

Minutes of a meeting of the Area Planning Panel (Bradford) held on Wednesday, 7 September 2016 at Committee Room 1 - City Hall, Bradford

Commenced 10.05 am
Concluded 12.10 pm

Present – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
Rickard Shaw	Lee Wainwright Azam M Slater	Stelling

Observers: Councillor Richard Dunbar (Minute 10(g)) and Councillor David Warburton (Minute 10(a))

Apologies: Councillor Mohammed Amran

Councillor Lee in the Chair

7. DISCLOSURES OF INTEREST

The following disclosure of interest was received in the interest of clarity:

Councillor Stelling had sought information prior to the meeting in relation to Minute 10(c) and he therefore withdrew from the meeting during the consideration of this item in accordance with the requirements of the Members' Code of Conduct (Part 4A of the Constitution) and the Members' Planning Code of Conduct (Part 4B of the Constitution).

Action: *City Solicitor*

8. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents.

9. PUBLIC QUESTION TIME

There were no questions submitted by the public.



10. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

The Strategic Director, Regeneration presented **Document “C”**. Plans and photographs were displayed in respect of each application and representations summarised.

(a) 364 Whitehall Road, Wyke, Bradford

Wyke

A full planning application for the construction of a pair of semi-detached dwellings within the rear garden of 364 Whitehall Road, Wyke, Bradford - 16/03890/FUL

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. He reported that the application proposed the construction of two semi-detached houses in the rear garden of a property within a well established residential area. A number of objections had been received and were detailed in the officer’s report. It was noted that following initial objections, the Council’s Highways Department considered that the arrangements were now acceptable, subject to conditions. There was a need for housing in the District and the scheme made a modest contribution. The Strategic Director, Regeneration informed the Panel that the site was an undeveloped greenfield site that was accessible to facilities and located in an established residential area. He indicated that the site underscored on density and the three properties equated to 27 dwellings per hectare, however, this could not be increased due to the site constraints. In relation to overlooking, it was noted that the windows nearest the existing houses would be obscure glazed and this was covered by a condition on the application. There was sufficient distance between the dwellings and they would be constructed of stone and render with a tile roof. A new access and parking would be developed for the host property and the access for plot 1 would be restrictive but similar to that already in existence. Visibility splays would be provided for plot 2. The application was then recommended for approval, subject to the conditions as set out in the report and the revision of condition 4.

In response to a Member’s question regarding residential amenity, the Strategic Director, Regeneration confirmed that the layout of the proposed properties had been arranged so that the rooms with clear windows were further away from the existing dwelling and those closer would be obscure glazed.

A Ward Councillor was present at the meeting and stated that:

- He was the Chair of the Council’s Regulatory and Appeals Committee, however, he was present to represent residents within his Ward.
- Road safety concerns had been raised.
- The principle of development was welcomed, however, the site layout was inappropriate.
- The access and egress on to Westfield Lane was not safe as it was close to a 24 hour petrol station and shop.
- Westfield Lane and Whitehall Road provided access to the motorway.



- HGV used the main road.
- The proposed dwellings would be in close proximity to Escroft Close.
- There wasn't a turning head onto Westfield Lane and vehicles would have to reverse in or out of the property.
- The application should be refused on traffic safety grounds.

In response to some of the points raised, the Strategic Director, Regeneration stated that a different view would be taken if a new junction was being proposed for a major housing development. He confirmed that it was unlawful to reverse onto the highway, however, it was a private drive and two parking spaces per plot were required. It was noted that there were no restrictions onto Westfield Lane and a reasonable access already existed in the same place.

In response to Members' queries, the Strategic Director, Regeneration explained that:

- The plot was underdeveloped as the turning area and road issues had to be taken into consideration. The turning facility in the Whitehall Road access would be used by the existing property and vehicles would have to reverse onto Westfield Lane, which was the existing access.
- The submitted plans had to be considered and new ones would have to be put forward for any amendments. More houses could be accommodated on the site, but there were constraints and the number could be reduced if dedicated turning was provided on the site.
- Initially the Council's Highways Department had not been satisfied with the access onto Whitehall Road, however, a turning circle had now been provided. Concerns had also been raised in relation to right turning traffic into the existing dwelling, as it was near to the right turn lane on the main road.

An objector was present at the meeting and raised the following issues:

- There were two key objections, the access and egress onto Westfield Lane and the parking provision for the new houses.
- The junctions were dangerous.
- There would be an increase in commercial and residential traffic.
- Numerous accidents had taken place in the vicinity.
- There were no filters on the traffic lights and motorists jumped the lights.
- Only one parking space per property would be provided.
- A tandem driveway was shown on the plans.
- It would increase traffic movements.
- She lived opposite the site and could not reverse onto her drive due to the volume of traffic.
- There was an area outside the property that was not part of the pavement and traffic could pass other vehicles on the inside. This would cease if the pavement was extended.
- Tankers constantly used the road.
- The number of access and egress points onto Westfield Lane would



- increase to ten within 150 yards of traffic light signals.
- The existing public house was closed but would be re-opening, which would create more access issues.
- The additional traffic would place more pressure on the area.

In relation to a Member's query regarding the reversing of vehicles off the highway, the Strategic Director, Regeneration indicated that if the manoeuvre was carried out safely it would not be dangerous, however, on a major junction it would be more hazardous. He confirmed that the latest guidelines stated that it was no more dangerous to have direct frontage access onto a main road, therefore, on balance the proposal was acceptable. The enforcement of vehicles reversing out onto a highway was a police issue.

During the discussion a Member suggested that the application could be withdrawn and an amended plan submitted, in light of the highway safety issues. Other Members stated that the application would create an irresponsible highways situation.

Resolved –

That the application be refused for the following reason:

That the proposed access for Plots 1 and 2 would require vehicles to reverse onto/from the highway to the detriment of the safe and free-flow of traffic. For this reason the proposal fails to comply with policy TM19A of the Council's adopted Replacement Unitary Development Plan.

Action: Strategic Director, Regeneration

(b) 536-538 Little Horton Lane, Bradford

Little Horton

A retrospective application for advertisement consent for an illuminated shop fascia sign and projecting sign at the premises at 536-538 Little Horton Lane, Bradford - 16/04006/ADV

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the application was a resubmission and addressed the previous application's reasons for refusal, amongst other issues. The property was a long established shop and the application requested advertisement consent for an illuminated shop fascia and projecting sign. It was noted that a number of objections had been submitted, however, some were not relevant to the application. The illuminated sign was small scale, static, typical of others in the area and visually acceptable. It would not interfere with other signs in the vicinity, cause highway or public safety harm and would be comparable to street lighting in the area. Members were informed that the distance to the houses opposite was 60 metres and the proposal could not be refused on residential amenity grounds. The application was then recommended for approval, subject to the conditions as set out in the report.



Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration’s technical report.

Action: Strategic Director, Regeneration

(c) 60 Idle Road, Bradford

Bolton & Undercliffe

An application for temporary planning permission, for a period of 24 months, for the operation of a hand car wash and the siting of a welfare cabin on land at 60 Idle Road, Bradford - 15/02075/FUL

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the application was for temporary planning permission for 2 years for the operation of a hand car wash and the siting of a cabin. The site was hard surfaced and was currently used as car parking for staff and customers of 60 Idle Road. The nearest residential property was 31 Thirlmere Gardens. It was noted that the access would be upgraded to serve the proposed car wash and the Baker Street access would be resurfaced. A previous application had been refused under delegated powers due to highway safety, access and residential amenity issues. The Strategic Director, Regeneration reported that a noise impact assessment had been submitted in support of the application and the Council’s Environmental Health Unit had acknowledged that the use as a car wash was acceptable, subject to the condition on the application. He informed Members that the cabin would be utilitarian and fencing would be provided. The use of 60 Idle Road whilst the car wash was in operation would be restricted to non-food retail and a Section 106 Legal Agreement had been proposed to ensure that the land would remain available and accessible. The application was then recommended for approval, subject to the conditions and the Section 106 Legal Agreement.

In response to Members’ queries the Strategic Director, Regeneration confirmed that the representations in support of the application had been received from the wider vicinity and the boundary with 31 Thirlmere Gardens was a concrete panel wall.

The applicant was present at the meeting and made the following points:

- 60 Idle Road had previously been a public house, which would have created noise on an evening.
- The garden of 31 Thirlmere Gardens was attached to the site.
- The noise survey stated that the use would not disturb the neighbour.
- The car wash would be operated Monday to Saturday.
- The church opposite used the site as a car park on Sunday.
- He had invested a great deal of money in the site.
- The site would be busier if the premises became a food retail store.



Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration’s technical report and also subject to a Section 106 Agreement that would restrict the use of the retail unit to non-food and ensure that nine off street car parking spaces be available whilst ever the hand car wash was in operation.

Action: Strategic Director, Regeneration

**(d) Broadway Avenue Unitarian Church Hall,
Broadway Avenue, Bradford**

Little Horton

A reserved matters application for the consideration of landscaping details on land at Broadway Avenue, Bradford - 16/05002/REM

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. He informed Members that it was a reserved matters application to consider landscape issues only and that the application for the construction of five dwellings had been approved in 2015. The scheme proposed long gardens, tarmac drives, gates and fencing. It was noted that a petition with 85 signatures had been received, however, the concerns raised related to highways issues. The Strategic Director, Regeneration stated that the proposals were acceptable and there were no community safety implications.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration’s technical report.

Action: Strategic Director, Regeneration

(e) Land adjacent 13 Ford Hill, Queensbury, Bradford

Queensbury

A full planning application for the construction of three terraced properties on land adjacent to 13 Ford Hill, Queensbury - 16/04017/FUL

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. He reported that the application proposed the construction of three terraced properties on land that used to be the car park of a public house, which had now been converted into a residential property. It was noted that the gable end, with an attic window, of 5 Ford Hill faced the site, however, the proposed development would be set back towards the rear of the site. A number of representations had been received and the issues were set out in the officer’s report. The Strategic Director, Regeneration



stated that the scheme would make a small contribution to the District's housing need and would be less harmful than a public house car park. He confirmed that the development was acceptable in principle and would not cause any overshadowing, overlooking or overdominance. The houses would be of a standard design, in a sustainable location and not detrimental to the street scene. Two car parking spaces per dwelling would be provided and the scheme would not be detrimental to highway safety. It was noted that instability issues had been raised and the dwellings would have to be compliant with building regulations. The application was then recommended for approval, subject to the conditions as set out in the report.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration's technical report.

Action: Strategic Director, Regeneration

(f) Land at Apperley Lane, Apperley Bridge, Bradford Idle & Thackley

A full retrospective planning application for the retention of a farm track and area of hard-standing on land off Apperley Lane, Apperley Bridge, Bradford - 16/04213/FUL

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the retrospective application requested the retention of a hard core surface track that had been constructed about 1 year ago. The track followed the southern boundary wall of a field and was located in the Green Belt. A number of representations had been received and the issues raised were covered in the officer's report. Members were informed that the National Planning Policy Framework (NPPF) permitted the installation of engineering aspects, as long as they did not harm the openness of the Green Belt. The access track would serve the wider use of the land for the growth of Christmas trees and would not have an impact on visual or residential amenity, the Green Belt and there were no highway safety issues. The application for the retention of the track was then recommended for approval.

The applicant's agent was present at the meeting and stated that:

- The application was retrospective as the track had already been installed.
- The applicant had believed that he was allowed to create the track under agricultural rights.
- Additional information had been provided for clarity purposes.
- The site was located in the Green Belt and close to the Little London Conservation Area.
- Engineering operations were acceptable in the Green Belt.
- The track had already regenerated and would continue to do so.



- Access to the surrounding land would be maintained.
- The land would be used for agricultural purposes , specifically the growing of Christmas trees.
- The application should be approved.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration’s technical report.

Action: Strategic Director, Regeneration

**(g) Land at Valentine Court, off Back Lane,
Thornton, Bradford**

Thornton & Allerton

An outline planning application for residential development at land at Valentine Court off Back Lane (west of 25 Cliffe Lane), Thornton, Bradford - 16/05388/OUT

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the site was overgrown and had been subject to development proposals since 1991. The application was outline with all matters reserved except for the access, which had been constructed to a base course level and there was also a bridleway. It was noted that six objections had been received and the issues raised were covered in the officer’s report. The Strategic Director, Regeneration stated that there was a need for housing in the District and the scheme would provide a small contribution. He confirmed that the site could be developed for more than the four dwellings proposed and this equated to 15 dwellings per hectare, which was below the Council’s policy requirement. Members were informed that the development was acceptable in principle, however, the access was constrained but only a small number of houses would be served. Some treatment had been proposed to improve the access to the public bridleway and the site was now suitable for a sustainable urban drainage system. Both issues could be controlled by conditions on the application. The Strategic Director, Regeneration stated that all the issues raised could be addressed at the reserved matters stage and recommended the application for approval, subject to the conditions and footnote as set out in the report.

A Ward Councillor was present at the meeting and raised the following concerns:

- He was representing local residents.
- He acknowledged that access was the only matter for consideration, but there were other issues.
- Back Lane was already busy and additional traffic would use the road.
- There was a dangerous bend nearby and the development would exacerbate the issues.
- The site was small.
- There was a lack of surface water collection provision.



- Water pooled near the site.
- Residents had been assured that adequate surface water provision would be provided and this had not been carried out.
- Bollards had also been promised, as incidents had occurred.
- The installation of bollards should be placed as a condition on the application.

The Strategic Director, Regeneration confirmed that bollards had been put in place to stop vehicles accessing the bridleway. He explained that the road was unadopted and the private access took precedence over the bridleway.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration’s technical report.

Action: Strategic Director, Regeneration

(h) 99 Cumberland Road, Bradford

Great Horton

A retrospective application for a single storey rear extension at 99 Cumberland Road, Bradford - 16/04491/HOU

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. He stated that the application was retrospective for a rear single storey extension that was 5.6 metres in depth, 3 metres to the eaves and 4.6 metres to the ridge. It was noted that a petition in support of the application had been submitted, however, no reasons had been supplied. It was a large extension that had a poor relation to the existing property and the design was not in keeping with the street scene. The extension abutted the boundaries of both neighbours causing overshadowing and was overbearing. The Strategic Director, Regeneration reported that there were two disabled residents, however, the Council’s Occupational Health Unit had indicated that internal adaptations would meet their needs. He then recommended the application for refusal as per the reasons set out in the report.

In response to Members’ questions, the Strategic Director, Regeneration explained that:

- The Council’s Occupational Health Team was aware of the occupants and their needs.
- Permission had previously been granted for a substantial extension, but it had not been constructed in accordance with the approval.
- Neighbours were in support of the application.
- Under permitted development rights a 3 metre deep extension was permitted.
- The stone used was not in keeping with the host property or area.



The applicant's representative was present at the meeting and made the following comments:

- His father lived at the property.
- Prior notification had been obtained and the architect had provided advice.
- The builder had stated that the extension should be acceptable.
- The roof over hang could be reduced, however, planning officers had advised that an application be submitted.
- They had been informed that the extension had to be demolished.
- A grant had been obtained for a shower and other facilities.
- They could not afford a replacement extension if the existing one had to be removed.
- They did not understand the process.
- They were happy to reduce the extension to 4.5 metres.

During the discussion Members sympathised with the applicant's situation and acknowledged that incorrect advice had been provided. They stated that the architect and builder should be contacted in order for them to resolve the issue.

Resolved –

That the application be refused for the reasons as set out in the Strategic Director, Regeneration's technical report.

Action: Strategic Director, Regeneration

11. MISCELLANEOUS ITEMS

The Strategic Director, Regeneration presented **Document "D"** and the Panel noted the following:

REQUESTS FOR ENFORCEMENT/PROSECUTION ACTION

(a) 1 Durham Terrace, Bradford **Toller**

Unauthorised canopy structure - 15/00488/ENFUNA

The unauthorised canopy structure remains in place and on 15 August 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

(b) 13 Boynton Street, Bradford **Little Horton**

Unauthorised porch structure - 14/00896/ENFUNA

The unauthorised porch structure remains in place and on 6 July 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.



(c) 130 Jesmond Avenue, Bradford **Toller**

Unauthorised garage building - 15/01189/ENFUNA

On 15 August 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

(d) 130 Jesmond Avenue, Bradford **Toller**

Unauthorised conservatory extension - 16/00111/ENFUNA

On 15 August 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

(e) 1364 Leeds Road, Bradford **Bradford Moor**

Unauthorised extractor units - 16/00072/ENFUNA

The unauthorised extractor units remain in place and on 15th August 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

(f) 142 Amberley Street, Bradford **Bradford Moor**

Unauthorised additional single storey rear extension - 15/01044/ENFUNA

On 20 July 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

(g) 21 Woolcombers Way, Bradford **Bowling & Barkerend**

Breach of condition 12 of planning permission 05/00452/REM - 15/01033/ENFCON

On 11 August 2016 the Planning Manager (Enforcement & Trees) authorised the issue of a Breach of Condition Notice.

(h) 216 Kensington Street, Bradford **Toller**

Unauthorised single story front extension - 15/00154/ENFUNA

The unauthorised single storey front extension remains in place and on 17 August 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

(i) 4 Parkside Drive, Heaton, Bradford **Toller**

Car repairs and structure - 15/00415/ENFCOU



The Major Developments Manager has given authority for an enforcement notice on 19 July 2015 requiring the unauthorised use to cease.

(j) 41 Loxley Close, Bradford **Eccleshill**

Unauthorised outbuilding - 15/00965/ENFUNA

The unauthorised outbuilding remains in place and on 5 July 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

(k) 738 Great Horton Road, Bradford **Great Horton**

Unauthorised roller shutters - 16/00362/ENFUNA

On 15 August 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

(l) Land at Grid Ref 412699 432483 Deep Lane, Clayton, Bradford
Clayton & Fairweather Green

Storage containers on Green Belt land - 13/00509/ENFCOU

An enforcement notice was authorised on 8 July 2016 by the Planning Manager (Enforcement and Trees).

(m) 589 Leeds Road, Bradford **Idle & Thackley**

Unauthorised fencing and gates - 16/00352/ENFUNA

On 4 May 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

Resolved –

That the decisions be noted.

Action: Strategic Director, Regeneration

DECISIONS MADE BY THE SECRETARY OF STATE

APPEALS DISMISSED

(n) 380 Thornton Road, Thornton, Bradford **Thornton & Allerton**

Appeal against Enforcement Notice - Case No: 14/00437/ENFCOU

Appeal Ref: 16/00003/APPENF



(o) **5 Acre Street, Eccleshill, Bradford** **Eccleshill**

Appeal against Enforcement Notice - Case No: 14/00778/ENFUNA

Appeal Ref: 16/00041/APPENF

(p) **Albion Mills, Huts Street, Bradford** **Little Horton**

Free standing digital advertisement unit with associated logo box - Case No:
16/03186/ADV

Appeal Ref: 16/00084/APPAD1

(q) **Plumpton Cottage, 3-4 Mitchell Lane,
Apperley Bridge, Bradford** **Idle & Thackley**

Construction of detached bungalow within garden of existing dwelling - Case No:
15/03331/FUL

Appeal Ref: 16/00057/APPFL2

(r) **The Focus Centre, Ingleby Road, Bradford** **City**

Retrospective application for the siting of seven steel containers - Case No:
16/00259/FUL

Appeal Ref: 16/00067/APPFL2

Resolved –

That the decisions be noted.

Action: Strategic Director, Regeneration

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Area Planning Panel (Bradford).

THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER

