

## REPORT OF THE STRATEGIC DIRECTOR REGENERATION TO THE MEETING OF THE AREA PLANNING PANEL (SHIPLEY) TO BE HELD ON 19 MARCH 2009

# W

### SUMMARY STATEMENT – PART TWO

Applications recommended for approval

The sites concerned are:

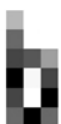
9	31-33 Southlands Grove, Bingley	(Page 60)	<b>Bingley</b>
10	1 Springfield Grove, Bingley	(Page 67)	<b>Bingley</b>

Mike Cowlam  
Assistant Director Economic Development

**Portfolio**  
Environment and Culture

Report Contact: Ian Wilson  
Phone: (01274) 433972  
E-mail: [ian.wilson@bradford.gov.uk](mailto:ian.wilson@bradford.gov.uk)

**Improvement Committee Area**  
Regeneration and Economy



# SHIPLEY AREA PLANNING PANEL

DATE

19 MARCH 2009



For reference only (Crown Copyright)

**ITEM No. 9**

LOCATION

**31 - 33 SOUTHLANDS GROVE, BINGLEY**

**DATE:** 19 MARCH 2009  
**ITEM NO:** 9  
**WARD:** BINGLEY (2)  
**RECOMMENDATION:** TO GRANT PLANNING PERMISSION

**APPLICATION NUMBER:** 08/07181/FUL

**Type of Application/Proposal and Address:** Construction of five houses to the rear of 31- 33 Southlands Grove, Bingley, access drive, and extension to Southlands Grove to form adoptable turning head.

**Site Description:** Two large detached residential properties located at the head of a cul-de-sac Southlands Grove, Bingley. The site of the proposed dwellings is within the large rear garden areas, which slope steeply towards the River Aire to the southwest. The area comprises of a variety of detached and semi detached properties, dating from around the 1930's. The steeply sloping rear gardens areas have largely been cleared of vegetation with the exception of a belt of mature trees running adjacent to the River Aire.

**Relevant Site History:**

The application is a resubmission of recently refused application 08/04919/FUL which sought permission for the construction of 6 dwellings with access drive and extension to Southlands Grove to form an adoptable turning head. The application was refused on 23.09.2008. The application now lodged attempts to address previous reasons for refusal.

**Replacement Unitary Development Plan ("RUDP"): Proposals and Policies**

The site is unallocated on the Replacement Bradford Unitary Development plan (2005) (RUDP).

**Relevant Policies**

UDP1 – Promoting Sustainable Patterns of Development  
UR2 – Promoting Sustainable Development  
UR3 - Local Impact of Development  
D1 – General Design Considerations  
TM2 – Impact of Traffic and its Mitigation  
TM12 – Parking Standards for Residential Developments  
TM19A – Traffic Management and Road Safety

**Parish Council:**

Not Applicable.

**Publicity and Number of Representations:**

This has been done via neighbour notification letters, and site notice with an overall expiry date of 29.01.2009.

The Council has received 22 letters of representation, objecting to the proposal including one from the local MP.

Summary of Representations Received:  
Objector's concerns can be summarised as follows:

- Traffic generation/ Highway safety
- Design, Appearance, Character
- Trees
- Drainage
- Overdevelopment
- Subsidence/Damage to foundations
- Noise and disturbance – Loss of residential amenity

**Consultations:**

Drainage – No objection subject to conditions to investigate the potential for the use of sustainable drainage techniques in disposing of surface water from the development including the submission of a report detailing said investigation and proposed designs.

Environmental Protection – No objections subject to conditions to protect the amenity of neighbours throughout the construction period.

Highways – Raise concerns regarding visitor parking, width of access road and the carry distance to the bin collection point.

*(Note: Revised plans have been received showing amended bin collection point and widening of the access road to 3.7 metres.)*

Environment Agency – Follow Standing Advice, No Comments.

Trees – Concern that the proposal would lead to future pressure to remove the remaining riverside trees particularly as a result of the position of the decking under the canopy spreads of existing on site trees.

*(Note: Revised plans have been received showing the timber decks removed from plots 1 & 5 and decks to plots 2, 3 and 4 reduced in size. Trees adjacent to the riverbank were protected by TPO number: 09/00015/W) on 3<sup>rd</sup> March 2009).*

Yorkshire Water – Raise point that a live water main enters the red line boundary. The water main in question lies within the driveway forward of the existing front garden of number 31, Southlands Grove.

**Main issues:**

The main issues to be considered in this case relate to i) principle of development, ii) amenity considerations, iii) design/appearance, character, iv) traffic and highway safety, v) impact on trees and vi) drainage

Appraisal:

Each of the main issues will now be considered in turn.

Principle of development

Reflecting national planning policy, local policy supports the principle of building dwellings on previously developed land providing the proposal would not conflict with other RUDP Policies. Additional dwellings within this established residential area would conform to surrounding uses. Further, the principle of development satisfies sustainability objectives, representing an appropriate use of a 'brown field site' within the urban area and with access to existing infrastructure. As such, the principle of development is considered to be acceptable under policies UDP1 and UR2, of the RUDP.

Amenity considerations

The proposal maintains the two existing detached dwellings, numbers 31 and 33 Southlands Grove and proposes to create an access between these properties down to a lower level in the current rear garden areas. To achieve this access there is a requirement to demolish an existing single storey extension to the side of number 31. The two properties are confirmed as being presently vacant and within the ownership of the applicant. Neither of the properties contains habitable room windows to their gable ends and openings to the gable ends are limited thereby minimising noise and disturbance for future occupiers resulting from the access road.

The proposal has been designed in such a way to minimise concerns with regards to overlooking and overshadowing of neighbouring properties. The proposal would be set at a lower level than existing properties to the north of the proposed town houses which minimises the potential for overshadowing of surrounding properties. Further the siting of the block has been done to achieve a distance of around 21 metres between windows in the north elevation of the proposed block and south facing windows within the elevated numbers 31 and 33 Southlands Grove. This meets required separation distances to ensure that issues regarding unacceptable overlooking will not result from the proposal.

For these reasons, it is considered that the development would acceptably accord with the provisions of policies D1 and UR3 of the RUDP.

Street scene/visual amenity

Southlands Grove comprises of a mixture of property types with detached and semi detached, two storey dwellings in a mixture of stone and render.

The proposed development would not be viewed as part of Southlands Grove itself as it would be located at a lower level and behind two existing properties at the head of the cul-de-sac via a private driveway.

The resubmitted application has reduced the scale of the development from one large block comprising six town houses down to two separate blocks comprising five town houses more in keeping with the scale of the surrounding built form.

The proposed dwellings differ in their design from properties found on Southlands Grove itself in that they are three storey townhouses. However, as a result of the sloping site the proposed dwellings, despite the additional storey would remain lower in height than numbers 31 and 33 Southlands Grove by around 1.5 metres.

The proposed block of townhouses references design details present in existing properties on Southlands Grove reflecting materials (stone and render) and details such as hipped roofs and gable features.

By conditioning materials it is considered that the proposal could be successfully integrated into the locality whilst making more efficient use of the land. As such, the proposal would accord with guidance contained in PPS3 and with RUDP policies UR3 and D1.

#### Traffic and highway safety

The proposal includes two main elements, the formation of a new access and parking areas (private Drive) and improvements to the existing turning head of Southlands Grove itself.

The scheme has been scaled down from the previous application which proposed six to now provide 5 units to enable the access road to be considered as a private drive. Further, improvements have been made with regard to the gradient of the site which has been revised to achieve a 1:9 gradient from the previous 1:6 slope.

The width of the access road has also been increased from 3 metres to 3.7 metres such that it could be serviced by emergency vehicles. Footpaths are also provided adjacent the access road to allow safe pedestrian circulation to and from the site.

Each of the proposed town houses includes an integral garage at ground floor level, further an additional 5 spaces are provided such that 2 spaces are provided per dwelling, exceeding the required standard of 1.5 spaces per dwelling. Parking levels for the existing properties 31 and 33 Southlands Grove would be maintained. Whilst the alterations proposed to the turning head for the cul-de-sac requires the demolition of number 33's current garage facility, the proposal includes an appropriately designed and repositioned double garage for number 33. Driveway and hard standing areas are proposed for number 31 which would also retain its current garage. As such across the development as a whole, two off street parking spaces per dwelling are provided, exceeding the required standard.

The proposal also includes suggested improvement to the turning head on Southlands Grove by forming a new, adoptable turning head improving the current restricted turning area for all the residents of Southlands Grove.

Accordingly, as amended it is considered that the proposed development exceeds required levels of off street parking, also the increased width and improved gradient allows the site to be serviced by emergency vehicles and accordingly it is not felt that the proposal would be detrimental to highway safety. It therefore accords with RUDP policies TM2 and TM19A.

#### Other issues

The current rear garden areas of numbers 31 and 33 Southlands Grove have been largely cleared of vegetation with the exception of a row of mature trees adjacent the river bank at the back of the site. Amended drawings have been received after concern was raised by the Councils Arboricultural Officer regarding the proximity of the proposed blocks and in particular the extent of the decking which extended under the canopy spreads of the aforementioned trees. The amendments include the deletion of timber decks to the rear of plots 1 and 5 and decks to the rear of plots 2, 3 and 4 reduced in size and moved out from under the canopies of on site trees. The trees in question have now been protected by TPO and as such their retention and future management can be tightly controlled.

The River Aire runs to the rear boundary of the site. The applicant has consulted the Environment Agency during the initial design of the scheme and developed the proposal in line with the comments received and included within the supporting information submitted with the application. No part of the development would take place on land below the 75.00 A.O.D. to safeguard the development from flood risk. The proposal also provides the required maintenance strip of land required for EA staff to the river bank should the need ever arise.

Yorkshire Water have raised the issue of a water main which enters the site. The water main is located at the top of the site and within the driveway currently providing access to numbers 31 and 33 off the head of the existing cul-de-sac. No additional building is proposed within this location which would interfere with the main and any future maintenance of it. The applicant should be made aware of its location and be encouraged to liaise with Yorkshire Water as there are some minor changes in levels proposed in the formation of the new access road.

#### **Conclusion**

For the reasons noted above, and despite the receipt of objections, it is considered that the proposal represents appropriate development that – with appropriate conditions – would adequately protect the residential, visual and general amenities of the site and the surrounding area. Accordingly, approval is recommended subject to the conditions set out below.

#### **Community Safety Implications:**

There are no significant community safety implications arising from this proposal.

**Reasons for Granting Planning Permission**

It is considered that the proposed dwelling is acceptable in terms of its impact on residential amenity and traffic safety and acceptably accords with the provisions of the Replacement Unitary Development Plan Policies UDP1, UR2, UR3, D1, TM2 and TM19A.

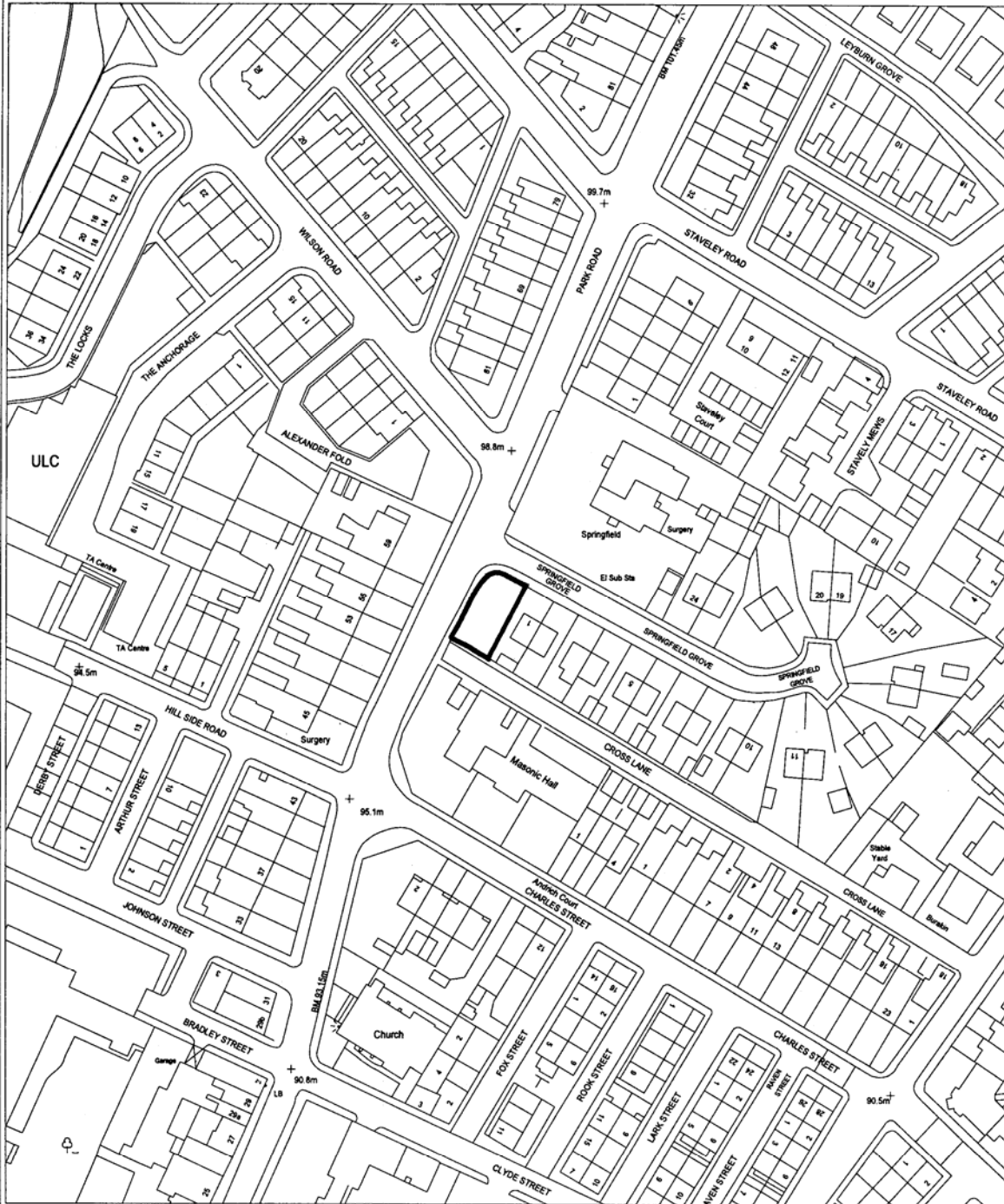
**Conditions of Approval:**

1. 3-year time limit on commencement of development.
2. Amended Plans
3. Sample Materials
4. Construct access before occupation.
5. Private Drive Turning area provided before use commences.
6. Provision of domestic parking before use commences.
7. Details of Trees Protective Fencing to be approved prior to commencement
8. Details of proposed sustainable drainage measures to be submitted and have obtained approval of LPA prior to commencement and approved measures implemented during the construction phase.
9. PD rights removed



# SHIPLEY AREA PLANNING PANEL

DATE  
19 MARCH 2009



For reference only (Crown Copyright)

**ITEM No. 10**

LOCATION

**1 SPRINGFIELD GROVE, BINGLEY**

**DATE:** 19 MARCH 2009  
**ITEM NO:** 10  
**WARD:** BINGLEY (2)  
**RECOMMENDATION:** TO GRANT PLANNING PERMISSION

**APPLICATION NUMBER:** 09/00030/FUL

**Type of Application/Proposal and Address:** Construction of a two storey, bay-fronted detached, 3 bed dwelling in the side garden of 1, Springfield Grove, Bingley. Natural coursed stone is proposed to the walls, with natural blue slate roof.

**Site Description:** The application site is the side garden area of 1 Springfield Road, a semi-detached property situated in a prominent position between the junctions of Springfield Grove (to the north) and the unmade Cross Lane (to the south) with the busy Park Road. The site is bounded by a hedge and low stone walling with the longest boundary being along Park Road. The property is currently rented out to a tenant and has a conservatory to the side elevation which would be demolished to enable the proposed dwelling to be constructed.

The site is level although land levels to the rear of the site are lower, with a stone retaining wall marking the boundary with Cross Lane which is around 1.5 to 2 metres lower. The site is close to Bingley town centre and the locality is mixed in character but predominantly residential. There is a surgery immediately to the north and the Masonic Hall to the South..

**Relevant Site History:**

03/01260/FUL - Conservatory to side of dwelling – Granted 14<sup>th</sup> May 2003  
07/09333/FUL - Construction of detached dwelling – Refused 3<sup>rd</sup> January 2008  
08/02914/FUL - Construction of detached dwelling – Refused 23<sup>rd</sup> June 2008

Two previous applications for a detached property on the site have been refused (refs: 07/09333/FUL and 08/02914/FUL). These applications were both similar in their design and shared the same two reasons for refusal which related to (1) detriment to street scene/ visual amenity and (2) highway safety.

**Replacement Unitary Development Plan (“RUDP”): Proposals and relevant policies**

The site is unallocated on the Replacement Bradford Unitary Development Plan (2005) (RUDP). Relevant policies are:

UR3 – Local Impact of Development  
D1 – General Design Considerations  
TM2 – Impact of Traffic and its Mitigation  
TM19A – Traffic Management and Road Safety

National planning policy on residential development is contained in Planning Policy Statement 3 – Housing (PPS3).

**Parish Council:**

N/A

**Publicity, number, and summary of representations:**

This has been done via neighbour notification letters with an expiry date of 06.02.2009.

The Council has received eight letters of representation objecting to the proposal. Concerns can be summarised as follows:

- Access & Parking
- Construction Nuisance
- Residential Amenity (1 Springfield Grove)
- Rights of existing tenants (1 Springfield Grove)
- Street Scene
- Overshadowing (1 Springfield Grove)
- Visual Amenity – Building Line

**Consultations:**

Drainage: No objection subject to separate drainage systems being provided within the site boundary and development being undertaken in such a way that overland surface water patterns are not altered to the detriment of adjacent landowners.

**Main issues:**

The main issues to be considered in this case relate to i) the principle of development, ii) amenity considerations, iii) street scene/visual amenity, and iv) traffic and highway safety.

**Appraisal:**

The current submission differs significantly from the previous two refusals in both its design and with regard to means of vehicular access and attempts to overcome previous concerns and reasons for refusal.

Each of the main issues will now be considered in turn.

Principle of development

Local planning policy reflects national policy as set out in PPS3 and supports the principle of building dwellings on previously developed land providing the proposal would not conflict with other RUDP Policies. An additional dwelling within this established residential area would conform to surrounding uses. Further, the principle of development satisfies sustainability objectives, representing an appropriate use of a 'brown field site' within the urban area and with access to existing infrastructure. As such, the principle of development is considered to be acceptable under policy UDP1 of the RUDP.

Amenity considerations

The proposal has been designed in such a way to address concerns with regards to overlooking and overshadowing of neighbouring properties, principally 1 Springfield Grove, the gable end of which would be less than 1 metre from the rear elevation of the proposed dwelling.

The gable end of 1 Springfield Grove contains a number of openings and at present a conservatory which would be demolished to accommodate the development. At first floor level there is one window to the centre of the gable end serving a hallway. At ground floor level a window exists towards the front of the property, which serves a kitchen. This window is however a secondary window serving the room and sufficient day light to the room would be provided by the unaffected primary window on the front elevation. The opening currently providing access to the conservatory is intended to be 'bricked up'. Accordingly there are no primary habitable room windows which would be affected by the siting of the proposed dwelling such that would result in harmful impact on the living conditions of the occupants of 1 Springfield Grove.

Properties across Park Road are located a minimum of 23 metres to the west of the proposed house, across a busy street. In this context, the proposed house would cause no unacceptable detriment to the amenities of facing houses due to overlooking, loss of light, or enclosure.

For these reasons, it is considered that the development would acceptably accord with the provisions of policies D1 and UR3 of the RUDP.

#### Street scene/ Visual Amenity

The site lies at the junction of three roads, Park Road, Springfield Grove and Cross Lane. The proposed dwelling would be visible and prominent from Park Road. The prevailing property type to Park Road is attractive stone built, Victorian or Edwardian, terraced dwellings. The scheme has been developed and improved significantly over the two previously refused applications with the frontage being rotated through 90 degrees to address Park Road rather than Springfield Grove. Further, the proposed elevations and materials of construction have been designed and chosen to better reflect the character of the predominant style of neighbouring buildings and to sit more comfortably within the attractive Park Road streetscape.

The stone wall and hedges forming the existing site boundary are to be retained with only a small alteration to provide a new pedestrian access from Park Road. The proposed dwelling is designed and detailed to relate appropriately to existing properties on Park Road. These details help to ensure that the development would sit comfortably within the Park Road street scene, overcoming one of the previous reasons for refusal.

By conditioning materials and with the existing hedge/screening around the new dwelling it is considered that the proposal could be successfully integrated into the locality whilst making more efficient use of the land. As such, the proposal would accord with guidance contained in PPS3 and with RUDP policies UR3 and D1.

#### Traffic and highway safety

Two previous applications for the construction of a dwelling on this site have been refused for their likely impact upon traffic safety. Both of these schemes proposed the formation of a new access close to the junction of Springfield Grove with Park Road.

This application however proposes to utilise the existing driveway to accommodate an off street space for the proposed dwelling and to create a new space within the front garden of the existing number 1 Springfield Grove (further away from the junction with Park Road). Accordingly the proposal would not result in vehicles manoeuvring out of the site and in any closer proximity to the junction with Park Road than currently occurs.

Whilst the level of off street parking proposed for the new dwelling is one space, the site is in close proximity to Bingley Town Centre with its rail and bus services. Further, Springfield Grove and Cross Lane have no parking restrictions and as such it is not considered that the construction of one additional dwelling would result in significant problems with regards to on street parking.

### **Conclusion**

For the reasons noted above, and despite the receipt of objections, it is considered that the proposal represents appropriate development which – with appropriate conditions – would adequately protect the residential, visual and general amenities of the site and the surrounding area. Accordingly, approval is recommended subject to the conditions set out below.

### **Community Safety Implications:**

There are no significant community safety implications arising from this proposal.

### **Reasons for Granting Planning Permission**

It is considered that the proposed development is acceptable in terms of its impact on visual and residential amenity, traffic safety and acceptably accords with the provisions of the Replacement Unitary Development Plan Policies UR3, D1, TM2 and TM19A.

### **Conditions of Approval:**

1. Commence development within three years
2. Samples of natural walling and roofing materials to be submitted to the Local Planning Authority for approval before the commencement of development and development to be completed with the approved materials.
3. Drainage details to be submitted to the Local Planning Authority for approval before the commencement of development and development to be completed in accordance with the approved details.
4. Existing opening to demolished conservatory in gable wall of number 1 Springfield Road to be made good in materials to match existing, and to be completed prior to first occupation of the new dwelling.
5. Permitted developments rights removed relating to alterations and extensions to the house and means of enclosure.
6. Details of formation and finishing of new pedestrian opening in Park Road frontage, including details of new gate, to be submitted to the Local Planning Authority for approval before the commencement of development and development to be completed in accordance with the approved details.

7. Details of the construction of the off street parking area for 1 Springfield Road, which shall incorporate a permeable surface, shall be submitted to the Local Planning Authority for approval before the commencement of development and the development shall be completed in accordance with the approved details and prior to first occupation of the proposed dwelling house.
8. The proposed off street parking area at 1 Springfield Grove shall be made available for use prior to first occupation of the new dwelling and retained and made available for use by 1 Springfield Grove thereafter.