

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 12 September 2019

P

Subject:

Full application for the demolition of house and garage and redevelopment with apartment building (10 apartments), 27 Kings Road, Ilkley.

Summary statement:

The proposal would provide 10 apartments. The design and appearance of the building is considered appropriate to the context of the application sites location in the Ilkley Conservation Area. Similarly, the proposed development has been assessed in relation to the impact on the character and setting of the neighbouring grade I listed building.

The application is recommended for approval, subject to the conditions included within the report.

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

Portfolio:

Regeneration, Planning and Transport

Overview & Scrutiny Area:

Regeneration and Environment

1. SUMMARY

The application is recommended for approval subject to the conditions included within the report, Appendix 1.

2. BACKGROUND

The application is reported to Committee following their being more than 6 letters of objection; 7 have been received.

3. OTHER CONSIDERATIONS

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

4. FINANCIAL & RESOURCE APPRAISAL

The presentation of the proposal is subject to normal budgetary constraints.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

No implications.

6. LEGAL APPRAISAL

The determination of the application is within the Council's powers as Local Planning Authority.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

Section 149 of the Equality Act 2010 states that the Council must, in the exercise of its functions "have due regard to the need to eliminate conduct that is prohibited by the Act, advancing equality of opportunity between people who share a protected characteristics and people who do not share it, and fostering good relations between people who share a protected characteristic and people who do not share it. For this purpose section 149 defines "relevant protected characteristics" as including a range of characteristics including disability, race and religion. In this particular case due regard has been paid to the section 149 duty but it is not considered there are any issues in this regard relevant to this application.

7.2 SUSTAINABILITY IMPLICATIONS

The proposals have been fully considered in relation to sustainability issues and the site is considered to be located in a sustainable location, served by local facilities.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

New development invariably results in the release of greenhouse gases associated with construction operations and the activities of the future users of the site.

Consideration should be given as to the likely traffic levels associated with development. Consideration should also be given as to whether the location of the proposed development is such that sustainable modes of travel would be best facilitated and future greenhouse gas emissions associated with the activities of building users minimised.

It is accepted that the proposed development would result in greenhouse gas emissions. However, it is considered that such emissions are likely to be lower than would be the case for alternative, less sustainable locations. Mitigation measures would be incorporated within the development in the form of electric vehicle charging points to reduce

greenhouse emissions. Consequently, subject to the identified mitigation measures, no adverse greenhouse gas emission implications are foreseen.

7.4 COMMUNITY SAFETY IMPLICATIONS

Core Strategy Policy DS5 states that development proposals should be designed to ensure a safe and secure environment and reduce the opportunities for crime. In this instance, subject to appropriate access control, boundary treatments, being implemented, it is not considered that there are grounds to conclude that the proposed development would create an unsafe or insecure environment or increase opportunities for crime, in accordance with Core Strategy Policy DS5.

7.5 HUMAN RIGHTS ACT

Article 6 - right to a fair and public hearing. The Council must ensure that it has taken into account the views of all those who have an interest in, or whom may be affected by the proposal.

7.6 TRADE UNION

None

7.7 WARD IMPLICATIONS

None

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS

None

7.9 IMPLICATIONS FOR CORPORATE PARENTING

None

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESSMENT

None

8. NOT FOR PUBLICATION DOCUMENTS

None

9. OPTIONS

The Committee can approve the application as per the recommendation contained in Appendix 1, or refuse the application.

If the Committee decides that the application should be refused, it may refuse the application, in which case the reason(s) for refusal would have to be given, based upon development plan policies or other material planning considerations.

10. RECOMMENDATION

This application is recommended for approval, subject to conditions.

11. APPENDICES

Appendix 1 Technical report.

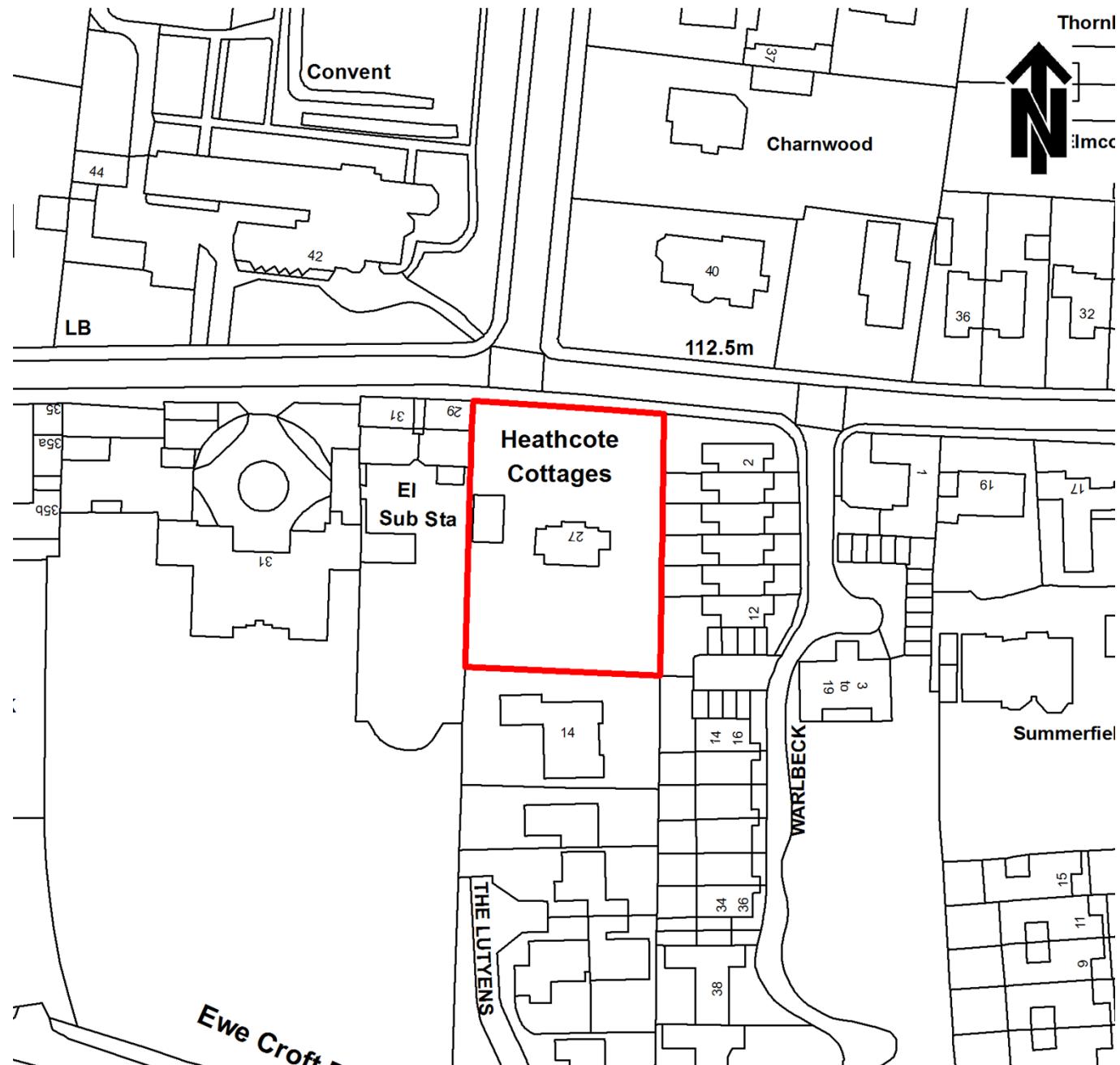
12. BACKGROUND DOCUMENTS

National Planning Policy Framework 2018
Adopted Core Strategy

19/01710/MAF



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

© Crown copyright and database rights 2019 Ordnance Survey 0100019304

**27 Kings Road
Ilkley
LS29 9AR**

APPENDIX 1

Ward
Ilkley

Recommendation
The application is recommended for approval.

Application No.
19/01710/MAF

Type of application
Full application for the demolition of house & garage and redevelopment with apartment building (10 apartments), 27 Kings Road, Ilkley.

Applicant
Yorplace

Agent
ID Planning

Site Description
The application site is a residential plot, in the residential area of Kings Road, c.0.8 km west of Ilkley town centre. The site is occupied by a modern detached house with separate garage. The site is relatively flat and sits at a slightly lower level than the neighbouring property, Heathcote, a grade I listed building, to the west.

There are residential properties to the east, Warlbeck and to the south, The Lutyens.

Background
None

Relevant Site History
Pre-application 18/01354/PMJ Demolition of dwelling and construction of apartment block with associated parking

RUDP
Allocation
None

Core Strategy
There are a number of Core Strategy Policies to be considered in the determination of the application:

- SC8 Protecting the South Pennine Moors
- SC9 Making Great Places
- TR1 Travel Reduction and Modal Shift
- TR2 Parking Policy
- TR3 Public Transport, Cycling and Walking
- HO1 Scale of Housing Required
- HO3 Distribution of Housing Requirement
- HO5 Density of Housing Schemes
- HO9 Housing Quality
- HO11 Affordable Housing

- EN2 Bio-diversity and Geo-diversity
- EN8 Environmental Protection Policy
- DS1 Achieving Good Design

The National Planning Policy Framework (NPPF).

Local planning authorities are required to approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development, where possible

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land.

Substantial weight is given to the value of using suitable brownfield land within settlements for homes and other identified needs.

Planning policies and decisions should make more intensive use of existing land and buildings, especially where it would help to meet housing need.

The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Planning (Listed Buildings and Conservation Areas) Act 1990 (the Listed Buildings Act)

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990
 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

Ilkley Town Council

Ilkley Town Council (Plans Committee) recommends approval for this application. However, the Committee notes that adequate protection for the trees which overhang the parking area will be needed.

Publicity and Representations

The application was advertised through site notices and in the local press. There have been 7 objections to the application.

Summary of Representations Received

The objections to the application include:

It appears that the height of the proposed development is substantially higher than the existing house (at four- storeys compared to the current two-storey building) and that the footprint has been doubled, meaning that the building would be much nearer to our shared boundary.

The height of the proposed building (exacerbated by it being sited closer to our home) means that it will be overpowering for us and our neighbours, dominating the local area and overshadowing our home and other properties in its vicinity.

It will also have significant impact on privacy, with windows and balconies directly overlooking our home and garden. Again, we are not currently overlooked by Limegarth and so the proposed development will have a significant impact.

To now place a three-story building closer to the houses on Warlbeck with what appears to be a large sloping roof will further obstruct sun light from the rear gardens of the terraced houses on Warlbeck.

The windows to the eastern side of the proposed development will look directly into the bedroom windows of the upper floor of my premises which is an invasion of privacy.

From the initial plans it appears there is only one parking space per flat. This is no way near enough as most flats with have at least two occupants presumably with two vehicles. Where will the additional vehicles park and those of visitors to the premises?

Parking is already an issue on Warlbeck and Kings Road without creating further parking problems.

There is a problem with traffic, as twice a day there is a traffic jam at Easby Drive/Kings Road when parents of children attending All Saints Primary School drop off and pick up their children.

Ilkley Civic Society comments that –

Massing - the vast increase in footprint and increase in height to 3.5 storeys will be much more visible from Heathcote in particular the west elevation. We cannot understand the relaxation of initial requirements that the building should not exceed the height of the current property.

Siting - It is difficult to disagree with the siting - a central location on the site seems the most obvious location, leaving a south facing garden. Elevations- The elevations appear quite crisp & contemporary, using the time-honoured stone and render combination. Some de rigueur token (and arbitrary) areas of timber could be better scaled and more integrated. The asymmetry and random massing creates an interesting composition,

though it is a bit arbitrary (especially sitting next to Heathcote); the lean-to on the west elevation is weak and unbalancing, and the blind front façade seems dictated by internal window requirements. The fake chimneys do not have a purpose except for ventilation but with no explanation as to how these will function. Also, the roof pitches are not consistent. In the north elevation the front door is not obvious, therefore not welcoming.

Sustainability - we can see no justification in the application for the demolition of the existing property in accordance with CBMDC 'Sustainable design guide'. Clearly any building constructed to today's Building Regulations will fall far short of zero carbon standards. A building of this status should be complying with standards for the future i.e. BREAM, Secured by Design, EV charging points, sustainable heating and ventilation (gas boilers due to be banned), incorporating standards appropriate for all ages & abilities and adaptability. Q 15 re waste disposal and recycling suggests facilities are provided but none are shown on the site plan. It appears that little thought has gone into this subject.

Car Parking -The large area of car parking will however be a negative feature on entering the property. Visitors and residents will be greeted by a large area of tarmac and chip (only the spaces being free draining). With a need for visitor spaces and a loading space near the front door leaving just over 1.5 spaces per apartment. Has some underground parking been considered which would be more secure for the undoubtedly expensive cars that will be resident and would allow the remaining car parking to be split into smaller areas? Only a much smaller building with a reduced requirement for car parking would overcome this issue. Currently cars will dominate this development.

This site is in the conservation area and its proximity to Heathcote demands a high quality, distinctive and sympathetic building. Overall, we believe the current proposal is a missed opportunity - a much better response would be a crisp contemporary symmetrical development that is not ashamed to be a modern take on Heathcote that is fully future proofed.

Consultations

WYCA

To encourage the use of sustainable transport as a realistic alternative to the car, the developer needs to fund a package of sustainable travel measures. We recommend that the developer contributes towards sustainable travel incentives to encourage the use of sustainable modes of transport.

Yorkshire Gardens Trust

Limegarth is of no architectural merit, it is only two storeys with a relatively small footprint bounded by trees, and it has no impact on Heathcote. In our view this will not be the case with this proposed apartment building. We note that "the siting of the new building is on the footprint of the existing buildings." This is misleading as the proposed new building is significantly larger than that currently on the site. And more importantly we note that the height will be substantially higher than the existing dwelling – essentially four storeys as compared with two storeys. The GT/YGT consider that the massing of the proposed building will impact on the views both from within Heathcote itself and its setting, particularly from the north and east. The boundary trees do have a mitigating influence but as we know trees can be felled before preventative action can be taken.

The layout of the gardens at Heathcote relates to the plan form and axial arrangements of the house. The design is formal but not completely symmetrical, and the classical elements of the house with its square pavilion-like wings are softened by the use of curves in part of the garden.

This former garden retains a stone apsidal garden shelter (listed grade I), which is a key feature mirroring the stone apsidal shelter in the western garden (also listed grade I).

We consider that Design and Access Statement, p32, View 5 in the context of Heathcote clearly illustrates the substantial harm that the proximity of this proposed building would cause to easterly views across and from the entrance court through the opening into the eastern garden. In addition, it is likely that the increase in shade especially in winter would harm any restoration of the planting and reduce the amenity. View 3 in the context of Heathcote indicates that the top of the hedge had not been cut down to the correct level when the photograph was taken and hence it gives an underestimate of the true impact of the proposal. We also note that the apsidal stone shelter is not depicted in the computer model of proposed building and so by omission the impact is not indicated.

The YGT is not convinced that this planning application complies with NPPF 2019 paragraph 194 regarding the setting of Heathcote, an asset of the highest significance nor the Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) published 2nd December 2017, The Setting of Heritage Assets. We note your authority's statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

No objection to the demolition of Limegarth but consider that the proposed development causes harm to grade I and II* listed buildings and a grade II registered park and garden. Therefore, we object to the proposed development in its present form and ask that the Council considers a more sympathetic proposal.

Parks & Greenspace Service

Parks and Greenspace Service would have previously requested a recreation commuted sum associated with the attached planning application for the provision or enhancement of Recreation Open Space, Playground and Playing Fields due to the extra demands placed on the locality by this development. Since the implementation of CIL on 1.7.2017 we are no longer able to do so.

However, the development would result in a minimal impact on the existing public open space as 10 new residential units.

Historic England

The site sits within the "Residential Expansion" character area of the Ilkley Conservation Area. The character of the surrounding area is primarily larger houses set back from the main roads within generous gardens. The architectural style is eclectic with a mixture of vernacular revival references, primarily in stone with slate roofs but including elements of timber and render. The apartment building proposed is larger than the existing dwelling but having considered the ground plan of development within the surrounding area we consider the ratio of development to open space would not be incompatible with the character of the area. The building would maintain the current building line in relation to Kings Road and the existing trees meaning there will be a minimal visual impact on the streetscene.

The design of the building has taken cues from the eclectic style seen throughout the conservation area which we welcome. We defer to the advice of your authority's Conservation Officer in relation to the details and materials and their suitability in the conservation area.

The increase in size of the proposed building compared to the existing must also be considered in terms of the impact on the setting of Heathcote. This setting is about more than views, and concerns the way in which the listed building and its registered gardens are experienced both from outside and within the site. The principal area in which the architectural set piece of Heathcote is experienced is from the south, both from the main road and moving around within the gardens. The courtyard to the north of the house, with the grouping of house, gate piers and outbuildings, also makes a contribution to appreciating the significance of the site.

During pre-application discussions we were keen to ensure that the proposed development remained subservient to Heathcote, which is prominent within the immediate area. Sections and computer generated images submitted with the application show that the proposed development would be lower than Heathcote. The images also show that there would be a negligible impact on the setting of Heathcote from the south.

The proposed development would be most visible from the courtyard to the north of Heathcote and in some views from the first floor looking east towards the proposed development. The applicants have attempted to reduce this impact by stepping the built form down towards the listed building and introducing a chimney feature to break up the large ridgeline. The mass of the building would still be visible and would have a greater impact than the existing building. Heathcote is located within a residential area and other buildings are visible within its setting, therefore the principle of development being visible is not in itself an issue, it is however important that new development does not affect Heathcote's prominence and status within the immediate area. When considering the total significance of the listed building and the registered garden we therefore consider the fact that the building is visible in these views would have a minor impact on the significance of the heritage assets. This results from the potential for your eye to be drawn to the roof of the new building rather than the ensemble of Heathcote, its gate piers and outbuildings in some views from the north. If your authority is minded to grant consent for the proposals, we recommend the roofing material for the new development is agreed with your Conservation Officer, prior to the commencement of works so that this impact is minimised to the greatest possible extent.

Historic England does not object to the application on heritage grounds but recommend you consult your authority's Conservation Officer regarding the detail and materials of the proposal prior to determination.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Countryside

No objection regarding biodiversity.

It is recommended that the two bat bricks are secured as a condition.

Trees Team

The application is generally well considered in relation to the trees. Trees Team has no objections.

West Yorkshire Police

Boundary treatments.

The site plan shows that the existing boundary treatments of stone walls with mature trees/planting are being retained around the boundary of the site which is in keeping with the area and does provide some defensible space around the site.

Installing an 1800mm high close board timber fence and gate along each side of the building on the front building line would restrict stranger access around the rear of the gardens. Installing some form of locking mechanism on the gate would allow the gate to be locked from the inside of the garden.

Vehicle access.

If the existing gate is being retained and this is a manual opening gate, it is highly likely that the gate would not be used as not all residents would climb out of their vehicle to open and close gates, so this means that the front car park is accessible which can increase the risk of vehicle crime. It would be prudent to change the entrance gate to an automated gate that has a key fob or keypad access that will open and close after entry and exit which provides more security for the car park and front entrance.

Surveillance of parking bays and entrance.

From looking at the floor plans on each level, there is no natural surveillance from any windows located in the active rooms (i.e. kitchen and lounge), these windows overlook the rear garden.

West Yorkshire Police would recommend that some of the apartments have their layouts changed so that the kitchen or lounge windows are overlooking the front of the property which will increase natural surveillance of the car park and communal entrance.

Management plan of gardens and foliage.

There should be a good management plan so that the rear gardens are regularly maintained and any overhanging branches within the front car park do not obscure any external lights in the car park.

Recessed doorways.

The rear doors to the ground floor apartments appear to have recessed doorways, if a stranger / potential offender gained entry into the rear garden they are able to attempt entry into the doors and remain out of view due to the secluded recessed area. It would be prudent to include glazing and lockable doors around the building line of the recess which will bring the entrance door level with the rear building line and creates an enclosed patio area, which can be locked and secured when the residents are not home.

External lighting and CCTV.

There should be good lighting levels within the car park, lighting above the main communal entrance and to the rear of the property. Low energy photo-electric cell or dusk till dawn lights are suitable to use and should reduce any glare or light overspill. Fittings, including the wiring should be vandal resistant and located in inaccessible positions to deter any criminal attack.

If some of the apartment layouts cannot be changed in order to increase natural surveillance, then there should be a monitored CCTV system that covers the car park and communal entrance and location of the inner gates that secure the rear garden area.

Lighting should work in harmony with the CCTV system and provide good quality evidential images in high definition to 10.8p, that will allow a person to be clearly identified, this is required to aid identification and support any prosecution. The value of CCTV cannot be understated, a high percentage of crimes result in criminal charges due to CCTV evidence, high definition CCTV can zoom in and pickup marks, tears, makes of clothing, along with other personal identifying marks such as scars, tattoos. The cost of CCTV has significantly reduced making this an essential security measure.

Access control.

The external vehicle entrance should include an external intercom system which is vandal resistant with both integral or stand along camera providing colour images, visible from the apartment with audio communication between the visitor and the apartment and electronic release mechanism, this should also be applied to the communal entrance of the building so that residents can be contacted.

Access control measures should be applied on the vehicle entrance and onto the communal entrance into the building. Preferable types of access control are swipe card or key fob access which are security encrypted to prevent any unauthorised copying of cards or fobs, this allows the Management company to control who has access into the building, apartments can attract a transient type of residency, so having good security measures ensures that the building remains secure.

Mail delivery.

Installing a secure through the wall mailbox which incorporates a design feature that prevents the removal of mail through the delivery slot, the access door for each apartment mailbox must be lockable in addition to being fire retardant. This location of the mailbox could be located within the external gate or boundary wall which means that the postal worker would not have to enter the site to deliver any mail.

West Yorkshire Police has no objection in principle to the proposal providing that the above recommendations were considered and implemented where possible as part of any planning approval.

Conservation

Final comments to be reported verbally.

Transportation & Highways

The principle of the development of apartments on this site has already been supported by highways on pre-application enquiry 18/01354/PMJ. It was suggested on this pre-app enquiry that the width of the access should be at least 4.5m to allow the free movement of traffic at the site entrance. The width is 4.1m, which could be widened as suggested.

Automatic gates are also being shown and in order for these to open and let residents in vehicles would have to stand on the highway, which is to be avoided. The gates should therefore be set back at least 5m from the back edge of the footway to allow cars to stand clear of the highway.

A bin location should also be provided outside of the gates (but still within the red line boundary of the site) where the bin (or bins) can be placed on collection day as a refuse vehicle would not enter the site. If alternative arrangements are to be made for refuse collection then details should be provided.

Summary of Main Issues

Principle of residential development

Impact on heritage assets
Design
Residential amenity
Transportation & Highways
Planning obligations
Other Issues

Appraisal

Principle of residential development

The application site is occupied by a detached house and the site lies within a residential neighbourhood. As such, the redevelopment of the site, following demolition of the house and garage would be acceptable in principle.

Impact on heritage assets

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Listed Buildings Act) states: In considering whether to grant planning permission for development which affects a Listed Building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Act states, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset (such as a listed building), great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. At the local level Policy EN3 of the Core Strategy seeks to ensure the preservation of heritage assets and their setting.

The neighbouring property west of the application site is Heathcote, a grade I listed building with a registered garden. The impact on the character & setting of the listed building is one of the key considerations.

Given the proposed apartment building is taller and larger than the existing house, there has been detailed analysis of the proposed apartment building, in relation to how it would impact on the setting of Heathcote. This includes views from the listed building and views to the listed building. In addition, cgi's have been prepared to enable the assessment of the proposals effect on Heathcote.

The impact is considered to be relatively minor and would not significantly affect the heritage asset. The siting of the proposed building, along with its scale and massing have been considered by Historic England and the Conservation Team and neither raise an objection to the application. Any minor harm would be outweighed by the benefits – increase in housing stock, brought by the scheme.

The proposal has been fully assessed in compliance with the requirements of Section 66 & Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraph 193 of the NPPF and policy EN3 of the Core Strategy. The scheme has been designed to ensure the character and setting of the listed buildings to the western boundary of the application site are not adversely affected.

Design

The location of the application site, adjacent to a grade I listed building and registered garden has required the applicant to design a building that reflects the significance of the heritage asset. A number of iterations have been considered with regard to the local context, including choice of materials.

At Kings Road, there are a number of house styles, including Victoria/Edwardian villas, inter-war semis and modern mews-type houses. The applicant has sought to design a building that echoes a villa-type approach.

The materials would include natural stone, along with elements of render. The roof and other feature areas being constructed in zinc. Both the choice of stone and zinc have been subject to detailed consideration, with the intention being to deliver a building that whilst addressing its context, introduces a quality contemporary material. The finish of the stone and use of zinc will ensure that the appearance of the building respond to the importance of the application site in relation to the heritage assets.

The building would be 3-storeys with accommodation at roof level. The current house on-site is two-storeys with a hipped roof. This would result in the proposed apartment building being effectively a storey higher than the existing building. This would still be considerably lower than Heathcote and is not considered to adversely impact on the character or setting of the listed building.

In terms of siting, the proposed building extends the footprint beyond the existing. Again, acknowledging the increased massing of the proposed apartment building, smaller than the adjacent Warlbeck terraced block, this would not adversely impact on the character or setting of the listed building.

As advised by Historic England, the applicant has been required to provide details of the proposed materials as part of the application, rather than these being left to condition. The natural stone and finish along with the roof slates and zinc cladding are all considered to provide the high quality materials required at this site.

Residential amenity

There are residential properties to the immediate east and south of the application site. With both the footprint and the height of the proposed building being greater than the existing building, the impact on residents has been assessed.

To both boundaries, south and east, there are established trees/hedges. These afford an element of screening to the application site. Albeit, those deciduous trees would not be in leaf during Autumn/Winter. As the application site is located within the Ilkley Conservation Area, the Council would retain control over the removal/works to trees with permission required as the application site is in a conservation area. It is not the applicants intention to remove any trees.

When considering the relationship between properties, the guidelines used by the Council are to provide a distance between habitable room windows and the boundary of 7m; and 17m between habitable room windows.

The distance between the proposed apartment building and the houses on Warlbeck measures 19m. The distance between the proposed building and gardens measures 8m. There are secondary windows serving bedrooms and living rooms on the proposed building facing Warlbeck. The distance between the closest house on The Lutyens and the proposed building is 17m.

It should also be noted that the windows on the proposed apartment building facing Warlbeck are secondary windows.

All these distances meet the guidelines for ensuring appropriate distances between residential properties, to ensure residential amenity is not adversely affected.

On the basis of the above, it is not considered that the proposed development would detrimentally affect the residential amenity of neighbouring residents by overlooking or overshadowing.

Planning Obligations

The development would be subject to the Community Infrastructure Levy.

The application falls below the threshold for the provision of affordable housing.

Other Issues

Car parking

The parking provision is for nineteen spaces. For ten apartments, this would provide almost two spaces per flat. This would exceed the Development Plan Parking Guidelines of 1.5 spaces per residential unit.

The surface treatment of the car park would be treated as two areas, with the parking spaces in a cellular system to avoid any damage to tree roots. The detail of this would be conditioned.

Sustainability

The applicant has confirmed that the proposed building would be built with sustainability in mind. This would be guided by the current Building Regulations and relevant sustainable design guidance.

The apartments would be built to DDA requirements and the inclusion of a passenger lift would make the apartments adaptable for the future.

Options

The Committee can approve the application, subject to the conditions within the report, or refuse the application. If the application is refused, reasons for refusal would have to be given.

Community Safety Implications

None

Human Rights Act

Article 6 – right to a fair and public hearing. The Council must ensure that it has taken into account the views of all those who have an interest in, or whom may be affected by the proposal.

Not for publication documents

None

Reason for Approval

In granting permission for this development the Council has taken into account all material planning considerations including those arising from the comments of statutory and other consultees, public representations about the application.

It is considered that the proposed residential development is in conformity with the principles outlined within the Core Strategy and the principles outlined in the National Planning Policy Framework.

Approval is recommended subject to the following conditions.

Conditions of Approval

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

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

2. The development hereby approved shall only be carried out in accordance with the approved plans listed below:-

20259_P102; 20559_P103; 20559_P104; 20559_P105; 20559_P106; 20559_P107; 20559_P108; 20559_P109; 20559_P110.

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

3. The development shall not begin, nor shall there be any demolition, site preparation or groundworks, 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 until the tree protection fencing and other tree protection measures are installed in strict accordance with the details and positions shown on the submitted arboricultural report by David Houldershaw dated Feb 2019 and associated drawing Ref. 20259_P100 rev C dated 21/11/2018.

The development shall not begin until the Local Planning Authority has inspected and given its written approval confirming that the agreed tree protection measures are in place in accordance with the submitted details.

Reason: To ensure that trees are adequately protected prior to development activity beginning on the site which would otherwise harm trees to the detriment of visual amenity. To accord with Policy EN5 of the Bradford Local Plan Core Strategy.

4. The approved and agreed tree protection measures shall remain in place, and 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 areas without the written consent of the Local Planning Authority.

Reason: To ensure that trees are adequately protected during development activity on

the site which would otherwise harm trees to the detriment of visual amenity. To accord with Policy EN5 of the Bradford Local Plan Core Strategy.

5. Prior to the removal of the protective fencing and other agreed tree protection measures, written verification/evidence that the developer has arranged for supervision and monitoring of those approved measures by a suitably qualified and pre-appointed tree specialist, at regular and frequent intervals throughout the duration of the development, shall be submitted to the Local Planning Authority.

Prior to the occupation of the development, or prior to the occupation of phases of the development as have been agreed in writing with the Local Planning Authority, the Local Planning Authority shall have first confirmed in writing its agreement to the verification/evidence.

Reason: To ensure that trees have been adequately protected by the developer during development activity and that harm to the trees has been effectively prevented or mitigated by the measures proposed in the planning application submission. To ensure that protection measures have prevented harm to trees and visual amenity, to accord with Policy EN5 of the Bradford Local Plan Core Strategy.

6. Prior to the occupation of the approved development, details of two bat bricks shall be submitted to and approved in writing by the LPA. the development to be carried out in accordance with the approved details and retained as such thereafter.

Reason: In the interests of protected species.

7. 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.

8. Development above damp proof course level of any buildings on the site shall not begin until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall show the following details:

- i) Position of all trees to be retained on the site, including any trees planted subject to requirements of previous consents to fell;
- ii) Details of proposed new trees and details of new shrub and grass areas - including the extent of such areas and the numbers of trees and shrubs in each position with size of stock, species and variety;
- iii) The extent, types and heights of the means of enclosure to all curtilages.
- iv) Details of types of hard surfaces within the development other than those within the domestic curtilages.
- v) Details of any re-graded contours and details of changes in level required for purposes of landscaping within the site.

The landscaping scheme so approved shall be implemented during the first available planting season following the completion of the development hereby approved and in accordance with the approved details.

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.

9. Prior to the occupation of any part of the development, a schedule of landscape maintenance for all amenity and recreation open space areas within the site and covering a minimum period of 25 years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include a plan to define all communal hard and soft landscaped areas to be maintained under the maintenance regime, an outline of maintenance works to be undertaken and the frequency of those works, together with details of responsibilities for implementing the maintenance regime by a Management Company or other agency. It shall provide email, postal address and telephone contact details of such a company or agency.

Landscape maintenance of the identified areas shall subsequently be carried out in accordance with the approved schedule for the period agreed.

Reason: To ensure effective future maintenance of the landscaped areas in the interests of visual amenity and to accord with Policies DS2, DS3 and DS 5 of the Core Strategy Development Plan Document.

10. Prior to the commencement of development details of the surface treatment to the car parking areas shall be submitted to and approved in writing by the LPA. The development to be carried out in accordance with the approved details.

Reason: In the interests of amenity.

11. Prior to the occupation of development details of the type and position of entrance gate shall be submitted to and approved in writing by the LPA. The development to be carried out in accordance with the approve details and retained thereafter.

Reason: In the interests of highway safety.

12. Prior to the occupation of the approved development details of vehicle charging points shall be submitted to and approved in writing by the LPA. The development to be carried out in accordance with the approved details.

Reason: In the interests of sustainable development.