

# Report of the Strategic Director of Regeneration and Culture to the meeting of the Area Planning Panel (KEIGHLEY AND SHIPLEY) to be held on 27 January 2016

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## Summary Statement - Part One

### Applications recommended for Approval or Refusal

The sites concerned are:

<b><u>Item No.</u></b>	<b><u>Site</u></b>	<b><u>Ward</u></b>
1.	52 Wheatley Lane Ilkley LS29 8PL - 15/04643/FUL [Approve] (page 1)	<b>Ilkley</b>
2.	Hoyle Court Primary School Fyfe Grove Baildon BD17 6DN - 15/06897/ADV [Approve] (page 9)	<b>Baildon</b>
3.	Sunways Otley Road Eldwick Bingley BD16 3DA - 15/06922/HOU [Approve] (page 15)	<b>Bingley</b>
4.	17 Arctic Street Keighley BD20 6AH - 15/01209/FUL [Refuse] (page 20)	<b>Keighley Central</b>
5.	Dimples Farm Street Lane East Morton Keighley BD20 5UP - 15/02827/HOU [Refuse] (page 28)	<b>Keighley East</b>

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**Portfolio:**  
Change Programme, Housing and Planning

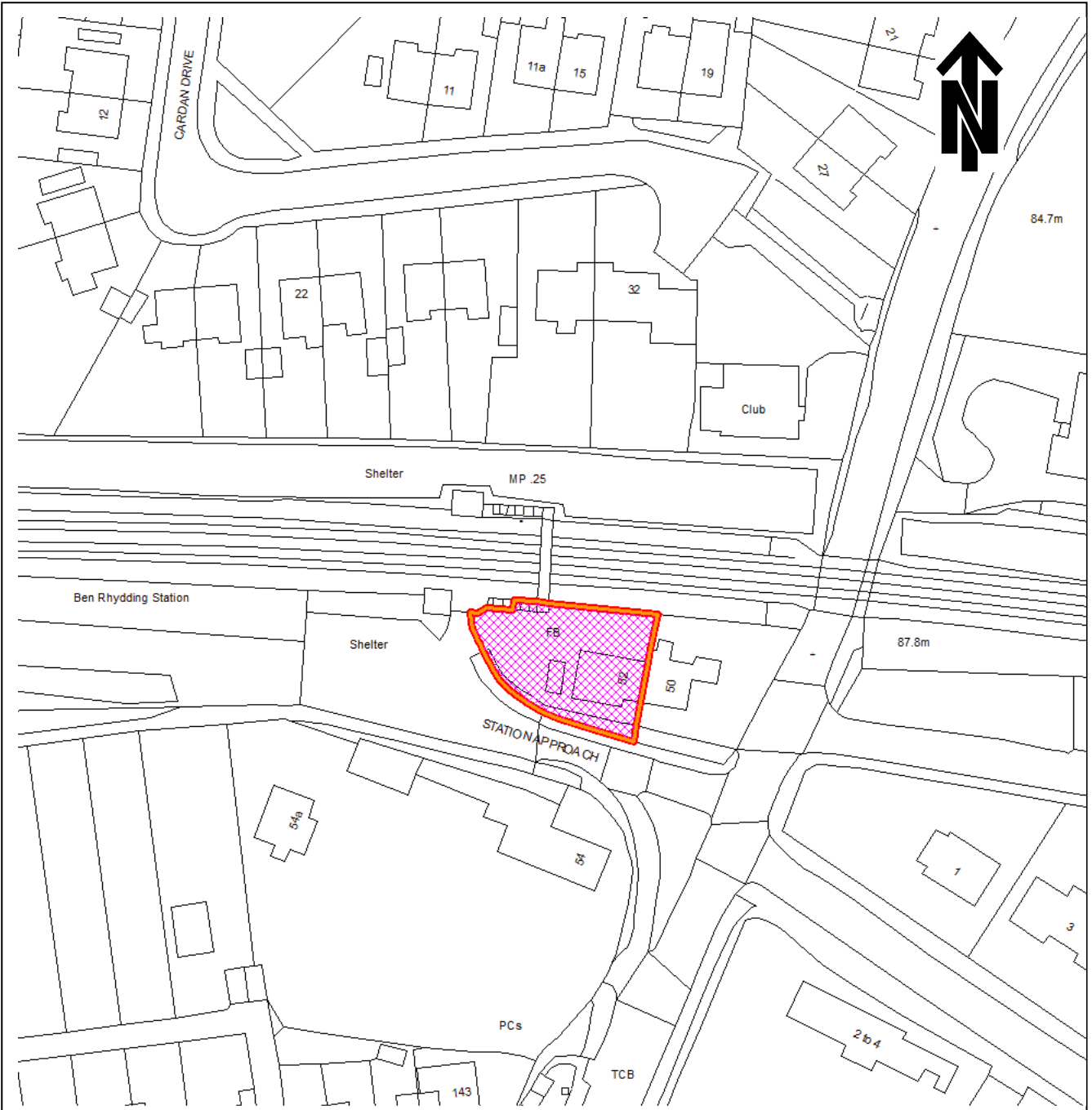
**Improvement Committee Area:**  
Regeneration and Economy



**Area Planning Panel (Keighley/Shipley)**

**15/04643/FUL**

27 January 2016



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<p>ITEM NO. : 1</p>	<p>LOCATION: <b>52 Wheatley Lane Ilkley</b></p>
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27 January 2016

**Item Number:** 1  
**Ward:** ILKLEY  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
15/04643/FUL

**Type of Application/Proposal and Address:**

Full application for the construction of a two bedroomed dwelling with associated parking at 52 Wheatley Lane, Ilkley, LS29 8PL.

**Applicant:**

Mr D Freeman

**Agent:**

Mr John Nall- MAS Design Consultants

**Site Description:**

The site is garden land alongside an existing traditional dwelling that adjoins the small car park at Ben Rhydding railway station. The site is within the Ben Rhydding Conservation Area and is situated to the north of a Grade II listed building, Wheatley Hall, which is separated from the site by the station access. The site adjoins the Ben Rhydding station car park and a metal footbridge to access Leeds/Bradford bound the station platform is located immediately on the rear boundary of the site.

**Relevant Site History:**

15/00578/FUL - Two bed dwelling with associated parking – Withdrawn - 29.07.2015

**The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

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

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

**Replacement Unitary Development Plan (RUDP):**

***Allocation***

Unallocated.

Within Ben Rhydding Conservation Area.

***Proposals and Policies***

UR3 - The Local Impact of Development

D1 - General Design Considerations

BH7 - New Development in Conservation Areas

TM2 - Impact of Traffic and its Mitigation

TM12 - Parking standards for residential developments

TM19A - Traffic Management and Road Safety

**Parish Council:**

Ilkley Parish Council recommends refusal of this application stating that the site is in a Conservation Area and it would be out of character with the surrounding buildings.

**Publicity and Number of Representations:**

Publicised by neighbour notification letters, site notice and advertisement in the local press.

Expiry date for comments was 05.11.2015.

Letters/emails of comment have been received from three separate addresses one in support and two objecting to the proposal.

One objection is from a Ward Councillor and the other from the Ilkley Civic Society. The Councillor requests referral to planning committee should officers be minded to support the proposal.

**Summary of Representations Received:**

OBJECTIONS: The property has no private outdoor space and would be overlooked from the railway bridge. The proposed house has inadequate space.

The proposed property has no turning within the site.

There are concerns regarding access for repairs to Network Rail infrastructure.

The property would distract from the railway cottages and traffic conflict would arise due to the busy station car park.

The design is not in keeping and the flat roof is undesirable in terms of sustainability.

SUPPORT: The property would be a welcome addition to the housing available in the Ben Rhydding Conservation Area. The property would be in keeping with the nearby houses.

**Consultations:**

**Highways Development Control** – No objections are raised and the Highway Officer suggests standard conditions to provide the access and parking facilities prior to occupation.

**Design and Conservation** – Initial response was that the proposed details are not of a sufficiently high quality and would detract from the character of the conservation area and setting of the nearby listed building. However, amended proposals have been submitted and addresses previous concerns about design so as to satisfy Policies BH4a and BH7 of the RUDP and the heritage conservation concerns.

**Drainage Section** – No objections are raised. Advise that details be required for detailed proposals and design of drainage proposals (conditions).

**Rights of Way Officer** - The pedestrian access to Ben Rhydding Station is also Public Footpath 206 (Ilkley). This runs adjacent to the site. The officer notes the proposal to build a low stone wall to define the boundary of the site and separate it from this pedestrian access. Thus the proposals do not appear to unduly affect the public footpath.

**Network Rail** – With reference to the protection of the railway, Network Rail has no objection in principle to the development following discussions with the developer in relation to the previous withdrawn application. The developer has addressed concerns relating to access to railway land and railway structures for maintenance of the adjacent footbridge, drainage (soakaways) and design of the property has been amended to address concerns in relation to privacy of the occupants.

**Summary of Main Issues:**

Principle of Development.  
Conservation Area/ Visual amenity considerations.  
Impact on neighbouring residential amenity.  
Impact on the railway line.  
Highways and Parking.

**Appraisal:**

This is a resubmission of a previous application 15/00578/FUL which was withdrawn, particularly to address concerns raised by objectors and Network Rail about the adjacent railway line and railway structures. Pre-application advice has also been provided application number 14/04529/PMI. The proposal seeks full planning permission for the construction of a detached two storey dwelling on garden land to the side of the existing stone built house at 52 Wheatley Lane.

**Principle of development**

The site is a small gap in the existing built up area and is obviously very close to public transport services. An additional dwelling on this sustainable site is acceptable in principle subject to suitable design and detailing being sympathetic to the conservation area, and providing there is no significant impact on neighbouring properties - and subject to satisfying relevant RUDP Policies.

**Impact on the Conservation Area**

The application site is located within Ben Rhydding conservation area and to the north of a Grade II listed building, Wheatley Hall.

The proposed dwelling would be two storey, of a traditional gable fronted design with a small single storey flat roofed contemporary projection (in render) on the west side towards the railway station car park. The indicated materials are coursed natural stone, timber doors and windows and a slate roof. The small contemporary projection is shown in render. The materials and gabled design of the main two storey building are intended to reflect the materials and design of the existing house alongside. A condition is recommended to secure agreement to samples of the materials.

The Councils Design and Conservation Officer has required various amendments to the design and detailing of the proposal but now advises that the proposal would not affect the setting of the listed building to the south to any great degree. It is noted that the elevation of the listed house facing across the station access is not a principal elevation of this building. The new dwelling would complement the existing residential buildings alongside the railway and car park immediately to the south of the heritage asset and which form part of the conservation area.

The proposed site and adjoining buildings are identified in the Ben Rhydding conservation area appraisal as making a positive contribution but the Conservation Officer does not object to the proposed dwelling being located in the garden area to the side of the existing pair of dwellings. Whilst the existing garden area is modest in size, the proposed dwelling is small and still retains adequate garden space around it.

The initial plans included uPVC windows and doors and the section drawings did not provide suitable detail regarding the proposed frame and the proposed roof lights were not 'conservation type'. There were other detailed design issues with regard to the eaves detail and guttering mountings. However, the agent has provided amended plans to address the Conservation Officers concerns. The amended plans now have the support of the Conservation Officer.

Conditions requiring samples of all facing and roofing materials and agreement of a sample panel of walling stone will ensure that the stone is laid to match the coursing depth and finish of the adjacent house. Full details of the appearance and method of opening for windows should also be required by condition.

Subject to the imposition of these conditions, as advised by the Councils Conservation officer, the proposal is considered to accord with saved Policies D1, BH7 and BH4A of the RUDP.

### **Impact on residential amenity**

The proposed dwelling would not have any impact on neighbouring property by reason of its siting and orientation. There are no nearby properties that might be affected by way of overshadowing or overbearing effect to the west or north. The arrangement of windows is such that there will be no adverse impact on the existing house to the east and none to the elevation of the building across the station access to the south.

In response to the objections, it is accepted that the proposed dwelling would benefit from only a modest outdoor amenity/garden area and whilst it is overlooked to the rear from the railway footbridge an station access, this would be similar to the existing situation, given that the site is currently the garden to No 52.

Importantly, concerns were expressed about the overlooking of the proposed house from railway users crossing the footbridge or standing on the Ilkley-bound platform. However, the property has been redesigned to remove windows from the elevations facing towards the railway to reduce opportunities for overlooking and disturbance for prospective occupants. The only openings to the rear elevation, that faces the railway platform would be in the single storey part of the building and would serve bathroom/utility room. By minimising the window openings facing the adjacent railway footbridge and platform, previous officer concerns regarding whether the house would provide adequate standards of privacy and amenity and concerns raised by Network rail have been addressed.

For the reasons noted above and following receipt of the amendments, the proposal would not have a harmful impact on the residential amenities of any neighbouring properties and would provide acceptable levels of residential amenity for future occupiers. The development accords with the provisions of Policies D1 and UR3 of the RUDP

### **Highway and parking issues**

Concerns have been raised with regard to conflict between prospective occupants of the proposed dwelling and the adjacent railway car park. Objectors rightly describe that the station and car park and access is well used and concern is raised that there is no turning area within the site and as such cars would need to reverse out of the site and would be likely to lead to conflict with station car park traffic.

The proposal includes a conventional driveway area with space for two cars off street.

However, the Council's Highway Officers have assessed the application and support the scheme. The proposed dwelling is modest in size with 2 bed rooms and would not be likely to generate significant trip movements. The land is not presently available for reversing or turning by station users because it is a private garden. There will be no detriment to existing arrangements. Accordingly, and given the support of the Council's Highways Officer, whilst the objection comments are noted, the proposal would not have a significant impact on road safety and meet with requirements of Policies TM2, TM12, and TM19A.

### **Other Issues – maintenance access for Network Rail**

The original proposals raised concerns regarding access for Network Rail for maintenance of railway structures, particularly the adjacent pedestrian bridge. These issues were raised on the previously withdrawn application and as advised, the applicants have been in detailed discussion with Network Rail officers who are now satisfied by the amended proposals. This is subject to the private legal agreements between the two parties.

The objectors' comments are noted but for the reasons in the preceding report and following support for the scheme by the Councils Conservation and Highways sections the development is considered to be acceptable in these respects.

### **Community Safety Implications:**

None foreseen.

**Equality Act 2010, Section 149:**

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

**Reason for Granting Planning Permission:**

The proposed development is considered to relate satisfactorily with the existing street scene and is not considered to result in any significant loss of residential amenity or significant harm to highway safety or the conservation area or setting of the nearby listed building. The proposal is considered to comply with Policies BH4A, BH7, UR3, D1, TM2, TM12 and TM19A of the Replacement Unitary Development Plan.

**Conditions of Approval:**

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

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

2. Before development commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to safeguard the appearance of the Ben Rhydding Conservation Area in which it is located and to accord with Policies UR3, D1 and BH7 of the Replacement Unitary Development Plan.

3. The works shall not begin until a sample panel of the proposed natural stone walling materials showing the method of coursing and the pointing has been constructed on site and approved in writing by the Local Planning Authority. The development shall then be constructed in accordance with the coursing and pointing details so approved and retained thereafter.

Reason: In the interests of the local character and visual amenity and to accord with Policies BH7, UR3 and D1 of the Replacement Unitary Development Plan.

4. All new windows in the development shall be timber framed with a painted finish. New doors shall be timber with a painted finish. Details of the thickness and profile of the joinery, the pattern and method of opening of windows shall be submitted to and approved in writing prior to the commencement of development and installed in accordance with the details so approved.



Reason : To ensure that replacement windows are appropriate to the character of the building, in the interests of visual amenity and to accord with Policies D1 and BH7 of the Replacement Unitary Development Plan.

5. The roof lights to be used in the extensions shall be conservation-type roof lights fitted flush with the roof slates as specified on the approved drawings.

Reason : To safeguard the character of the listed building in accordance with Policy BH4/BH7 of the Replacement Unitary Development Plan.

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

Reason: To ensure proper drainage of the site and to accord with Policies UR3 and NR16 of the Replacement Unitary Development Plan.

7. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no further windows, including dormer windows, or other openings shall be formed in the rear elevation of the dwelling without prior written permission of the Local Planning Authority.

Reason: To safeguard the privacy and amenity of occupiers of neighbouring properties and to accord with Policy UR3 and D1 of the Replacement Unitary Development Plan.

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

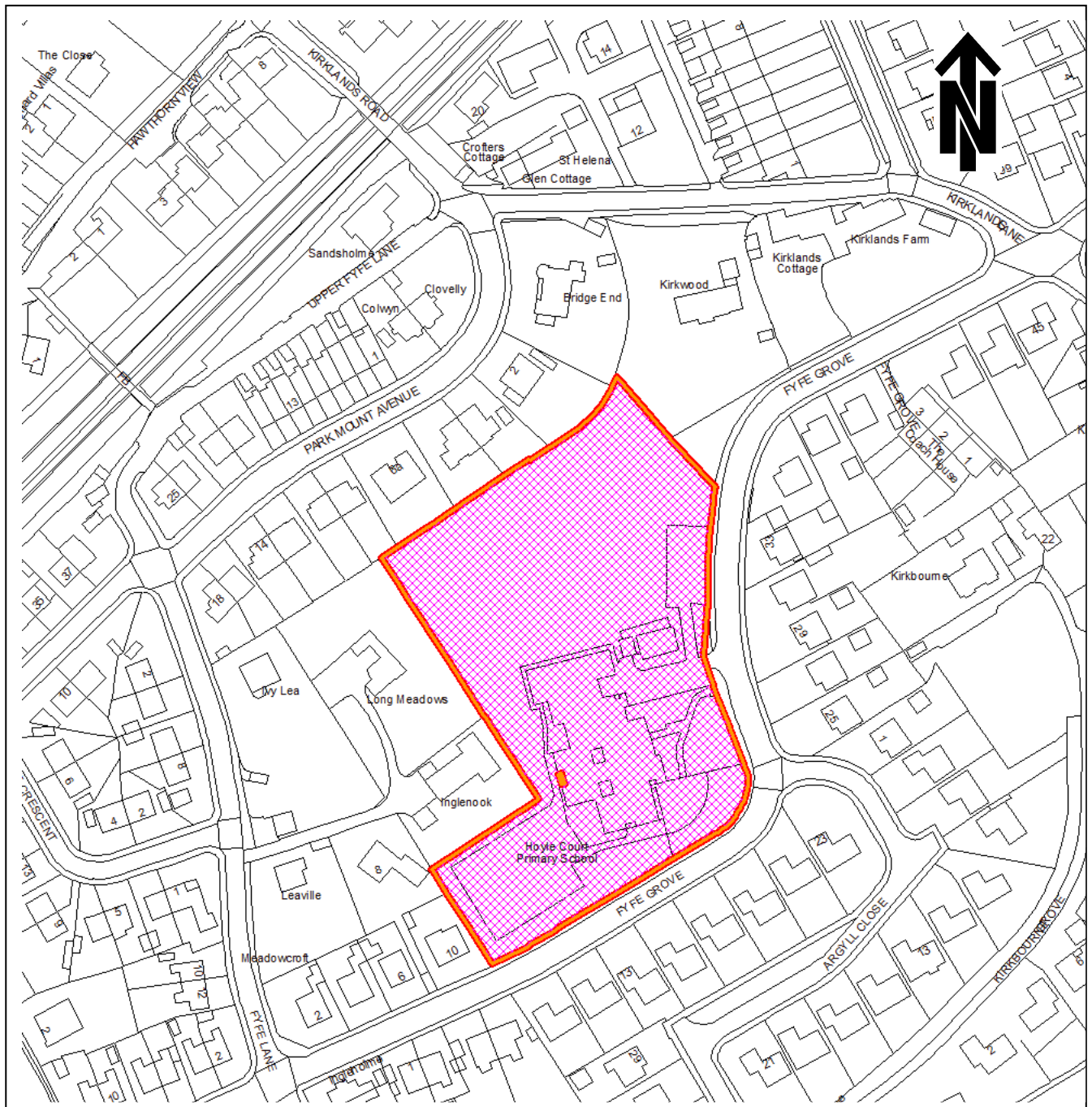
Reason: In the interests of highway safety and to accord with Policy TM12 of the Replacement Unitary Development Plan.

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**Area Planning Panel (Keighley/Shipley)**

**15/06897/ADV**

27 January 2016



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<p>ITEM NO. : 2</p>	<p><b>LOCATION:</b> <b>Hoyle Court Primary School</b> <b>Fyfe Grove Baildon</b></p>
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**27 January 2016**

**Item Number: 2**  
**Ward: BAILDON**  
**Recommendation:**  
**TO GRANT ADVERTISEMENT CONSENT**  
**APPLICATION WITH A PETITION**

**Application Number:**  
15/06897/ADV

**Type of Application/Proposal and Address:**

Application for advertisement consent (retrospective) for the display of a free-standing non-illuminated school sign at Hoyle Court Primary School, Fyfe Grove, Baildon, BD17 6DN.

**Applicant:**

Mrs Nancy Tordoff.

**Agent:**

Not applicable.

**Site Description:**

The sign is to identify a primary school (Hoyle Court) situated in a residential housing estate on the outer edge of Baildon. The school is of modern design and construction, having been built in the 1960s or 1970s. The school buildings stand in extensive grounds and have been extended and altered over the years. The sign is placed close to its frontage with Fyfe Grove, near the entrance and in front of a tarmac area used for parking. It stands behind a low brick wall and faces the street. On the other (east) side of the street is a row of modern detached houses. Apart from the frontage, the boundary treatment to the school grounds is predominantly fencing and hedging.

**Relevant Site History:**

99/02578/REG Flat roof to pitch roof conversion GRANT 21.10.1999.

99/03308/REG Extension to provide three new classrooms and extension to staff room GRANTED 18.01.2000.

08/00025/FUL Installation of timber playground equipment comprising of stage/garden area, pergola and climbing frame plus replacement wrought iron gates to the front of the school. Wooden "farm gate" at the side of school to be replaced with a wrought iron gate. GRANTED 27.03.2008.

01/03515/FUL Classroom extension including new toilets, lobby, toilet for disabled and store. GRANTED 05.12.2001.

11/00726/FUL Construction of a new single storey extension comprising four new classrooms, workshop area and library with associated toilet and cloakroom areas, stores and extension to the existing car park GRANTED 09.08.2011.

12/04054/FUL Demolition of the existing caretaker's house, relocation of parking spaces and construction of new entrance area and additional school accommodation (Amendment to the development approved under application 11/00726/FUL) GRANTED 21.12.2012.

**The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

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

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

**Replacement Unitary Development Plan (RUDP):**

***Allocation***

OS3 - The Protection of Playing Fields

***Proposals and Policies***

Not applicable

**Parish Council:**

Baldon Town Council has said it does not have any comments to make.

**Publicity and Number of Representations:**

Three written objections and a petition have been received objecting to the application.

**Summary of Representations Received:**

The objections and petition relate to the height, size, position and colour scheme of the sign.

The school is located on a housing estate and residents living directly opposite the sign find it very intrusive. The colour is predominately light and dark blue and is set against a background of hedges and trees and as a result does not blend in.

The sign is situated on the perimeter of the school grounds in a residential area, and its size is felt to be out of all proportion. The height and colour scheme should blend with the buildings. The sign is too large, too high, of garish design, too close to houses, and out of keeping. Because the estate is open plan, it is particularly conspicuous.

**Consultations:**

No consultations deemed necessary.

**Summary of Main Issues:**

Impact on amenity and safety.

**Appraisal:**

The application seeks consent for a single sign which identifies a primary school on Fyfe Grove, Baildon. Other than the school and its playing fields, the area is characterised by residential dwellings.

This retrospective application is for one free standing sign to the front boundary of the site. The sign identifies the school. The sign is already displayed and this application is submitted following receipt of complaints by neighbours. The school has explained that the sign replaced a previous sign and so it was wrongly assumed that consent was not needed. The school has accepted that the sign is larger than the size of sign given exemption under the deemed consent provisions of the Advertisement Regulations.

The sign is not illuminated and consist of a white, blue and green free standing sign mounted on posts behind front boundary of the school facing the street.

The height is 2030mm above ground level. The dimensions of the sign board are 1020mm in height, 2440mm in width and 20mm in depth. It is set behind a brick wall on the edge of a car park occupying this part of the school frontage.

**Material considerations**

The NPPF and Planning Practice Guidance make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. Whilst poorly placed advertisements can have a negative impact on the appearance of the built and natural environment, only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment.

The detailed content of any advertisement or sign is not subject to control under the Town and Country Planning Acts.

**Impact on amenity**

The objections are from neighbours living in houses directly across the street from the site. But these homes are set back from the street frontage and separated from the sign by the width of the street and a distance of around 30 metres. The distance separating the signage from the neighbouring properties mitigates any impact on the living conditions and amenity of occupants of these dwellings.

The objections of residents are acknowledged, but character of the locality is not entirely residential: the school is a long established feature of the area and there would be a reasonable expectation that it should have a sign to identify it. The school has said the sign replaces a previous sign. In the opinion of officers, this new sign is neither unduly high nor intrusive.

The top of the sign is just over 2 metres above ground level. It does not cause any dominance of the dwellings and in views from the houses and gardens it is set against the built form of the existing buildings which are of modern design and construction.

The housing estate is open plan, but the school frontage is enclosed by a low wall and fencing. It is not accepted that the character of the housing estate makes the sign unduly conspicuous or overbearing. Furthermore, the sign is set next to a car park, and it stands against the backdrop of the existing modern school buildings. These two storey buildings are of more substantial scale than the sign and are of no great architectural merit. The sign is not unduly conspicuous and does not look out of place

The distance separating the signage from the neighbouring properties mitigates any impact on the living conditions and amenity of occupants of these dwellings. The sign does not cause any dominance of the dwellings and in views from the houses and gardens it is set against the built form of the existing buildings. These are of modern design and construction. The housing estate is open plan, but the school frontage is enclosed by a low wall. It is not accepted that the character of the housing estate makes the sign unduly conspicuous or overbearing.

The colour and content of the sign is not strictly a matter for planning control under the Advertisement Regulations. However, officers do not agree that the colour scheme is either exceptional, nor overtly intrusive or garish.

The NPPF has replaced PPG19 on Outdoor Advertising and says that control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment.

In the opinion of officers, this sign does not have an appreciable or detrimental effect on the school building, or its setting, or on the character of the surrounding area. There is no conflict with amenity because the height, position, scale and character of the school sign are considered compatible with the character of both the school and the wider residential area within which it is located.

### **Impact on safety**

The sign does not cause any obvious or appreciable distraction to traffic and it raises no road safety or other safety concerns.

### **Community Safety Implications:**

The proposal poses no apparent community safety implications and is considered to accord with Policy D4 of the Replacement Unitary Development Plan.

### **Equality Act 2010, Section 149:**

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

**Conditions of Approval:**

1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Reason: To accord with the requirements of the Town and Country Planning (Control of Advertisements) Regulations, 1992.

2. Any hoarding or structure, erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: To accord with the requirements of the Town and Country Planning (Control of Advertisements) Regulations, 1992.

3. Where any advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

Reason: To accord with the requirements of the Town and Country Planning (Control of Advertisements) Regulations, 1992.

4. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with the requirements of the Town and Country Planning (Control of Advertisements) Regulations, 1992.

5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway, waterway (including any coastal waters) or aerodrome (civil or military).

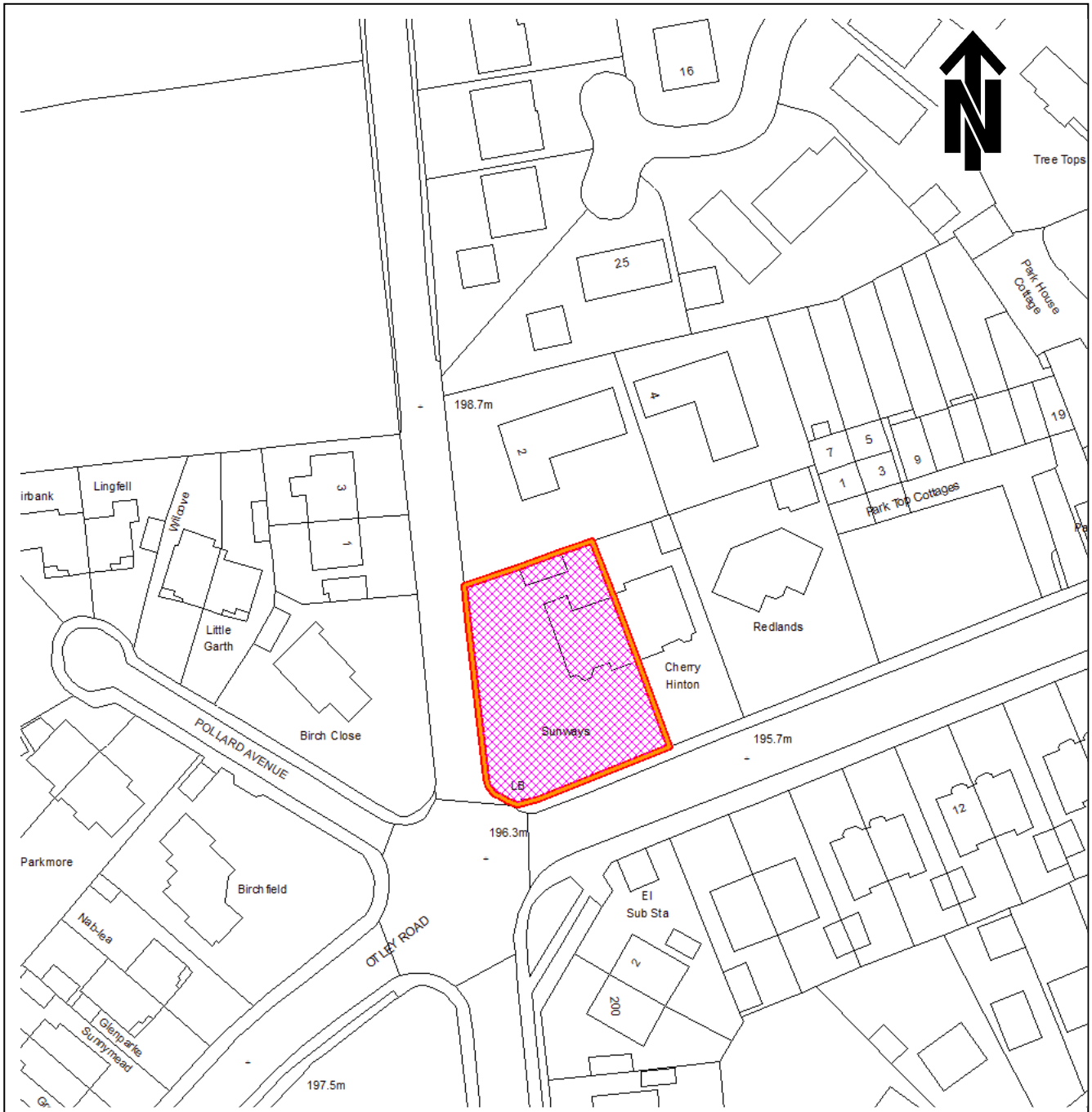
Reason: To accord with the requirements of the Town and Country Planning (Control of Advertisements) Regulations, 1992.

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**Area Planning Panel (Keighley/Shipley)**

**15/06922/HOU**

27 January 2016



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<p>ITEM NO. : <b>3</b></p>	<p><b>LOCATION:</b> <b>Sunways Otley Road</b> <b>Eldwick Bingley</b></p>
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27 January 2016

**Item Number:** 3  
**Ward:** BINGLEY  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
15/06922/HOU

**Type of Application/Proposal and Address:**

Householder application for a proposed two storey extension and attached garage to the rear of Sunways, Otley Road, Eldwick, Bingley, BD16 3DA.

**Applicant:**

Mr David Heseltine.

**Agent:**

Belmont Design Services.

**Site Description:**

The existing dwelling is a semi-detached dormer bungalow with blue slate roof tiles and rendered walls. It is situated on a generous corner plot at the mini roundabout junction of Pollard Avenue, Heights Lane and Otley Road – which is the main street running through Eldwick. This part of the street is residential in character and is lined with dwellings of a variety of ages and individual designs. The extension is proposed to the rear of the property where there is a tarmac yard, parking area and an existing garage standing against the boundary with the property to the north.

**Relevant Site History:**

No relevant site history for this property.

**The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

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

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

**Replacement Unitary Development Plan (RUDP):**

***Allocation***

Unallocated.

***Proposals and Policies***

Householder Supplementary Planning Document

UR3 – Local Impact of Development

D1 – General Design Considerations

**Parish Council:**

Not applicationb

**Publicity and Number of Representations:**

Advertised by neighbour notification letters with a 21 day deadline of 18.12.15.

No representations have been received.

**Summary of Representations Received:**

None.received.

**Consultations:**

None.

**Summary of Main Issues:**

Impact on the local environment.

Impact on the amenity of neighbouring occupants.

**Appraisal:**

This is an application for extensions to the rear of the property. At ground floor level, most of the extension will provide a new double garage with doors facing Heights Lane. A small kitchen extension would enlarge an existing flat roofed projection on the rear elevation. It is also proposed to provide an enlarged bedroom under a new section of pitched roof to be constructed over this flat roofed projection.

As stated above, this part of the curtilage is presently occupied by a detached garage that stands against the north boundary and much of the intervening land is tarmac surfaced and used for car parking.

The plans show that the extension would be constructed of external walling and roofing materials to match the parent dwelling. These are rendered blockwork and a slate roof. These materials are in keeping with the parent dwelling and surrounding area - where a wide variety of building materials is in evidence.

The extensions would be set back within the curtilage – 7 metres back from the frontage to Heights Lane - and their scale and position are such that no part of the extensions would be particularly intrusive or overbearing. The proposal would not be detrimental to the character of the existing dwelling or the street scene due to its position and subordinate relationship to the parent dwelling.

Subject to a standard condition requiring the use of matching walling and roofing materials, the proposal is considered to have no significant effect on local amenity and to satisfactorily comply with policy D1 of the RUDP.

The proposal is not considered to significantly affect the neighbouring properties and no representations have been received from any adjoining occupiers.

The garage is to be set in the same position as an existing garage abutting the rear boundary with No 2 Heights Lane. The boundary treatment is currently a mature hedge and beyond this boundary is the wide drive access to 2 Heights Lane. The neighbouring dwelling is set some distance away. It is considered that due to these factors, and the single storey height of the garage proposal, it will not create any overbearing or overshadowing of that dwelling. Nor would the garage or the other extensions affect the amenity of occupiers of the adjoining dwelling (3 Otley Road) in this semi-detached pair.

No overlooking will occur from the garage and the small kitchen extension only has proposed windows facing the boundary hedge. The bedroom at roof level is provided with a window facing towards heights lane. There are no windows shown facing 2 Heights Lane.

The dwelling would retain a generously sized garden.

The proposal would not have any negative impact on the amenity of the occupants of neighbouring dwellings and so complies with Policy UR3 of the RUDP and design guidance contained in the adopted Householder SPD.

The proposal is not considered detrimental to highway safety and there will be no loss of parking facilities within the site. The garage would use the existing means of access onto Heights Lane. The proposal would not adversely affect safety or flow of traffic on Otley Road or Heights Lane as there will be no appreciable intensification of use of the access given that it already serves the garage and parking areas used by the occupiers.

**Community Safety Implications:**

The proposal poses no apparent community safety implications and is considered to accord with Policy D4 of the Replacement Unitary Development Plan.

**Equality Act 2010, Section 149:**

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

**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 of facing and roofing materials to match the existing building as specified on the submitted application.

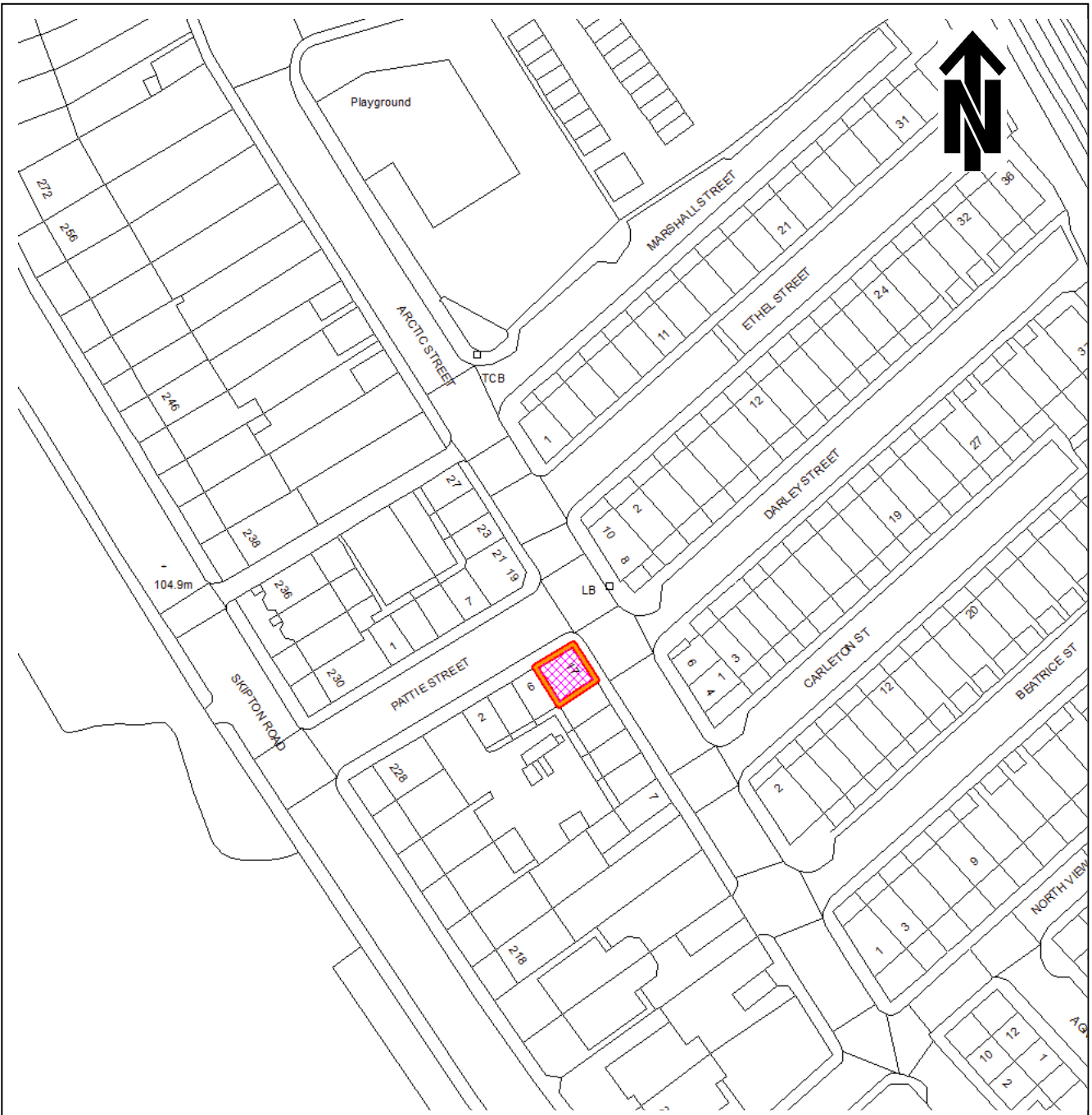
Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

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**Area Planning Panel (Keighley/Shipley)**

**15/01209/FUL**

27 January 2016



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ITEM NO. : 4	LOCATION: <b>17 Arctic Street Keighley</b>
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27 January 2016

**Item Number:** 4  
**Ward:** KEIGHLEY CENTRAL  
**Recommendation:**  
**TO REFUSE PLANNING PERMSSION**  
**APPLICATION REFERRED TO PANEL AT REQUEST OF WARD COUNCILLOR**

**Application Number:**  
15/01209/FUL

**Type of Application/Proposal and Address:**  
Full application for change of use of dwelling to six bedsits. 17 Arctic Street, Keighley, BD20 6AH.

**Applicant:**  
Mr & Mrs RE & E Spencer

**Agent:**  
JO Steel Consulting

**Site Description:**  
The application property comprises a corner terrace dwelling directly abutting the footways at the junction of Arctic Street with Pattie Street, to the north of Keighley town centre. To the rear of the two terraces along Pattie Street and Arctic Street is a communal rear yard enclosed by the buildings.

Pattie Street is a steeply sloping street that links Arctic Street with the B6265 Skipton Road which runs at a higher level to the west.

The locality is residential in character, comprising rows and groups of stone-built terraced housing that comprise a pleasant and quiet street scene that is set at lower level than the busy Skipton Road.

The surrounding terraced streets provide little by way of off street car parking and rely on the street parking for parking. Existing spaces appear to be very well used by existing residents. The frontage of the property here is subject to double yellow lining given its corner position.

**Relevant Site History:**  
None for this property.

**The National Planning Policy Framework (NPPF):**

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

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

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

**Replacement Unitary Development Plan (RUDP):**

***Allocation***

Unallocated.

The property is in the Devonshire Park and Cliffe Castle Conservation Area.

***Proposals and Policies***

UR3 – The local impact of development

D1 – Design considerations

BH7 – Impact of development on conservation areas

TM2 – Traffic impact

TM19A – Traffic safety and management considerations

TM12 – Residential development highways considerations

**Publicity and Number of Representations:**

Nine objectors responded to the publicity for the application.

**Summary of Representations Received:**

- 1. This property is unsuitable for the habitation of 6 people as the area is made up of mostly families. To keep adding bedsits is changing the dynamics of the area and devaluing our homes.
- 2. There is no parking for the property, and there is no parking available for the other many occupants. Pattie Street/Arctic Street junction is highly congested all the time due to the local parking demand and turning onto Arctic Street from Pattie Street is extremely hazardous. Increasing the number of residents will add to congestion and safety problems.

3. There is insufficient space for waste bin storage to serve 6 flats. The property and its neighbours share a common space (at the rear). This communal garden at the rear is shared with 7 other properties. The communal garden is not big enough. If the change of use is allowed, this would mean 5 extra wheelie bins, and 5 extra recycling bins, and 5 extra washing lines. The outside space cannot accommodate this without restricting the neighbouring families' enjoyment of the space.
4. Alternatively, this proposal would mean the pavement would need to be utilised for storage of bins.
5. I would also be concerned that a converted cellar area is to be used for permanent accommodation.
6. The flats would result in increased noise for the immediate neighbours whose bedrooms at 1st floor will abut the bedsit rooms.

**Consultations:**

Keighley Town Council

No response received.

Highways Development Control

Traffic speeds are low in this area and a highway safety risk is unlikely to arise. However, local on-street parking is limited and may be placed under further pressure by the development here.

Conservation

Site is on the edge of the Devonshire Park/Cliffe Castle Conservation Area but no objections as no material changes are proposed to the appearance of the building by the proposed change of use.

Drainage Section

No comment to make.

**Summary of Main Issues:**

Principle.

Local Amenity.

Waste and Recycling Facilities.

Highways and parking.

**Appraisal:**

The proposals show conversion of this house into 6 bedsit rooms at basement, ground floor, 1st and 2nd floor levels. In addition to these there would be a communal kitchen, one communal bathroom and an entrance hall/stairway served by the present door access from Arctic Street. An existing door at the rear would continue to give egress to the communal amenity space behind the buildings.

The property presently comprises a corner terraced dwelling that has walls fronting onto Arctic Street and onto Pattie Street. The locality is residential in character, comprising rows and groups of stone-built terraced housing.

No changes are shown to the external appearance of the building.



### **Principle**

It is acknowledged that there is a need for low cost residential accommodation and that small flats and bed-sitters are in demand throughout the district. The proposed accommodation would likely meet this aspect of local housing demand. However, it is also essential that the introduction of this type of residential accommodation is appropriate to the area; that it does not exceed the capacity of local infrastructure; that no unacceptable effects arise for the amenity of existing and future residents of the area and that the proposals do not cause highway safety problems.

### **Local Amenity**

The proposal is for the conversion of this dwelling into 6 bedsit flats with shared facilities. There would be no significant outward change to the building, or effects on existing levels of neighbouring privacy caused by overlooking.

However, the change in the character of occupation of the property would have implications for local residential amenity. This higher intensity of occupation will cause a noticeable and material intensification of the residential use with effects that would include the likely additional demand for limited on street parking by residents and/or visitors, and increased demand for space for refuse bin provision, particularly in terms of storage and collection.

### **Parking Demand**

In respect of parking demand, the agent argues that many occupiers of small flats or bedsitters will not be car owners. In response to the objections from neighbours, the agent has pointed to a similar bedsit property in use nearby at 228 Skipton Road. This is four doors away at the other end of Pattie Street and is in use for a total of eight bedsitters. The agent says only one of the occupiers is a car owner.

However, there is no enforceable means of ensuring that bedsit occupiers do not own, or have use of, or subsequently purchase a motor vehicle. The Local Authority could also not prevent visitors coming to the property by car and seeking to park nearby. Whilst the applicants' argument is acknowledged, it is clearly the case that no controls on vehicle ownership can be imposed by the Local Planning Authority and there is no guarantee that only one occupier out of the persons it is intended would occupy this property would be a car owner.

Moreover, it should be noted that Pattie Street is only some 40 metres in length and, in the event that this current application was successful, the presence of 8 bedsits at 228 Skipton Road would mean there would then be 14 flats and 8 terraced houses potentially seeking parking places along this 40 metre long terraced street. Clearly, in combination with existing levels of accommodation and demand for on street car parking, the proposal here has the potential to result in an unacceptable increase in local parking demand.

On-street parking already appears to be very well used by existing residents, especially in the evening. The streets are already characterised by significant on street parking - in the manner common to relatively dense terraced housing layouts.

The frontage of the property here is subject to double yellow lining given its corner position. Consequently, it is accepted that parking in the street may not directly result in highway safety problems but, as parking will be at a premium, the potential introduction of additional car parking demand here would have significant implications for the living conditions of existing occupiers and may result in conflict over the use of on-street parking spaces.

Additional pressure for limited parking and resulting potential conflict between residents makes the proposed development harmful to residential amenity, contrary to Policy UR3 of the Replacement Unitary Development Plan.

#### Provision for Waste and Recycling Bins

The submitted drawings make no provision of storage of waste bins that will inevitably be needed to serve the occupiers of the proposed bedsit use. Use as 6 bedsits is likely to give rise to more waste than use as a single dwelling. However, there is no space for bins.

Within the building, the submitted drawings show that all accessible parts of the building, including the cellar, would be used for residential accommodation. There would appear to be no space left inside the building itself for keeping waste and recycling bins - leaving the only options as storage on the pavement, or in the communal amenity area behind the buildings. In the absence of any waste and recycling storage facilities inside the building and the unacceptability of storage of bins for this amount of residential accommodation on the limited pavement areas, it appears likely that additional pressure would be placed on the rear amenity space.

This communal garden area extends to the rear of the property and serves some 8 homes that back onto it from Pattie Street and Arctic Street. The planning application site boundary does not include any part of this amenity area, although an existing ground floor door emerges into it. It is assumed from the depiction of the application site that the applicant does not have full control/ownership of this communal rear yard and may not have rights to create a permanent bin store on this land.

However, even if the applicant could legally create a bin store, this would not be desirable due to the harm to the amenity of other residents. As the objectors have pointed out, this would diminish the amount of amenity space enjoyed by existing residents, and also diminish their actual enjoyment of that space as it would be affected by a larger number of waste bins.

The lack of satisfactory facilities for waste management and storage would conflict with one of the requirements of Policy D1 of the RUDP and would be to the detriment of the residential amenity of existing residents of the area.

#### **Highway safety**

Although concerns by neighbours about the effects of more residents on local road safety at the junction of Pattie Street and Arctic Street are acknowledged, the Council's Highway officer observes that traffic speeds are low and the junction is theoretically protected by double yellow line restrictions. Significant risks to highway safety are considered unlikely to arise.

The Highway officer, however, does agree that increased parking demand in these streets would likely result in conflict and pressure for limited on street space and a diminution of existing levels of residential amenity.

### **Standards of Accommodation**

Turning to the standard of proposed accommodation, it is noted from the submitted drawings that the flats are not independent living units. The details indicate unenclosed lavatories and hand-basins in each bedroom, with two attic flats indicating lavatory, hand basin, kitchenette and bed within the same space. A ground floor communal kitchen would serve a flat within the cellar, a ground floor flat and two first floor flats. A small communal bathroom would serve all six flats.

The Council's Building Control surveyor confirms that the proposals here in effect represent a HMO (house in multiple occupation) rather than six independent residential flats, furthermore the proposals shown on the plans would likely fail to meet satisfactory housing standards. In the event that planning permission was granted for the development as proposed, there would need to be a significant number of internal design changes that would be necessary to achieve an acceptable standard of accommodation, including fire doors to protect the shared kitchen facilities.

However, such detailed matters are subject to control under the Building Regulations and Housing legislation and would not be a reason to refuse planning permission for the change of use.

### **Representations**

Objections have been received that draw attention to existing issues concerning the property and its context.

- a) The property is one of eight dwellings that share a communal garden/amenity space set behind the terraces fronting onto Arctic Street and Pattie Street. Concerns have been expressed by residents that the additional number of users of the garden arising from the proposed development would be problematic for existing users of the space.
- b) The property does not have its own refuse bin store and concerns have been expressed that the additional waste arising from the more intensively used property would add to current bin storage problems.
- c) There is inadequate parking in the area to cater for the additional residents that would result from the development.

### **Conclusions**

The proposed development here is aimed at providing low cost accommodation, which is acknowledged as being in significant demand. However, the proposals here would have the potential to harm local residential amenity by increasing demand for on-street car parking where available space is already limited.

The proposals would result in increased waste and recycling bin storage requirements that are not addressed by the proposal drawings and nor does an obvious solution to this problem that does not affect other residents seem feasible.

**Community Safety Implications:**

There are 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 that any issues with regard thereto are raised in relation to consideration of this application.

**Recommendation**

That planning permission is REFUSED for the following reasons:

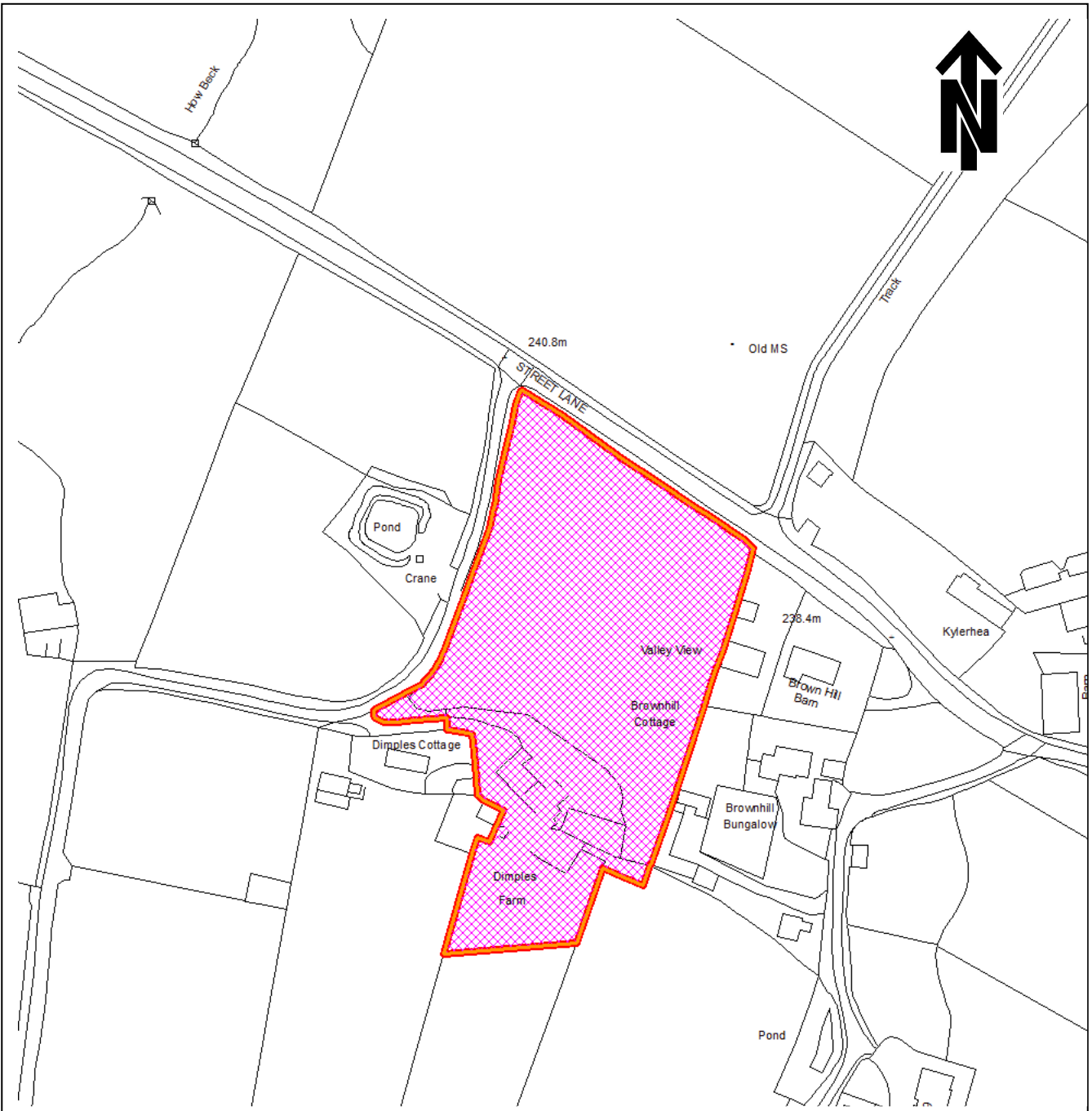
**Reasons for Refusal:**

1. The introduction of 6 bedsit flats would significantly intensify the use of the property and result in additional demand for on-street car parking in an area that already contains a high density of residential occupancy but no off-street parking facilities. In these circumstances it is considered likely that additional parking pressure would lead to difficulties and loss of amenity for existing residents and to conflicts arising due to the demand for the limited parking space available. As such the proposals fail to satisfy Policies TM12, UR3 and D1 of the Replacement Unitary Development Plan.
  2. The proposals would result in the formation of six separate residential flats within the property, but make no provision for the storage or collection of waste bin and recycling bins on land within the applicant's control. The storage of additional numbers of bins within the confined rear communal garden area would result in harm to the amenities of nearby neighbouring residents. Lack of provision for storage and collection of waste and recycling bins that would as arise from the intensification of the residential use would be contrary to Policies D1 and UR3 of the Replacement Unitary Development Plan.
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**Area Planning Panel (Keighley/Shipley)**

**15/02827/HOU**

27 January 2016



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ITEM NO. : 5	LOCATION: <b>Dimples Farm Street Lane East Morton Keighley</b>
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27 January 2016

**Item Number:** 5  
**Ward:** KEIGHLEY EAST  
**Recommendation:**  
**TO REFUSE PLANNING PERMISSION**  
**APPLICATION SUBJECT TO A PETITION SEEKING REFERRAL TO PANEL**

**Application Number:**  
15/02827/HOU

**Type of Application/Proposal and Address:**  
Construction of single storey side extension, alterations to porch and glazed canopy over existing terrace at Dimples Farm, Street Lane, East Morton, BD20 5UP.

**Applicant:**  
Mr & Mrs M Morgan

**Agent:**  
Niche Design Architects

**Site Description:**  
The site is a traditional dwelling situated in a rural location within the Green Belt to the north west of East Morton and accessed via a track off Street Lane. The building was once in agricultural use and is attached to a traditional stone barn. The dwelling has the character of a simple country cottage, built in natural stone with a slate roof, chimney and traditional windows. A small porch has been added to the front (south west) elevation and there is a small lean to extension on the gable wall.

**Relevant Site History:**  
89/00433/COU: Conversion of redundant agricultural building to holiday accommodation. Approved 1989 subject to condition restricting to holiday lets.  
97/03303/FUL: Construction of open double garage. Refused 1997  
98/00607/FUL: Erection of carport to property for two cars. Approved 1998  
06/09216/VOC: Extension and removal of condition 2 on 89/06/00433 restricting occupation of dwelling to short term holiday lets only. Approved 3.4.2007

**The National Planning Policy Framework (NPPF):**  
The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;

- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

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

**Replacement Unitary Development Plan (RUDP):**

***Allocation***

Property is in the Green Belt

***Proposals and Policies***

Householder Supplementary Planning Document

D1 – Design

UR3 – Impact on the Local Environment

GB5 – Extension or alteration of dwellings within the Green Belt

**Parish Council:**

Keighley Town Council: No objections.

**Publicity and Number of Representations:**

Publicised by neighbour notification letter.

No representations but a petition was received seeking referral to Panel.

**Summary of Representations Received:**

None received against the proposal. A petition has been received in support, seeking referral to the panel for determination.

**Consultations:**

Rights of Way Officer: Public footpath nearby but not affected by the proposals.

Keighley Town Council had no objections.

**Summary of Main Issues:**

Design and impact on local visual amenity and character.

Impact on the amenity of neighbouring occupants.

Impact on the Green Belt.

**Appraisal:**

1. There are no immediate neighbours to the proposal, therefore the proposed alterations and extensions would have no adverse impact on the amenity of any neighbouring occupiers by way of privacy, overshadowing etc. Similarly the proposal would not have any implications in terms of highway safety as there are no alterations to existing access or car parking arrangements.

2. The existing dwelling is formed in a former agricultural building which still has a barn attached at its western side. It is in a rural location in the Green Belt. The building was converted to a holiday cottage in 1989 and the conversion has retained a simple rustic appearance to the dwelling. Following an application to remove a condition restricting the use of the building to a holiday let in 2007, the building has been occupied as a conventional residential dwelling. A small porch has been added to the front elevation which does not detract from the simple rural character of the building. The main elevation faces south with views across Keighley and the Aire valley.
3. The proposed development is for (1) a single storey extension to the side; (2) alterations to the porch and (3) the construction of a glass canopy across the front of the existing house and the front of the extension.
4. The extension to the side would have a large glazed frontage, and features solar panels on the roof. It would replace a smaller lean-to extension presently attached to the side wall. Whilst relatively modern in appearance due to the glazed opening on the front, this extension is considered, in isolation, to be an acceptable addition to the dwelling. It is acknowledged that the extension is part of a wider project to adapt the ground floor of the property for use by a person with disabilities and weight has been given to the need to adapt the house to meet these needs.
5. The extension would be subservient to the existing dwelling and is an acceptable addition when assessed against Policy GB5 of the RUDP which requires extensions to houses in the Green Belt to be “not disproportionate” in relation to the size of the original dwelling. Officers have no objections to the extension.
6. However, the proposal also includes a large glazed canopy supported on posts which would spread across the entire front elevation of the extended property to a width of 19m. The canopy would project from the front elevation by 4.2m and would be 3m high. The height of the canopy requires the existing porch to be raised in height to accommodate it. The existing elevation of the building is simple and very traditional in character as befits its rural setting. The proposed canopy would be an intrusive and unsympathetic feature on such a rural cottage. It would harm the simple features of the building and its rustic character, especially when considered together with the other alterations and additions. A canopy of this type and size is more likely to be seen on commercial premises rather than fixed to a domestic property and would appear particularly incongruous in a rural location. The canopy would obscure and detract from the existing front elevation and would necessitate an increase in height of the porch roof from 3.2m high to 4m, further adding to the visual impact of the proposal.
7. The applicant/agent has said that the canopy is required to enable a resident of the dwelling who uses a wheelchair to use the patio in front of the dwelling without being exposed to the elements. Also to give shelter against the weather to existing windows and doors. Officers had hoped that the architect could devise a less extensive and incongruous solution that had less impact on the character of the traditional cottage, but the applicant seeks determination of the original proposal for the canopy across the full width of the dwelling and the proposed extension.



8. The Council is charged with considering the totality of these proposals and whilst the extension can be supported, the canopy cannot due to its inappropriate and harmful impact on the character of the existing building and its setting. It is not considered that the canopy is essential in meeting the needs of a disabled person. The whole application has to be recommended for refusal.

**Community Safety Implications:**

There are no community safety implications.

**Equality Act 2010, Section 149:**

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. The application includes elements which are for the benefit of a disabled person resident at the dwelling and which are supported. However, in respect of the canopy, whilst the needs of the resident have been taken into account, the claimed benefits of the scheme are not considered to justify the harm that the canopy would cause to the character of this traditional dwelling.

**Reasons for Refusal:**

The proposed canopy would, by reason of its size, design and location across the full width of the dwelling, create an alien and incongruous feature which would detract from the simple rustic character of this country cottage and would harm the character of its Green Belt surroundings. The proposal is therefore considered to be contrary to Policy D1, UR3 and GB5 of the Replacement Unitary Development Plan.

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