



Report of the Chief Planning Officer

PLANS PANEL (EAST)

Date: 23rd February 2012

Subject: APPLICATION 11/04636/FU – Change of Use from Class B1 (office) to Class D1 (nursery), Thornfield Court, Bruntcliffe Road, Morley

APPLICANT

The Academy Child Care
Centre – Mrs G Price

DATE VALID

3 November 2011

TARGET DATE

29 December 2011

Electoral Wards Affected:

Morley South

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

GRANT PERMISSION subject to the following conditions:

1. Statutory time limit
2. Compliance with the approved plans
3. Details of bin storage
4. Plan of parking area, including turning area to be hatched
5. Provision of pedestrian refuge on Bruntcliffe Road prior to occupation of development
6. Provision of TRO to restrict parking on Bruntcliffe Road prior to occupation
7. Details of cycle parking
8. Widening of access prior to occupation
9. Visibility splay in a westerly direction, and land to be dedicated as highway.
10. Vehicle areas to be surfaced and sealed
11. Stone gate post to be reinstated

Details of conditions to be deferred and delegated to Officers.

Reasons for approval: This application has been considered in accordance with the requirements of local and national planning policy and it is considered that the proposed development is acceptable in terms of the principle of the use, the character of the area, highway safety and amenity. As such considered to comply with the relevant planning policies in the UDP Review. As such the application is recommended for approval.

1.0 INTRODUCTION:

1.1 Because of severe doubts about the suitability of the site for a children's' day nursery, which are all to do with on-site and off-site highway matters, Councillor Tom Leadley has requested that the application be determined by Plans Panel, following a site visit, the purpose of which would be for Members to see the scope for manoeuvring vehicles and dropping children off within and outside the application site, and problems of egress onto Bruntcliffe Road (A650), particularly the sight line towards Bradford.

2.0 PROPOSAL:

2.1 The change of use is from a Class B1 (office) use to Class D1 (day nursery). It is anticipated that the nursery would accommodate 36 children, with an anticipated occupancy level of 29 children.

2.2 The existing 10 space car park to the rear of the building is to be used for staff and parents for dropping-off/collection. It is proposed to widen the vehicular access to 5m, and the initial 5m of access road is proposed to be widened to 5m, to allow two-way passing.

2.3 A pedestrian gate through the existing boundary wall onto Bruntcliffe Road is proposed. A 1.0m high fence is proposed, to define the external play area, this is located to the landscapes area opposite the building.

2.4 A central island across Bruntcliffe Road is proposed. The exact details are subject to detailed design.

3.0 SITE AND SURROUNDINGS:

3.1 The application site consists of a detached stone office building, originally constructed in later Victorian times as a coach house. Access is onto Bruntcliffe Road, to the front, with car parking to the rear, and landscaped grounds to the side of the site.

3.2 The Masonic Hall is located to the rear of the site, and is accessed from a separate access point to the east. The extensive grounds of the Hall occupy much of the land to the south- east of the application site.

3.3 Cottages and farm buildings occupy land to the north-west of the application site, with other agricultural buildings, located behind them, the south. Land to the north of Bruntcliffe Road is mainly residential in character.

4.0 RELEVANT PLANNING HISTORY:

4.1 None

5.0 SUMMARY OF NEGOTIATIONS:

5.1 Pre-application, the applicant was advised that a pedestrian refuge would be required. During consideration of the application, the following amendments have been negotiated:

- i. Widening of the access to 5.0metres.
- ii. Hatching to a parking space, for use as turning facility.
- iii. TRO to address any on-street parking.
- iv. Visibility splay to be provided in a westerly direction and land to be dedicated as highway land

6.0 PUBLIC/LOCAL RESPONSE:

6.1 Site Notices posted on 18 November 2011. No letters of representation from local residents have been received with regard to this application.

6.2 Morley Town Council –

In respect of the building, the change of use in itself is acceptable, but the potential for sharp increases in amounts and peaks of vehicle movements seems unsatisfactory. This section of A650 is busy, and parking/turning is limited within the site. The sight line towards Bradford is extremely poor, which might be tolerated for low volumes of traffic generated by day-time office use, but could become alarming if used by larger amounts of day nursery traffic which would peak at drop-off and pick-up times. Because of the limited space within the site, parents may park on Bruntcliffe Road. A space should be hatched and reserved for turning.

6.3 A single pedestrian refuge would be insufficient to cope with this, there would have to be a zebra crossing, reinforced by a crossing warden at appropriate times. Even so, cars parked on A650 would not be desirable because of large amounts of fairly fast-flowing heavy traffic. The application is objected to, because of the inadequacy of arrangements for parking and turning cars within the curtilage and the poor sight line towards Bradford.

7.0 CONSULTATIONS RESPONSES:

7.1 Highways – no objections subject to conditions.

7.2 Neighborhoods & Housing - No objections

8.0 PLANNING POLICIES:

8.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 states that the statutory Development Plan will continue to be the starting point in the consideration of planning applications for the development or use of land, unless material considerations indicate otherwise. The development plan comprises the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development.

8.2 The following UDP policies are relevant:

- GP5 seeks to avoid problems of environmental intrusion and loss of amenity.
- T2 – address highway safety considerations
- T24 – parking guidelines

8.3 Under Policy H3-2A5, 7.14 hectares of land to the west and south of the Masonic Hall are allocated for housing in the UDP. In January 2012, Barratt's undertook a public consultation exercise, for a housing proposal up to 175 dwellings on land broadly in line with the allocation. That proposal, when submitted, is likely to include proposals for pedestrians crossing Bruntcliffe Road, and any access proposal on the current application should not prejudice the bringing forward of a suitable access arrangement to serve the allocation.

National Planning Policy

- Planning Policy Statement 1 Delivering Sustainable Development
- Planning Policy Statement 4 Planning for Sustainable Economic Growth
- Planning Policy Guidance 13 Transport

9.0 MAIN ISSUES

1. Principle of development.
2. Visual amenity
3. Residential amenity
4. Highway safety
5. Conclusion

10.0 APPRAISAL

Principle of development

- 10.1 There are no objections in principle to the change of use. The loss of a small scale office does not generate concerns at loss of employment opportunities in the area. A day nursery would be assessed on its merits in relation to amenity and highway safety considerations. PPS4 states that local planning authorities should adopt a positive and constructive approach towards planning applications for economic development, and planning applications that secure sustainable economic growth should be treated favourably. In this case, the applicant has indicated that 8 (full time equivalent) jobs would be created.

Visual amenity

- 10.2 The proposal would have very little impact on the street scene. A short section (approximately 1.5m) of boundary wall would be removed so that the access can be widened to 5m (to allow two-way passing). The existing stone gate post would be retained. To the rear of the site, one small tree planted within a parking bay, would be removed, and this would not be harmful to the street scene. The 1m high fence to define the external play area, would not be harmful, given its low stature.

Residential amenity

- 10.3 The use of external areas for play often has the potential to lead to concerns at noise and disturbance. However, in this case, the play area faces onto an open and otherwise landscaped area to the front of the Masonic Hall, and as such no harm would rise to any residential amenity. The nearest residential properties are approximately 23m to the west of the building, and would not be impacted upon by outside play. Neighbourhoods & Housing raise no objections.

Highway safety

- 10.4 It is anticipated that the number of vehicle trips could be slightly higher than the existing office use (according to the TRICS database) and there would be more two way vehicle movements, as the office use would be mostly arrivals in the morning and departures in the evening. Therefore, it is appropriate to widen the access point to ensure two-way passing can be accommodated at the access. The initial 5m of access road is also required to be widened to 5m, and these amendments are included in the revised plans.

- 10.5 Traffic Management Section has been consulted on the proposal, and is satisfied that the proposed refuge can be accommodated. The exact details would be subject to a condition – the current position as shown on the plan would affect access points on the opposite side of Bruntcliffe Road. It is suggested that the position be moved to a point between the access and Ashfield Road. The refuge would include an illuminated bollard. Highways consider a more significant formal crossing could not be justified in terms of numbers of crossing movements generated by the proposed

use. The refuge can be accommodated without impacting on any measures which may be required for the proposed housing allocation proposal.

- 10.6 Consideration has been given to the suggestion that parents may not wish to enter the site, and drop-off on Bruntcliffe Road .It is proposed to add a condition to secure a Traffic Regulation Order to restrict parking around the access point and adjacent to the pedestrian refuge. Furthermore, it is proposed to add a condition requiring one of the parking spaces to be hatched, to be reserved for a turning space.
- 10.7 It is acknowledged that visibility towards Bradford is substandard, but the existing use has potential to generate a significant amount of traffic and an objection on this basis would be difficult to sustain. However, the applicant has confirmed that the wall adjacent to the frontage which restricts visibility in a westerly direction will be set back 1.5m in order to achieve a satisfactory visibility splay. The land between the wall and the footpath will be dedicated as highway land.
- 10.8 In terms of parking numbers, the UDP does not provide guidance on requirements for a day nursery. However, staff car parking requirements are generally low and pick-ups and drop-offs are generally staggered over the course of a couple of hours in the morning and evening peaks and the number of bays is considered adequate.
- 11.0 CONCLUSION**
- 11.1 The proposed change of use is considered acceptable. Highway concerns have been raised by Councillor Leadley and Morley Town Council, and it is considered that suitable conditions be attached to the grant of planning permission, to address concerns. As a matter of planning balance, and subject to the imposition of suitable conditions, the proposal is considered acceptable.

Background Papers:

Application file

Certificate of Ownership.

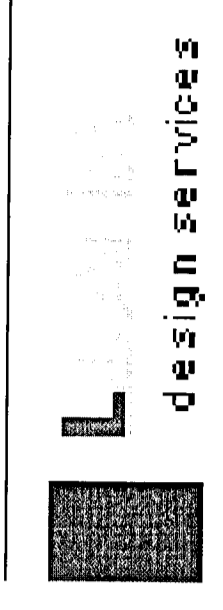
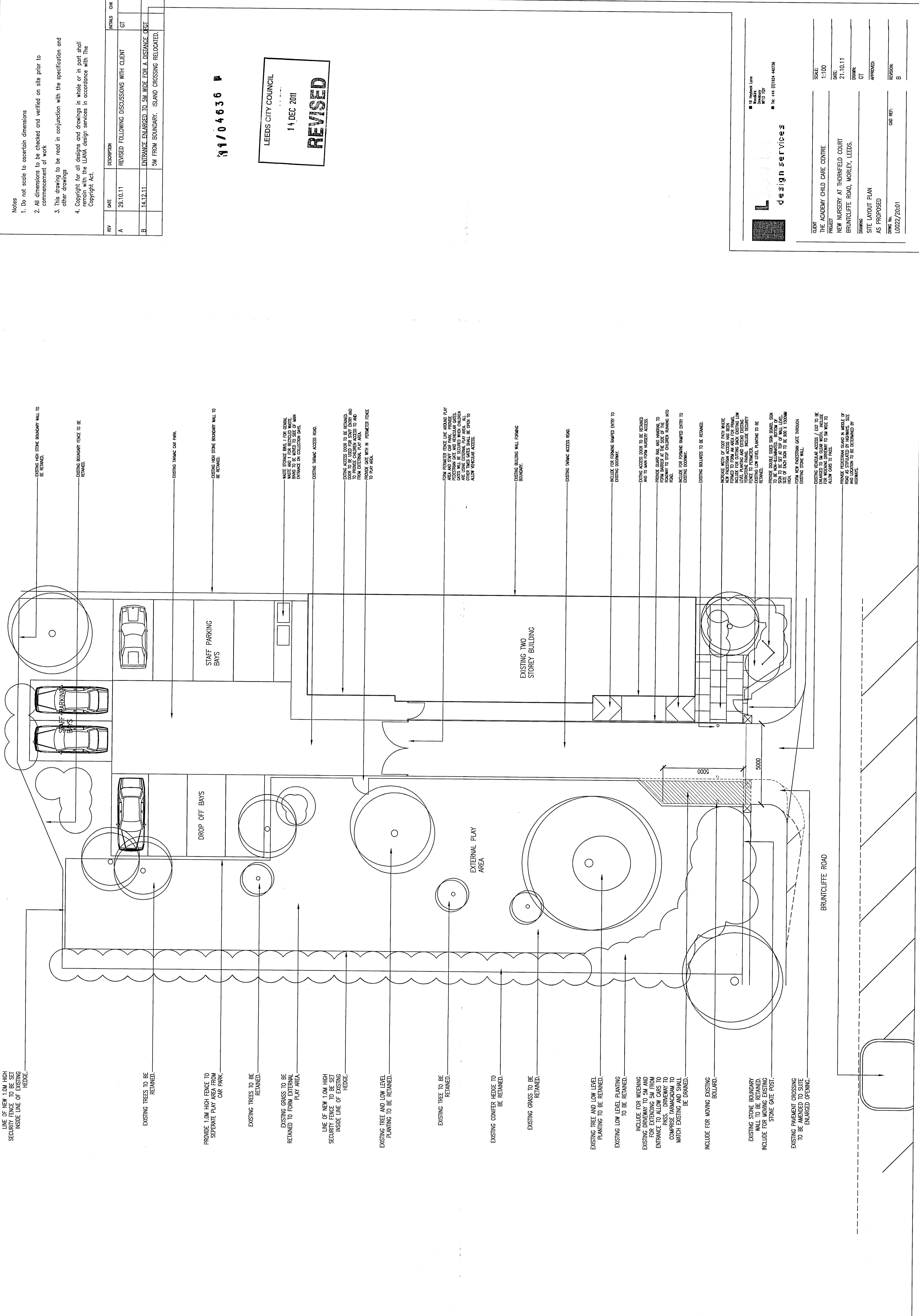
Notice No.1 has been served on the owner Mr. T Hanby

- Notes
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 2. All dimensions to be checked and verified on site prior to commencement of work
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REV	DATE	DESCRIPTION	INITIALS	CHK
A	29.10.11	REVISED FOLLOWING DISCUSSIONS WITH CLIENT	GT	
B	14.12.11	ENTRANCE ENLARGED TO 5M WIDE FOR A DISTANCE OF 25M FROM BOUNDARY. ISLAND CROSSING RELOCATED.		

19104636

LEEDS CITY COUNCIL
14 DEC 2011
REVISED



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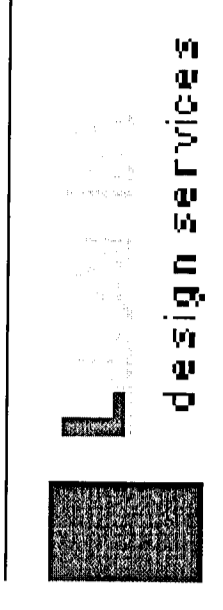
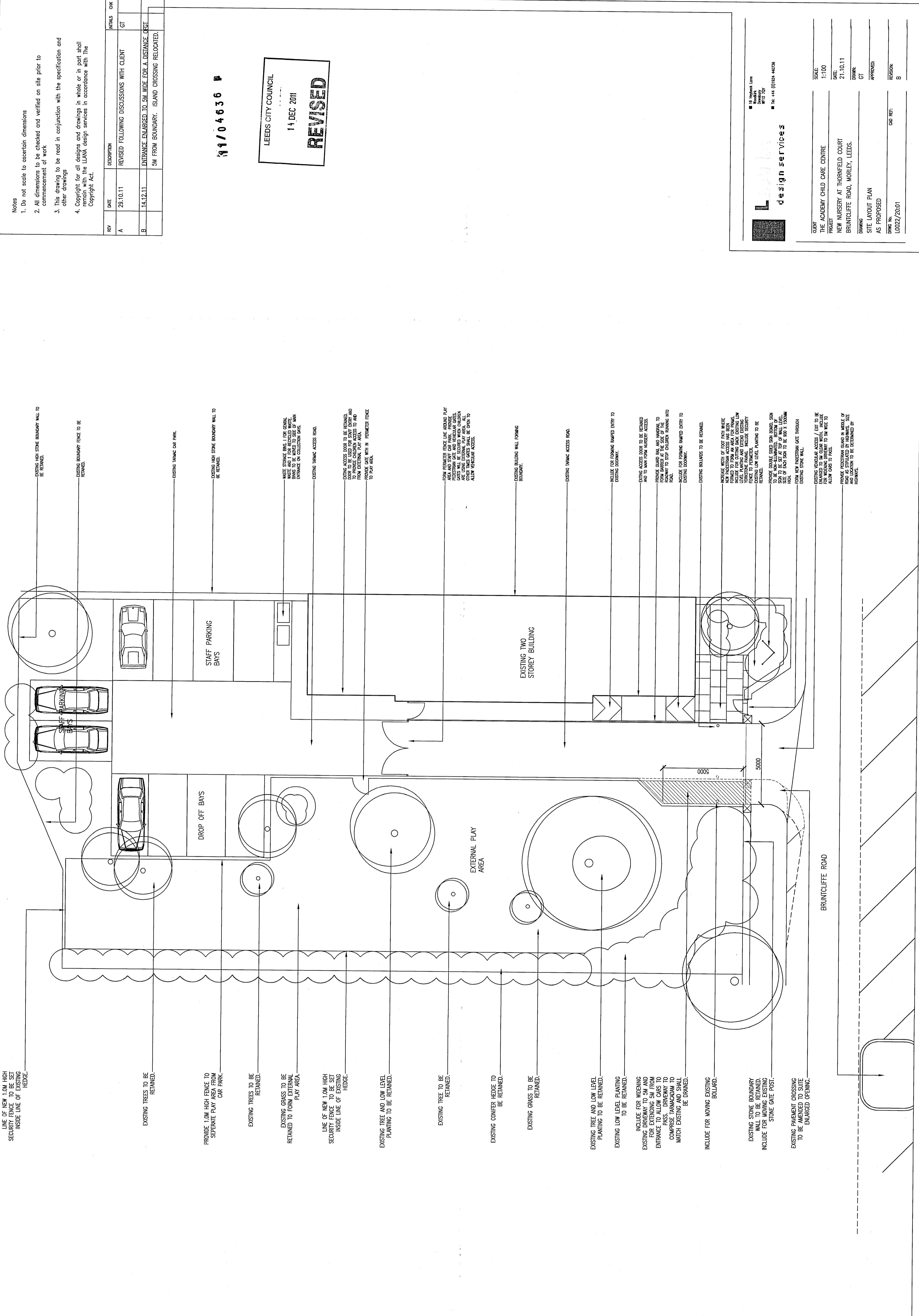
CLIENT	THE ACADEMY CHILD CARE CENTRE	SCALE	1:100
PROJECT	NEW NURSERY AT THORNFIELD COURT	DATE	21.10.11
	BRUNTCLIFFE ROAD, MORLEY, LEEDS.	DRAWN	GT
DRAWING	SITE LAYOUT PLAN	APPROVED	
	AS PROPOSED	REVISION	B
DWG No.	L0022/20-01	CD REF.	

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