raised with regard to choice of stone and the balcony to the rear. Parish Council requests referral to planning panel.

Publicity and Number of Representations:

Publicised by neighbour notification letters and site notice to 18.05.2018.

Letters/emails of objection have been received from occupiers of 7 separate addresses.

In addition there is an objection from a Ward Councillor.

Summary of Representations Received:

- The proposal does not address previously refused application and would result in visual harm.
- The design and massing is inappropriate for the site.
- Works have been undertaken at the site and the site should be restored to its previous condition.
- There have been procedural errors with the application.
- The proposal would overshadow neighbouring property.
- The proposal would be out of keeping with the local character.
- The proposal would overlook neighbouring property.
- Highway safety concerns regarding the access and proximity to nearby school.
- The proposed dwelling would appear overbearing to neighbouring property.
- The proposed dwelling would result in a loss of light for neighbours.

Consultations:

Highways DC – No objections, subject to suggested conditions, following receipt of revised vehicle tracking plan.

Summary of Main Issues:

Principle of development

Design and scale – impact on local character

Impact on Residential Amenity

Highway Safety

Other issues

Appraisal:

Principle of development

This is an unallocated site but it is previously developed land in the built up area of the village with good access to village services (including the primary school) and public transport services and so the principle of new residential development is considered acceptable.

Planning permission 14/05010/FUL has previously given consent to the conversion and extension of the existing coach house annexe to form a separate dwelling.

Given the lack of a 5 year housing land supply in the Bradford district, the National Planning Policy Framework (NPPF) requires that Local Authorities must consider applications for residential development favourably unless there are clear material reasons otherwise.

The application remains subject to an assessment of the local impact of the development.

Design and scale – impact on local character

The context for this proposed development is that the site is a gap between two groups of traditional buildings which are built in stone and have a strong vernacular character – albeit that the appearance (and height) of each is markedly different. The detached dwelling,

Willow House, at No 89 is a large stone built period property and to the east, the existing outbuilding directly abuts a pair of traditional cottages at Nos. 91-93 Main Street. Although unlisted and outside the village conservation area, they are attractive period properties and give character to the locality.

The outbuilding currently has a subordinate relationship to the neighbouring cottages and it is important that any development of the site maintains a balance with those cottages and is of a sympathetic design and materials.

The previous proposal 18/00531/FUL was refused because it was considered that that dwelling would have appeared out of character with the surrounding area due to the increased height of development compared with the existing annexe. It would have increased the physical presence and massing than the current coach house. The building would have been increased in height of building facing onto Main Street and to the properties to the rear.

This application has been re-designed in attempt to address the previous reason for refusal.

Amendments made include; a handing of the design such that the reduced height section including the garage would now be sited closest to the adjacent cottages. This handing improves the separation and subordination to the cottages - as is demonstrated by the submitted street scene drawing. The height of the section of the proposed new house nearest the cottages would be a metre lower in height than the cottages.

The bulk of the proposed dwelling is moved more centrally into the plot between the cottages and 89 Main Street. The ridge height of the proposed dwelling has also been reduced from the previously refused scheme from 7.65 metres to 7.53 metres and is lower than the ridge to 89 Main Street. The effect is that the proposed house would now sit more comfortably between the cottages and the house at 89 Main Street.

A further beneficial amendment is that a previously proposed 2 storey gable feature that was prominently placed in the centre of the proposed dwelling is replaced by a more traditional modest single storey gable roofed porch. This reduces the apparent bulk and dominance of the structure when viewed from Main Street.

The architect has proposed natural stone and slates and a condition to require agreement of final samples will ensure that the final building blends harmoniously with the traditional buildings to either side.

Although objectors are still concerned that the proposed dwelling would appear insubordinate and out of keeping, Officers disagree. The amendments have resulted in a dwelling which will site well in this gap between traditional buildings. There is an appropriate balance between traditional and contemporary features and the omission of the pronounced gable feature, the placing of the garage towards the cottages to the east, and the slight reduction in ridge levels achieves a suitable transition of built form facing the Main Street. The proposal accords with relevant Core Strategy design Policies DS1, DS3 and SC9.

Impact on residential amenity

The previously decision did not include adverse impact on neighbours as a reason for refusal because officers considered the scheme to achieve an acceptable separation to the modern houses to the north.

Neighbours at 12-22 Croft Rise continue to express strong objections regarding concerns resulting from the proposed dwelling including introducing overlooking, overshadowing, feared loss of light and having an overbearing appearance. The properties at 16 and 18 Croft Rise have gardens adjoining the site and are most directly affected. Objections are also received from occupiers of 89 Main Street.

However, the proposed house has been positioned to achieve acceptable distances to boundaries. Gaps to side boundaries of 1.5 metres and 2.6 metres are provided at the closest points. Although No. 89 Main Street includes a number of side windows facing the application site and would be around 7 metres from the side of the proposed dwelling, the two first floor windows in the side elevation of the proposed dwelling would serve an en suite bathroom and a secondary window to a bedroom. Both of these windows are proposed to be obscure glazed and as such unacceptable overlooking of 89 Main Street would not arise.

The dwelling would be set further back into the site than the existing annexe and in line with adjacent properties. This would maintain the amenity of Nos. 89 and 91 Main Street. Side facing windows to the eastern elevation would not result in loss of amenity; the cottage presents a blank elevation.

The proposal includes a two storey gable projection to the rear elevation which also includes a recessed covered balcony at 1st floor level. The balcony area would be sited 11 metres from the rear boundary to the site and 21.5 metres from the rear window of the property immediately to the north. Whilst some overlooking would arise from the proposal, it would be positioned at distances from the boundary considered acceptable by established guidance in the Householder SPD.

As with the recently refused application, this proposal would remain to have acceptable impact on neighbours amenities and unacceptable overlooking, overshadowing or over dominance would be of a level significant enough to justify a refusal. It is considered, in this respect, to accord with Core Strategy policy DS5.

Highway Safety

Satisfactory access, turning and parking facilities are provided.

The development provides 2 parking spaces on the drive and a single garage which is an acceptable level of parking provision for this area.

The scheme involves forming a new drive access off Main Street. The land is relatively level. Tracking diagrams have now demonstrated that vehicles can enter and leave the site safely from Main Street. The Council's Highway Officer raises no objection subject to conditions to ensure provision of the means of access and parking for the new dwelling.

The proposal is acceptable in terms of the impact on highway safety, and thereby compliant with policy DS4 of the Core Strategy and the NPPF.

Other Issues

Impact on Trees

The Council's Tree Officer has commented. The trees along the frontage of the site have a strong presence and may have already been damaged by various engineering work at the site but this is unlikely to result in the loss of trees. In addition, the Tree Officer advises that construction may need to sever roots and reduce the canopy of the large off-site tree as a consequence of the build. Given that the trees are not protected by either TPO or the site located within a conservation area, any damage to off-site trees would be at the developers' risk. The Tree Officer advises that the developer is made aware of it via footnote on the decision letter. Also that as the trees have no TPO, no tree protection conditions should be imposed.

Party Wall/Remedial Works

The proposal includes the demolition of the existing building which is attached to the neighbouring property at 91, Main Street. This demolition would expose a gable wall to that property, the condition and reinstatement of which would require prior to new dwelling being constructed. A structural report and methodology could be appropriately conditioned to protect the amenity of the neighbour and to ensure the neighbouring building's continued stability along with suitable visual impact.

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 proposal is considered to have addressed the previous reason for refusal and would now be well related to the existing character and amenity of the area in accordance with Policies DS1, DS3, SC1 and SC9 of the adopted Core Strategy Development Plan Document. Separation to neighbouring dwellings is acceptable, and parking/access issues are resolved to the satisfaction of the Council's Highway Officer. The proposal is not considered harmful to residential amenity or highway safety and is therefore considered to comply with policies of the Core Strategy Development Plan Document and the National Planning Policy Framework.

Conditions of Approval/Reasons for Refusal:

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 above damp proof course commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all external facing and roofing materials to be used in the sports enclosure 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 DS1 and DS3 of the Core Strategy Development Plan Document.

3. Prior to the commencement of works to construct the new dwelling, a structural report confirming the condition of the adjoining gable wall to 91 Main Street and to set out proposed methods of making this wall sound through stabilisation and rebuilding shall be submitted to an approved in writing by the Local Planning Authority. Prior to the occupation of the new dwelling, the gable wall with the adjoining property shall be rebuilt, repaired and made structurally sound in accordance with this approved methodology.

Reason: (i) In the interests of the amenity of occupiers of the adjoining dwelling and to safeguard the continued stability of this building to accord with Policy DS5 of the Core Strategy DPD.

4. Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced and drained within the curtilage of the site in accordance with the approved plan.

Reason : To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policies DS4, TR2 and EN7 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

5. 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.

Reason: In the interests of amenity, flood risk and highway safety, and in accordance with Policies TR2 and EN7 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

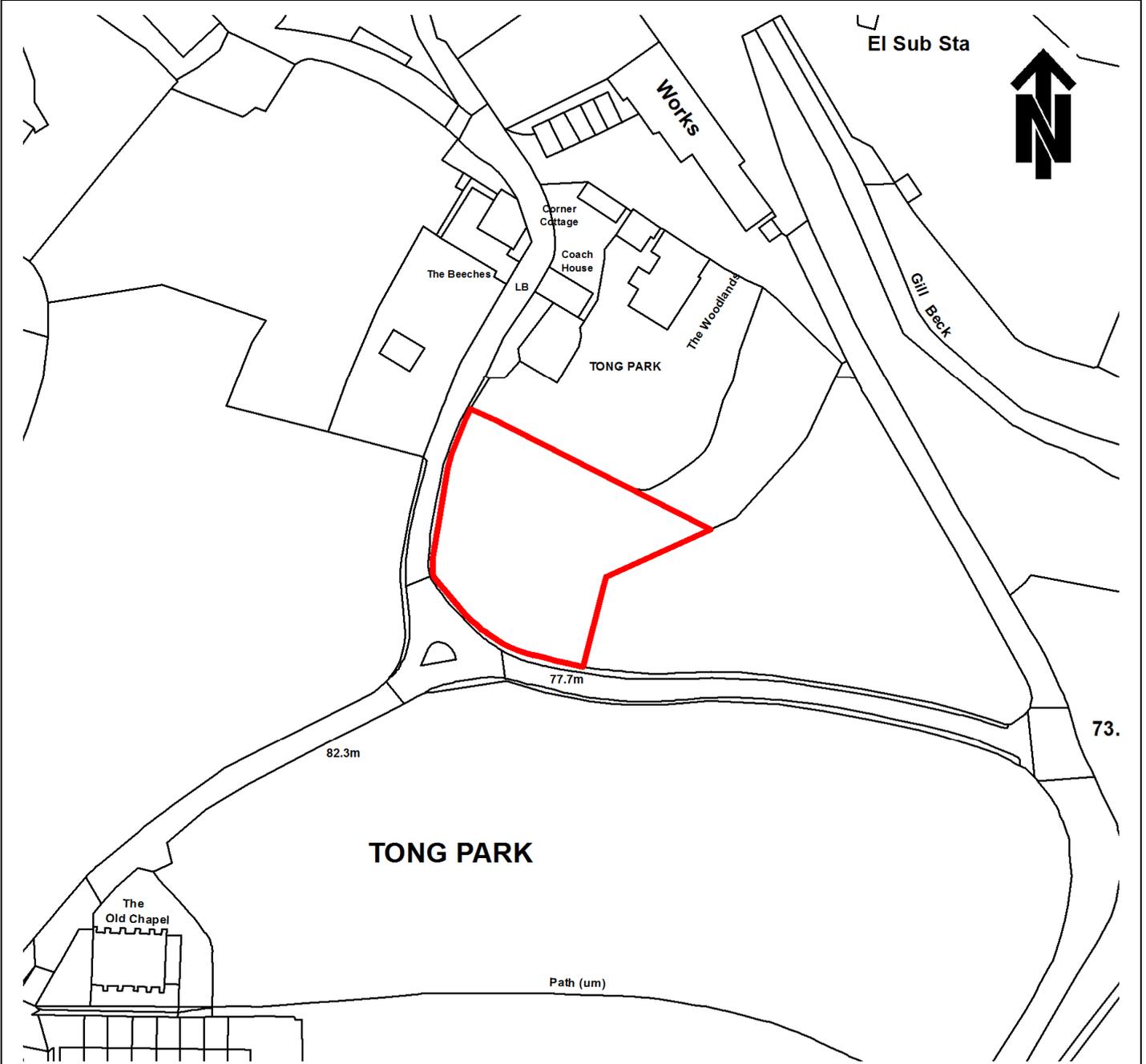
6. The 1st floor windows in the west elevation of the dwelling hereby permitted shall be glazed in obscure glass prior to the first occupation of the building and thereafter those openings shall be retained with that form of glazing.

Reason: To prevent overlooking or loss of privacy to adjacent occupiers and to accord with Policy DS5 of the Core Strategy Development Plan Document.

18/02249/FUL



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

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Land At Tong Park
Baildon
West Yorkshire

29 August 2018

Item: D
Ward: BAILDON
Recommendation:
TO GRANT PLANNING PERMISSION WITH CONDITIONS

Application Number:
18/02249/FUL

Type of Application/Proposal and Address:
Full application for the construction of two detached dwellings on land at Tong Park Street, Tong Park, Baildon.

Applicant:
J Fern, J Archer and W B Todhunter

Agent:
Alistair Flatman Planning

Site Description:
The application site is an irregular plot of open, uncultivated land which lies on the east side of Tong Park Street which is an unmade road leading off the Otley Road. It is behind a stone wall and on the inside of a bend in the road. The land is to the south of a cluster of traditional stone built dwellings which form the small hamlet of Tong Park. The site is fairly level but there is a sharp fall in ground levels towards the rear of the plot so this land to the east is at a much lower level. Tong Park Street is an unadopted road at this point with pot holes in places although it is wide enough to accommodate two-way traffic along most of its length.

Relevant Site History:
18/00171/FUL Construction of two detached dwellings Withdrawn 26.3.2018

The National Planning Policy Framework (NPPF):
The NPPF was updated in July 2018 and is a material planning consideration on any development proposal. It says the purpose of the planning system is to contribute to the achievement of sustainable development, explaining that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe

built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy

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

Replacement Unitary Development Plan (RUDP):

Allocation

Unallocated.

Core Strategy & Replacement Unitary Development Plan (RUDP):

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, however, are saved until adoption of the Allocations Development Plan Document/Area Action Plan Development Plan Documents.

Proposals and Policies

DS1 Achieving Good Design
DS2 Working with the landscape
DS3 Urban Character
DS4 Streets and movement
DS5 Safe and inclusive places
EN4 Landscape
EN5 Trees and Woodlands
EN7 Flood risk
H05 Housing Density
SC9 Making great places
TR2 Parking

Parish Council: Baildon Parish Council – objection.

Publicity and Number of Representations:

Advertised by site notice and individual neighbour letter. Expiry date 16 July 2018.
14 objections have been received from 10 local households. Objections also received from the MP for Shipley and a Baildon Ward Councillor who request that the application be determined by the Area Planning Panel if recommended for approval.

Summary of Representations Received:

1. The principle of development is not acceptable as it would damage this semi-rural, historic location.
2. Tong Park Street is unsuited to additional traffic being an unadopted, heavily pot-holed road with no footpaths, very limited lighting and poor surface drainage.
3. There are no passing places along its length and no capacity for on street parking without causing an obstruction.

4. Access during the construction process would be problematic both for residents and emergency services.
5. There could be up to 14 extra vehicles using the already substandard lane
6. Access from Tong Park Street onto the A6038 is already hazardous as a result of the traffic speeds and volume, plus the position of the Esso garage opposite. The increase in vehicle trips at this point would have an adverse impact on highway safety.
7. These 2 large houses will not be in keeping with the character of the area.
8. Would it be possible to apply a restriction on the sub-dividing of these houses into further individual household units at any time in the future?
9. The proposal could set a precedent for other parcels of land nearby to be used for residential development.
10. Personal gain of the applicants should not outweigh the environmental impact of the development.
11. A number of trees were felled on the site prior to the submission of the application
12. The sewerage system at Tong Park is Victorian and unable to cope with the demands of 2 large family homes with a high number of toilets and bathrooms.
13. The capability of the drainage system should be investigated before the application is determined and not prior to the commencement of work on site.
14. There would be a threat to local wildlife
15. Previous planning applications on the site were rejected in the 1990s primarily on access grounds.

Consultations:

Highways DC

No objection in principle subject to conditions.

Drainage Section

No objection in principle subject to conditions

Baildon Parish Council

Object to the development for the following reasons:-

- Impact on wildlife and trees
- Access is via an unmade and unadopted road and this raises highways and visibility issues. Also emergency vehicle access to existing and proposed residences would be compromised.
- The design of the new houses is not in keeping with the buildings that remain from the original Tong Park Village

Summary of Main Issues:

Principle of Development

Impact on visual amenity and local character

Highway safety

Drainage

Other issues raised in the representations

Appraisal:

The application is for the construction of two detached large dwellings on the site. They would appear as conventional two stories in height with bedrooms created in the roof space. The floor plans show that they would have 7-bedrooms.

A previous planning application for two dwellings (18/00171/FUL) was withdrawn in March of this year. Officers did not support this earlier scheme as submitted which showed an awkward siting for the dwellings reliant on shared access, and the suburban-style design, and imposing mass and bulk were considered alien to the strong, semi-rural character of the Tong Park area and disruptive and unnecessary engineering operations with gabion retaining structures would have been necessary.

The new proposal

Following withdrawal of the previous application, the agent has redesigned the proposal, following Planning Officer advice that a successful development here must be much more traditional in appearance and must be informed by the semi-rural setting of Tong Park.

The two houses would be identical in appearance. They have been designed in simple, vernacular style utilising natural stone and slate materials throughout. They incorporate traditional details such as stone corbels, stone mullions and window surrounds and chimney stacks to reflect the character of this semi-rural location. The existing dry stone boundary wall to Tong Park Street is to be maintained. The dwellings are positioned so that they front onto the highway, each with a point of access off it. Both dwellings have garaging and off street parking to the front. The driveway and parking area allows enough space for vehicles to turn so that they can enter and leave the site in a forward motion. The site entrances are also wider than normally required to assist with visibility. The submitted drawings indicate that the section of the highway immediately adjacent to the site is to be upgraded through the repair and resurfacing of potholes and clearance of vegetation along both sides of the track.

Principle of development

The site is an undeveloped parcel of land. Although it is open, it is not part of the Green Belt, nor protected from development by any other heritage, environmental or planning designations. It is located within an established residential area which, whilst, seeming somewhat remote, is actually very close to the services and facilities of Baildon/Lower Baildon, and the public transport services at Baildon Station and running along Otley Road.

Given the shortage of land for housing across the Metropolitan District and the thrust of the NPPF towards increasing the supply of housing, there seems no reason why such site, located within the limits of the built up area, would not be suitable for housing. The Council's Core Strategy Development Plan Document has highlighted that there is a need to provide 350 additional homes within Baildon by 2030 and this site would provide a useful, though small contribution to the Council's house building targets and reduce the need to release green belt land.

However any redevelopment scheme would need to ensure that it would sit well within this particular landscape setting and take account of the character of the surrounding area which is semi-rural in nature. Subject to an appropriate design and layout the proposal could accord with Policies HO3, DS1, DS2, DS3, DS4 and DS5 of the Core Strategy DPD.

Density

There is a need to ensure that land is used efficiently and the yield of housing to be derived from this scheme would be low. However, the development potential of this site is limited by its topography – the land falls steeply away to the east, making much undevelopable. Also the poor surface condition of Tong Park Street is a constraint to the amount of development. It is not considered that the site could accommodate more than two detached properties

without being injurious to either the amenities of adjacent residents, highway safety or the local character of the area. An exception to the requirements of DPD Policy HO5 is therefore justifiable.

It is acknowledged that the land to the south and east of the site, covering an area of 2.32ha, has been identified as a constrained housing site on the Replacement Unitary Development Plan – S/H2.1 Tong Park. Given the siting and design of the dwellings it is not considered that any redevelopment here would prejudice the future development of the adjacent site.

Impact on visual amenity and local character

Although large, the redesigned dwellings are considered to sit comfortably within the environs of Tong Park which is characterised by other, older detached, stone built two storey properties. The dwellings have now been carefully re-designed to reflect the local vernacular characteristics.

The front elevations would be the most prominent and these are designed to resemble the simple, balanced proportions of traditional Victorian houses – resembling a Yorkshire farmhouse rather than the suburban detached dwelling which was previously proposed under application 18/00181/FUL. Design features to reflect traditional stone detached houses elsewhere in the locality are incorporated and use of coursed natural stone walling and natural blue/grey slate roofing materials will also enable the houses to harmonise with the cluster of buildings in the traditional hamlet to the north.

The proportions of the window openings are now in keeping with the neighbouring dwellings. The use of varying roof heights and the staggered building line would also help break up the mass and bulk of the properties, particularly when viewed from the front and rear. Adequate space is retained about each dwelling and there is ample provision for amenity space commensurate with the needs of a family sized dwelling to the rear. The submitted drawings show that the existing stone boundary wall is to be retained and this would also help maintain the character of the lane and provide the setting for the development. The proposal is considered to accord with Policies DS1, DS2, DS3 and SC9 of the Core Strategy Development Plan Document.

Highway safety

It is appreciated that Tong Park Street is an unmade road with many potholes. However, it is relatively wide and level.

The Council's Highway Engineer has advised that whilst access from Tong Park Street onto the main Otley Road can be difficult due to the volume of traffic travelling along this busy classified route, visibility along the length of Otley Road is good. An examination of injury accident data shows only one injury accident occurred on Otley Road in the last 5 years within 150 metres of the junction with Tong Park Street - and this was a result of snowy conditions. This shows that there are no significant highway safety issues in this locality.

Based upon the national 'TRICS' data, an average dwelling can generate between 6-8 two way vehicle movements per day which would equate to 16 movements across the site. The Council's Highway Engineer has advised that this amount of development can be accommodated if suggested improvements to the highway are carried out; this will comprise the following steps by the developer:-

- 1) Repair and resurfacing of potholes along the access track for the extent of the site frontage
- 2) Clearance of vegetation along both sides of the track
- 3) The height of the low stone boundary wall across the frontage will be a maximum of 1m high to ensure good visibility, particularly around the bend.
- 4) The provision of wider than standard site entrances with radius curves which will provide some space for passing and turning.

These improvements will offset concerns about the potential intensification of use of the substandard access.

The development provides four off-street parking spaces per dwelling in the form of two single garages and two spaces on the drive. This level of parking provision is acceptable for this location.

The development is considered to accord with the requirements of Policies DS4 and TR2 of the Council's adopted Core Strategy Development Plan Document.

Impact on residential amenity

No issues are anticipated given the relative position of the proposed dwellings to neighbouring properties. The nearest property to the north, The Coach House, is around 27m away from the site boundary. The Council's normally applied spacing standards relating to a facing distance between habitable room windows of 17m is exceeded. No loss of amenity between the proposed dwellings is envisaged. Although both of the new build properties have windows in their facing sides these generally are secondary windows or windows which serve non-habitable rooms and no direct overlooking is anticipated. The proposal is considered to accord with Policy DS5 of the Core Strategy Development Plan Document.

Drainage

The Council's Drainage Officers have raised no objection to the development and have recommended the imposition of conditions to ensure that details of the surface and foul water from the development is suitably controlled. The use of a soakaway to drain the surface water is considered to be acceptable and would be subject to detailed control under Building Regulations.

The applicant is aware that a public sewer exists in close proximity to the site boundary, and that the developer would need to obtain any necessary consents from Yorkshire Water in respect of the diversion of the sewerage system.

Subject to the imposition of the suggested conditions, the proposal will accord with Policies EN7 and EN8 of the Core Strategy Development Plan Document.

Other representations

The comments raised by adjacent neighbours, Parish Council, Ward Councillor and local MP have been noted.

It is not considered that the scheme would result in conditions that would be harmful to highway safety or residential amenity for the reasons outlined above and a reason for refusal on these grounds could not be substantiated. Although the dwellings are large, careful

consideration has been given to their design to ensure that they reflect local vernacular characteristics whilst ensuring that the visible mass and bulk is minimised.

It is understood that there were previously more trees on the site which may have been removed. However, these trees were not protected and consent would not have been required for their removal. No trees are affected by the proposals submitted.

The Council's Drainage Engineer is satisfied that the site, in principle, can be suitably drained. Relevant conditions will be put in place to ensure that any drainage scheme would not adversely impact upon local services.

The proposal would not set a precedent for similar developments as each application is considered on its merits. It is noted that previous applications for residential development in the wider area have been refused by the Local Planning Authority although none specifically relate to the site which is the subject of this application. The most recent application 97/02592/OUT was refused on 10.11.1997 but related to another area of land amounting to 3 hectares in size and which encompassed the larger allocated housing site to the south and east of the application site, (RUDP site S/H2.1), together with part of an adjacent employment site, Tong Park Industrial Estate, (S/E1.1).

This scheme was far more substantial and raised far more significant planning and highway issues than the current proposal for just 2 dwellings so any comparison between the two schemes is not warranted. Previous applications for residential development in the 1980s (80/74926/OUT and 80/22035/OUT) were also refused and again these applications were made in respect of the adjacent housing site and not the site the subject of this application.

It is acknowledged that the proposal would represent a change in the character of the immediate locality in that this small site is an undeveloped, open area of grassland. However, the site has no heritage or Green Belt designation nor any protected status with regard to wildlife, native species or the quality of the landscape. In such circumstances the general approach of the NPPF is in general favour of development and to approve such applications without delay.

Community Safety Implications:

None raised.

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 proposed development is considered to relate satisfactorily to the character and appearance of the local environment without having a detrimental impact on the amenities of neighbouring properties, highway safety or local services. The proposal represents an appropriate use of an unallocated site within the built up settlement of Baildon and will contribute to the districts housing supply. Whilst the proposal will result in the intensification of Tong Park Street, sufficient mitigating measures have been put forward to improve local

conditions to ensure that safety of existing road users will not be compromised. As such this proposal is considered to be in accordance with Policies DS1, DS2, DS3, DS4, DS5, EN7, EN8, HO3, HO5, and TR2 of the Core Strategy Development Plan Document.

Conditions of Approval/Reasons for Refusal:

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 above damp proof course commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all external 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 DS1 and DS3 of the Core Strategy Development Plan Document.

3. Before the development is brought into use, the associated off street car parking facility shall be laid out, hard surfaced and drained in a sustainable manner within the curtilage of the site in accordance with the approved drawings. The gradient shall be no steeper than 1 in 15 except where otherwise approved in writing by the Local Planning Authority.

Reason: To support the effective regulation of car parking provision serving the development, in the interests of amenity and highway safety, and in accordance with Policy TR2 and Appendix 4 of the Core Strategy Development Plan Document.

4. Before any part of the development is brought into use, the works to upgrade the associated means of access leading to the site and identified on the approved plan shall be implemented in accordance with the approved drawing reference.

Reason: To ensure that the site is connected to existing street and path networks, public transport and places and that a safe and suitable form of access is made available to serve the development in accordance with Policy DS4 of the Core Strategy Development Plan Document and Paragraph 32 of the National Planning Policy Framework.

5. Surface water shall be discharged to soakaway's designed and constructed in accordance with Building Research Establishment Digest 365.

Reason: To provide an adequate means of surface water drainage and to accord with Policies EN7 and EN8 of the Core Strategy Development Plan Document.

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

Reason: To ensure proper drainage of the site and to accord with Policies EN7 and EN8 of the Core Strategy Development Plan Document.

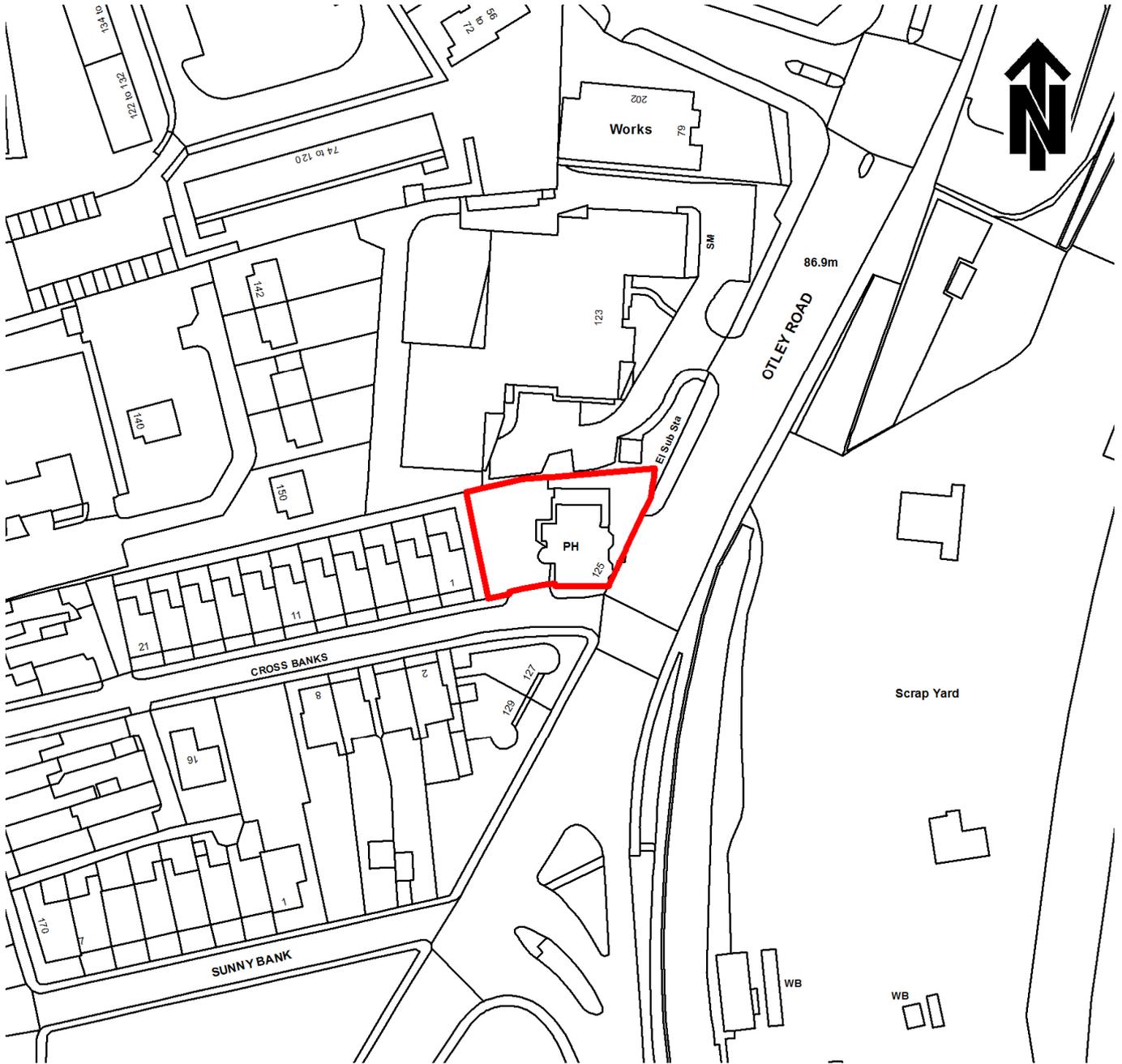
7. The existing dry stone boundary wall along the back edge of the highway, Tong Park Street, across the frontage of both Plots 1 and 2 and along the southern side boundary of Plot 2, shall be retained during and after completion of the development and those parts of the boundary wall that are damaged or removed shall be made good using materials of similar appearance, and to a similar coursing to the remaining wall, prior to the first occupation of the development hereby permitted. The maximum height of any stretch of the wall shall not exceed 1 metre in height above natural ground level.

Reason: In the interests of visual amenity and highway safety and to accord with Policies DS1, DS2, DS3 and DS4 of the Core Strategy Development Plan Document.

18/02784/FUL



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

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Oddfellows Hall Hotel
125 Otley Road
Shipley BD18 2BL

29 August 2018

Item: E
Ward: SHIPLEY
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
18/02784/FUL

Type of Application/Proposal and Address:
Full application for demolition of disused public house, Oddfellows Hall Hotel, 125 Otley Road, Shipley, BD18 2BL.

Applicant:
Red Box Asset Management Ltd.

Agent:
Philip Bakes

Site Description:
The Oddfellows Hall is a former public house on the outskirts of Shipley Town Centre that has been boarded up for several years and disused since at least 2013. The applicant purchased it in April 2014 and it had ceased use before then. It is a 3-storey, square-shaped building set at an angle to Otley Road. The building is built in stone but the front and side walls are whitewashed. An 1840 date stone is visible. The building stands behind a small forecourt fronting the main road. A residential street called Cross Banks abuts the southern wall. There is a small car park with around 10 car spaces to the rear of the building. A single storey extension has been added to the north side, beyond which there is a gap of about 4 metres to a stone boundary wall and beyond this is the back elevation of a modern, single storey medical centre.

Relevant Site History:
14/03101/FUL: Change of use of existing public house with accommodation to restaurant and offices, including extension to side. Refused: 17 September 2014.
13/05145/FUL: Change of use of existing public house and accommodation to restaurant and offices with extension to side. Application withdrawn 11 February 2014.

The National Planning Policy Framework (NPPF):
The NPPF was updated in July 2018 and is a material planning consideration on any development proposal. It says the purpose of the planning system is to contribute to the achievement of sustainable development, explaining that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy

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

Replacement Unitary Development Plan (RUDP):

Allocation

Unallocated

Core Strategy & Replacement Unitary Development Plan (RUDP):

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, however, are saved until adoption of the Allocations Development Plan Document/Area Action Plan Development Plan Documents.

Core Strategy DPD Policies

DS1 - Achieving Good Design

DS3 - Urban Character

DS5 - Safe and Inclusive Places

EN3 - Heritage

Parish Council:

None for this area.

Publicity and Number of Representations:

Publicised by neighbour letters and a site notice to 30 July 2018

17 objections have been received.

Summary of Representations Received:

1. Objectors say this is an attractive, architecturally interesting and historic building which should be preserved. Although derelict at present, is a recognisable local landmark.
2. Whilst a public house may not be viable, there is no reason for one of the few genuinely historic buildings left in Shipley to be pulled down. Why not convert it? This building has much scope to be used for other purposes. It has car parking and is in a prime location.
3. "The Oddys" is a piece of Shipley history. It is a "unique" design of public house and as such should be retained. This building dates back to at least 1840 and is probably one of the two oldest landmarks left in Shipley.
4. Together with the recent permission to demolish the Branch pub there is a distinct lack of vision. Once gone these old buildings are gone forever.
5. Too many of the older buildings in Shipley have gone. Demolition would further undermine this part of the buffer zone of the World Heritage Site, coming just days after

the Council approved proposals to demolish the nearby Branch Hotel.

6. Work had already commenced on site before the application was received (Friday 29 June 2018). There is scaffolding up, parts of the roof and a chimney are gone despite repeated requests to planning officers to stop this unlawful activity.

A Shipley Ward Councillor has objected and requests that in the event that officers are minded to recommend approval of this application it is considered by the Area Planning Panel.

Consultations:

None.

Summary of main issues

1. Background/circumstances.
2. Loss of the public house use.
3. Heritage issues.
4. Impact on local amenity/restoration of the site.

Appraisal:

The Oddfellows Hall is described by the objectors as a prominent, architecturally interesting landmark of Shipley. It stands at a busy junction alongside the main road between Bradford and Shipley centre. It is certainly an old building but it is not in a conservation area, nor is it listed.

Unless they are listed buildings or within a conservation area, other categories of building can be demolished under permitted development procedures, i.e. without the need for planning permission from the Local Planning Authority. However, in response to growing concerns about the rate of loss of public houses across the country, the Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2017 has revoked permitted development rights for the demolition of buildings used, or last used, for a purpose falling within Use Classes Order Class A4 (drinking establishments).

The demolition of this former (A4) public house therefore requires the benefit of planning permission.

The owner apparently did not know of this change to legislation and, as is reported by the Ward Councillor, had begun work dismantling a chimney and taking off roof slates until advised by Planning Officers to cease work and submit this planning application. The applicant has now ceased demolition but, in the meantime, the building has been subject to further thefts, including stripping the remaining roof slates, and the owner has had to improve security of the boarded over windows and other openings to try to prevent access by vandals.

The agent has explained that the main reason for demolition is this continuing vandalism and thefts of materials from inside the building. These have been occurring since the building was purchased. The police are said to have been called out to attend on at least two occasions in recent months when the property has been broken into on July 17th and June 18th. The owner is concerned about fire risks and safety risks to those entering the unsafe interior of the building. Local residents are also said to be concerned that the building continues to be a target for anti-social activity.

It is understood that the applicant is drawing up proposals for a residential redevelopment scheme for the site but a planning application for that scheme is not yet ready to be submitted.

Loss of the public house

The principal reason for the removal of permitted development rights to demolish pub buildings was that closure and demolition of public houses can cause the loss of these as a valued community facility and community hub. Pub losses can become an emotive issue with local residents due to the past use and attachments.

In this case, however, the Oddfellows Hotel has not functioned as a public house for many years, the building having been bought as an empty building by the current owner in 2014 after presumably having failed to attract interest from a public house operator. The applicant says it was in a period of decline as a viable public house for some years before purchase. The applicant says it had little surviving trade for anyone to want to take it on as a going concern so it was bought for alternative use or redevelopment.

This area is close to Shipley town centre which has many other public house and bar facilities equally well placed to serve the community and which are accessible by walking and good public transport links. Although protection of pubs as community facilities in the rural parts of the district could have significant social implications, this is a far less material issue here as Shipley is a town with many other public houses.

The public house here is not nominated as an Asset of Community Value under the Localism Act, despite its long vacancy. Furthermore, the condition of the interior of the building is now such that it is extremely unlikely that it would be viable for any pub operator to re-use it for that purpose. In view of the above factors, it is not considered that loss of the public house would have any material social implications having regard to the social strand of the NPPF set out above.

Impact on local character and heritage:

The Oddfellows Hall is old, seeming to date from 1840, but it is not listed, nor is it in a conservation area. Viewed from the outside, there are no outstanding or unusual features or ornate architectural details to the building. The outside is largely unaltered apart from subservient extensions, but the original stonework is mostly whitewashed over, making the elevations appear rather plain.

The internal floor plans suggest that the ground floor formed the pub; cellars were in the basement; the 1st floor contained accommodation for the landlord; and there was a function room on the second floor. However, the interior of the building is now in a serious state of disrepair. After having been empty for several years, the features of the interior, including flagstones from the cellar and most of the floor boards have been removed, much allegedly having been stolen by intruders. The interior now contains no features of architectural or historical significance. Indeed most of the interior flooring and internal walls have been removed or are in precarious condition. The applicant claims that even when it was operating as a pub, the upper floors were unused as there were structural problems which made it unsafe for members of the public to use those upper floors.

Consequently, the building is unusable and the applicant is concerned about its increasingly precarious structural condition. Its condition is being monitored by Council Building Control Officers. A report by a Structural Engineer commissioned by the applicant highlights the various problems which, whilst not meaning that the building is in imminent danger of collapse, do suggest that prospects for re-use are extremely limited because of the likely costs of stabilising the building structure and replacing what little remains of the interior.

The building is not a designated heritage asset and does not sit inside the boundary of the Saltaire World Heritage Site (WHS) so demolition would not directly harm its integrity or authenticity. As it is in the WHS's Buffer Zone it is essential to assess whether the proposed demolition impacts upon the 'outstanding universal value' (OUV) of Saltaire and whether the development can make a positive contribution to this value of the site.

The NPPF, paragraph 132, Planning Practice Guidance paragraphs 126 – 141 and further guidance on World Heritage Sites paragraphs 28 – 38 all apply. Para.137 specifically advises that local planning authorities should look for opportunities for new development within conservation areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance.

Being inside the WHS Buffer Zone and alongside one of the road approaches to Saltaire, there have been concerns about the absence of any immediate proposals for redevelopment of the site. Proposals for a residential apartment development are being drawn up, but the outcome of the forthcoming application is not known. It can therefore be expected that a cleared site would result from demolition, for an unknown period of time.

However, the effects of a gap in the street scene would not be especially harmful to the WHS. The building is at the southern extremity of the Buffer Zone, and whilst creating a cleared site through demolition alongside one of the approaches to the WHS, may have a temporary effect on the significance of the WHS, equally, the continuing dilapidated nature of the existing building and its poor condition for the last 6 or 7 years has done little to enhance the significance of this approach to the WHS over that period of time. The neglected condition, the boarded up windows, the fencing to secure the car park and fly posting all give an air of on-going neglect.

Therefore, demolition would not directly harm the setting of WHS as a heritage asset, nor would it conflict with objectives to enhance or better reveal the significance of WHS, or its 'outstanding universal value'.

The significance of the Oddfellows building as a non-designated heritage asset should also be taken into account in determining the application, but in weighing the issues, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The evidence for the rapidly deteriorating physical condition of the building must be taken into account in assessing the scale of harm. Photographs of the condition of the building interior will be available for Members and show what would be required for any developer to bring the building back into use. The agent's arguments for demolition, are that the longer the property has stood empty the more of a target it's become and the frequency of break-ins is reported to have increased markedly in the past year.

The loss of a locally distinctive building is always regretted, and there may be detriment to the local sense of place and historic character, but the lack of any protected heritage designation clearly presents a problem in terms of what weight can be given to the retention of the building and justifying refusal of permission for demolition. The extremely poor condition of the interior would seriously diminish prospects for re-use and must be of particular significance in this respect. Taking account of all the above factors, this proposal is regarded as according with Core Strategy Policies DS1, SC1, SC9, DS3 and Policy EN3. There are not considered to be significant enough reasons on heritage grounds to justify refusal of permission for the demolition.

Impact of demolition on amenity and the restoration of the site:

A Structural Report and Method Statement describe the proposed method of demolition which will be from within the site and involve scaffolding (already in place) to ensure public safety. Access for demolition would be off Cross Banks, so as not to interfere with traffic flow on the main road. The Method Statement describes removal of slabs and foundations including excavation of cellars and removal of all redundant drains. The contractor will backfill the excavations as required. Waste and salvage materials of stone, brick and hardcore are to be sorted and removed from site. The contractor will be expected to carry out the works to eliminate or minimise dust during the works.

The agent has confirmed the proposed restoration of the site pending redevelopment. After demolition the exposed footprint of the building will be backfilled. The tarmac surfaced car park area will not be altered. Hoardings will be erected around the perimeters to prevent unauthorised access. The hoardings would have viewing ports to enable the site condition to continue to be monitored pending redevelopment. The agent says the hoardings would be painted to make them more attractive.

It is not considered that the amenity of the locality or nearby residential occupants will be unduly impacted upon as a result of the demolition and there is subsequently no material conflict with Policy DS5 of the Core Strategy Development Plan Document.

Community Safety Implications:

The applicant/owner says that although regular inspections are made to ensure the site is secure, the access doors, windows, and the pub's old delivery drop have all been broken and tampered with. This includes recent incidents in June and July 2018 to which the police were called. Demolition will resolve possible problems of further vandalism, fly posting and anti-social activity given that the building is empty and unsupervised.

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

Although the Oddfellows is a prominent landmark, it is not in a conservation area, nor is it a listed building. The site is at the southern extremity of the Saltaire WHS buffer zone, and whilst creating a cleared site pending redevelopment might not enhance the site, neither does the deteriorating condition of the site. The proposed demolition of a building remote

from Saltaire WHS would not have an obviously detrimental effect nor any cause demonstrable harm to its 'outstanding universal value'. In taking a balanced judgement as regards loss of such a non-designated heritage asset, the significance of the building in heritage terms is not considered to justify refusal of permission for demolition, taking account of policies SC1, SC9, EN3, DS1, DS3 and DS4 of the Core Strategy Development Plan Document. Loss of the use as a public house is not considered to cause material impact on the community given the presence of alternative facilities nearby and the fact that it has been disused for many years. Satisfactory proposals are described for the method of demolition and proposed restoration of the site pending the implementation of a scheme for redevelopment and there is no material conflict with policy DS5 of the Core Strategy DPD.

Conditions of Approval :

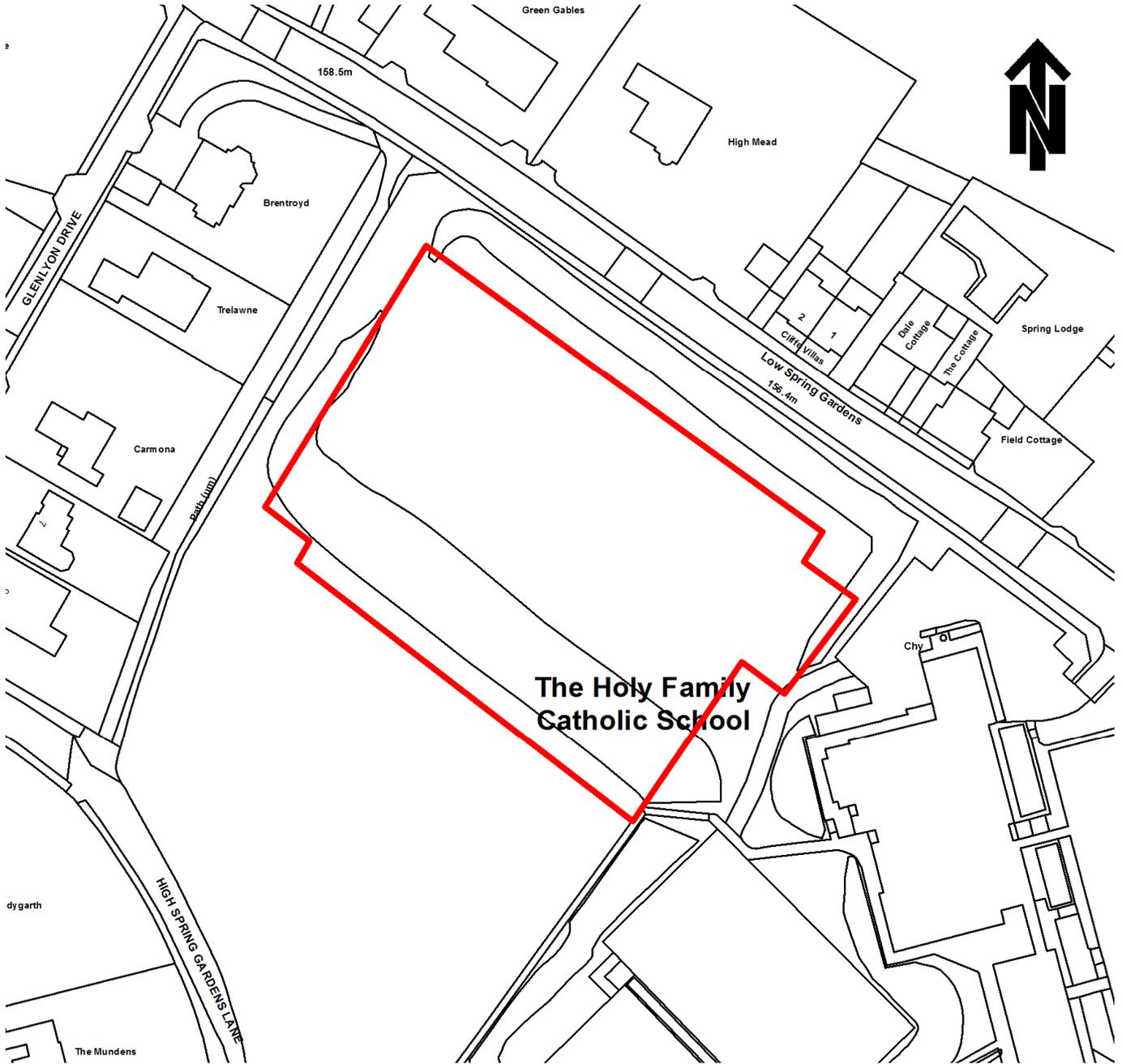
1. The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

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

17/06927/FUL



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

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The Holy Family Catholic School
Spring Gardens Lane
Keighley BD20 6LH

29 August 2018

Item: F
Ward: KEIGHLEY CENTRAL
Recommendation:
TO GRANT PLANNING PERMISSION WITH CONDITIONS

Application Number:
17/06927/FUL

Type of Application/Proposal and Address:

Full application for the construction of a 3rd generation (3G) synthetic turf hockey pitch with associated features including a club house, specialist sports lighting, perimeter fencing and access features.

The Holy Family Catholic School Spring Gardens Lane Keighley BD20 6LH

Applicant:
Holy Family Catholic School

Agent:
Geraint John Planning

Site Description:

The site is an established secondary school complex adjacent to Spring Gardens Lane on the north-west outskirts of Keighley. The proposed synthetic turf hockey pitch would be beyond the cluster of school buildings and set back from the existing stone wall bordering the pavement to Spring Gardens Lane. There is a line of trees along the road frontage beyond which a grass covered bank rises up to a level area on which the current football pitch is located. Residential properties are located across Spring Gardens Lane. To the north-west, beyond a public footpath and concealed behind a belt of mature trees are the back gardens to residential properties on Glenlyon Drive. The playing pitches of the school rise up towards further residential properties set at greater distance to the south west along Hawkstone Drive.

Relevant Site History:

18/02505/FUL - Entrance porch extension to school – GRANT
04/01687/FUL - New extension and car park – GRANT
04/01571/FUL - Erection of garage - GRANT
03/00823/FUL - Demolition of bungalow and construction of a new sports hall - GRANT
03/00093/FUL - New extensions and car park - GRANT

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework was updated in July 2018 and is a material planning consideration on any development proposal. It says the purpose of the planning system is to contribute to the achievement of sustainable development, explaining that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and 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):

Playing fields

Core Strategy & Replacement Unitary Development Plan (RUDP):

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, however, are saved until adoption of the Allocations Development Plan Document/Area Action Plan Development Plan Documents.

Policies contained within the Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The playing fields at Holy Family are protected as Playing Fields by Policy OS3 of the RUDP.

The following adopted Core Strategy policies are applicable to this proposal.

Core Strategy Policies

- EN1 – Open Space, Sports and Recreational
- DS1 – Achieving Good Design
- DS2 – Working with the Landscape
- DS3 – Urban Character
- DS5 – Safe and Inclusive Places
- EN8 – Environmental Protection Policy

Saved RUDP Policies

- OS3 – Playing Fields

Parish Council:

Keighley Town Council recommends refusal. The proposals will result in drastic changes to the landscape and the levels of artificial lighting. The Town Council considers that there are more appropriate sites nearby for such a facility to be developed.

Publicity and Number of Representations:

Publicised by neighbour notification letters and site notice with date for comments of 30.01.2018.

43 Letters/emails of comment have been received from 29 addresses with 39 objecting to the proposal, and 3 in support.

A petition has been received objecting to the proposal with 53 signatures.

Summary of Representations Received:

- Proposal would create a harmful visual impact when viewed from the road
- Proposed floodlights would result in light pollution
- Earthworks would require excessive lorry movements
- Nocturnal animals could be affected by the proposal
- Parking and traffic problems around the site would be made worse
- Springs may be disturbed with potential flooding onto adjoining land
- Late night use would add to noise and disturbance for nearby residents
- Proposed clubhouse would block natural light to neighbouring property and could be licensed to sell alcohol
- Proposal would introduce overlooking of residential property
- The proposal is a much needed sports facility in the area
- The project will be of great benefit to both pupils of the school and the wider community

Consultations:

Sport England (updated response 9th July 2018) – The amended summer and winter pitch layouts are suitable and Sport England remove their previous objection. Suggest conditions.

Highways DC (21st June 2018) – No objections raised. Suggest Conditions.

Landscape Architect – The proposals impact on the character of the street (Spring Gardens Lane) should be regarded as negative.

West Yorkshire Police (Police ALO) – No objections are raised

Yorkshire Water – No objections raised. Suggest drainage details should be required for approval by way of condition.

Minerals and Waste Planning – No objections raised, details required regarding cut and fill material and mitigation measures during construction works regarding noise, dust etc.

Trees Team – Any construction damage could be mitigated by tree planting which could soften some of the impact of the proposed. If being recommended for approval appropriate tree protection conditions are tree planting can be imposed TBA with trees team.

Environmental Health (Pollution Team) – No objections raised. Suggested conditions are attached.

Environmental Health (Health and Wellbeing) – Concerns were raised regarding the impact of the proposal with regards to noise and lighting.

Summary of Main Issues:

Principle of sports development
Impacts on residential amenity
Impact on landscape character
Highway Safety
Other Issues raised

Appraisal:

The proposal

The application seeks permission for a new 3G synthetic turf playing pitch with associated specialist sports lighting, perimeter fencing and access features. It is to be installed on an existing grass sports pitch close to the school's Spring Gardens Lane frontage. A clubhouse building to accommodate a hockey club and including changing facilities is also proposed towards the cluster of school buildings.

The construction of the artificial pitch would require associated cut and fill earthworks to create the necessary level playing pitch area. The proposal includes floodlighting along the sides of the pitch and to achieve a level surface there will be a requirement to excavate an area of steep banking along the south western edge to allow the pitch and lighting to be accommodated. The current playing area is to be raised by around 2 metres.

An existing gravel pitch within the school grounds to be re turfed using existing top soil and turf from the pitch area. This would maintain the amount of natural grass pitches within the site and is a requirement of Sport England.

The pitch would be used by the school to improve its sports facilities but would also be used by local sports clubs who are in partnership with the school - primarily a local hockey club - during the evenings and weekends. The lettings of the pitch would generate income required by the school to maintain the pitches throughout the site.

Principle of the development

The site already comprises existing turfed playing fields being part of the long established school grounds at Holy Family School, a mixed comprehensive school and sixth form. The land is protected for purposes of sport by the RUDP but as it would remain as a playing field, and as the synthetic pitch is designed to allow year round use and thereby enhance provision, the development is acceptable in principle and no fundamental conflicts with RUDP saved policies or policies of the Core Strategy are presented.

Throughout the consideration of this application discussions have taken place with Sports England to ensure that suitable playing field provision will be retained on the site. Following a number of revised layouts Sport England now confirms that sufficient provision is being retained and the proposal is therefore acceptable. Sport England has suggested a condition regarding drainage details for the proposed replacement turfed pitch to the rear of the school to ensure it is suitable for continued sports use.

Impact on Residential Amenity

A petition has been received and many objections have been made by neighbours regarding the potential impact of the development in terms of:

- 1) The use of the land for sport and the noise and disturbance arising from that use.
- 2) Disturbance during the excavation and other works.
- 3) Impacts on amenity arising from the proposed lighting.
- 4) Additional concern has been raised regarding overlooking from the playing field due to its elevated position in relation to houses on Spring Gardens Lane.

Some additional concerns have been raised regarding late night use and uncertainty regarding the management of the proposed clubhouse building.

The comments from the Health and Wellbeing section on these points are also noted. Nearest residential properties are around 30 metres from the site, which is currently a sports pitch. The boundary between the school site and the residential property to the north west is defined by a belt of mature trees and a public footpath.

The use of the land for sport and the noise and disturbance arising from that use

The residential properties likely to be affected are those to the north east, directly across Spring Gardens Lane and those to the west on Glenlyon Drive.

However, the site is already a sports field and as such there would already be a degree of noise and disturbance that is already established. The proposed synthetic pitch would introduce more intensive activity and prolong the sports use during the evenings - in particular through the winter months given the proposed floodlighting.

However, the site is already used as a sports pitch, whilst the 3G pitch would allow more intensive use; the impacts need to be balanced against the community benefits.

A condition is suggested whereby hours of use are proposed to be 8 am till 10 pm Monday-Sunday and Bank Holidays and would be used by the school and selected community uses.

Noise and nuisance during construction

The engineering operations arising would involve some temporary disturbance and a standard condition restricting hours of construction works to between 0730 and 1800 would seem reasonable.

Floodlighting

A lighting scheme is proposed by way of 8 floodlights. A light report and light spill diagram has been submitted with the application. This analysis shows that the proposed lighting would focus on the playing pitch and would not spill outside the site. It would be sufficient to allow the safe use of the pitch for players whilst maintaining acceptable impact for neighbours. The degree of separation from the adjoining properties and the tree belts – particularly to the rear of properties on Glenlyon Drive would also reduce the severity of any impact from lighting, as would the proposal for additional planting to Spring Gardens Lane.

A condition should also be attached to any permission to require submission of further detail of lighting and to require agreement of the final lighting details. Care would be taken ensure that the light sources do not cause light pollution and there would be a requirement to

ensure that lights were timed to shut down after play has finished and to include light shields if necessary to further ensure acceptable impact for neighbouring residential property.

Overlooking

With regard to the potential for overlooking, whilst the synthetic playing field would be elevated above the level of the existing grass pitch, the difference is only around 2 metres. The position of the pitch is also set back inside the site, well back from the road frontage. Users would be focused on sport and contained within the mesh fence. The additional potential for overlooking is not a significant problem given the existing substantially elevated nature of the playing field.

Clubhouse use

The applicants have said that the school already hosts activities and local groups/clubs on evenings and weekends, some to 10pm in the evening through the week and between 9.00am and 2.00pm on Saturdays.

The applicant says that the proposed clubhouse is not applying for an alcohol licence and that facilities would not operate as a bar. It is proposed to close at 10pm. Any application for a licence to serve alcohol would be considered under separate application. Given the existing use of the site out of school hours there is already an established degree of activity from the site.

The overall impact on local and residential amenity is considered to be acceptable and the proposal, subject to conditions, complies with the requirements of policies EN8, DS3 and DS5 of the Core Strategy Development Plan Document.

Impact on the landscape and visual amenity

The school occupies a sloping site with levels rising from Spring Gardens Lane upwards towards the south western boundary. As such the existing school playing fields are terraced to create level playing field areas. The proposed artificial playing field would occupy largely the same site as existing sports pitch closest Spring Gardens Lane which is retained by steep and treed bank running beyond the stone boundary wall and elevated above Spring Gardens Lane.

The clubhouse/changing facility building :

Whilst two storeys in height is proposed to be set into the bank such that its impact visually would be limited, particularly given its siting adjacent existing school buildings. This building would not be unduly prominent in views. The lower ground area would front onto the existing hard standing and car parking area with the upper floor being at the same level as the playing pitch, from where it would appear single storey. Materials are proposed to match the existing school with a mix of buff and grey brick. The clubhouse would have limited visual impact given the presence of the existing cluster of school buildings.

The synthetic 3G sports pitch

The supplied earthworks drawings and site sections show that the edge of the raised plateau will be increased in height by approximately 2 metres. On top of this will be the proposed metal fence which is to be 4.5 metres high, and spaced next to the fence, the tall lighting columns.

The existing steep bank between Spring Gardens Lane and the playing field would be raised but the increase in height of this banking would follow the existing grading back into the site as a continuation of the existing slope, with the slightly more elevated synthetic playing field area set back into the school site.

The site is adjacent to Spring Gardens Lane, and the proposed new open mesh fence around the pitch would be approximately 18 metres away from the existing stone wall bordering the pavement. Inside the wall, the grass covered bank associated with the current football pitch rises well above wall height. At the foot of the bank just inside the wall there are mature trees and some low level foliage. There are some relatively unobstructed through views from the road to the grass bank between and under the tree canopies.

The top of the fence will be around 10 metres above the height of the pavement of Spring Gardens Lane.

The pitch itself would not materially affect the landscape but it is appreciated that the fence and floodlights would present quite a change of character in the local area. The raised bank, fence and lighting columns will be more apparent in the winter months than during the summer, and generally the proposed facility will tend to make the street space feel more enclosed than it is now. Generally the street here is characterised by stone boundary walls, older stone housing some set close to the road, and a significant tree and green garden presence.

The Council's Landscape Architect has concluded that if this proposal proceeds to construction, its impact on the character of the street in this particular location should be regarded as negative, as the sports facility will tend to attract the eye, particularly when the floodlights are in operation. The floodlights would stand 15 metres high and would be visible and more prominent under illumination.

These concerns are echoed in representations on the application.

However, whilst the proposals would have some visual impact, this should be balanced against the benefits the proposal would have for the school and wider community in providing the improved sports facilities. It is also noted that the existing sports pitch is located on a steeply banked area, significantly higher than Spring Gardens Lane. There is also an established belt of trees which help to screen the school site from Spring Gardens Lane and from Glenyon Drive.

The proposed floodlighting and open mesh fencing is typical of what might be expected within the grounds of an established school and as part of its playing fields. Whilst the fencing would be 4.5 metres high behind the goals the fencing to the longer sides of the pitch would be 3 metres in height.

The agent has advised that to further screen views from Spring Gardens Lane, improved planting and landscaping could be added to that perimeter. Final details of the landscaping and planting should be secured by way of condition and could suitably mitigate visual harm.

On balance, whilst having an impact on local character, the benefits of the facility outweigh these concerns and the proposed development is judged acceptable subject to appropriate protection of the existing trees and new landscaping and planting. The proposal will not

create a significantly harmful visually dominant or incongruous feature in the local area and is therefore considered acceptable and compliant with policies EN4, DS1, DS2 and DS3 of the Core Strategy.

Highway Issues

The proposal does not include any alterations to the existing permanent school access points via Spring Gardens Lane. The pitch and clubhouse would use existing accesses and car parking.

As with most schools there are established parking and congestion issues on Spring Gardens Lane and the objectors fear these would be aggravated by the new pitch and clubhouse development.

Whilst the proposed artificial surface would allow use of the site for sport to intensify its use - principally by extending the times of likely use later into the evenings. This will typically be outside of the school day however and as such traffic associated with use by sports clubs and community groups in the evenings would not be likely to exacerbate the usual difficult times around the start and finish of the school day.

The Councils Highway Officer requested additional information from the applicants regarding parking facilities, staff use requirements and out of school activities already taking place on site. This is provided in a submitted Parking Management Strategy. The travel to work information within this shows that there is sufficient parking within the site for staff and in the evening and there is currently little on-street parking. Amongst other measures proposed in the Parking Management Strategy (to encourage non car use) this has identified a location for creating overspill parking within the school site. This would be brought into use if required for peak events – such as hockey matches attracting an audience.

This is considered to be acceptable and the Highway Officer advises a condition be attached to ensure that the Parking Management Strategy is kept in place whilst ever the proposed use exists.

For the reasons noted above and following advice from the Councils Highways section, the proposal is acceptable in terms of the impact on highway safety, thereby compliant with policy DS4 of the Core Strategy and the National Planning Policy Framework.

Other Issues

Bats – A preliminary ecological survey has been undertaken and accompanies the application. Survey has been undertaken which has highlighted low levels of bat activity around the site. Any trees around the site with any bat roost potential are well clear of development proposals and would remain unaffected.

Land Contamination – The land is understood to be tipped landfill ground and a Phase 1 assessment has been submitted which confirms previous landfill on the site. However, the findings of the report are that this is not a constraint to the proposed works which has been accepted by the Councils Environmental Health section.

Trees – No tree removal is proposed and the development could be undertaken without harm to the important tree belts to the north east and the north-west. The applicant has submitted proposals for tree protection during development and additional planting is also being

proposed to improve screening along Spring Gardens Lane. Conditions regarding tree protective fencing and for approval of the details of new tree planting/landscaping should be attached.

Community Use Agreement – Sport England’s objection is withdrawn subject to requiring a Community Use Agreement whereby the synthetic pitch and new changing facilities can be accessed by non-school groups. That agreement document will set out and allow a suitable mechanism to control and manage the facility.

It is understood that such an agreement is already in process of being approved between the school and the sports club. It is considered that access to the school grounds needs to be managed by the school and that there is no need for the Local Planning Authority to be involved in negotiations appertaining to that agreement.

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 impacts of the proposal for local visual amenity, residential amenity and highway safety are not significant and are outweighed by the benefits of the proposals for sport and education. The proposals are therefore considered to comply with the aforementioned policies of the Core Strategy Development Plan Document and the National Planning Policy Framework.

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 any development involving the proposed clubhouse/changing facilities progresses above damp proof course level, arrangements shall be made with the Local Planning Authority for the inspection of all external facing and roofing materials to be used in the sports enclosure 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 DS1 and DS3 of the Core Strategy Development Plan Document.

3. Floodlight use

Unless otherwise agreed in writing the floodlights hereby approved shall not be used between the hours of 2200 to 0800 on any day of the week.

Reason: In the interests of the amenities of neighbouring residents and to accord with Policy DS5 of the Core Strategy Development Plan Document for Bradford.

4. Floodlight details

Prior to the playing field being brought into use, details of the floodlight design, including the proposed type of luminaries, means of minimising light overspill, the predicted vertical illumination (lux) levels and details of the floodlighting columns have been submitted to and approved in writing by the Local Planning Authority.

These details shall also include details of mechanisms for control of the timing of the lights.

The development shall then be undertaken in accordance with the approved details and maintained in perpetuity.

Reason: To prevent any adverse impacts on the residential amenity of surrounding dwellings and to accord with Policies DS5 and DS4 of the Core Strategy Development Plan Document for Bradford.

5. Unexpected contamination

If, during the course of development, contamination not identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with policy EN8 of the Local Plan for Bradford.

6. Surface Water Drainage

Notwithstanding the details contained in the supporting information, the drainage works to the new pitch developments shall not commence until full details and calculations of the proposed means of disposal of surface water drainage, based on drainage principles that promote water efficiency and water quality improvements through the use of SuDS and green infrastructure to reduce its effect on the water environment have been submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter only proceed in strict accordance with the approved drainage details.

Reason: In the interests of the amenity of future occupiers, pollution prevention and the effective management of flood risk and to accord with Policies DS5, EN7 and EN8 of the Core Strategy Development Plan Document.

8. Tree Protection

The development shall not begin, nor shall there be any demolition, site preparation, groundwork, materials or machinery brought on to the site, nor shall there be any work to any trees to be retained until tree protection measures are installed as shown in the submitted arboricultural method statement and Tree Protection Plan Ref. 170816 TPP SECTIONS 1 and 2 which were received by the Council on 20 December 2017.

Upon completion of the Tree Protection fencing and other measures, no other work shall be carried out until the Local Planning Authority has inspected the positions and specifications of the fencing and other measures and given its written confirmation that it has been correctly installed.

Reason: To ensure that trees are adequately protected prior to development activity on the site which would otherwise unacceptably harm trees to the detriment of public visual amenity and to accord with policy EN5 of the Local Plan for Bradford.

9. Retain Tree Protective Fencing

The approved tree protection measures shall remain in place, shall not be moved, removed or altered for the duration of the development without the written consent of the Local Planning Authority. There shall also be no excavations, engineering or landscaping work, service runs, or installations, and no materials will be stored within any construction exclusion zones or tree protection without the written consent of the Local Planning Authority.

Reason: To ensure that trees are adequately protected during the construction period in the interests of visual amenity and to accord with policy EN5 of the Local Plan for Bradford.

10. Tree Planting/Landscaping

Prior to the playing field being brought into use, a scheme of tree planting and landscaping shall be carried out around the perimeters of the 3G sports pitch. This shall be carried out in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority.

The tree planting/landscaping scheme shall show the proposed numbers of trees and shrubs in each position with size of stock, species and variety.

Any trees or plants comprising the approved landscaping that become diseased or die, or which are removed or damaged within the first 5 years after the completion of planting shall be removed and a replacement landscape planting using the same or similar species/specifications shall be planted in the same position no later than the end of the first available planting season following the demise of the original landscape planting.

Reason: In the interests of visual amenity and to accord Policies EN5, DS2 and DS3 of the Core Strategy Development Plan Document.

11. Parking Management Strategy

The development shall operate in accordance with the submitted Parking Management Strategy Dated March 2018.

Reason: In the interests of highway safety and to accord with Policy TR2 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

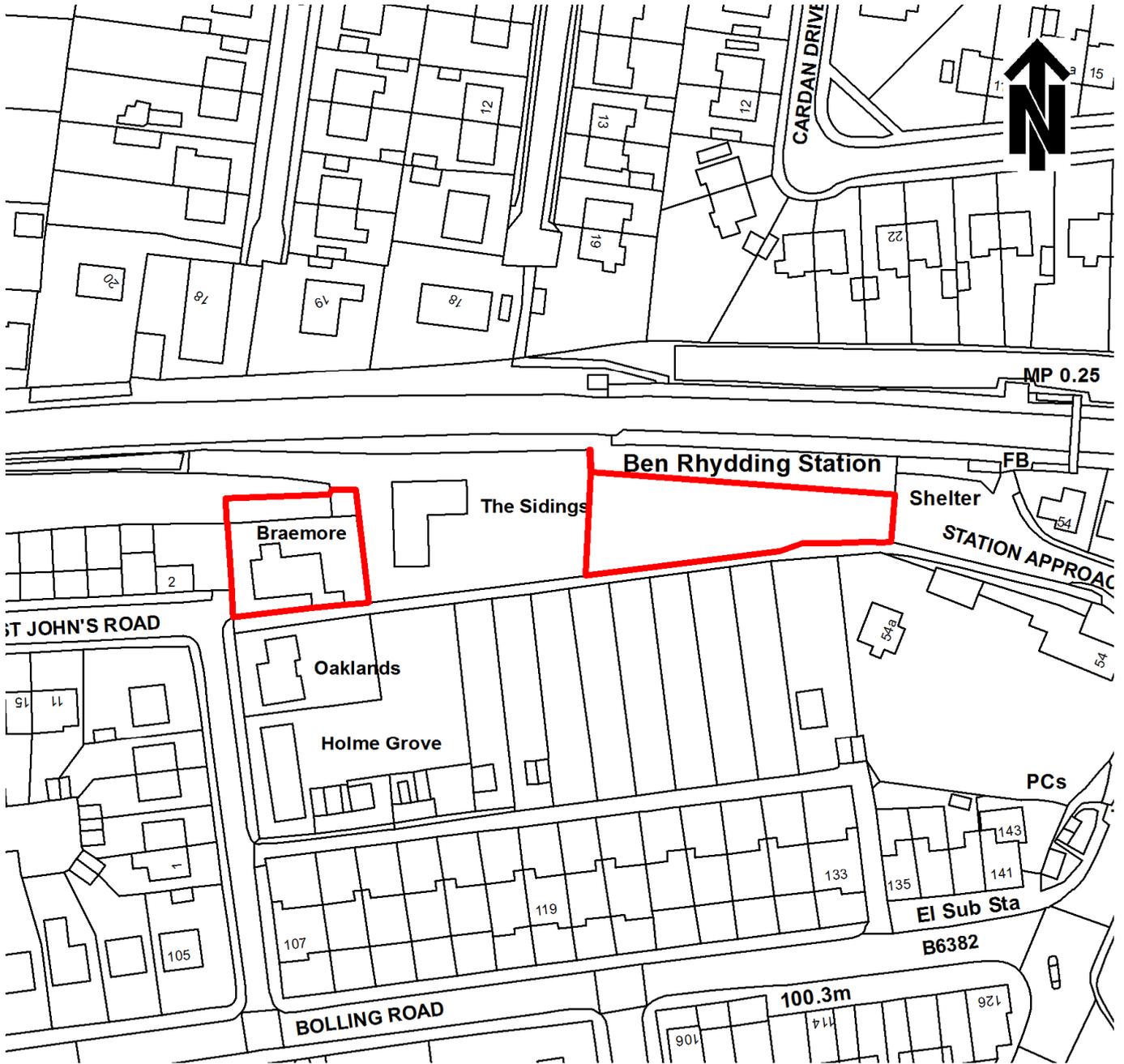
12. Construction work shall only be carried out between the hours of 0730 and 1800 on Mondays to Fridays, 0730 and 1300 on Saturdays and at no time on Sundays, Bank or Public Holidays, unless specifically agreed otherwise in writing by the Local Planning Authority.

Reason: To protect the amenity of the occupants of nearby dwellings and to accord with Policy DS5 of the Core Strategy Development Plan Document.

18/01342/FUL



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



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The Sidings
Station Approach
Ben Rhydding
Ilkley LS29 8EB

29 August 2018

Item: G
Ward: ILKLEY
Recommendation:
TO GRANT PLANNING PERMISSION WITH CONDITIONS

Application Number:
18/01342/FUL

Type of Application/Proposal and Address:

Full application for the demolition of an existing dwelling and construction of eight dwellings at The Sidings, Station Approach Ben Rhydding, Ilkley LS29 8EB

Applicant:

John Mawby: JM Developments (Ilkley) Ltd

Agent:

None

Site Description:

The application site consists of two parcels of land (totalling 0.15 hectares in size) alongside the Wharfedale railway line close to Ben Rhydding Station. Prior to 1993, the land was owned by British Rail. It was bought by the applicant who has constructed a large detached house, known as "The Sidings" in the middle of the site. This existing house is accessed via new gates at the west end of the station car park. It is built in stone and three storeys high towards the railway and two storeys towards the south responding to the fall in levels towards the railway tracks.

The two land parcels proposed for development (Areas "A" and "B") are to either side of The Sidings. Area A is between the existing house and the station car park. It is open land elevated above the level of the existing drive. Area B is between The Sidings and the side wall of No 2 St John's Road. It is presently occupied by an existing bungalow - Braemore - and its garage. The south boundary of the two plots is formed by Public Footpath No. 200 (Ilkley) which connects the station car park to St. John's Road. Beyond this, to the south, are the long gardens of houses fronting Bolling Road. The eastern part of Area A is close to the boundary of Ben Rhydding conservation area.

Relevant Site History:

For "The Sidings"

93/02800/OUT : Construction of one detached dwelling. Outline permission granted: 06 December 1993.

94/03874/REM : Reserved matters for detached dwelling. Granted: 28 March 1995.

96/01475/FUL : Amendments to detached dwelling. Granted: 08 July 1996.

99/03236/FUL : Two storey extension, gable end extension and modified balconies to approved dwelling. Granted: 25 January 2000

08/02672/FUL : Increase of 700mm in ridge height of dwelling under construction to accommodate rooms in roof space. Refused: 16 June 2008.

09/01290/FUL : Alterations to house under construction to allow formation of additional rooms in roof space and a dormer window to south elevation. Granted: 11 May 2009.

For the land

17/02427/FUL : Construction of 9 new dwellings on garden and the demolition of one existing property. Application withdrawn: 01 June 2017.

The National Planning Policy Framework (NPPF):

The NPPF was updated in July 2018 and is a material planning consideration on any development proposal. It says the purpose of the planning system is to contribute to the achievement of sustainable development, explaining that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy

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

Replacement Unitary Development Plan (RUDP):

Allocation

Unallocated land

Core Strategy & Replacement Unitary Development Plan (RUDP):

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, however, are saved until adoption of the Allocations Development Plan Document/Area Action Plan Development Plan Documents.

Proposals and Policies

DS1 Achieving Good Design
DS3 Urban character
DS4 Streets and Movement
DS5 Safe and Inclusive Places
EN8 Flood Risk
SC9 Making Great Places
EN5 Trees and woodlands
TR2 Parking Policy

Parish Council:

Ilkley Parish Council strongly recommends refusal of this application on grounds of the lack of access to the properties; extreme over development of the area; poor quality of design and not in keeping for the area.

Publicity and Number of Representations:

Application was publicised by letters to neighbours and two site notices.
Expiry 7 May 2018.

22 objections have been received, including from two Ilkley Ward Councillors who seek consideration of the application by the Area Planning Panel.

Summary of Representations Received:

1. This is an over-intensive development of a highly restricted site with severe access limitations.
2. The houses are too tall. Previous infill development on St John's Road has been bungalows.
3. The design is not in keeping and the site is very close to a conservation area (Ben Rhydding).
4. The height of the 8 townhouses, set in an elevated position in relation to houses across the railway lines, would result in an overbearing impact on properties at the top of Cardon Drive, Strathmore Road and Craigmore Drive and result in the loss of privacy. Lack of parking and turning space will cause access and egress problems. The junction at the top of St John's Road is really hard to get out off. Adding eight more houses to this busy traffic will just make things worse.
5. The part of the development (Area B) will take access from St Johns Road which is already too busy with traffic with limited access on narrow bend. It is used as a through road and for parking including by those using Ben Rhydding Primary School and St. John's Church.
6. The access here would cut across a footway.
7. Parking provision is poor This would cause more parking in St John's Road which already has lots of parked cars, making it dangerous for children particularly around school time. Additional housing will exacerbate traffic safety and parking problems for existing residents.
8. At the other side, the entrance to Ben Rhydding station (Area A) has already had measures put in place to try and better control the flow of traffic on Wheatley Lane under the railway bridge. The addition of more houses using congested station car park to access their homes will only exacerbate congestion around the station and increase the risk of accidents.
9. Overdevelopment will have a negative impact on neighbouring occupiers. The scheme would lead to a significant loss of residential amenity for a number of local residents and particularly those who live closest to the two development and the access points.
10. Impact on the amenity of occupiers of Oaklands is highlighted. Including increased noise.
11. Worries about the increased drainage to surface water and sewers.
12. Building on "The Sidings" started in 1995 and is still not complete. If planning permission is granted, the Ward Councillor asks that work is limited to weekdays, not 7 days a week, which was permitted on the applicant's existing house.

Consultations:

Network Rail : With reference to the protection of the railway, NR has no objection in principle to the development, but has listed some technical and legal requirements which must be met by a subsequent developer, especially with regard to the close proximity to the development of an electrified railway. The applicant is aware of these.

Highways DC : No objections in principle to this proposal, and consider that this level of traffic generation can be accommodated on the local highway network without causing significant highway safety issues. Amendments to car parking and layout were requested. Detailed points raised by objectors are addressed in the main appraisal.

Drainage Section : Raise no objections in principle but the development should not begin until details of a scheme for surface water drainage, including any balancing and off site works have been submitted to and approved in writing by the Local Planning Authority. Soakaways should not be built within 5m of a building or the public highway or in any area where the concentration of surface water may have a potential adverse impact on the adjacent railway infrastructure.

Rights of Way Officer : A non-definitive footpath, Public Footpath No. 200 (Ilkley) is adjacent to the site. In Area A (next to that path) there is proposal for a retaining wall topped with railings to form the boundary to the public footpath. Comments should be sought from the Highways Structures Section to ensure a suitable design for this wall, which will retain the footpath. The future maintenance liability for this structure will need to be clear. A number of gates are proposed in the boundary to give access to the path from the proposed dwellings, these gates must not open out across the public footpath (NB. these gates are now deleted).

Summary of Main Issues:

Principle

Highway issues – access and parking

Design and scale - implications for the character of the area including the nearby conservation area.

Impact on the amenity of neighbouring occupiers.

Drainage

Ecology

Appraisal:

The Proposed Development

The applicant acquired this parcel of former railway sidings and associated allotments from British Rail and, in 1993, obtained outline planning permission for a single house on it. The house, known as “The Sidings”, stands in the centre of the land. It is substantially built but still not totally complete, having been under construction for many years, since work began in 1997 or 1998.

The applicant now seeks to develop two parcels of land to east and west of The Sidings referred to as Areas “A” and “B”. The Sidings will remain in between the two development areas.

A row of four split-level 2 and 3-bedroom townhouses is to be built on each parcel – 8 houses in total. An existing bungalow known as Braemore, standing on Area B would be demolished, so the net increase in development will be 7 dwellings.

“Area A” to the east of the applicant’s house would be accessed from the unadopted highway serving Ben Rhydding Station car park.

“Area B” - occupied by the existing bungalow - will be redeveloped with a row of 4 terrace houses accessed by a short private drive off St John's Road.

On Area A, the applicant proposes three 2-bedroom town houses, each with a single integral garage and a car parking space; and one x 3-bed town house with a double garage. On Area B, the applicant proposes four x 3- bed town houses each with driveway parking. The existing dwelling can be accessed from St John's Road and from the station car park.

Principle of development

Although the land is unallocated by the RUDP, it is previously developed and stands in a very sustainable location – within the built up area, next to a railway station and close to services and facilities of Ben Rhydding. The District continues to have a shortfall in the supply of land for housing and paragraph 59 of the updated NPPF urges local planning authorities to support the Government’s objective of significantly boosting the supply of homes by ensuring that a sufficient amount and variety of land can come forward where it is needed; that the needs of groups with specific housing requirements are addressed; and that land with permission is developed without unnecessary delay.

As all applications should be considered in the context of the presumption in favour of sustainable development, there is no reason on planning grounds why this land should not be developed for housing - providing site specific planning constraints can be overcome through the design process.

Discussions with the applicant have resulted in a reduction in the number of dwellings being proposed for the site compared with last year’s withdrawn application. In particular, the allotment land behind the terrace of houses on St. John's Road has now been excluded from the scheme due to the problems that the proposals here were causing to the amenity of existing residents and also difficulties creating safe and workable vehicle access arrangement into this land.

A previous proposal (17/02427/FUL) to demolish existing dwelling and to construct 9 dwellings was withdrawn. The resubmitted proposals omit proposals within that previous application for two bungalows on cleared former allotments between the railway and the rear of 2 to 14 St. John’s Road. Various other amendments to design and layout of the 8 houses have been secured by Officers during the course of the application.

The scheme proposes a high density of around 48 dwellings per hectare. The objectors describe it as “overdevelopment”. However, Core Strategy Housing policies would expect this high density on a site in such a sustainable urban location in order to achieve effective use of this previously developed land. The density has been achieved with a form, layout and design that works in this context, as is explained below.

Highway Issues

This is the issue of most concern to local residents. However, the Council’s Highway Engineer has no objections to the scheme.

Trip generation

The daily vehicular movements for a housing scheme of this sort would be expected to be around 6 x two way movements per dwelling - equating to a total of 54 daily two way movements for the whole site (including the existing dwelling); 30 daily two way movements would be via the St. John's Road access (assuming that the existing dwelling uses this access) and 24 daily two way movements via the station car park.

As this site is situated in a highly sustainable location – being adjacent to Ben Rhydding rail station and bus services along Bolling Road, and within walking distance of Ilkley town centre and local services in east Ilkley, trip generation can reasonably be expected to be appreciably lower than this national average. The traffic generated by the net increase of 3 dwellings in Area B and 4 dwellings in Area A would therefore be expected to be relatively low and to make no appreciable difference to flows on the wider network. The scheme would generate around 0.8 trips per dwelling in the peak hours.

The anticipated trip generation would not impose a significant burden on the local highway network. The Highway Engineer considers that traffic expected from a net increase of 7 houses can be accommodated on the local highway network without causing significant highway safety issues.

Means of access

Residents of St. John's Road have criticised what they see as the restricted drive access to serve Area B. They oppose the private drive emerging onto a 90 degree bend in St John's Road across the footway and next to the public footpath leading to the station. There is particular concern that the 4 houses on Area B would worsen the congestion that already exists on St. John's Road due to the reliance of many residents for parking on street. Officers are also aware that this street also provides access to parts of Ben Rhydding School

However, although Area B would be accessed from a 90-degree bend, this is an existing access which currently serves the Braemore bungalow and the access will be improved by widening to cater for the additional dwellings. More importantly the access is from the outside of the bend where there would be reasonable visibility when emerging from the site. The St. John's Road site access has been amended to show a continuous dropped footway around the bend to give pedestrians priority, and all car parking spaces in Area B have now been marked on the site plan to demonstrate they are workable and that vehicles can turn around inside the site.

It is not accepted that the access is too narrow or restricted to cater for the relatively small amount of development being proposed.

An Ilkley Ward Councillor has also raised objection that access to Area A is via the unadopted highway to the station, which emerges into Wheatley Lane near the pinch point of the railway bridge. However, although this access is unadopted, the width is adequate to serve the additional traffic from the housing development and the additional vehicles that would be using this route would be unlikely to have a significant impact on the traffic system at the bridge. This level of additional traffic would be more likely to be subsumed within daily traffic variations.

An examination of injury accident records within a 200m radius of Ben Rhydding primary school shows 4 injury accidents over the last 5 years. The recorded accidents were due to

driver error or weather conditions and not due to any inherent problems with local street and junction layouts.

Car parking provision

Objectors have criticised the parking arrangements, describing them as restricted and fearing overspill parking in St. John's Road or the station car park. However, the applicant has demonstrated that the facilities to be provided are workable and the level of parking exceeds what would ordinarily be required by adopted parking standards.

It is acknowledged that extensive parking takes place on St. John's Road due to the majority of existing properties not having off street parking facilities. However, the proposed development in Area B would be self-sufficient – providing 8 spaces for 4 dwellings. There is therefore no evidence to show why the existing on street congestion would be worsened because the scheme is arranged to cater adequately for its own parking needs.

The Core Strategy DPD parking standards for residential developments are 1 space per 2-bed unit and 2 spaces for 3+ bed units. There is also some flexibility to allow provision of appropriate parking levels taking account of car ownership levels and public transport accessibility. The proposed level of parking provision being offered is 2 spaces per dwelling which meets the above standard and is a perfectly reasonable level of provision for this locality considering the good level of public transport accessibility.

Some parking spaces originally shown on the proposed site plan were operationally not practical but amendments to layout have resolved this issue. The parking spaces are tracked for a large car to ensure there are no difficulties in manoeuvring.

A level of visitor parking is provided in Area A which will ensure that visitors do not occupy spaces for station users. The normal standard would be 1 visitor space per 4 dwellings and the level of visitor provision exceeds that amount.

Where excavation is proposed in Area A, a retaining wall is proposed to support a small section of the adjacent Public Footpath. A condition is suggested to require that the design and calculations for this should be submitted and agreed before the relevant excavation work is begun (see Rights of way Officer comments).

Conclusion of highway issues

The Council's Highway Engineer raises no objections on road safety grounds to the relatively small scale of this housing development. Traffic generation is shared by two accesses which are adequate for a scheme of this scale and type, and the level of parking provision is satisfactory, especially given the convenience of alternative means of transport to this well located site. The parking provision meets normal requirements such that the scheme is unlikely to add to local congestion problems.

Design and appearance

The proposed houses are arranged in two terraces of 4, and will be of similar design and appearance - with coursed natural stone to the ground floor, render to the floors above and a dark blue/grey artificial slate roof. The design has evolved through various amendments responding to the objections and consultee comments. The external materials, the window and door styles and the introduction of peaked roofs to both terraces attempt to reflect the character and appearance of the far grander terraces along Bolling Road and the mix of

materials and use of render to the upper floors shows an affinity with the brick and rendered terrace adjoining the site on St. John's Road.

The north elevations of both terraces would be three storeys as the land drops significantly down to the level of the railway tracks. However, the views of development in Area B would be largely concealed by trackside vegetation, whilst the three storey elevations to Area A face towards the railway platform and overhead electricity lines. The height of the terraces is shown by the plans to closely reflect the height of the existing house at The Sidings and the terrace on St. John's Road. The scale reflects the urban character of this part of Ben Rhydding and the massing of both terraces is relieved by the change of materials (stone/render), by variations to roofline that have been incorporated and by the various details of windows.

The row of 4 dwellings in Area B was regarded as having good architectural quality and appearance - particularly to its south aspect where the varied roofline adds visual interest and picks up the style of larger houses nearby. Viewed from points to the north and south, the form and scale of the dwellings in Area B will closely reflect the height and size of the terrace at 2-14 St. John's Road. The incongruous isolated patches of masonry at first floor level to this terrace were criticised by the Council's Design and Conservation Officer and have been omitted from Area B.

Area A will be occupied by a terrace of four dwellings that would be three storeys in height viewed from the railway, and 2 storeys when viewed from the footpath to the south. Although tall, the terrace will be set level with the railway and there is an integral garage in the basement level to each house and further outside parking on the applicant's land adjacent to the existing stone gate piers.

The applicant has addressed criticisms that the original appearance of that terrace A was repetitive and lacked interest by the introduction of peaked roofs similar to those on the terrace on Area B, and the random panels of masonry in the otherwise rendered first floor finish has similarly been omitted. The intention is for the form and design of both terraces to further integrate into the local context by the eaves and verges having a significant overhang, and the windows are to be set at least 120 mm into reveals to give depth and shadow.

Whilst visible from within the conservation area and alongside Wheatley Hall, a grade II listed building, the design improvements negotiated for Area A are now considered to have now resolved initial criticisms of the Conservation Officer. The amended scheme is considered to have no significant effects on the setting of the nearby heritage assets.

The proposals have been well designed to reflect the very varied style of existing housing in this locality. There is sufficient interest and variety in the design to ensure that the massing presented to views from the north, west, south and east would not be unsightly or oppressive. The proposed development is appropriate to its urban setting and reflects the form, scale and appearance of the locality, including the nearby conservation area. It satisfies Core Strategy policies DS1, DS3 and EN3.

Impact on the amenity of occupiers of neighbouring properties

The terrace on Area A will have no significant impact on the amenity of adjoining residential properties given that the north elevation faces the railway station platform and trackbed. The houses beyond the railway to the north are a significant distance away. The two storey south

elevation of Area A's terrace would face the extended back gardens belonging to houses on Bolling Road, with the public footpath in between. The degree of separation is adequate and no significant overlooking would be caused to those extended gardens and the closest house on the end is designed with only secondary windows facing across the footpath to the gardens.

The terrace on Area B faces north across the railway towards gardens of houses at the end of Strathmore Road and Craigmore Drive and there is concern from occupiers that the height and elevation of the houses and the topography of the land would cause an overbearing impact on properties at the top of those streets and that they would cause overlooking. However, the houses in Area B are shown to be the same height (8.3m to ridge) as The Sidings. There would be a separation of around 32 metres between the north elevation windows and the edge of the gardens of houses on Craigmore Drive/Strathmore Drive with the railway and boundary vegetation lying in between. This degree of separation and the intervening features of the railway are such that the houses in Area B would have no significant effects on privacy or amenity of houses and gardens to the north, even accounting for the elevation of the site.

Objections are lodged regarding effects on the amenity of occupiers of the dormer bungalow at Oaklands which is the closest existing dwelling to the development sites. However, that dwelling presents a side elevation, garage and secondary windows to the development. The new houses in Area B would be sited around 12.6 metres back from the side boundary of Oaklands and around 15 metres from the garage wall. The effects of the development on outlook, light and privacy of its occupiers are therefore not unreasonable.

In response to Councillor objections, and in consideration of the position of development in relation to surrounding homes, it is suggested that a standard condition limiting construction hours be imposed on any approval of permission.

Amenity of future occupiers

Although the density is high, the scheme is arranged and designed to provide good standards of light, privacy and outlook.

The site is close to the railway and whilst the applicant acknowledges the need to provide appropriate sound insulation, Network Rail has suggested that details of intended sound insulation e required from the developer by means of a planning condition – in the list of suggested conditions.

Objectors point to the small gardens of the houses. The amount of amenity space varies across the proposed development, and presents a choice to future purchasers, but across the scheme adequate space is provided to allow good standards of amenity for future occupiers and which befits the urban location of the site.

Trees

This is raised by objectors although an Arboricultural Impact Assessment accompanies the application and identifies only ten individual trees and three groups of trees on and adjacent to the site. However, these trees are either around the edges of the site or close to the existing house at "The Sidings". No significant trees are directly affected or will need to be removed due to the development proposals. As such, no further mitigation is required. It is

said that trees were removed before the application but the garden trees that may have been on the site in the past were not protected.

Ecology

The applicant's Ecological Appraisal finds that the site has low ecological value and a bat roost assessment of Braemore bungalow identified limited opportunities for roosting bats and no evidence of bat activity or roosting. As Braemore is of low to negligible suitability for roosting bats, development can commence without the requirement for further surveys.

The South Pennine Moors SPA/SAC and SSSI is approximately 780m to the south of the site. For purposes of Core Strategy Policy SC8, the site is within Zone B within which the policy seeks to protect supporting habitat to the SPA/SAC. However, this development site is by a busy railway and the land clearly does not form supporting habitat for upland breeding birds. Due to the relatively small scale of the development, and the distance between the site and Moors, it is agreed that development here will have a negligible impact on the designated South Pennine Moors conservation site and no conflict with Core Strategy Policy SC8 is identified.

Impact on Wharfedale railway

Saved Policy TM2 of the RUDP requires that new development should not adversely affect existing Transport Infrastructure. Network Rail has been consulted but has no objection in principle to this development which would stand a sufficient distance from the railway boundary. Network Rail has set out standard requirements for the developer. The applicant is aware of these and the key requirements can be referred to in Informative on any decision notice. For example to liaise with Network Rail regarding the avoidance of obstructions to access to the station car park, and that it is the developer's responsibility to ensure that development does not affect the safety, operation or integrity of the operational railway.

Drainage issues

The Council's Drainage Section has raised no objections to the development subject to the usual conditions to secure appropriate details of the developer's proposals.

Yorkshire Water has already confirmed to the applicant that it has no objection in principle to: 1) The anticipated amount of domestic foul water discharging to the public sewer, 2) The proposed points of foul water discharge to the public sewer from the two development parcels.

Although several objectors question the suitability of the geology to allow use of soakaways on this site and Network Rail would not encourage soakaways within 20 metres of the railway boundary, the applicant is very clear that he does not intend to use soakaways. If soakaway methods of surface water disposal are not viable and subject to providing satisfactory evidence as to why they have been discounted, curtilage surface water discharges to the public sewer will be restricted by Yorkshire Water to the level of run-off - i.e. same rate of discharge - to that from the existing use of the site less a 30% reduction in the existing discharge. Any discharge of surface water from the site should discharge to similar points of connection to that of the existing use of the site. Conditions are suggested that details of drainage will need to be agreed prior to development beginning.

As the applicant has built his house at The Sidings, he is fully conversant with the existing foul and surface water sewers and the land drainage system on the site and says he has

already dealt with an existing small watercourse referred to in some documents during the course of that work.

Community Safety Implications

The Police Architectural Liaison Officer has provided comments to ensure that the development follows the principles of secured by design. The parking spaces are now distinct and separate from the station car park and reasonable surveillance of car parking and external spaces is allowed from within the dwellings. To ensure defensible rear gardens, the access gates to the public footpath have been omitted and a path to the rear of houses on Area B deleted. The rear garden boundaries are now confirmed to be a minimum of 1.8 metres high to prevent access by intruders. Other detailed comments regarding security standards of windows, door locks and security lighting have been conveyed to the applicant.

To maintain well secured back gardens a condition is suggested that no openings shall subsequently be formed through the boundary fence along the footpath.

The scheme, as amended, raises no significant community safety issues.

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 site is previously developed land at a very sustainable location within the built up area and is suitable for residential development. The scheme proposes a high density but one that is appropriate in this context and the dwellings are designed to broadly reflect the characteristics of this area of varied house types. The layout maintains good separation to the neighbouring properties to the north and south. Although the site is elevated, the degree of separation to properties to the north is such that the scheme would not appear overbearing nor have any significant effects on privacy of adjoining occupiers. Adequate car parking arrangements are provided for existing and proposed dwellings and the amount of traffic anticipated would not have any detrimental effects on local road safety. The proposals are in accordance with relevant Policies SC9, DS1, DS3, DS4 and DS5 of the Core Strategy Development Plan Document 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 above damp proof course commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all external facing and roofing materials to be used in the development hereby permitted, including details of the render. 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 DS1 and DS3 of the Core Strategy Development Plan Document.

3. Before any of the dwellings in Areas A and B of the development are brought into use, the means of vehicular and pedestrian access relevant to each of those constituent areas shall be laid out, hard surfaced and drained within the curtilage of the site and in accordance with details and dimensions shown on the approved site layout drawings, and they shall be completed to a constructional specification approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policy DS4 of the Core Strategy Development Plan Document.

4. Before any of the dwellings is brought into use, the relevant garaging and off street car parking facilities shall be laid out, hard surfaced and drained within the curtilage of the site in accordance with the approved drawings and gradients shall be no steeper than 1 in 15.

Reason: In the interests of highway safety and to accord with Policies TR2 and DS4 of the Core Strategy Development Plan Document.

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

Reason: In the interests of pollution prevention and to ensure a satisfactory drainage system is provided to accord with Policies EN7 and EN8 of the Core Strategy Development Plan Document.

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

Reason: To ensure proper drainage of the site and to accord with Policies EN7 and EN8 of the Core Strategy Development Plan Document.

7. Boundary details to the rear garden of the dwellings shall accord with the details shown in drawing 001-PFB and no gates or openings shall subsequently be formed in the rear garden boundaries to dwellings in Area A.

Reason : To maintain defensible rear gardens in the interests of crime prevention and to accord with Policy DS5 of the Core Strategy Development Plan Document.

8. No dwelling shall be brought into use until details of a scheme for acoustic insulation of the premises against noise from the adjacent railway has been

submitted to and approved in writing by the Local Planning Authority. The scheme of acoustic insulation shall take into account the provisions of BS 8233: 2014 Guidance on sound insulation and noise reduction for buildings.

All works which form part of the scheme so approved shall be completed in accordance with the approved details prior to the change of use and shall be retained thereafter.

Reason: To minimise the impact of noise emitted from buildings on neighbouring noise sensitive locations and to accord with Policies DS5 of the Core Strategy Development Plan Document.

9. The frames to all new and replacement windows hereby permitted shall be recessed into the reveals by approximately 100-125mm, and shall be retained in this form thereafter.

Reason: In the interests of visual amenity and to accord with Policies EN3, DS1 and DS3 of the Core Strategy Development Plan Document.

10. Before any excavations within Area A adjacent to Public Footpath 200 (Ilkley) are begun, full details, including necessary calculations, of the proposed temporary and permanent measures to afford stability to that footpath shall be submitted to and approved in writing by the Local Planning Authority. The measures so approved shall be carried out in accordance with a programme of works to be approved in writing by the Local Planning Authority.

Reason: No details have been submitted of necessary retaining structures and such measures are necessary to protect the stability of the highway in the interests of safety and to accord with Policy DS4 of the Core Strategy Development Plan Document.

11. 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 DS5 of the Core Strategy Development Plan Document.
