

Report of the Assistant Director (Planning Transportation & Highways) to the meeting of Regulatory and Appeals Committee to be held on 12 November 2020

AL

Subject:

This is a full planning application for the construction of a detached house with access from Parish Ghyll Lane on land to the south of 47 Parish Ghyll Drive, Ilkley, LS29 9PR.

Summary statement:

The applicant seeks planning permission for the construction of a split-level detached property on part of the garden to the south of 47 Parish Ghyll Drive which is in the residential suburbs to the west of Ilkley. The garden is on the south side of the existing house and has a frontage to Parish Ghyll Lane from which the proposed house would be accessed. The design, scale and massing of the proposed house has been carefully considered and the split-level design responds to the slope and is appropriate to the landscape context, retaining mature trees and proposing additional planting. The proposed dwelling, though in an elevated position when viewed from Parish Ghyll Drive would sit well within the context and grain of development along Parish Ghyll Lane. The site is close to the edge of Ilkley Conservation Area but the proposal will be appropriate to the character and appearance of the area and the setting of the conservation area will not be adversely affected. The proposed house would be sited and the windows are arranged such that it would not harm the residential amenity of adjoining occupiers given its separation to the nearest existing houses and their gardens. Parish Ghyll Lane is an unadopted, unmade highway with no footways. Although objectors are concerned, amongst other things, about implications for road safety, a single dwelling will have no significant effect in terms of the capacity of the local highway network and adequate arrangements are made for servicing and car parking. Road safety impacts will not be significant. Approval of the application subject to conditions is recommended.

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Portfolio:
Regeneration, Planning and Transport

Overview & Scrutiny Area:
Regeneration and Economy

1. SUMMARY

The proposal seeks permission for the construction of a split-level detached property on land to the south 47 Parish Ghyll Drive in Ilkley. The site will take its access from Parish Ghyll Lane. The design and massing of this proposed house is appropriate to its landscape context, and the dwelling, though in an elevated position from Parish Ghyll Drive would sit well within the context and grain of development of the surrounding area. The proposal will not have an unacceptably harmful effect on the character and appearance of the area or the setting of the Ilkley conservation area and would not harm the residential amenity of adjoining occupiers given its separation to the nearest existing houses and their gardens. Existing trees are to be retained to provide screening and ecological features, and new trees are proposed to be planted. A single dwelling will have no significant effect on the local highway network or road safety. Approval is recommended.

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

Not applicable.

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

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.

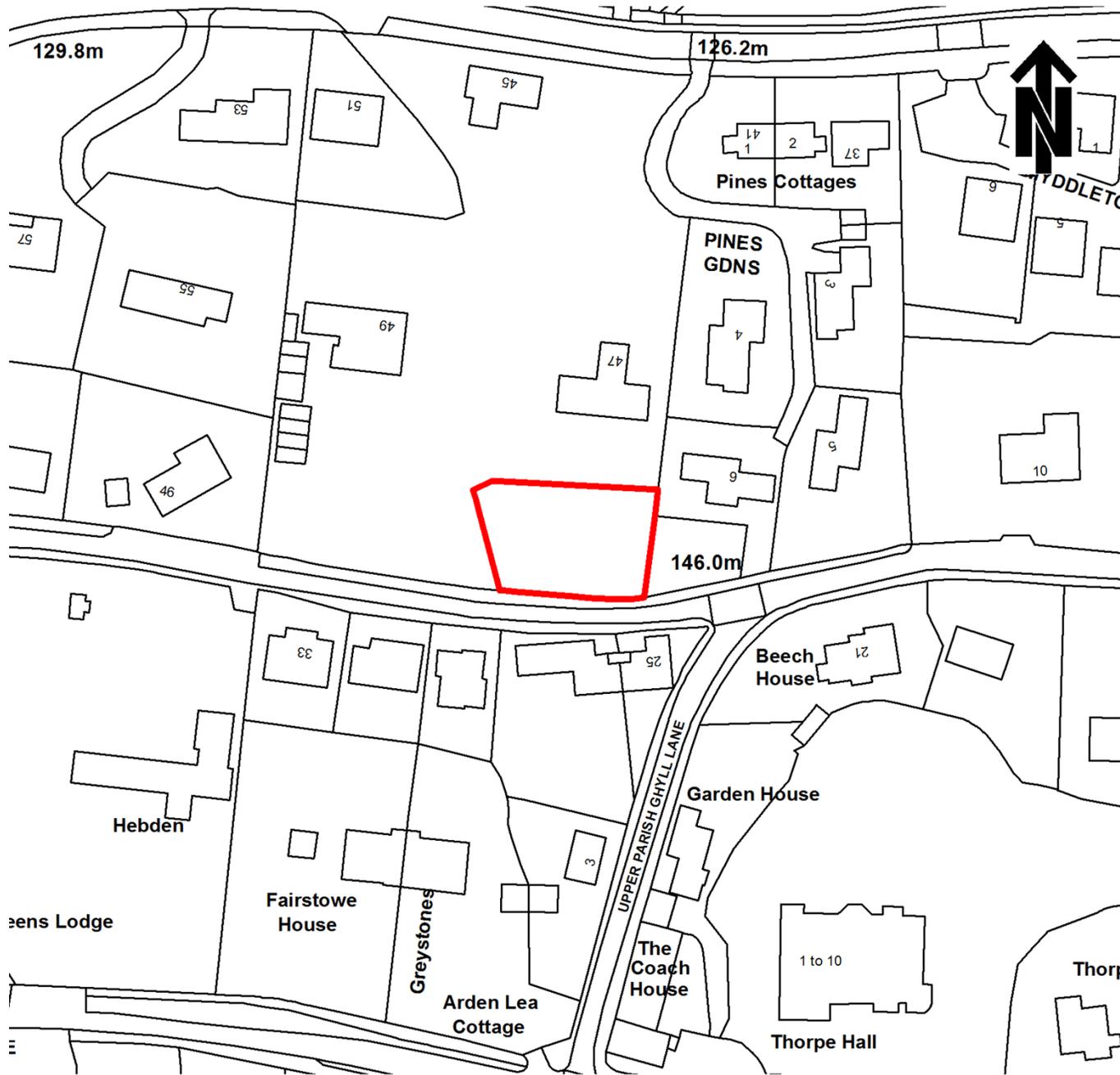
12. BACKGROUND DOCUMENTS

National Planning Policy Framework

The Core Strategy Development Plan Document

The Replacement Unitary Development Plan for Bradford District

19/03875/FUL



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**47 Parish Ghyll Drive
Ilkley
LS29 9PR**

Appendix 1

Ward: Ilkley (Ward 14)
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
19/03875/FUL

Type of Application/Proposal and Address:

Full planning application for the construction of a 3-bed detached house with access from Parish Ghyll Lane on land to the south of 47 Parish Ghyll Drive, Ilkley, LS29 9PR.

Applicant:
Mr A Cowlshaw

Agent:
Niche Design Architects – Mr Chris Hunt

Site Description:

47 Parish Ghyll Drive is a detached dormer bungalow constructed of stone with render and timber detailing under a slate tile roof. It dates from the 1980's. The site is to the west of Ilkley within a suburban residential area comprising of a mix of property styles and ages. The existing house is located at the northern end of the site and is accessed from Parish Ghyll Drive with its garden extending southwards to a frontage with the unmade Parish Ghyll Lane. The proposed new dwelling is to be sited in the rear garden, cutting into the rising embankment which extends up towards Parish Ghyll Lane, which will be the proposed access point for the new dwelling. Parish Ghyll Lane is an un-adopted road.

The application site itself is not in a conservation area but the mid-point of Parish Ghyll Lane forms the boundary to the Ilkley Conservation area and the proposed new dwelling would therefore be considered to be within its setting.

Relevant Site History:

No recent relevant planning permissions

The National Planning Policy Framework (NPPF):

The NPPF is a material planning consideration on any development proposal. The NPPF 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 NPPF suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

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 in the RUDP.

Core Strategy Policies

HO5 - Density of Housing Schemes
DS1 – Achieving Good Design
DS2 - Working with the Landscape
DS3 – Urban Character
DS4 – Streets for Movement
DS5 – Safe and Inclusive Places
TR2 – Parking Policy
SC8 - South Pennine Moors
EN3 – Historic environment
EN2 - Biodiversity and Geodiversity
EN7- Flood risk
EN8 – Environmental Protection

Other Policies

No Neighbourhood or Action Area Plans are in effect in this area.

Ilkley Town Council:

Recommend approval on the condition that full and proper reinstatement of the un-adopted road, Parish Ghyll Lane, takes place at the completion of the building works.

Publicity and Number of Representations:

The application was advertised by individual neighbour notification letters. Publicity expiry date was 11th October 2019.

20 letters of objections have been received which includes one letter of objection from an Ilkley Ward Councillor referring the application to Committee.

Summary of Representations Received:

- Parish Ghyll Lane is un-adopted road and narrow. Access would be difficult and no parking available on the road for visitors. Concerns over disruption during construction and damage to road.
- Drainage issues with number of streams that come down from the moors. Flood risk to nearby properties.
- Over-development. Cramped dwelling on plot with no garden space.

- Poor design. Impact on character of conservation area and out of keeping with historical context of site next door.
- Overlooking and loss of privacy
- Common lizard and water voles seen in the area.
- Already been a number of trees removed. Close to root protection of other trees which will not be able to grow.
- Cumulative effect on the South Pennine Moors from increased density of dwellings in the area.

Consultations:

Trees Team: No objections to amended scheme subject to conditions for tree protection to be agreed and installed during construction.

Biodiversity Officer: No objections. Advisory informative suggested.

Drainage Section: No objections in principle subject to drainage details to be agreed prior to commencement.

Summary of Main Issues:

1. Background matters – trees and amendments to the proposal.
2. Principle of development.
3. Impact on local character, visual amenity and setting of conservation area.
4. Trees.
5. Residential amenity.
6. Highway safety.
7. Drainage.
8. Ecology.
9. Other matters raised in representations.

Appraisal:

1. Background matters

The site of 47 Parish Ghyll Drive has a number of protected trees within its curtilage and which overhang the plot. In 2016/2017, some tree felling within the site was approved by the Council subject to replacement tree planting conditioned through the Tree Preservation Order regulations.

When this planning application was submitted in September 2019, this replacement tree planting had not yet occurred. The applicant was asked to rectify this matter. In June 2020, it was confirmed that a (1) Scots pine and a (1) Oak had been planted pursuant to conditions attached to tree consents 16/04913/TPO and 17/03811/TPO.

Amended plans were received to reflect the presence of these new trees and required reduction of the building footprint by 3m to the west and 0.5m to the north in order to mitigate potential impact on the existing and newly planted trees. An updated arboricultural impact assessment was also submitted to support the application scheme.

A number of other trees outside the ownership of the applicant (namely in the verge of Parish Ghyll Lane) were removed at some point prior to the submission of this planning application but those trees were not protected by conservation area status or by the TPO legislation. Whilst this loss is regrettable, the Council is not taking any further action on this matter.

In addition, and by the request of the Council's Highway Officer, a larger parking area to the front of the property has been provided in order to improve the parking and manoeuvrability on site. Amended plans were also provided to show an accurate layout of Parish Ghyll Lane with a supporting vehicle 'tracking survey/swept path analysis'.

The above amendments have reduced the size of the development from a 4-bed to a 3-bed detached dwelling in the course of officer negotiations.

2. Principle of Development

The site is unallocated for any specific land use by the Replacement Unitary Development Plan (RUDP) but is located in a residential area unprotected by any planning designation and located reasonably close to public transport links, schools and the Ilkley Town centre. Paragraph 59 of the Revised NPPF continues to stress the need for Local Planning Authorities to boost significantly the supply of new housing. The Core Strategy reiterates this strong policy support for delivering new housing and emphasises that housing delivery is one of the key issues facing the district.

Paragraph 11d of the NPPF confirms that there is a presumption in favour of sustainable development unless the application of policies in the Framework that protect areas of particular importance provides a clear reason for refusing the development proposed. In light of the housing land supply shortfall across the District, there is an urgent need to increase the supply of housing land in the District. This proposal would make a contribution towards meeting that need.

Policy HO5 of the Core Strategy states that to meet both the objectives of delivering housing growth and managing that growth in a sustainable way developers will be expected to make the best and most efficient use of land. Densities should normally achieve a minimum density of 30 dwellings per hectare. This site is 0.07 hectares in size so the development represents a density of 14 dwellings per hectare. However, this is low density but can be justified by the physical limitations of the site, and the environmental and highway constraints (i.e. the steep slope, the trees, and limitations of Parish Ghyll Lane which limit the opportunities to develop this particular site at a higher density).

Accordingly, this application would make a limited contribution to housing land supply and accords with the principles of sustainable development articulated through the NPPF and the policies contained within the Core Strategy and would make more efficient use of the land for housing. It is acceptable in principle subject to consideration of localised impacts and assessment against other Core Strategy policies and material considerations.

3. Impact on local character, visual amenity and setting of conservation area:

This residential area of Ilkley rises steeply southwards towards the moor. Parish Ghyll Drive and Parish Ghyll Lane run laterally across this slope and serve properties comprising of a wide variety of design, age and density. The surrounding area is not characterised by one particular age of dwelling or period of architecture. Some houses are set in substantial grounds, but many plots are subdivided, with more modern dwellings infilling gardens and built at higher densities. The attractiveness of the area is derived by its natural setting and the informal nature of the street patterns.

The proposed new dwelling would be a split-level building sited in the south-east section of the garden with a terrace to the west leading down to the garden area which extends west and northwards. Viewed from Parish Ghyll Lane to the south, the proposed dwelling would appear as single storey development proposal where an integral garage and two parking spaces would be visible.

It is proposed to be built of stone and render under a slate tile roof. The design includes contemporary design elements, in the form of larger window openings evident on the north, rear elevation. The materials, scale, form, and massing are all considered appropriate to the context. The new dwelling would not appear unduly imposing or conspicuous as the proposal successfully uses a split-level arrangement to work with the lay of the land to avoid dominance of the slope. The footprint of the property is proportionate to the size of plot and comparable to the size of other dwellings in the immediate vicinity. Officers disagree that the house would appear cramped or as overdevelopment. The development would be a modest infill that seems sympathetic and proportionate to the size of the plot.

A number of trees around the boundary are to be retained and a planting scheme is identified on the site plan which would help to ensure that the character of the area is respected. The development would not affect the remaining trees so the scheme integrates the development into the wider landscape in the manner envisaged by Policy DS2 of the Core Strategy - working with the landscape to reduce the environmental impact of development.

The design, scale and appearance is in accordance with both Paragraph 130 of the NPPF (which requires development to take opportunities for improving the character and quality of an area) and Policies DS1 and DS3 of the Core Strategy which similarly require planning decisions to achieve good design and high quality places.

As discussed above, the proposal would not be within Ilkley Conservation Area but the site is close to its boundary and the proposed development would be visible from points within the conservation area. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of the area. Policy EN3 of the Core Strategy states that the Council will preserve, protect and enhance the character, appearance and historic value and significance of the Districts designated and undesignated heritage assets and their settings.

However, given the modest height and scale and generally sympathetic design of the proposed dwelling, it is considered that the proposal will have a neutral rather than any harmful effect on the character or appearance of Ilkley conservation area. Its setting will not be compromised given the scale of the dwelling and quality of the design as viewed from points within the conservation area. There is compliance with policies DS1, DS2, DS3 and EN3 of the Core Strategy and no conflict with the S.72 duty.

4. Trees:

It has been explained above how replacement trees have been planted in the garden and the size and siting of the proposed dwelling adjusted to accommodate them.

Policy EN5 of the Core Strategy states that the Council will seek to preserve and enhance the contribution that trees and areas of woodland cover make to the character of the district.

North of the site in the remaining garden area of 47 Parish Ghyll Drive, a large and protected Beech tree (T1) is evident. Also outside of the red line boundary but overhanging the site to the west is an Oak (T2) and to the east of the site, a Yew (T3). The recently planted Scots Pine (T4) and Oak (T5) are now identified on plan.

A revised 'Arboricultural impact assessment survey and report' by Brindle & Green was submitted during the course of the application. This, along with the reduced footprint of the dwelling has overcome the concerns initially raised by the Council's Tree Officer. The recently planted sapling trees T4 and T5 are located at a sufficient enough distance from the new dwelling to reach maturity. Subject to the tree protection fencing and other tree protection measures being finalised and installed prior to the works commencing on site, the long term retention of these important and protected trees can be achieved.

The canopy of the Oak (T2), would overhang some of the outdoor garden space of the new dwelling. This is however the front-side of the property and therefore where occupiers are more likely to move through the space rather than dwell in it. Any overshadowing caused by the tree, therefore, would not be so harmful to occupier's enjoyment of the garden.

The site plan shows some indicative additional planting which is welcomed, particularly along the verge. However, as the verge is outside of the red line boundary it cannot be readily controlled by a planning condition.

The Council's Tree Officer is satisfied with the amended proposals and there is compliance with policies DS2 and EN5 of the Core Strategy. Subject to conditions, a harmonious relationship between the trees and the development proposed can now be achieved.

5. Residential Amenity

Policy DS5 of the Core Strategy states that development proposals should make a positive contribution to people's lives through high quality, inclusive design by, amongst other things, not harming the amenity of existing or prospective users and residents.

The new dwelling is set 21 metres away from the existing house to the north at 47 Parish Ghyll Drive and will not result in harmful loss of outlook or result in an overly dominant feature to that property. Windows are carefully sited as to not result in clear views at close quarters towards the garden area of No 47 or its habitable room windows. Ample garden space is retained for future occupiers of No 47.

Directly south of the site are Nos. 25 and 27 Parish Ghyll Lane. This is an un-symmetrical semi-detached property with storey two front projections. Notably the ground floor windows of these properties serve the habitable rooms but are not in the projections, they are set back from the street. Viewed from Nos. 25 and 27, the new dwelling would appear single storey in height with separation distances of 18.5 metres indicated between main habitable rooms windows.

Although concerns of occupiers are appreciated, the proposed dwelling would be low rise and sited directly north of these neighbouring homes and with an adequate degree of separation between habitable room windows. The development would not have a significant impact on the privacy, outlook, daylight or general amenity of these occupants.

49 Parish Ghyll Drive is a large building split into apartments to the north. Due to the degree of separation from this building and the amount of intervening vegetation, there is no anticipated impact for the occupants of these apartments as result of the proposed development. A balcony is proposed but this would be set in from the side boundary by approximately 11 metres. This is sufficient to prevent any direct overlooking towards the garden areas of the apartments.

A detached dwelling, 6 Pines Gardens, dating from the late 1980's is evident to the north east of the plot. This neighbouring dwelling sits of a lower level with the land in the rear garden rising as it heads towards Parish Ghyll Lane. The proposal is cut into the embankment and so would not appear overly dominant to that property. The degree of separation, orientation and level of vegetation is as such that the amenity of these occupants would not be so significantly harmed. The windows in the side elevation of the property are on the rear gable projection and so set back comfortably from the common boundary. The windows in the rear elevation wall (notably the living room) would allow some cross views towards this neighbouring site, however since the distance from the nearest window to the side boundary is approx. 7metres (on an angle) it is not deemed as critical to their level of amenity.

Overall, the scale and design of the proposed dwelling is such that it would not significantly harm the amenity of existing or future occupiers of the surrounding dwellings. In that respect, there is judged to be no conflict with the objectives towards amenity set out in policy DS5 of the Core Strategy.

6. Highway Safety

The proposed access to the property would be from Parish Ghyll Lane. This is an un-adopted road which adjoins Hollingwood Rise to the west and Parish Ghyll Drive to the east, whilst also serving the properties on Cranford Gardens cul-de-sac and Parish Ghyll Lane.

Paragraph 109 of the NPPF states that a 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe'.

Although it is unadopted this section of Parish Ghyll Lane serves numerous properties and has done for many years. Traffic levels in the immediate area appear very low. The narrow width and poor quality surfacing of some sections of Parish Ghyll Lane serves to reduce vehicular speeds significantly and to limit its attractiveness as a through-road or 'rat run'.

Since the Lane is not a cul-de-sac, service and emergency vehicles do not suffer from the absence of a turning area. There are also a number of places along this section of Parish Ghyll Lane where there are passing places or driveway entrances where vehicles may pass one another or pedestrians or other users with care and it is possible to gain adequate and safe visibility by stopping at the junctions and existing carefully. There is no convincing evidence that a further dwelling in this location would result in material harm to the safety of road users or pedestrians or that it would have a significant impact on the established highway network in terms of highway capacity or congestion.

The site, as amended, now provides sufficient off street parking for the new dwelling and the tracking survey/swept path analysis provides the necessary confidence that vehicles can safely manoeuvre in and out of the site, despite the narrow nature of the Parish Ghyll Lane.

The existing property 47 Parish Ghyll Drive would continue to take its access from Parish Ghyll Drive and there are no changes to its parking arrangements.

Objectors have referred to harm to the unadopted street from construction work, but any damage outside the applicant's ownership on what is an un-adopted road would be a private matter between the owners of the road and developer. Potential damage to the private road is not something which it would be reasonable to refuse a planning application on.

Accordingly, without any substantive evidence to justify that the cumulative impacts of the development would be severe, the proposed development would satisfy the relevant objectives as set out in the NPPF and policies TR2 and DS4 of the Core Strategy and would not have a detrimental impact on the existing transport networks and would have a detrimental effect on the safety of road users.

7. Drainage:

Policy EN7 of the Core Strategy states that the Council will manage flood risk proactively and policy EN8 states that proposals for development will only be acceptable provided there is no adverse impact on water bodies and groundwater resources, in terms of their quantity, quality and the important ecological features they support.

The site is not at a high risk of flooding. A scheme for foul & surface water drainage, including any balancing & off site works can be agreed by condition.

Of concern by local residents and voiced in representations is the siting of the culvert and the number of watercourses which are purported to cross the site and the potential for their disturbance during the construction period to the detriment of properties further downhill, including a basement apartment at The Pines, north east of the site.

The Council's drainage engineer advises that the only recorded watercourse (and culvert) identified close to the site is located to the western site boundary as shown on the site layout drawing 297(10)01 Rev 4. The Council's drainage engineer is satisfied that the development as presented would not impact on this watercourse or the culvert.

Whilst no other known watercourses appear on the Council's records within the red line site boundary, it is acknowledged that not all watercourses in the district are recorded. It is suggested therefore that further investigations could be carried out before works commence to ascertain if any other watercourses may be present. This can be secured by condition, including any works required as a result in order to safeguard the properties further downstream.

On this basis, there are no un-surmountable issues with regard to drainage at this site and the Council's drainage engineer raises no objections to the scheme. Subject to conditions, there is compliance with policies EN7 and EN8 of the Core Strategy.

8. Ecology

The South Pennine Moors SPA/SAC:

Core Strategy Policy SC8 sets out how development will be assessed where it lies within Zones A, B, and C of the South Pennine Moors Special Protection Area (SPA) and the South Pennine Moors Special Area of Conservation (SAC). The development is approx. 360 metres (within 400m) from the SPA/SAC boundary and therefore is within zones A, B and C identified by the policy. Additional residential development close to the SPA/SAC could

affect the nature conservation interest of the SPA/SAC in three primary ways: the loss of supporting habitat, "urban edge" effects, and through additional recreational pressure. Further work on how to apply this policy to individual planning proposals is currently being carried out as part of the Core Strategy Review including work to assess the appropriateness and size of the areas identified as Zones A, B and C and regarding the level of protection and/or mitigation required by individual development proposals.

An ecological assessment by Brooks Ecological has been submitted. This points out that connectivity between the development and the South Pennine Moors is constrained by residential development and due to the distance of the proposed properties from the designated site, there are no foreseeable direct impacts resulting from the net gain of just one additional house. Secondary impacts resulting from development such as pollution, fly tipping and dog walking would not add appreciably to existing pressures from within Ilkley.

The Council's Biodiversity Officer agrees that there will be no significant impact caused by urban edge effects (Zone A effects) from the development to the SAC/SPA as the application site lies towards the edge of Zone A and there is a substantial amount of intervening urban and suburban land and numerous highways and developments between the site and the moorland. The established routes/paths that would need to be taken in order to reach the moorland would bring the separation distance well in excess of 400metres. These factors mean there is no immediate or direct connection between the site and the SPA/SAC such that likelihood of increased predation by dogs and cats, spread of wildfire and other effects would be negligible.

The development would certainly not result in any loss of supporting foraging habitat (Zone B) due to the land being private garden and due to the presence of trees which tend to discourage moorland bird species nesting or using the land for foraging. Contributions for additional recreational impact from the occupiers of the new dwellings (zone C) are currently obtained through CIL.

Protected species:

The site is not protected by any nature conservation designations. Policy EN2 of the Core Strategy states that development proposals that may have an adverse impact on important habitats and species outside designated sites need to be assessed against the impact it will have on habitats and species as well as the extent to which appropriate measures to mitigate any potentially harmful impacts can be identified and carried out.

Representations suggest that common lizards and a water vole have been spotted in the vicinity, although none specify that these have been seen within the site itself. Nor is there any suggestion that the site provides permanent habitat for these or any other species.

The common lizard is the UK's most common reptile found across many habitats, including heathland, moorland, woodland and grassland. Water Voles live along rivers, streams and ditches, around ponds and lakes, and in marshes, reed beds and areas of wet moorland. Both species are protected in the UK under the Wildlife and Countryside Act, 1981.

However, the ecological assessment by Brooks Ecological has not identified habitat suitable for these species or any other protected species and describes the land as 'amenity grass' (or lawn). Whilst the Council cannot fully eliminate the possibility of these species or any other protected species being present in this part of Ilkley at some point in the past, there is no evidence of a direct threat to these species or their habitat from this development.

The character and quality of the garden land and the scale of the development are such that that it would pose a very low level risk to their main habitats. No concerns have been raised by the Council's Biodiversity Officer in relation to threats to voles, lizards or other protected species. An informative is suggested to be attached to the decision notice to advise the applicant/developer of their legal responsibility during the construction period should a specimen be found.

The proposal does not conflict with policies EN2 or SC8 of the Core Strategy and the development and subsequent use of the site would not have an adverse effect upon the integrity of the South Pennine Moors SPA or SAC.

9. Other matters raised in representations:

Concerns over access and disturbance along Parish Ghyll Lane during construction and calls from Ilkley Town Council for re-instatement upon completion of work.

Response: Although unadopted, the Lane has status as a public highway along which all can pass freely. Any damage to property outside the applicants' ownership is a matter that would be dealt with under other legislation - being a civil matter between the owners of the road and developer. It will be for the developer to manage this appropriately and planning conditions would not be feasible.

Community Safety Implications:

The proposal has no community safety implications.

Equality Act 2010, Section 149:

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

Recommendation:

To approve planning permission.

Reason for Recommendation:

The design and massing of this proposed house is considered to be appropriate to its landscape context, and the dwelling, though in an elevated position from Parish Ghyll Drive would sit well within the context of the surrounding built form and grain of development.

The proposal will not have an unacceptably harmful effect on the character and appearance of the area or the setting of the Ilkley conservation area and would not harm the residential amenity of adjoining occupiers given its generous separation to the nearest existing houses and their gardens. Existing trees are to be retained around the boundary to provide screening and ecological features, and new trees are proposed to be planted. A single dwelling will have no significant effect on the local highway network or road safety. The development complies with the relevant policies of the Core Strategy Development Plan Document and amounts to sustainable development, delivering housing and is compliant with the NPPF.

Suggested conditions:

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:-

Plan Type	Plan Reference	Version	Date Received
Location Plan	297(00)01		12.09.2019
Existing Sections Cross Section	297(00)03		12.09.2019
Swept path analysis	297(10)09		11.11.2019
Existing Site Plan	297(00)02		06.12.2019
Proposed Site Plan	297(10)02	3	06.12.2019
Proposed Floor Plans	297(10)03	3	18.06.2020
Proposed Elevations	297(10)04	2	18.06.2020
Proposed Elevations	297(10)06	2	18.06.2020
Proposed Elevations	297(10)05	2	18.06.2020
Proposed Elevations	297(10)08	2	18.06.2020
Proposed Site Section	297(10)01	4	18.06.2020
	297(10)08	2	18.06.2020

3. 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: 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.

Reason for pre-commencement condition: It is necessary to secure agreement of effective drainage measures before commencement, 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.

4. Notwithstanding details contained in the supporting information, the groundworks shall not commence until a report is submitted to show the applicant's proposals for dealing with any existing watercourses, culverts, land drains etc. affected by the works. This shall subsequently be approved by the local planning authority. The development shall thereafter only proceed in strict accordance with the approved report.

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

Reason for pre-commencement condition: It is necessary to secure agreement of effective land drainage measures before commencement, 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.

5. Notwithstanding any details submitted, 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 until the tree protection fencing and other tree protection measures are installed in strict accordance with an arboricultural method statement or tree protection plan to BS5837:2012 to be approved in writing by the Local Planning Authority.

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.

6. The agreed tree protection measures, shall remain in place, and shall not be moved, removed or altered for the duration of the development. 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.

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

7. 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.

8. 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 rear (north) elevations or roof planes of the dwelling 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.

9. 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 construction period, shall be submitted to the Local Planning Authority.

Prior to the occupation of the development, or prior to the occupation such 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.

10. 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.

11. The development hereby permitted shall be drained using separate foul sewer and surface drainage systems.

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.