

# Planning Officer's Report

**Ward:** Ilkley (ward 14)

**Recommendation:**

To Grant Planning Permission

**Application Number:**

21/06173/FUL

**Proposal:**

Conversion of an existing permanent stable building into a dwelling house with an attached timber carport and associated gardens.

**Address:**

The Stables Off Ben Rhydding Drive Ilkley West Yorkshire LS29 8BD

**Applicant:**

Mr & Mrs B. Cox

**Agent:**

Mr Adam Clark

**Statement of Relevant Policies: (Local Plan, Area Action Plans, Neighbourhood Plans & Supplementary Planning Documents)**

SC8 Protecting the South Pennine Moors and their Zone of Influence

EN6 Energy

EN7 Flood Risk

EN8 Environmental Protection Policy

SC7 Green Belt

SC8 Protecting the South Pennine Moors and their Zone of Influence

SC9 Making Great Places

DS1 Achieving Good Design

DS2 Working with the Landscape

DS3 Urban character

DS4 Streets and Movement

DS5 Safe and Inclusive Places

EN2 Biodiversity and Geodiversity

EN5 Trees and woodlands

TR2 Parking Policy

EN4 Landscape

**Site Description:**

The application refers to a purpose built, low rise stable block with an associated manege area located on land to the west of Five Oaks. That property is a former care home now in residential use. Access to the site is achieved via a private drive off Ben Rhydding Drive which also serves a number of other dwellings. The site is very well screened from public vantage points. Along the boundary to the highway is a stand of mature trees which are protected by a tree preservation order (TPO 0134). Behind the stable block is a dense vegetation screen, comprising mostly rhododendron bushes. Although the site is located within an area of green belt, the Ben Rhydding Drive area is largely suburban in nature, characterised by a scattering of large, individually designed properties set in spacious grounds.

**Relevant Site History:**

21/04743/PMI Conversion of an existing permanent stable building into a dwelling house with detached double garage and associated garden area. Acceptable in principle  
22.11.2021

**The National Planning Policy Framework:**

The NPPF is a material planning consideration on any proposal and confirms the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF says that local planning authorities should approach decisions on proposals in a positive and creative way to secure developments that will improve the economic, social and environmental conditions of the area. It requires that decision-makers at every level should seek to approve applications for sustainable development that accord with the statutory development plan where possible

**The Local Plan for Bradford:**

The Core Strategy Development Plan Document (DPD) was adopted in 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP) remain applicable until adoption of Allocations and Area Action Plan DPDs. The site is located within an area of green belt in the RUDP. The site also falls within Zone B i.e. within 2500m of the South Pennine Moor Special Protection Area (SPA) which is concerned with supporting habitats and recreational impacts. Accordingly, the above mentioned adopted Core Strategy DPD and saved RUDP policies are applicable to this proposal.

**Publicity and Representations:****Method of Publicity and Number of Representations Received:**

The application was publicised by way of neighbour notification letters. Publicity expired on 18 January 2022. 2No representations have been received.

**Summary of Representations Received:**

1 resident has raised a concern that the development could result in the reduction of the existing rhododendron thicket that sits along the northern boundary with Five Oaks.

Ilkley Civic Society note that the site is located within green belt and are concerned that the development is likely to involve substantial rebuilding and the structural stability of the stable building is questioned. They concede that the design responds well to the site location but are concerned that the build may not be fully energy efficient. The lack of an EV charge point is noted as is the need to ensure that the site is drained sustainably. They would like reassurance that the development would not impact upon neighbours or impact upon adjacent protected trees.

**Town or Parish Council Comments:**

Ilkley TC - Object to the development. They are concerned that the structural survey is not adequate and that there is a lack of information as to energy efficiency and trees.

**Consultations:**

Biodiversity - Recommend a bat survey given the proximity of the stable building to mature trees. They note that whilst the application site is located within Zone B, 2.5km of the

South Pennine Moors SPA/SAC, it is within a current residential area, surrounded by gardens and mature trees and therefore does not support suitable foraging habitat for SPA bird species. There is no requirement to assess potential impacts on supporting habitat to the SPA (Zone B requirement). They note that development is subject to the requirements of Zone C, where there is a requirement to mitigate against any additional recreational impacts resulting from a net increase in dwellings.

Drainage - recommend conditions to deal with surface water drainage (standard condition S06). They would have no objection to the intention to drain foul water to an existing private combined sewer located in the unadopted access road provided that the developer can provide survey details of the existing sewer to demonstrate it is hydraulically and structurally suitable to drain the proposal.

PRoW- Public Footpath No. 81 (Ilkley) runs along Ben Rhydding Drive. The Council has received an application for an order to upgrade this to a public bridleway, the application has not yet been investigated. The development would represent an increase in vehicular traffic at this point but would this would be insignificant in the context of the amount of traffic already utilising Ben Rhydding Drive.

### **Summary of Main Issues:**

- Impact of the development on the green belt
- Impact upon openness and landscape character
- Design considerations
- Highway safety
- Residential Amenity
- Trees and Biodiversity
- Drainage

### **Appraisal:**

The proposal seeks approval for the conversion of the existing stable block to a residential dwelling. The resulting building would have a contemporary appearance with existing timber shiplap cladding replaced with a vertical timber cladding with a blackened finish. A lightweight zinc cladding sheet will replace the existing asbestos sheeting to the roof. The new windows and doors will use the existing openings and an open verandah structure will stretch across the full length of the building and extend and replace an existing overhanging roof to the front of the stables.

Internally, there will be an open plan layout with a southerly aspect opening onto an enclosed garden on the existing manege which is currently level and surfaced with a compacted hard core. The existing access point off the private drive will be utilised.

The scheme has been amended since initially submitted. A new detached garage outbuilding shown within the RPA of the protected trees has been removed. A more appropriate, open sided car port is now to be attached to the existing stable building. Further amended plans were submitted to include the provision of an EV charge point. Plans of the existing building have also been provided.

### **Impact upon the Green Belt :**

In Green Belts, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

The construction of new buildings is considered to be inappropriate in the Green Belt unless the development falls into one of the exceptions listed under paragraphs 149 and 150 of the current framework.

Paragraph 150 of the NPPF lists certain other forms of development that are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include the re-use of buildings provided the buildings are of permanent and substantial construction.

In support of the proposal, the applicant submits a Structural Report from Paul Waite Associates. This describes the present structure, the more solid elements of which comprise of a concrete slab and block liner walls. The building is split into two distinct areas - the larger section has a block liner wall with timber cladding whilst the eastern end is faced in blockwork only. The roof timbers appear insubstantial and presently support only a lightweight fibre sheet roof.

Contrary to what Ilkley Civic Society and Town Council have said, the Structural Report, by a professional engineering consultancy, finds that the building is in good structural condition, and says all walls appear mostly plumb with minor cracking noted to only the south-east portion of the building. The concrete floor slab and block liner walls are especially important in making it a robust structure. The report finds that whilst there are some minor defects within the building, these would not pose any serious structural threat to the robustness of the building and can easily be addressed as part of a construction maintenance programme.

Overall, notwithstanding the concerns of the Town Council and Civic Society, the LPA is satisfied that the proposed conversion would be an exception to Green Belt policy in that it involves re-use of a building that is of permanent and substantial construction. The scheme would therefore accord with the requirements of the NPPF and principles of SC7 of the Core Strategy Development Plan Document.

#### **Impact on Openness and Landscape Character :**

The test under paragraph 150 of the NPPF also requires that re-use of an existing building needs to preserve the openness of the Green Belt and not conflict with the purposes of including land within it. The relevant purposes of the Green Belt here are to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another and to assist in safeguarding the countryside from encroachment.

The site currently stands within a residential enclave close to a cluster of neighbouring houses. It is very well-contained and screened by mature vegetation which is shown as being retained. Given the particular site conditions, with the retention of the encircling vegetation, the domestic activity and paraphernalia associated with future use as a

dwelling house, such as parked cars, and a formal garden would not be very noticeable or out of keeping compared with the past use of the stables. The changes to the manège to form the garden would generally represent a 'greening' of the site which could be seen to be beneficial.

As well as the conversion, the scheme also includes an open sided car port. This is now shown attached to the side of the stable building. The scale of the car port is modest and its siting, close to the proposed dwelling would reduce its impact upon openness and the potential for harm to neighbouring trees.

Consequently, conversion could be achieved under the exceptions under paragraph 150 of the NPPF and due to its lack of prominence, the development will not result in harm to openness or cause conflict with the purposes of including the land in the Green Belt. The scheme will accord with Policy SC7 of the Core Strategy Development Plan.

### **Design Considerations :**

The building's open plan interior allows the re-use of the existing stable doors by creating full height window openings in the southern aspect would retain the rural character of the building. The lightweight zinc sheeting and vertical timber cladding with a black finish would give a contemporary appearance, but one which is an appropriate response to these surroundings, replicating the simple functional form of the original stable building. The introduction of the covered verandah -will also help to provide both additional structural stability and presence. The roof also incorporates solar panels to the south facing frontage to maximise solar gain. Notwithstanding the reservations of the Town Council, issues as to energy efficiency/ insulation are largely dealt with through Building Control regulations. However the agent has confirmed an intention that the development will accord with EnerPHit standards - the PassivHaus standard for refurbishment projects. An EV charge point is also shown.

The design is commendable and the scheme will fully respect its landscape setting and accord with Policies DS1, DS2, EN4 and EN6 of the Core Strategy Development Plan Document.

### **Highway Impacts :**

The house would be accessed from Ben Rhydding Drive which is unadopted. It is understood that the Ben Rhydding Drive Association maintains the road and may require future occupiers to pay subscriptions to the maintenance fund. However, that is a private matter.

Presently, the access into the site is of reasonable width and could support an additional dwelling. Similarly, there is ample space to accommodate the servicing and car parking needs of the future occupiers within the confines of the site and parking for the householder and visitors is clearly indicated on the submitted drawings. The access road to the site already serves a number of dwellings. Given that the site has an established use it is unlikely that there would be a material increase in vehicular activity here at this point. Although Ben Rhydding Drive itself is also unadopted, nevertheless it serves as vehicular access to a large number of properties and should be able to accommodate an additional property without undue highway safety concerns arising.

Overall, the proposal is considered to accord with Policies DS4 and TR2 of the Core Strategy Development Plan.

**Residential Amenity :**

The proposal will not impact upon the amenities of neighbouring occupiers given the limited scale of the development and minor planned changes to the stable block. The upgrading of the manege area to a lawned garden will provide sufficient private amenity space for future residents. The scheme will therefore accord with the provisions of Policy DS5 of the Core Strategy Development Plan.

**Impact on Biodiversity and Trees:**

This proposal is more than 400m from the edge of the South Pennine Moors Phase II Special Protection Area (SPA) and Special Area of Conservation (SAC). The site is in buffer Zones B and C to the SPA/SAC, as described in Policy SC8 of the Council's Core Strategy.

Policy SC8 states that: In Zone B it will be considered, based on such evidence as may be reasonably required, whether land proposed for development affects foraging habitat for qualifying (bird) species of the SPA. In Zone C, in respect of residential developments that result in a net increase of one or more dwellings, it will be considered how recreational pressure on the SPA or SAC, that such development might cause, will be effectively mitigated.

However, the site is within a residential enclave surrounded by trees. It has minimal value in terms of providing supporting or foraging habitat to the moorland bird species for which the SPA is designated. No evidence would be required in respect of effects on Zone B habitat- the Council's Biodiversity Officer shares this view. Currently, pending adoption of processes for obtaining financial contributions towards recreation mitigation via Unilateral Undertaking, the mitigation of Zone C impacts is dealt with through the CIL (Community Infrastructure Levy) payment.

Whilst the building is in close proximity to mature trees, its condition is such that it would be unlikely to support bat habitats. The images submitted as part of the design and access statement do not indicate the presence of bats. The agent has confirmed that no signs were present as part of their inspections of the property. On that basis, it is not considered that a bat survey is essential for the development to progress. An informative can be added to any decision notice to alert the developer as to their obligations under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2010.

The protected trees to the roadside frontage will not be affected by the development following on from the re-siting of the outbuilding so that it now sits alongside the stable building. No incursions into the RPA of these trees will therefore occur. The comments made by the neighbour as to the impact of the development on the rhododendron bushes are noted. These plants should not be impacted upon by the conversion project as, aside from the fitting of replacement cladding material, no extensive works are planned on the northern side of the building. The principal aspect is to the south and therefore there should be no need to clear this vegetation which would serve as a useful and attractive boundary screen.

Overall, the proposal will satisfy the requirements of Policy SC8 and will not conflict with Policies EN2 or EN5 of the Core Strategy Development Plan Document.

**Drainage :**

The Council's Drainage Engineers are generally satisfied with the proposed drainage arrangements. Surface water drainage matters can be dealt with by way of a condition. They would have no objection to the intention to drain foul water to an existing private combined sewer located in the unadopted access road provided that the developer can provide survey details of the existing sewer to demonstrate it is hydraulically and structurally suitable to drain the proposal. Again, a suitably worded condition could control this in order to satisfy Policies EN7 and EN8 of the Core Strategy Development Plan Document.

**Planning Balance and Reasons for Recommendation:**

The planned conversion would meet the tests under Paragraph 150 of the NPPF and re-use as a dwelling house could be regarded as an exception to Green Belt policy restrictions on inappropriate development. The building is judged to be sufficiently robust and the planned alterations to it are sympathetic to its original character and setting. The addition of an attached car port in lieu of a detached outbuilding will ensure that the openness of the surrounding green belt and the longevity of nearby protected trees will not be adversely impacted upon. The development will not have an adverse impact upon either highway safety, biodiversity, neighbouring occupiers or the local drainage network, subject to the introduction of appropriate conditions.

As such this proposal is considered to be in accordance with Policies DS1, DS2, DS4, DS5, EN2, EN4, EN5, EN6, EN7, EN8, TR2, SC7, SC8 and SC9 of the Core Strategy Development Plan Document together with the National guidance set out in the NPPF.

**Suggested Conditions**

1) 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.

2) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no development falling within Classes A to E of Part 1 of Schedule 2 of the said Order shall subsequently be carried out to the development hereby approved without the prior express written permission of the Local Planning Authority.

Reason: To prevent inappropriate forms of development and to safeguard the openness and character of the surrounding area given that the site is located within an area of green

belt and to accord with Policies DS1, DS2 and SC7 of the Core Strategy Development Plan Document.

3) 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 elevations or roof planes of the dwelling hereby permitted without the express written permission of the Local Planning Authority.

Reason: To maintain the character and appearance and design integrity of the converted building in the interests of visual amenity and to accord with Policy DS1 of the Core Strategy Development Plan Document.

4) The surface water drainage works shall not commence until the results of ground percolation tests and subsequent design details of the proposed soakaways serving the development have been submitted to, and subsequently approved in writing by the Local Planning Authority. Percolation tests and soakaway design shall be conducted in accordance with Building Research Establishment Digest No 365. The development shall thereafter only proceed in strict accordance with the approved soakaway drainage details.

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

5) No drainage works shall take place until full details and calculations of the proposed means of disposal of foul water drainage have been submitted to and approved in writing by the Local Planning Authority. Specifically, the Local Planning Authority would need to be satisfied that the existing private combined sewer located in the unadopted access road is hydraulically and structurally suitable to drain the proposal. The development shall thereafter only proceed in strict accordance with the approved drainage details.

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

6) 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. The parking area so formed shall be retained whilst ever the use hereby permitted subsists.

Reason: In the interests of highway safety and drainage, and to accord with policies TR2 and EN7 of the Core Strategy Development Plan Document.

7) Before the dwellinghouse is brought into use, the electric vehicle charging point shall be installed in the location as shown on the proposed plan drawing 908.01 (21) 001 D received by the Council on 3 February 2022. The charging point shall be retained fully operational thereafter whilst ever the use subsists.



Reason: To facilitate the uptake of low emission vehicles and to reduce the emission impact of traffic arising from the development in line with the Council's Low Emission Strategy and National Planning Policy Framework.

### **Informatives**

Informative: All species of bat and their roosts are protected under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2010. The applicant and contractors should be aware that all bats and any structures used by them are protected by law, and that works likely to disturb bats or their resting places (even if undertaken at a time of year when the bats are absent) require a licence from Natural England. Should a bat be encountered during development, work should cease immediately and advice should be sought from Natural England (tel. Batline 0345 1300 228). Bats should preferably not be handled (and not without gloves) but should be left in place, gently covered, until advice is obtained. Particular care and vigilance should be taken when roof tiles or slates are removed (remove by hand and check underside for bats before stacking, particularly the ones over the gable ends and ridge tiles.) Fascias, barge boards and external cladding may also provide roost opportunities for bats and should be disturbed with care. As a further precaution, undertaking roof work during the months of March to May, or September to November will avoid the main hibernation and breeding seasons when bats are most sensitive to disturbance.

**Planning Officer:** Lucie Fillingham

**Date:** 4 February 2022