

Report of the Strategic Director of Regeneration and Culture to the meeting of the Area Planning Panel (SHIPLEY) to be held on 21 March 2012

X

Summary Statement - Part One

Applications recommended for Approval or Refusal

The sites concerned are:

| <u>Item No.</u> | <u>Site</u> | <u>Ward</u> |
|-----------------|--|-------------|
| 1. | 37 Springfield Road Baildon West Yorkshire BD17 5LZ - 12/00253/HOU [Approve] (page 1) | Baildon |
| 2. | Bridge House Riverside Buildings Bailey Hills Road Bingley West Yorkshire BD16 2RJ - 12/00171/VOC [Approve] (page 8) | Bingley |
| 3. | Laverly House West Lane Baildon West Yorkshire BD17 5DX - 11/05133/FUL [Approve] (page 14) | Baildon |

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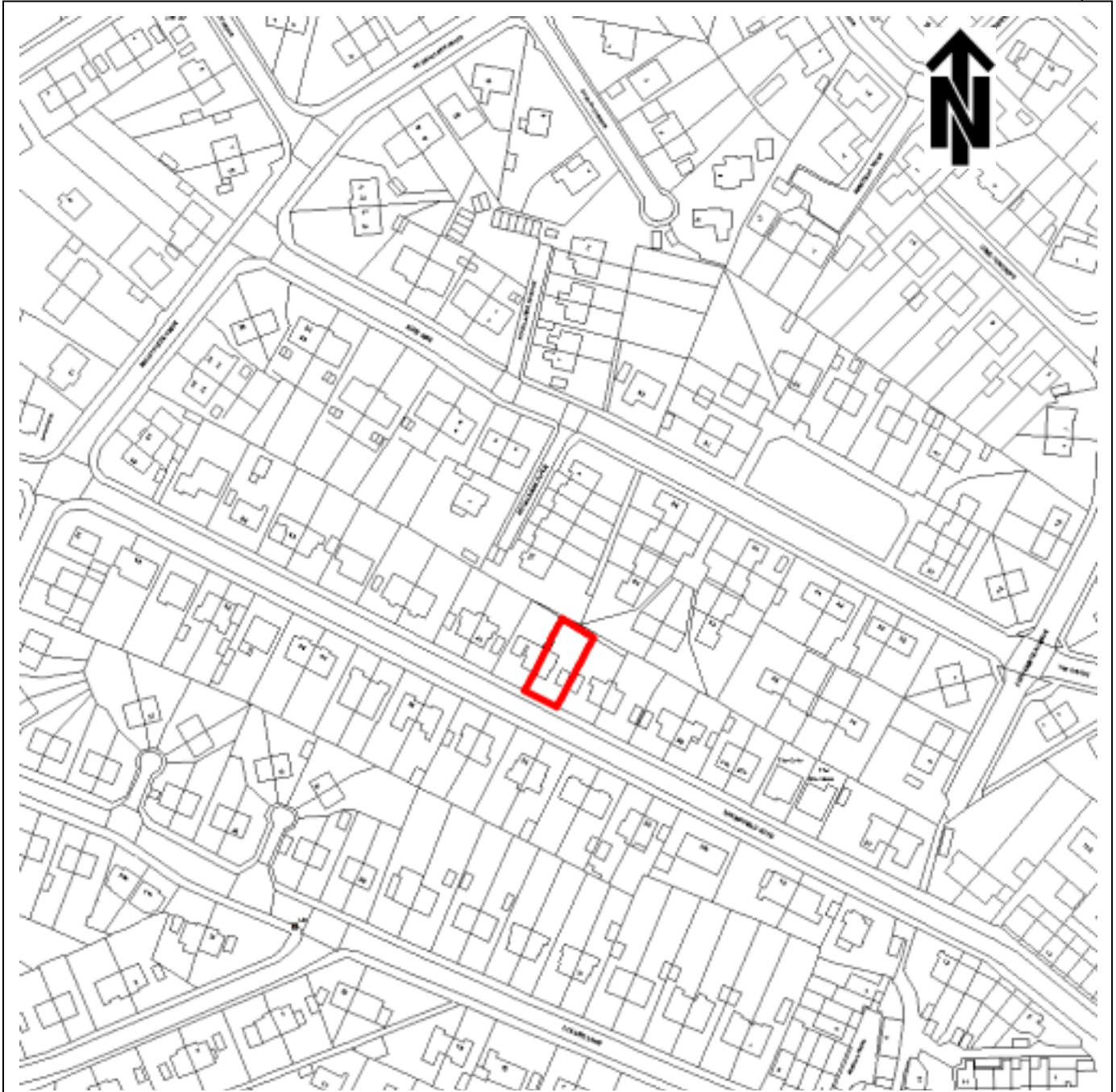
Portfolio:
Change Programme, Housing and Planning
Improvement Committee Area:
Regeneration and Economy



Area Planning Panel (Shipley)

12/00253/HOU

21 March 2012



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ITEM NO. : 1

LOCATION:

**37 Springfield Road
Baildon**

21 March

Item Number: 1
Ward: BAILDON
Recommendation:
TO GRANT PLANNING PERMISSION WITH CONDITIONS

Application Number:
12/00253/HOU

Type of Application/Proposal and Address:

Retrospective householder application for the construction of an extension to the rear of No 37 Springfield Road, Baildon, BD17 5LZ.

Applicant:

Mr John Killen

Agent:

N/A

Site Description:

The site is located in an established residential area comprising of predominately semi-detached properties. The dwelling itself is a semi-detached property, constructed from stone and rendered walls, UPVC frames, under an interlocking concrete tiled roof.

Relevant Site History:

11/03715/HOU Resubmission of application 10/06102/HOU: Three storey extension to form lower ground floor utility, playroom and ground floor lounge REFUSE 06.10.2011

10/06102/HOU Three storey extension to form lower ground floor garage, ground floor kitchen and first floor master bedroom REFUSE 28.02.2011

Replacement Unitary Development Plan (RUDP):

Allocation

Unallocated.

The site is not in a designated conservation area and the property is not recorded as being a Listed Building.

Proposals and Policies

D1 General Design Considerations
UR3 The Local Impact of Development
TM19A Traffic Management and Road Safety
D4 Community Safety

The Draft National Planning Policy Framework (DNPPF):

The Draft 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 Draft Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Parish Council:

Baildon Parish Council records no comment.

Publicity and Number of Representations:

The application was advertised by neighbour notification letter, expiry date 24th February 2012.

A Ward Councillor has requested this application was heard before Shipley Planning Panel if the case officer is minded to recommend approval

Twelve representations were received - Five objections and seven letters of support

Summary of Representations Received:

Summary of issues raised by objectors relate to:

- 1. Extension is not in-keeping with character of surrounding area
- 2. Inappropriate design/material
- 3. Loss of privacy / overlooking
- 4. Affect on ground water table / drainage
- 5. Overdevelopment within site
- 6. Inadequate parking provision
- 7. Overshadowing
- 8. Damage to the adjoining semi-detached property
- 9. Encroachment issues.
- 10. Concern over notification of the correct properties.

In response – Issues 1-7 are addressed within this report, issue 8 forms a civil matter and as such can not be considered a planning matter for consideration. A footnote can be attached to any approval relating to issue 9.

The correct notification letters were sent as part of the consultation process.

Consultations:

None

Summary of Main Issues:

1. Impact on Local Environment
2. Impact on Neighbouring Occupants.
3. Impact on Highway Safety.
4. Community Safety Implications

Appraisal:

The proposal relates to the construction of a single storey extension to the rear of the existing property. It is proposed to use matching materials to those of the host property.

Members should be aware that:

1. The extension replaces a smaller conservatory type extension on the same rear elevation.
2. It has been substantially completed - so the application should be regarded as retrospective.
3. The gable roof extension and the rear dormer window that are shown on the submitted plan, Drawing Number 07 Date 13/01/12S constitute Permitted Development (Under Class B of Part 1 of the Town and Country Planning General Permitted Development Order 2008) and as such are not being considered as part of this application.
4. For the purpose of this assessment only the rear extension needs planning permission and is considered.

Impact on the Local Environment:

The extension replaces a previous conservatory. It is a larger structure and has a tiled roof. It would project 3400 mm from the rear elevation of the original building and would be 4700 mm wide.

When measured against the mass of the existing property, and the pair of dwellings of which the host property forms part, the scale of this proposal is not considered as being unduly excessive or dominant. The incorporation of a hipped roof helps reduce the bulk of the extension and it appears appropriately subordinate to the existing house.

The proposal is not considered to significantly harm the design and overall appearance of the host property or the character of its setting. The proposed external walling and roofing materials would be in-keeping with the host property and sensitive to the materials found within the wider surrounding area.

The extension is considered to blend successfully with the host building and in any case would be sited to the rear of the host dwelling and so would be less prominent, obscured from sight in views from within the street scene (Springfield Road). There are no concerns in relation to its overall appearance or impact on visual amenity. As such this proposal is considered compliant with Policies D1 and UR3 of the Replacement Unitary Development Plan (2005) and guidance contained within the councils Revised House Extensions Policy (2003).

Impact on Neighbouring Occupants:

In relation to its impact on neighbouring properties at Nos 39 and 35 Springfield Road, the rear extension raises no significant concerns relating to overshadowing, being overbearing or potentially causing a significant loss of light to the occupants of the neighbouring dwellings. Account has been taken of the position of the extension on the host property (to the rear) in combination with its acceptable scale and giving consideration to the sun's movement across the site.

The adjoining property (No 39 Springfield Road) has a rear elevation that is staggered as a result of some existing rear additions. This being the case, account is taken of the rear additions to No 39 in the assessment of the proposed rear extension's 3400 mm depth. Whilst this depth is slightly in excess of the 3 metres suggested in guidance set out in the councils Revised House Extensions Policy (2003), the additional 400mm depth beyond the 3000 mm allowance, is considered as being minimal. Given the rear projections of No 39, it would be unreasonable to refuse the proposal on grounds of excessive depth in these particular circumstances as the impact of the extra 400mm on amenity is minimal.

Windows in the extension are positioned so as not to have any significant adverse impact on the neighbouring and surrounding dwellings by reason of overlooking. This is due to the orientation and outlook of the windows/doors in relation to the immediate neighbouring properties (No 39 and No 35 Springfield Road) nearest habitable room windows and amenity space. A solid wall is incorporated along the boundary with the adjoining semi. In addition to this, the rear boundary has sufficient boundary screening (in the form of a close boarded 1.8 metre high fence).

With the garden/amenity space of No 37 being predominately to the side of the existing dwelling and the ground level being raised in comparison to that of No 35, the additional windows incorporated as a result of this proposal are not anticipated to significantly alter privacy levels beyond the levels that exist currently. As such a refusal on the basis of overlooking is considered to be unreasonable.

Despite the extension, the dwelling's occupants will retain a sufficient amount of space for private amenity purposes and the storage of waste bins, thus deeming it compliant with policy No 8 of the councils Revised House Extensions Policy (2003).

In terms of its impact on existing residential amenity levels, this proposal is deemed to be acceptable, as it is not considered to have a significant impact on neighbouring properties by reason of overshadowing, being overbearing or overlooking. Therefore the proposal is considered compliant with policy UR3 of the Replacement Unitary Development Plan (2005).

Impact on Highway Safety:

Although the objectors raise concerns about car parking, as a subordinate extension it would be difficult to justify refusal on the basis that the development will increase off street parking demand. Also existing arrangements for off street parking will remain unaltered and access onto Springfield Road from the site has not changed and there are no visibility issues in or out of the immediate site. Therefore the proposal is not considered to have a detrimental impact on highway safety levels and this proposal is considered compliant with policy TM19 A of the Replacement Unitary Development Plan (2005).

Community Safety Implications:

There are no apparent community safety issues arising from the proposal.

Other issues:

Concern is raised by objectors regarding the proposal's impact on the ground water table/drainage across the site. Whilst this issue constitutes a planning matter for consideration, given that the mass of this extension is already built, any disturbance to the ground water table would have already occurred. In addition to this it is noted that the extension is to serve as additional living accommodation that is not likely to unreasonably increase the levels the existing drainage can manage. No significant concern is therefore raised as a result of this extension in relation to these matters.

Issues raised by objectors regarding encroachment and damage to neighbouring properties are private legal matters.

Reason for Granting Planning Permission:

The proposed rear extension is not considered harmful to visual amenity, residential amenity or highway safety and is therefore considered to comply with Policies UR3, D1 and TM19A of the Replacement Unitary Development Plan (2005) and the Supplementary Planning Guidance contained within the Council's Revised House Extension Policy (2003).

The gable roof extension and rear dormer window (as shown on the submitted plan, Drawing Number 07 Date 13/01/12S) constitutes Permitted Development (Under Class B of the General Permitted Development Order (Amendment)(No.02)(England) Order 2008, subject to compliance with the conditions imposed under Class B, Section B.2 of The Town and Country Planning (General Permitted Development Order) (Amendment) (No.02) (England) Order 2008, and refusal on this basis cannot be justified.

Conditions of Approval:

1. The development hereby approved shall only be carried out in accordance with the approved plans listed below:
 1. Drawing Number 02 REV A Date 13/01/12 Proposed Ground Floor
 2. Drawing Number 03 REV A Date 13/01/12 Proposed First Floor
 3. Drawing Number 04 REV A Date 13/01/12 Proposed Second Floor
 4. Drawing Number 05 REV A Date 13/01/12 Proposed Roof Plan
 5. Drawing Number 07 REV A Date 13/01/12 Proposed Elevations

Received by the Council on 23/12/11

Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted.

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 (2005)

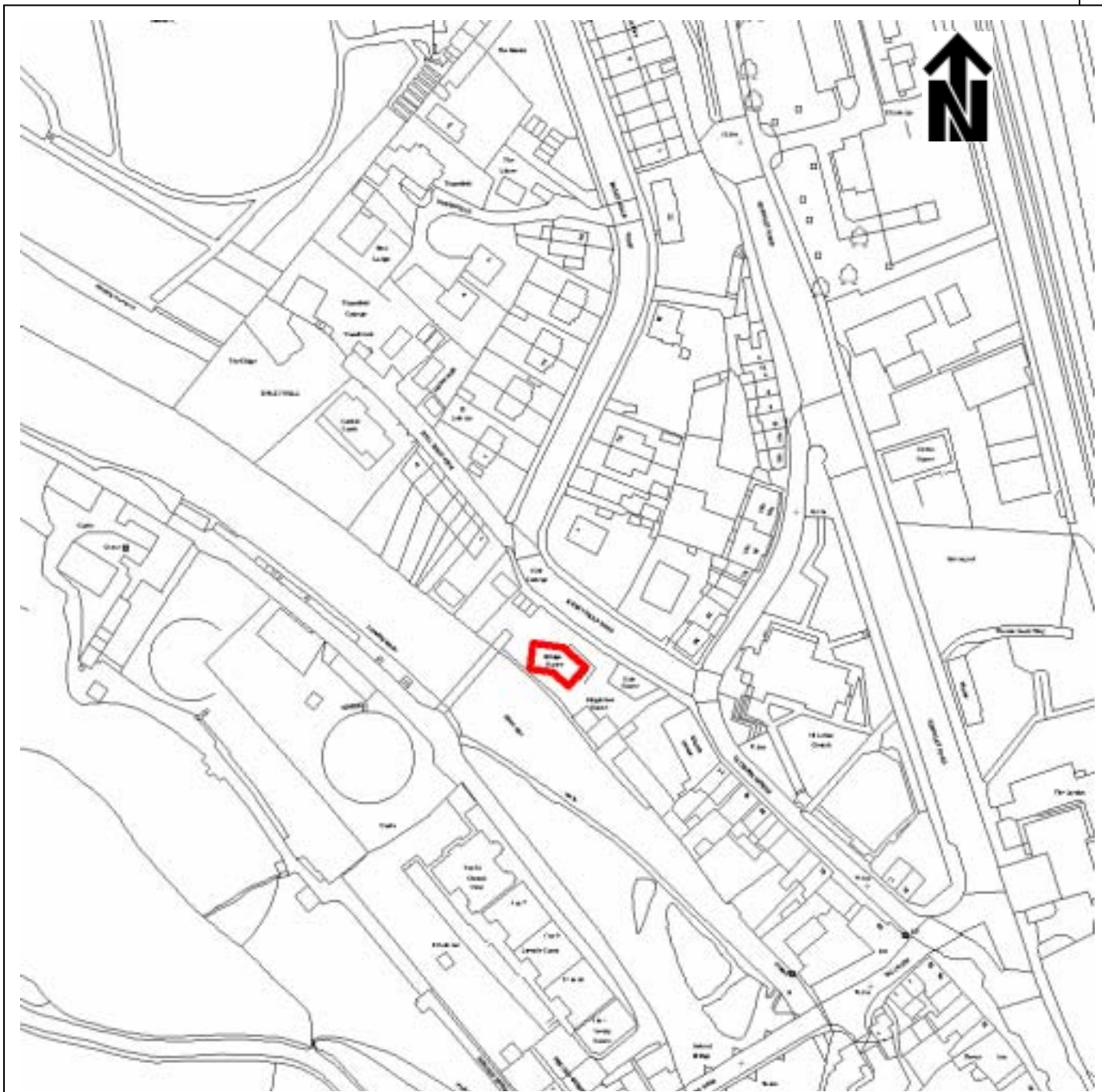
Footnote:

The applicants are advised to check that the development hereby approved lies wholly within the land within their control as the granting of planning permission does not override the need to obtain the consent of any neighbouring land owners affected by the development. The applicant should also seek to ensure compliance with the Party Wall Act 1996.

Area Planning Panel (Shipley)

12/00171/VOC

21 March 2012



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ITEM NO. : 2

LOCATION:
Bridge House
Riverside Buildings
Bailey Hills Road
Bingley

21 March 2012

Item Number: 2
Ward: BINGLEY
Recommendation:
TO GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS

Application Number:
12/00171/VOC

Type of Application/Proposal and Address:

Variation of condition 2 of permission 10/03573/FUL dated 12/11/10 to permit hairdressing to be carried out in addition to the range of nail and beauty related treatments already approved to be provided at Bridge House, Riverside Buildings, Bailey Hills Road, Bingley.

Applicant:
Miss Emma Harrison

Agent:
Not applicable

Site Description:

The application property is a two storey building built in stone in the late 1980's. The property shares its curtilage with two other office buildings and is located off the lower end of Bailey Hills Road, approximately 400m from Bingley Town Centre. There is a courtyard parking area which serves all these buildings and Bridge House has use of three spaces. The site is located between Bailey Hills Road and the river Aire and to the west of residential development in Old Main Street.

Relevant Site History:

94/03028/COU Change of use from office to mental health centre Approved 23.01.1995
10/03573/FUL Change of use from an NHS building to nail and beauty salon
Approved 12.11.2010

Replacement Unitary Development Plan (RUDP):

Allocation

The site is unallocated but is within the Bingley Conservation Area.

Proposals and Policies

UR3 – The Local Impact of Development
D1 – General Design Considerations
BH7 – Development in Conservation Areas
TM19A Traffic management and Road Safety
TM11 – Parking Standards for Non Residential Development

The Draft National Planning Policy Framework (DNPPF):

The Draft 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 Draft Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Parish Council:

Not applicable

Publicity and Number of Representations:

The application was publicised by neighbour notification letters and site notice. Expiry date for comments was the 2nd March 2012.

12 representations received from 10 households objecting to the proposal.

Summary of Representations Received:

- 1. Lack of adequate on site parking for additional use will result in on street parking in residential area and hazardous road conditions;
- 2. Amenity of local residents will be adversely affected by congestion on local roads;
- 3. Over congested street will affect character of Bingley Conservation Area;
- 4. Use will take trade from Bingley Town Centre.

Consultations:

Drainage Section – has no comments to make

Highways DC – condition is not highways related so have no comments.

The Design and Conservation Team has no objection. However if additional signage is proposed it should be sympathetic to the building and the setting of the conservation area.

Summary of Main Issues:

- i) Background to the condition
- ii) Impact on local environment;
- iii) Impact on neighbouring occupants;
- iv) Impact on highway safety.

Appraisal:

Background to the condition

The original planning permission 10/03573/FUL authorized change of use from an NHS building to “nail and beauty salon”. Condition 2 of that permission stated the following :

The development hereby approved shall only be carried out in accordance with the approved plan(s) listed below:

Annotated site plan stamped amended and received by the Council on 19th October 2010 showing three car parking spaces within the curtilage of Riverside Buildings, and applicant's letter dated 27th October 2010 received by the Council on 2nd November 2010 specifying the full range of nail and beauty related treatments to be provided at the premises.

Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted.

The letter dated 27th October 2010 referred to in the condition was from the applicant. It confirmed amongst other things that the proposal was to offer nail and beauty treatments under one roof and divided these into treatments for “Hands and Feet” and treatments for “Face and Body”. Strictly speaking, no mention was made of hair treatment. However, the applicant has since implied that this was an unfortunate oversight and has made the point that hair treatments are an integral feature of all beauty treatment businesses.

It would seem that the business is now providing hairdressing services and so, following complaints, this application was requested to regularize the situation.

Impact on Local Environment:

It is not considered that the proposal would be detrimental to the character of the local area or the Bingley Conservation Area as there are to be no external alterations to the building arising from the inclusion of hairdressing. The Council's Design and Conservation Team has raised no objections to the proposal and it is therefore considered to comply with Policies D1, UR3 and BH7 of the Replacement Unitary Development Plan.

Impact on the amenity of occupiers of neighbouring properties:

The surrounding residential properties are acknowledged to be situated at close quarters to the existing business. However, the addition of hairdressing to the range of services offered by the business is not considered to affect the amenity of occupiers of neighbouring properties. As there will be no addition to the built form of the unit there will be no additional overlooking or overshadowing of neighbouring properties.

In acknowledgement of the concerns raised by objectors to the original application 10/03573/FUL, a planning condition was imposed restricting hours of business to ensure that the premises shall not be used outside the hours of 8.00 to 20.30 Mondays to Fridays and from 8.00 to 17.00 on Saturdays and not at all on Sundays, Bank or Public Holidays. It is proposed that this condition should be re-applied to the newly issued permission so that these hours restrictions also apply to the hairdressing component.

Subject to this condition it is not accepted that the addition of hairdressing to the range of beauty treatment services offered would have any significant negative impact on the amenity of occupiers of neighbouring properties.

Impact on Highway Safety:

The objectors are concerned that including hairdressing in the services provided will result in an increase in parking requirements. However, there is no evidence that this is the case. As well as limited parking within the site, there is parking provision both in the form of a public car park and on street parking reasonably nearby on Bingley Main Street.

The site is accessed from Bailey Hills Road, via Bingley Old Road. The character of the business is such that only normal small scale vehicles are expected to visit the business with the probability that only a limited number of extra clients being able to be accommodated within the new hairdressing section of the business. The applicant has indicated that all treatments would be provided by appointment. The proposal is therefore not considered to increase the need for parking in the area to an unacceptable degree to justify the refusal of this application. Nor will the proposal have a detrimental impact in terms of highway safety either from traffic generation or visual aspect.

The Council's Highways Development Control officer does not consider the application to have any impact on the existing highway use and has raised no objections.

Other issues/Business considerations/conclusion

As only a small part of the premises are involved, it is not considered that the proposal will affect the viability of Bingley Town Centre given that the hairdressing activity will be ancillary to a range of beauty treatments already offered at the site.

In making this recommendation weight has been given to PPS4 and the Draft National Planning Framework insofar as these urge Local Planning Authorities to adopt a positive approach to the needs of business. Whilst the limitations of the site referred to by local residents are acknowledged, it is not considered that offering hairdressing as part of the range of beauty treatments would so significantly worsen problems of amenity or parking congestion as to justify such a restriction of the range of services provided by this enterprise.

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.

Reason for Granting Planning Permission:

The proposal would introduce a small scale hairdressing addition into an existing nail and beauty business in a reasonably self-contained enclave. It is noted that access and off street parking provision are limited, however, it is considered that there are sufficient on street parking, public car parking, and public transport options available locally to adequately provide for any demand additional. The proposed additional use, with controlled hours of operation, is not likely to give rise to noise, smell or other nuisances that might adversely affect the residential amenity of neighbours, and no adverse impact is foreseen on the character or appearance of the Bingley Conservation Area. The proposal is therefore considered to comply with policies UR3, D1, D3, BH7 and TM11 of the Replacement Bradford Unitary Development Plan (2005).

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 approved shall only be carried out in accordance with the approved plan(s) listed below:

Annotated site plan, RH/OB/1E, dated 11.2.00 received by the Council on 16.1.2012
Proposed layout, Y-2019-04, dated April 2011 received by the Council on 16.1.2012
And the applicant's letter dated 27th October 2010 and received by the Council on 2nd November 2010 specifying the full range of nail and beauty related treatments to be provided at the premises along with the hairdressing use.

Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted.

3. The premises shall not be used outside the hours of 8.00 to 20.30 Mondays to Fridays and from 8.00 to 17.00 on Saturdays and not at all on Sundays, Bank or Public Holidays.

Reason: In the interests of the amenities of neighbouring residents and to accord with Policy UR3 of the Replacement Unitary Development Plan.

Area Planning Panel (Shipley)

11/05133/FUL

21 March 2012



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ITEM NO. : 3

LOCATION:
Laverly House
West Lane
Baildon

21 March 2012

Item Number: 3
Ward: BAILDON
Recommendation:
TO GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS

Application Number:
11/05133/FUL

Type of Application/Proposal and Address:
Full planning application for demolition of existing house and erection of a 56-bedroom nursing home at Laverley House, West Lane, Baildon, BD17 5DX

Applicant:
Mr Brendan Holt

Agent:
P.N. Bakes Architectural Consultancy

Site Description:
Laverley House is a two-storey modern detached house on a 0.43 hectare site in the western suburbs of Baildon. It is built in random stone and set back behind a low walled frontage with West Lane. The garden slopes gradually down towards the south such that the existing house stands slightly below street level. In grounds to the east, beyond a boundary hedge and fence, is Ardyng Nook – a rendered, slate roofed detached house with an entrance and what appear to be landing windows facing towards the application site. The west boundary of the plot is defined by a 2 metre high stepped, close boarded fence bordering the unmade and unadopted Stubbings Road. Beyond this road is Seven Steps – a detached modern house with a low hipped roof. This has minor secondary windows and doors facing towards the site. Across Stubbings Road lower down is Glenwood – an older detached house with windows facing towards the Laverley House grounds. To the south of the site, set at a lower level behind dense boundary trees and vegetation is Redhurst, a red tiled stone house with a side wall towards the site. Across West Lane to the north of the site is a line of detached 1970s bungalows at 201-209 West Lane. These are set about 1 metre above street level behind a variety of hedges and fences abutting the street.

Relevant Site History:
11/03195/FUL - Demolition of existing dwelling, and construction of Nursing Home.
Withdrawn
10/05005/OUT - Demolition of existing house and construction of four houses and two bungalows. Granted 28.02.11
10/03010/OUT - Demolition of existing house and construction of 10 houses with garages and new access road. Withdrawn.
97/02133/OUT - Residential development. Withdrawn
94/02550/OUT - Construction of two bungalows. Refused 21.3.95
94/01064/FUL – Construction of new bungalow. Granted 22.9.94

Replacement Unitary Development Plan (RUDP):

Allocation

Unallocated on the RUDP Proposals Map.

Proposals and Policies

UR3 – local planning considerations

D1 – design considerations

D5 – landscaping

BH14 – Protection of the Saltaire World Heritage Site

TM2 – transport impact and mitigation

TM11 – car parking standards (non residential)

TM19A – traffic management and road safety

The Draft National Planning Policy Framework (DNPPF):

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- 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 Draft Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Parish Council:

Baildon Parish Council objects on grounds of the proposal being too large for the size of the plot. It will appear incongruous in the street scene and will exacerbate local traffic congestion in the area. It would add to pressure on the utilities in the area and there are poor public transport links.

Publicity and Number of Representations:

Publicised by neighbour notification letters and site notice advertising the proposal as a Major Development expiring 16 December 2011.

23 objections have been received (including one from the MP and two from Ward Councillors)

Two Ward Councillors have asked that the application be referred to Area Planning Panel for adjudication if Officers are mindful to accept the proposal.

17 emails/letters of support have been received.

Summary of Representations Received:

Supporters

Support the application because there will be a high demand for the high quality care home being proposed. Quality residential care facilities for the elderly are hard to find in the local area and this will be a much needed community facility.

There is a need to have enough care homes to accommodate a growing elderly population and it is preferable for elderly relatives to be able to remain in an area they feel comfortable with and where they feel safe and comfortable.

Such a building in well kept grounds would appear entirely appropriate in the setting.

It will also be a source of jobs for local people at a time when unemployment levels are high. Providing jobs in Baildon will reduce the need for people to travel out of the area to work thus reducing levels of traffic on the roads.

The wider benefits outweigh any minor and temporary inconvenience it might cause for residents in the immediate vicinity.

Objectors

This very large nursing home would be out of scale with the surrounding residential area.

It is over development that will reduce the sense of spaciousness and change the character of the locality.

By nature of its size it represents over development. There isn't enough space, the scale of this proposal is too intrusive and the number of parking spaces seems inadequate for its size. The proposal should be resisted as "garden grabbing".

It is a bulky building. By nature of its design and scale it is inconsistent with its immediate environment which is one of detached residential properties.

The solid length of the building would dominate Stubbings Road and cause overlooking and overshadowing to properties such as Seven Steps.

There is insufficient car parking for visitors and staff. Visitors' cars parked outside would obstruct access to nearby residents' homes and cause hazardous congestion problems.

The exit from Stubbings Road is hazardous and additional traffic flow on it will make this more problematic. There are specific concerns regarding possible use of this road for deliveries to the kitchen and food store.

The proposal will increase the amount of traffic in an already very busy area. West Lane is already over developed having seen substantial development over the last 20 years and vehicles travel along West Lane/Lucy Hall Drive at high speed.

The site is poorly served by public transport and so is not a sustainable location for this facility.

It would be sad to see the existing house demolished.

It will cause an increase in noise and disturbance to local residents.

Vacancies in nursing homes less than 3 miles from here cannot be filled. If this building is allowed to go ahead it could turn into a huge white elephant.

With reference to the amended plans, objectors consider the addition of 3 disabled car parking spaces to be still inadequate for the parking requirements of this huge building which is out of keeping with the area.

Consultations:

Natural England – site does not appear to affect any statutorily protected sites or landscapes. Follow standing advice in respect of any protected species e.g. bats.

Drainage Services : Separate foul and surface water drainage required. Subject to assessment of ground conditions the site should be investigated for sustainable surface water drainage methods and porous surfaces for vehicle areas is to be encouraged. Surface water to combined sewer in Stubbings Road should be agreed with sewerage undertaker (YW) in the event that sustainable surface water disposal proves impractical.

Landscape Architect : Suggested visual montages be requested to assess impact of boundary treatments and suggested that landscape planting needs to be well considered with large specimen trees used to replace those recently removed.

Heritage Conservation : The site is within the World Heritage Site Buffer Zone and initially, concerns were raised regarding the visual impact of the proposed care home when viewed from within Saltaire World Heritage Site. A heritage statement has been received addressing this impact and the Conservation Officer accepts that the development can be supported and will have limited impact on the setting of Saltaire - subject to care over materials and colours.

Highways DC : Had no objections to previous proposal for a 64 bed nursing home and no objections to this smaller proposal on highway grounds. The proposed parking provision was originally slightly less than would be required by RUDP parking standards but has since been increased on the amended plans. Recommends standard conditions.

Summary of Main Issues:

1. Principle of nursing home development on the site.
2. Appropriateness of the development to the character of the area
3. Impact on the World Heritage site
4. Highway, access and parking issues
5. Impact on the amenity of occupiers of adjoining properties.
6. Trees/landscaping

Appraisal:

Principle of nursing home development on the site

The existing house is set in a large garden of 0.43 hectares. It is a modern house of limited architectural merit and there are no objections to its demolition. Indeed, there is already a valid permission for demolition and development of new housing (4 houses and 2 bungalows) on this site. The principle of more effective use of the site for development is therefore acceptable and it is not considered that development can be resisted on grounds that it is "garden grabbing". However, the appropriateness of the height, form and design of the building and its impact on character are important material considerations.

Objectors have said that a nursing care home is incompatible with the residential character of the surrounding area. Some liken it to a semi-industrial use. However, this view does not reflect the fact that many nursing homes co-exist with housing in many other suburban residential areas across the Metropolitan district. There is no policy to restrict them to industrial areas, for example, nor would it be desirable to restrict the housing of elderly people to such areas. Many nursing homes co-exist satisfactorily with the residential neighbourhoods within which they are located and a similar use in this suburban part of Baildon would be acceptable in principle.

As well as meeting locally generated need for more and better quality care for the elderly, the development would provide care jobs for local people. The application form suggests that the facility would provide 20 full time and 20 part time jobs. This is welcomed by many of the supporters of the proposal and is an important material consideration in the current economic climate and with due regard to PPS4 and the Draft National Planning Framework.

Objectors and Parish Council say that the site is not suitable because it is not particularly well served by public transport. However, the nature of the proposed use is such that unfortunately few of the residents would be able to make use of such public transport links, or need to do so given that their needs would be met within the facility. Staff would have to travel to the site but, as some supporters point out, the jobs created will be accessible to people from within Baildon and reduce the need to travel to areas further afield for work. Many employees recruited locally would be able to walk to the site as well as travel there by car. It is not accepted that the argument about lack of public transport services presents a compelling reason for refusal for this type of use.

Appropriateness of the development to the character of the locality

This suburban part of Baildon consists of a mix of houses and bungalows at generally low density. The area includes older large properties set in generous grounds, rows of modern properties such as the bungalows on West Lane and housing grouped in modern estate layouts. Space and trees are important characteristics but architectural styles are quite varied.

The proposed nursing home differs in form and massing to surrounding housing due to the operational need to provide care accommodation in one building, under one roof and with level access across both storeys. This results in a greater mass of building than is usual in this area of detached houses and it takes on a different form compared with the previously approved housing scheme for 6 detached dwellings around a Mews Court cul de sac.

However, the proposed building heights of 5.8 metres to eaves 9.2 metres to ridge are broadly comparable to those of conventional 2 storey houses. The proposed nursing home building would clearly have a greater width than existing dwellings in the area, but its impact is not significant as it would be set back a reasonable distance into the site behind the site boundaries. Its impact on West Lane, for instance, is mitigated by being set 22 metres back from the street frontage and below its level due to the slope of the site. The position, height and L-shaped configuration of the building would help ensure that the building would not appear unduly intrusive or dominant. It would be set comfortably on the plot with space retained to boundaries to allow for replacement tree and shrub planting to the perimeters. Various cross sections are provided to illustrate this point and that the nursing home would not have an overbearing or harmful impact on the street scene in West Lane.

The proposed materials for the development would be predominantly artificial stone for the external walling. Render originally proposed on the south elevation has been omitted to reduce the potential prominence of the building in the wider landscape especially when viewed from Saltaire. The originally proposed Eternit roof materials have been changed to a proposal for artificial stone or natural blue slates with a non-reflective finish to reduce the prominence of the development in wider views. The types of artificial stone walling (Brown Old Weathered Costhorpe Stone) and roofing materials suggested in the Heritage Statement are of high quality and considered acceptable given the site context. It is proposed that final samples of all external materials be reserved for approval by condition to ensure an appropriate quality.

Despite taking on a different form to the previously approved scheme for 6 houses, the proposed nursing home is of a design, scale, massing and height that would be appropriate to the existing character of the locality. Cross sections demonstrate that, whilst wider than conventional houses, the nursing home would be of similar two storey height and as it would be set below the level of West Lane and appropriately separated from surrounding dwellings and site boundaries, it would not appear overbearing or cramped. Appropriate space to boundaries is retained and arrangements for servicing, waste handling and storage are satisfactory. It is considered that the development appropriately maintains the character of the locality and satisfies the requirements of RUDP Policy D1.

Impact on the Saltaire World Heritage Site

The site is located on the hillside directly above Saltaire and within the World Heritage Site Buffer Zone. Policy BH14 of the RUDP seeks to safeguard the setting of the World Heritage Site and prevent development which would adversely affect the character, appearance, setting or views into or out of it unless a suitable programme of mitigation is presented. The Council's Conservation Officer was initially concerned about the scale of the nursing home and how it would sit in views from Saltaire and in views of Saltaire from the moors above Baildon. To address these, the agent has now submitted a Heritage Statement dealing with the impact of the proposal on the character and appearance of Saltaire.

This concludes that whilst the development would be visible from some vantage points in Saltaire, it would not form a significant focal point, being largely screened by other buildings, the topography of the valley and mature tree cover. Being set back from West Lane and set down into the site, the impact on the street scene of West Lane would also be minimised. The Heritage Statement concludes that, despite being larger than conventional housing, the building would not intrude onto a prominent skyline and is well related to existing natural and built features, landmarks and views into and from within the Saltaire. Due to its position on the wooded hillside and use of hipped rather than gabled roofs, it would have a neutral effect on the World Heritage Site.

The Council's Conservation Officer concurs with these findings. The development, and particularly its roof would be seen from some views, and so the Conservation Officer confirms the need to exercise care in the final selection of materials to ensure a high quality finish and minimise that impact. The roof materials will be particularly important. However, other merits of the design are its relatively low profile for the scale of building and the simple hipped roof profile. The Conservation Officer is satisfied that supplementary evidence from the agent has demonstrated that the appearance, setting and views into and out of Saltaire are not compromised by the proposal.

Highway issues

Objectors say that West Lane has already seen substantial new development over recent years and cannot cater for this type of development. However, the agent has said that the facility would be for persons in acute need of care. These would not generally be car owners and would not be coming to and from the premises on a daily basis. Traffic movements in and out of the site would therefore be predominantly as a result of visitors (relatives and health/care professionals) and staff. On the application form it is indicated that there would be up to 30 FTE staff (20 Full Time/20 Part Time), but these would be staffing the facility over 3 shifts - not all would be on site at any one time.

Despite local concerns, the Council's Highway Officer supports the principle of a nursing home development and has no objections to the type or size of facility being proposed on grounds of local highway capacity or road safety.

To address initial concerns regarding the adequacy of car parking facilities the parking layout has been amended to increase the amount of parking from 24 to 26 spaces. The amended proposal now includes appropriate provision for disabled drivers close to the building entrance. This now fully accords with RUDP parking standards.

All vehicular and pedestrian access to the nursing home facility would be from its frontage with West Lane. This is acknowledged to be a reasonably well used highway but it is built to a reasonable standard with footways and lighting. The Council's Highway Officer does not consider that a 56 bed home would exceed the capacity of the local highway network and, despite concerns from local residents, there are no objections to either the principle or scale. Nor are there objections to the design and position of the proposed site access and the access and servicing arrangements shown on the submitted drawings.

Concerns from immediate neighbours regarding possible use of Stubbings Road have been noted, but the layout drawings do not propose any form of pedestrian or vehicle access from this unmade road. A solid boundary would be maintained down this edge of the site and all access would be from West Lane. A condition to ensure that no pedestrian or vehicle access is formed from this unmade road at a later date would be an appropriate means of addressing residents' concerns on this point.

Impact on amenity of occupiers of adjoining properties

The nearest house to the development would be Ardyng Nook to the east. However, this detached house is set some distance off the boundary and some 29.4 metres from the new building with an existing fence and hedge providing screening between. In addition, Ardyng Nook has what appear to be only secondary windows facing towards the site. The architect's "street scene" elevation shows that although the nursing home would have a more substantial mass than the existing house, its height, position and degree of separation to Ardyng Nook is such that it would not appear unduly dominant or overbearing.

Similarly the new building would be some 30.5 metres from Seven Steps – the dwelling to the west. The impact on occupiers of Seven Steps would not be significant given the degree of separation across the intervening Stubbings Road and given the apparent lack of habitable room windows in the side elevation of this neighbouring house.

The new building would be closer to Glenwood, a dwelling that has several windows facing the site. However, a separation of between 24 and 27 metres would be maintained between the windows of the new development and this dwelling, with the existing screen fence shown retained in between. It is not considered that the outlook or privacy of occupiers of this dwelling would be significantly affected by the proposal.

The new building would be set well away from the southern boundary with Redhurst where the existing mature planting and a separately owned buffer area would continue to provide an effective screen and unaffected by the development. The setting of Redhurst at a significantly lower level would also help preserve the outlook and amenity of this property.

Several objections are submitted by occupiers of bungalows 201-209 West Lane which face the site from across the public highway. However, as previously discussed, the new Nursing Home would be set well back from the street frontage. As the bungalows on West Lane are elevated slightly above street levels and the new building slightly below it, the Nursing Home would have no significant impact on outlook, daylight or amenity of these occupiers. The degree of separation of windows in the nursing home to windows in the bungalows also exceeds what would normally be required to preserve privacy and prevent undue overlooking.

It is inevitable that a degree of disturbance will arise during construction work. However, this would be limited given the self-contained nature of the development site and degree of separation to adjoining properties and could not be used as a justifiable reason for refusal of development. Further precautions to protect residential amenity could be taken by means of the standard condition controlling permitted hours of construction work. The proposals would have no appreciable impact on the amenity of occupiers of any of the surrounding properties and accords with this aspect of Policy UR3 of the RUDP.

Trees/landscaping

There are currently no trees of note on the site apart from the line along the south boundary. The proposed building stands further off these trees than the houses approved under the previous outline application 10/05005/OUT. The trees adjoining the southern boundary and the existing hedge to the east would be retained for privacy.

Objectors say that other trees on the site were felled prior to the first application being made. Photographs indicate the presence of trees along the site frontage that are now gone. However, although these trees would have helped screen the site and may have provided character to the West Lane and other frontages, they were not protected.

The submitted drawings show new planting proposed within the grounds of the development to compensate for any previous loss of environmental quality including along the West Lane frontage. The proposals are only in indicative form, so a fully detailed planting scheme should be required by condition to develop these proposals and ensure use of appropriate species. Comments of the Council Landscape Architect that this needs to be well considered and use specimen trees are acknowledged. In time replacement planting will restore the character and enhance the setting of the development in accordance with RUDP Policy D5.

Bats

A bat survey by an appropriate expert is submitted with the application but has found no evidence of bats roosting at the site and considers there to be a low risk of bats being present. Precautionary measures during demolition are advised. It is accepted that there is not a reasonable likelihood of bats being present and that the mitigation measures recommended are appropriate.

Infrastructure Contributions

Being a facility for nursing care, affordable housing is not required and the proposal will not be placing any burdens on local education facilities so requirements for enhancement of local education provision under Policy CF2 would be unreasonable. In respect of Recreation Open Space, RUDP Policy OS5 requires provision of recreation open space or an equivalent contribution for facilities off site only in respect of residential development. Being a Class C2 Nursing Care Home the policy would not apply to this development.

Other Issues

Objectors claim the facility is not needed because places at other Nursing Homes in the locality cannot be filled. However, such claims are unsubstantiated by hard evidence and there could be many factors influencing the uptake of care facilities elsewhere, including the nature and quality of the care facilities being offered at other sites. The general need for nursing care across the District is rising as the general population ages and expectations for better quality of care are also rising. Several other people have written in support saying that there is demand for better quality local care in Baildon. It has to be presumed that the developer would not have embarked on the proposal if not confident of local demand, but in any case viability is a commercial matter for the developer, not a material planning consideration for the Local Planning Authority.

Community Safety Implications:

None foreseen.

Reason for Granting Planning Permission:

The site has a previous planning permission for residential redevelopment and, in principle, an alternative development of a nursing home would be compatible with the surrounding area and would meet local need and provide jobs. The proposals are considered to be of appropriate scale, design and materials and will have no appreciable impact on the amenity of occupiers of neighbouring properties, the character of the surrounding area, the street scene or on the Saltaire World Heritage Site. The proposed development is provided with adequate arrangements for access, servicing and car parking and is not considered to have any harmful impact on the surrounding highway network or on road safety. The development is considered to accord with Policies UR3, D1, D5, BH14, TM2, TM11 and TM19A of the Replacement Unitary Development Plan for the Bradford District.

Conditions of Approval:

1. The development hereby approved shall only be carried out in accordance with the approved plan(s) listed below:

Proposed Ground Floor Plan B/11/780/02D
Proposed 1st Floor Plan B/11/780/03D
Proposed Cross Sections B/11/780/06D
Proposed roof Plan B/11/780/07D

Received by the Council on 11th November 2011.

And with the following amended drawings :

Amended Site Layout 11/780/01E
Proposed Elevations (1 of 2) 11/780/04E
Proposed Elevations (2 of 2) 11/780/05E

Received by the Council on 16th January 2012

Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted.

2. Notwithstanding details shown on the approved drawings, before development commences on site, samples of all external facing and roofing materials to be used in the development hereby permitted, including details of the render and the colour and materials of window frames shall have been approved in writing by the Local Planning Authority. The development shall be constructed utilising the approved materials.

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.

3. The development shall not be begun, nor shall any site preparation or groundworks be carried out, or materials or machinery brought on to the site until temporary Tree Protective Fencing has been installed around the root protection areas of the retained trees on or adjoining the development site. The Tree Protection fencing shall be to a minimum standard as indicated in BS 5837 (2005) 'Trees In Relation To Construction' being of scaffold type construction driven at least 0.6 metres into the ground and secured by chipboard panels or similar. The position of the temporary Tree Protective Fencing will be outside root protection areas of the trees (unless otherwise agreed with the Local Planning Authority).

The temporary protective fencing shall remain in position around the trees and shall not be moved for the duration of the construction phase of the development. No development, excavations, engineering works and storage of materials or equipment shall take place within the root protection areas for the duration of the construction phase of the development without written consent by the Local Planning Authority.

Reason: To ensure trees are protected during the construction period and in the interests of visual amenity. To safeguard the visual amenity provided by the trees on the site and to accord with Policies NE4 and NE5 of the Replacement Unitary Development Plan.

4. Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site in accordance with the approved plan numbered B/11/780/01E.

Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

5. Before any part of the development is brought into use, the visibility splays at the site entrance shall be laid out in accordance with the approved drawing and there shall be no obstruction to visibility exceeding 900mm in height within the splays so formed above the road level of the adjacent highway.

Reason: To ensure that visibility is maintained at all times in the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

6. Before any part of the development is brought into use, the proposed car parking spaces, including the parking provision for disabled drivers, shall be laid out, hard surfaced, marked out into bays and drained within the curtilage of the site in accordance with the amended plan numbered B/11/780/01E. The car parking facilities so approved shall be kept available for use while ever the development is in use.

Reason: In the interests of highway safety and to accord with Policy TM11 of the Replacement Unitary Development Plan.

7. Notwithstanding details shown on the approved drawings, the development shall not begin until a detailed scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall comprise planting to the site frontage and boundaries in the locations shown on drawing B/11/780/01E and shall include planting of specimen trees at appropriate locations to those frontages.

The landscaping scheme show the following details:

- i) Position of all trees to be retained on the site;
- ii) Details of proposed new trees and details of new shrub areas - including the extent of such areas and the numbers of trees and shrubs in each position with size of stock, species and variety;
- iii) Details of any regraded contours and details of changes in level within the site associated with landscaping.

The landscaping scheme so approved shall be implemented during the first available planting season following the completion of the dwellings hereby approved.

Any trees or shrubs comprising the approved landscaping becoming diseased or dying within the first 5 years after the completion of planting shall be removed immediately after the disease/death and a replacement tree or shrub of the same species/specification shall be planted in the same position no later than the end of the first available planting season following the disease/death of the original tree or shrub.

Reason: In the interests of visual amenity and to accord with Policies UDP3, UR3, D1 and D5 of the Replacement Unitary Development Plan.

8. No vehicle or pedestrian access shall be formed to the development from Stubbings Road except with the prior written permission of the Local Planning Authority.

Reason: To prevent vehicular use of this substandard highway to serve the development, in the interests of highway safety and residential amenity and to accord with Policies UR3 and TM19A of the Replacement Unitary Development Plan.

9. The development shall be drained using separate foul sewer and surface drainage systems.

Reason: In the interests of pollution prevention and to ensure a satisfactory drainage system is provided and to accord with Policies UR3 and NR16 of the Replacement Unitary Development Plan.

10. Construction work shall only be carried out between the hours of 0730 and 1800 on Mondays to Fridays, 0730 and 1300 on Saturdays and at no time on Sundays, Bank or Public Holidays, unless specifically agreed otherwise in writing by the Local Planning Authority.

Reason: To protect the amenity of the occupants of nearby dwellings and to accord with Policy UR3 of the Replacement Unitary Development Plan.
