
Appeal Decision

Site visit made on 13 June 2017

by Thomas Hatfield BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21st July 2017

Appeal Ref: APP/W4705/W/17/3171065
13 Parish Ghyll Road, Ilkley, LS29 9NG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Andrew Lockwood against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 16/04451/FUL, dated 31 May 2016, was refused by notice dated 8 September 2016.
 - The development proposed is a change of use from garage and store to studio dwelling with integral garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. There are some minor errors on the submitted plans relating to the position of existing windows in the rear of No 13, and the existing bin storage area. However, this has not affected my assessment of the proposed development.

Main Issues

3. The main issues are, firstly, whether the development would preserve or enhance the character or appearance of the Ilkley Conservation Area and, secondly, whether the development would prejudice highway safety.

Reasons

Conservation Area

4. The appeal site is located within the Ilkley Conservation Area, which encompasses the historic core of the town. The significance of the conservation area stems from its large number of well-preserved buildings and spaces that reflect the growth of Ilkley as it became established as a fashionable spa town.
5. The Conservation Area Appraisal identifies the appeal building as being located within the 'Victorian and Edwardian Suburbs' character area. The terraced properties that front onto Parish Ghyll Road are attractive Victorian dwellings that are characteristic of this part of the conservation area. These buildings are largely fronted in gritstone and have a consistent design, scale and use of materials. The appeal building is located to the rear of these properties, and is positioned alongside other garages and outbuildings along Back Parish Ghyll

Road. Whilst the appeal property is a relatively modern building, it is fronted in traditional materials and is in keeping with the character of the area.

6. The prevailing pattern of fenestration in the area is of traditional timber Victorian windows that are mostly square or rectangular in shape. The windows to the outbuildings along Back Parish Ghyll Road are also generally modest in size. In contrast, the appeal proposal would introduce a large pitched bay window that would protrude out significantly from the front elevation of the building, at an asymmetrical angle. This would result in an awkward appearance that would be out of keeping with its surroundings. The bay window would also have an unsympathetic relationship with the existing roof, and would create a large overhang above the garage door. In this regard, it would introduce an alien feature that would appear incongruous in the street. Given its position and design, the bay window would also be prominent in longer views along Back Parish Ghyll Road. The replacement garage door and the proposed rooflights would have a neutral effect on the conservation area. However, that does not alter my concerns regarding the bay window.
7. Separately, the Council allege that the development would constitute an overdevelopment of the site. However, the appeal building already exists and there would therefore be no overdevelopment of the site in a physical sense.
8. For the above reasons, I conclude that the development would fail to preserve the character and appearance of the conservation area. This harm would be less than substantial when considered against paragraphs 132 – 134 of the National Planning Policy Framework ('the Framework'). However, the public benefits of providing a single additional dwelling in an accessible location would not outweigh the harm to the conservation area in this case.
9. The development would therefore be contrary to Policies D1 and BH7 of the Bradford Replacement Unitary Development Plan (2005). These policies seek to ensure, amongst other things, that new development is of high quality design and preserves the character or appearance of the conservation area. It would also be at odds with guidance in the Framework relating to designated heritage assets.

Highway safety

10. The proposed bay window would project out significantly from the front elevation of the appeal building at first floor level. Whilst the appellant states that there would be no overhang above the public footway, I am not persuaded that this would be the case. Drawing No 03 illustrates the proposed floor plans at both ground and first floor level. This shows the bay window projecting significantly over the footway when compared to the boundary of the site illustrated on the proposed ground floor plan. This appeared to be an accurate representation of the position of the footway on my site visit.
11. The footway along this side of Back Parish Ghyll Road is narrow and only around a metre in width. There is no corresponding path on the opposite side of the road, and it is therefore the only footway serving this part of the street. The sloping nature of the ground also means that the southern corner of the bay window would be close to head height for a taller person, or for someone jogging along the street. This would create a hazard for pedestrians. Moreover, the road itself is fairly narrow, and the bay window would encroach

out into the space used by larger vehicles such as bin lorries. This would create a potential hazard to these vehicles, and could lead to collisions.

12. For the above reasons, I conclude that the development would unacceptably prejudice highway safety.

Other Matters

13. The proposed dwelling would be accessed via a rear doorway that would face ground and first floors windows to apartments in No 13. However, this door would be used solely to enter and exit the property. The rear of No 13 is currently used to access the existing apartments and the parking area, and so there is already a level of activity in this area. The proposed dwelling would not significantly this level of activity in my view. The proposed rooflights would also not directly overlook the rear windows to the apartments. Accordingly, I do not consider that there would be a harmful loss of privacy to existing occupiers.
14. The proposed conversion would retain the existing garage space at ground floor level. This would provide parking for future occupants and minimise any additional pressure on existing parking spaces in the area. The garage facility could be retained via condition. Concern has also been expressed about the potential loss of existing parking spaces next to the appeal building. However, no physical structures or boundary treatments are proposed in this area, and so the existing car parking spaces would not be displaced.
15. I understand that there is an ongoing legal dispute regarding the appeal property. However, that matter falls outside the remit of this decision. In the event that the development was prevented from taking access through the rear area to No 13, it would be capable of being accessed through the garage door.

Conclusion

16. For the reasons given above I conclude that the appeal should be dismissed.

Thomas Hatfield

INSPECTOR