

Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on the 17 September 2020

AE

Subject:

Planning Application 20/01804/FUL is a full application for conversion of industrial building to form 4 two-bedroom houses including construction of first floor extension at Carlton Mill, Carlton Street, Haworth.

Summary statement:

The application seeks permission to extend and convert the building from its present industrial use to four two bedroomed dwellings. The building fronts onto Carlton Street with Ann Street, a grassed pedestrian access, to the rear. It is two-storey in height with a single-storey lean-to to the side

The building has been vacant for some time and permission has been granted in the past to demolish the building and construct three dwellings on the site (ref 11/05437/OUT).

The Council cannot, at present, demonstrate a five year supply of housing land. Paragraph 11 of the National Planning Policy Framework (NPPF) states that, in determining applications, decisions should apply a presumption in favour of sustainable development. Specifically, this means that any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

The loss of the business use of the building can be supported since it is vacant and has been for some time and there are no specific policies that protect employment sites such as this from being reused for other purposes.

The main issues that has been raised by local residents is the problem of on-street parking on Carlton Street and surrounding roads. This part of Haworth is residential in character and comprises, primarily terraced houses with no allocated off-street parking. As such residents tend to park on the carriageway of Carlton Street and surrounding roads as is convenient.

Continued

It is considered that a residential use of the building is preferable to its approved use given its proximity to existing dwellings and the potential disruption that could result if it were in industrial use along with the associated traffic and parking demand it would generate.

The physical works to the building are limited and not detrimental to its character or contribution to the street scene or the level of amenity presently enjoyed by surrounding residents.

Approval is recommended.

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Transportation & Highways)
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Portfolio:
Regeneration, Planning and Transport

Overview & Scrutiny Area:
Regeneration and Economy



1. SUMMARY

The application seeks permission to extent and reuse a former industrial building for residential purposes, namely four two-bedroomed dwellings.

The site is in a residential setting, where an industrial building and use would be somewhat incongruous and potential detrimental to the living conditions of the adjacent residents. The site is considered to be in a sustainable location to introduce residential properties given its proximity to the centre of Haworth, and access to amenities and public transport.

The alterations to the building are relatively minor in nature and would not be detrimental to the subject building in terms of its appearance or contribution to the wider streetscape. The building dates from the 19th century and as such is characterful and representative of a small industrial mill building. The proposed development would, to a large degree, retain the character of the building and its heritage significance.

The proposed extension to the building amounts to the raising of the angle of the lean to roof to create useable space in the loft space. The houses are designed as 'back-to-backs' with two houses accessed off Carlton Street and two from Ann Street. The proposed layout and pedestrian access arrangements are considered acceptable and would provide a reasonable standard of amenity for future residents.

The main issue in respect of the application is the limited amount of on-street parking available locally for the existing residents of Carlton Street and surrounding roads and the likely impact of the proposed development on this.

The Replacement Unitary Development Plan at Appendix C: Parking Standards, sets out that for a two-bed dwelling within a residential area the requirement is 1 parking space. This cannot be achieved in this case as the building occupies the entirety of the site. The appendix states "The Council will pursue more restrictive maximum levels of parking in the case of conversion of properties for multi-occupancy residential use except where this is likely to result in or add to significant road safety or on-street parking problems." This has to be read in conjunction with NPPF paragraph 109 which states "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

No objection has been received to the proposal from the Highways Engineer and in the light of the location of the site, close to local amenities, including public transport and the otherwise acceptable reuse of the building it is considered that cumulative impacts on the road network would not be severe and any adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits given the Council's lack of five-year housing land.

Officers consider that in order to reuse the building and prevent it either deteriorating or being used for industrial purposes, which would be potentially deleterious to the amenity of nearby residents, a residential use of the building is appropriate. The existing on-street

parking constraints are noted, however it is not considered that the introduction of a further four dwellings would have an unacceptable impact on highway safety, or the residual cumulative impacts of the development on the road network would be severe, as such there is no sustainable reason to refuse the proposed development.

2. BACKGROUND

Attached as Appendix 1 is a copy of the Officer's Report which identifies the material considerations of the proposal.

3. OTHER CONSIDERATIONS

None

4. FINANCIAL & RESOURCE APPRAISAL

There are no financial implications for the Council arising from this application.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

No implications.

6. LEGAL APPRAISAL

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

7. OTHER IMPLICATIONS

N/A

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

There are no sustainability implications.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

There are not considered to be any significant greenhouse gas emissions impacts caused by the proposed development.

7.4 COMMUNITY SAFETY IMPLICATIONS

There are no community safety implications

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. This is incorporated within the report attached as Appendix 1.

7.6 TRADE UNION

None.

7.7 WARD IMPLICATIONS

There are no Ward implications posed by this development.

8. NOT FOR PUBLICATION DOCUMENTS

None

9. OPTIONS

This Committee has the authority to approve or refuse this development. If Members are minded to refuse this development against officer recommendation, they will need to provide their planning reason(s) in line with adopted planning policies.

10. RECOMMENDATIONS

It is recommended that the Committee accept the recommendation of approval within the report attached as Appendix 1.

11. APPENDICES

Appendix 1: Report of the Strategic Director of Regeneration and Culture.

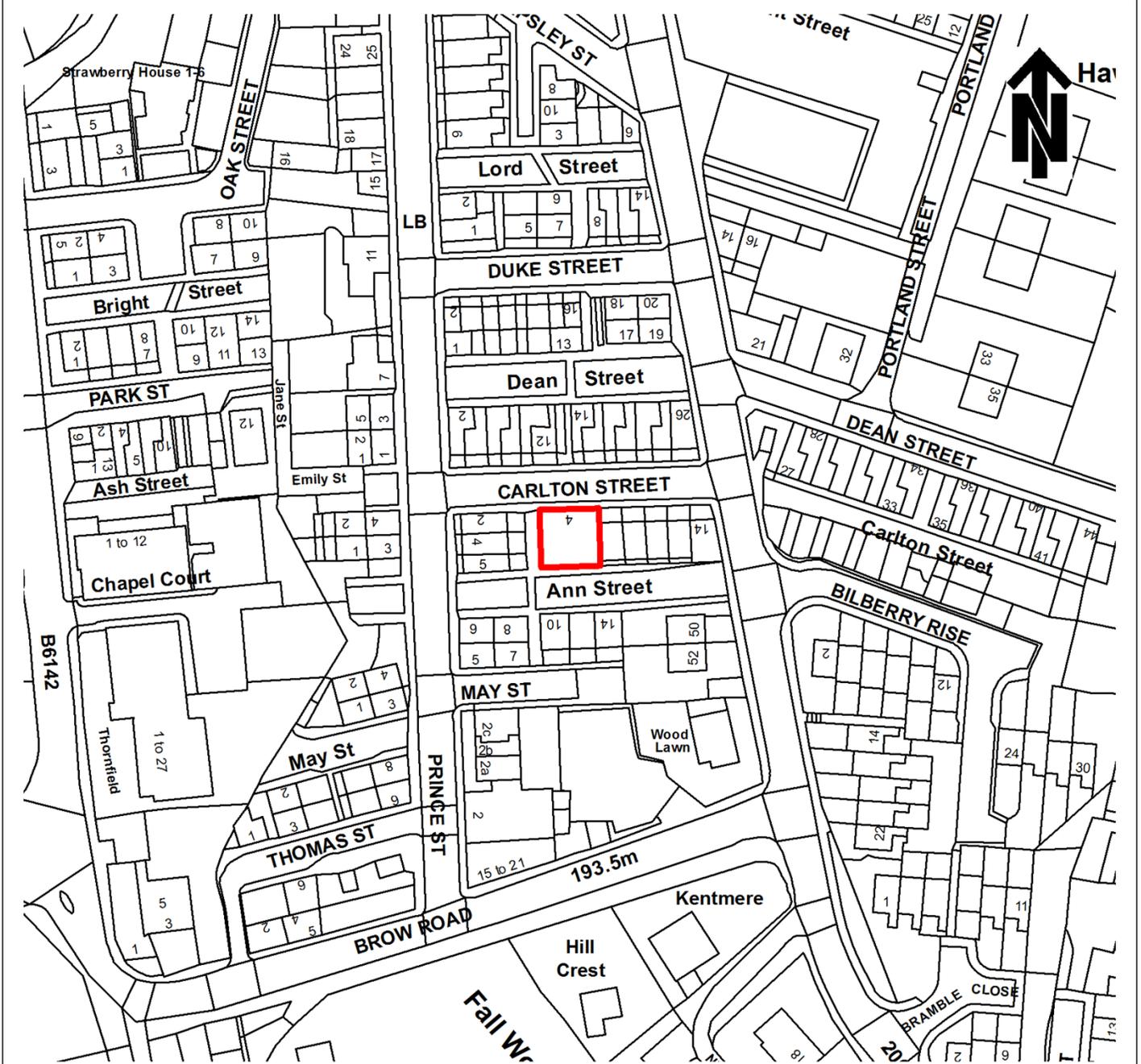
12. BACKGROUND DOCUMENTS

National Planning Policy Framework
The Core Strategy Development Plan Document
The Replacement Unitary Development Plan

20/01804/FUL



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

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Carlton Mills
4 Carlton Street
Haworth
Keighley BD22 8JY

Appendix 1

17 September 2020

Ward: WORTH VALLEY
Recommendation:
TO GRANT PERMISSION

Application Number:
20/01804/FUL

Type of Application/Proposal and Address:

Conversion of industrial building to form 4 two-bedroom houses including construction of first floor extension at Carlton Mills, 4 Carlton Street, Haworth.

Applicant:
Taylor Roche Ltd.

Agent:
Mr Peter Brooksbank

Site Description:

The application relates to a disused commercial building that faces onto Carlton Street, Haworth. To the rear is Ann Street which is a grassed lane. The building is constructed in stone with a blue roof. The land slopes markedly from east to west. The eastern half of the building is two storey and the western half is single storey with a lean to roof. The building is situated between dwellings in a primarily residential location. Carlton Street itself comprises mainly stone built terraced properties on both sides of the road that step down the sloping land from east to west. The road to the north, Duke Street, comprises similar properties; there is a tight form of development in the part of Haworth. None of the existing residential properties, or the application building benefit from allocated off street parking.

Relevant Site History:

11/03425/OUT - Demolition of existing building and part re-use of existing materials to construct 3 new dwellings. Withdrawn 18.10.2011

11/05437/OUT - Demolition of existing building. Part re-use of existing materials to construct 3 new dwellings (1 x 2 bed house and 2 x 2 bed flats). Granted 26.01.2012

19/04553/PLR – Prior approval application for Change of use of industrial building (B1c) to 4 No dwellings (C3). Not permitted development, planning permission required 20.12.2019

20/00284/FUL - Conversion of industrial building to form 4 two-bedroom houses including construction of first floor extension. Withdrawn 01.04.2020

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning

system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

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

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

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 and saved RUDP policies are applicable to this proposal.

Core Strategy Policies

Policy EN4: Landscape
Policy DS1: Achieving Good Design
Policy DS2: Working with the Landscape
Policy DS3: Urban Character
Policy DS4: Streets and Movement
Policy DS5: Safe and Inclusive Places
Policy HO1: The District's Housing Requirement
Policy HO8: Housing Mix
Policy HO9: Housing Quality

Parish Council:

Haworth, Cross Roads And Stanbury Parish Council: The Parish Council is concerned with parking issues, 4 new dwellings could equal 8 extra vehicles on an already congested street.

Publicity and Number of Representations:

Application was publicised by individual notification letters. The publicity period expired on 25th June 2020. To date a total of 22 letters of objection have been received.

Summary of Representations Received:

There is no on street parking on Carlton Street and it is already congested. The extension shall overshadow neighbouring properties.

2 houses would be preferable.

Consultations:

Environmental Health (contaminated land): The plans submitted as part of this application indicate that no ground disturbance is likely to take place during the course of development. The building fully occupies the plot with no landscaping or garden areas planned. Compliance with Building Regulations should include identification of any potential contamination of the building fabric and its rectification if required. Environmental Health has no further land contamination comments in relation to these proposals.

Highways: No objections.

A previous proposal to demolish and replace the existing building with 3 two-bed dwellings was approved in 2012 (11/05437/OUT).

The site is located within a street of back to back terrace properties with no off street parking space. Consequently, all parking takes place on street. The site is also situated in a relatively accessible location close to public transport facilities.

There are a number of objections to the proposed development from local residents. Although I understand the concerns raised by the objectors related to existing parking difficulties in this locality, the site needs to be brought back into use and I consider that a residential use of this site is more appropriate than the existing industrial use as it would generate less traffic and parking demand.

Regarding the number of dwellings proposed, whilst this has increased from three to four compared to the previous approval, there would be less disruption in this locality than would be caused by demolition and replacement of the existing building. And in my view had the industrial development not been built, it is likely that four back to back dwellings would have been built on this site as now proposed.

The proposal is to access two dwellings from Carlton Street and two from Ann Street. The vehicular access to the site is only from Carlton Street with Anne Street being a pedestrianised grassed area with footpaths linking to the surrounding highway network. The proposed dwellings are relatively small scale with 2 bedrooms and a combined kitchen/living room on the ground floor.

The Local Plan parking standard for a two bed dwelling within a residential area is 1 parking space. Whilst there is no off street parking associated with this site, parking for the 2 dwellings fronting Carlton Street can take place on street across the site frontage. Parking demand from the two dwellings fronting Ann Street would need to be met on Prince Street and/or Victoria Road.

Whilst I accept that there are existing parking difficulties that could be exacerbated by the proposed development and lead to residential amenity issues, I do not foresee any undue highway safety problems, in this locality, if the application is approved and therefore I have no objections to raise on the proposed development.

Summary of Main Issues:

1. Housing land
2. Residential Amenity
3. Highway safety/amenity
4. Landscape Impact

Appraisal:

1. Housing land

The proposed new dwellings would contribute to the Council's five year supply of housing land that, as of 1st April 2019, stands at 2.06 years. With this in mind it is necessary to consider the proposed development for four dwellings against paragraph 11 of the NPPF which states that there is a presumption in favour of sustainable development. This means that for decision making:

"Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The NPPF sets out in footnote 7 that not having a 5 year housing supply of land means that the policy is out of date and therefore permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The application building has been vacant for some considerable time. Previous applications to develop the site have been considered, application 11/05437/OUT granted the demolition of the building and the erection of 3 dwellings. The general principle of introducing a residential use to the site is considered acceptable and a sustainable form of development. The site is within the established urban area of Haworth with good access to amenities and public services. The previous approval was for 3 dwellings, the current proposed would intensify the use of the site by proposed four dwellings on the plot.

Policy HO9 states "New housing development should be high quality and achieve good design" Criterion A).

Similar to policy HO9, policy DS1 state that "Planning...decisions should contribute to achieving good design and high quality places."

In design terms the proposed works would maintain, to a degree, the character and

heritage value of the building. It is noted that permission has been granted in the past to demolish the building, it is not, therefore, considered to be of high heritage value. Nevertheless, the building is shown on the 1889 OS maps and it is important, when considering applications to reuse historic buildings, that the character of the building is, as far as possible, maintained.

The increase in height of the western part of the building to provide a first floor would not cause detriment to the character of it. It is designed with a mono-pitch roof that joins the building under eaves height. This means that original two storey part of the building maintains its architectural prominence and the extension does appear subservient.

The conversion has been designed as four 'back to backs' with two of the dwellings accessed off Carlton Lane and the other two off Ann Street. This means that the dwellings are, one room deep and as a result it is proposed to increase the fenestration of the front and rear elevations in order to ensure each room benefits from a good degree of natural light.

It is considered that the design and appearance of the resultant dwellings is appropriate; the use of blue slate for the roof and grey upvc would not cause detriment to the street scene or character of the subject building in this case.

2. Residential amenity

Policy DS5, criterion F states that development should "Not harm the amenity of existing or prospective users and residents".

The development maintains the footprint of the existing building, but increases the massing by the addition of a first floor extension to the west elevation. This would

The proposal involves a first floor extension and conversion of the former industrial building. With the extension, the building can accommodate the four, two bedroom dwellings. The ground floor of each of the dwellings comprises an open plan living/kitchen area, upstairs are two bedrooms and a bathroom. This is an acceptable layout and would provide a reasonable level of amenity for future residents.

The nature of the site means that there is no external amenity space provided for any of the dwellings. This is akin to flats or apartments and whilst allocated outdoor amenity space is desirable its absence does not mean the scheme is unacceptable. When reusing a building, such as this, the development must work within the constraints presented by the situation. In this case that means that future residents will not have any outdoor amenity space. However, this will be apparent for any future occupiers of the dwellings.

The proposed extension would increase the massing of the building but has been designed to increase the pitch of the lean to roof. The eaves height of the western flank wall remains the same as present, as shown on the sections drawing. The western side of the building runs along the rear of terrace of three properties comprising 2 Carlton Street and 4 and 5 Prince Street. The increase in pitch of the roof allows for the creation of the bedrooms to the dwellings without impacting significantly on the amenity of the adjacent

residents. There is a back lane that runs between the side wall of the building and the rear of the terraces to the west. The side wall of the application building is 3m from the boundary of the yards at the rear of the terrace and 6.4m from the rear wall of the terrace. The terraced dwellings to the west are on lower ground but the impact of the development is limited since the flank wall remains unaltered and the new roof pitch would increase the angle only marginally.

The new rooflights to this roof are located high up towards the ridge and would not overlook the rear of the nearby properties due to the position in the roof plane and the height above finished floor level.

3. Highway safety/amenity

A number of representations have been received from local residents concerning the potential increase for on street parking along Carlton Street and surrounding roads. It is the case that the terraced houses surrounding the application site, do not benefit from allocated off street parking as a result residents park on the road.

As mentioned previously the principle of developing the site for residential use has been established by the granting on the 2012 approval for three dwellings on the site. The introduction of 4 dwellings to the site has the potential to increase the number of cars requiring to park on the road.

Paragraph 109 of the NPPF states “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

It is not considered that the development would have an unacceptable in on highway safety since the development does not physically impact on the road, such as introducing a driveway which would require sight lines, for example.

The issue is, therefore, whether “the residual cumulative impacts on the road network would be severe.”

The Core Strategy parking standard for a two bed dwelling within a residential area is 1 parking space. That parking standard cannot be met by the development. However, since the building is presently unused and a residential use of the building is acceptable in principle, it is likely that there will be an increase in on street parking as a result of the proposed development. The former permission was to erect three dwellings on the plot, with associated disruption during construction works and potential on street parking requirements.

The 2012 permission has not been implemented and has consequently lapsed. It is still of interest in respect of this application since it has been accepted that three dwellings could occupy the application plot.

Whilst there is no off street parking associated with this site, parking for the 2 dwellings fronting Carlton Street can take place on street across the site frontage. Parking demand

from the two dwellings fronting Ann Street would need to be met on Prince Street and/or Victoria Road.

The building is unused, but if it were to be reoccupied and used for its permitted industrial use (B1c Industrial processes) there would be a significant increase in disruption to the highway network and the surrounding residents. The current approved use of the building is a material consideration in the consideration of the application. It is the case that it is unlikely that the building will be reused for B1c purposes due to the constraints of the site which limits the potential future use of the building. Nevertheless, the B1 use of the building means that it could be used legitimately for business/industrial purposes and this is a material consideration in the determination of the application. It is likely that were the building to be used again for its permitted use this would cause potentially greater disruption than the proposed residential use.

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 conversion of the building for residential use is acceptable in principle. The proposed extension would not result in harm the character or appearance of the building or its contribution to the streetscene. Nor would it impact negatively on the living conditions of nearby residents, specifically the terraced properties to the west.

The introduction of four dwellings will make a positive contribution to the Council's housing land supply, which presently is significantly below the 5 years required of the NPPF. Paragraph 11 of the NPPF requires that any adverse impacts of approving the development would significantly and demonstrably outweigh the benefits.

This has to be read in conjunction with paragraph 109 of the NPPF which sets out that to refuse planning permission on highways grounds the development would have an "unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe". The representations received from local residents in respect of the impact of the development on the car parking situation on Carlton Street and surrounding roads. However, in the absence of an objection to the proposal from the highways officer it is difficult to demonstrate any significant adverse impact of the development or that the impact on the road network would be severe.

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 permitted shall be constructed using external facing and roofing materials to match the existing building as is specified on the submitted application.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies EN3, DS1 and DS3 of the Core Strategy Development Plan Document.

3. 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 the character of the heritage asset and to accord with Policies EN3, DS1 and DS3 of the Core Strategy Development Plan Document.

4. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no alterations comprising the addition of further windows, including dormer windows, or other openings shall subsequently be formed in the west elevations or roof planes of the development hereby permitted without the express written permission of the Local Planning Authority.

Reason: To safeguard the privacy and amenity of occupiers of neighbouring properties and to accord with Policy DS5 of the Core Strategy Development Plan Document.