

## REPORT OF THE STRATEGIC DIRECTOR REGENERATION TO THE MEETING OF THE AREA PLANNING PANEL (SHIPLEY) TO BE HELD ON 7 MAY 2009

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### SUMMARY STATEMENT– PART TWO

#### Applications Recommended for Approval

The site concerned is:

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Julian Jackson  
Assistant Director (Planning)

Report Contact: Ian Wilson  
Phone: (01274) 434605

E-mail: [ian.wilson@bradford.gov.uk](mailto:ian.wilson@bradford.gov.uk)

**Portfolio:**  
Environment and Culture

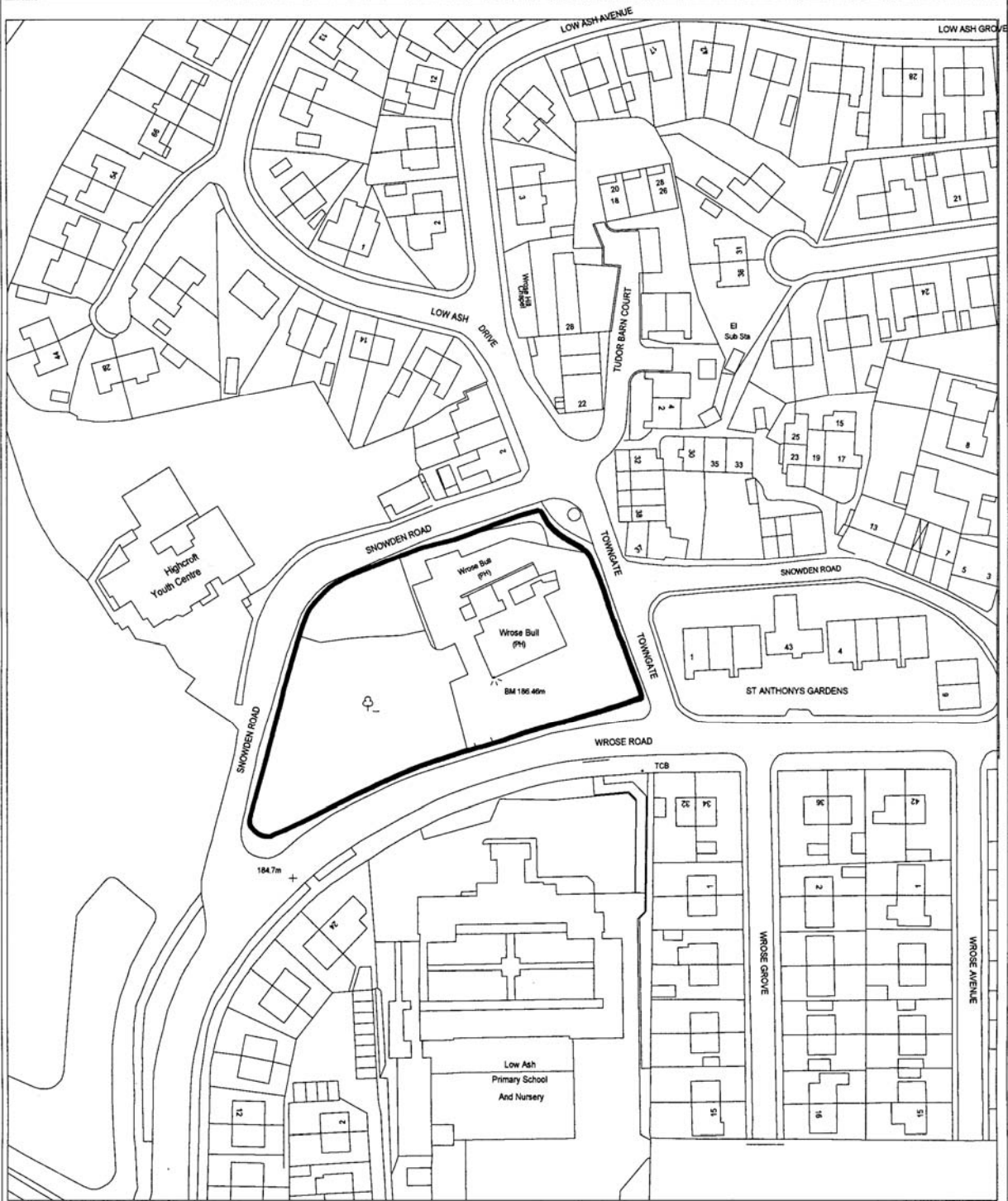
**Improvement Committee Area:**  
Regeneration and Economy



**BRADFORD**  
one landscape many views

# SHIPLEY AREA PLANNING PANEL

DATE  
7 MAY 2009



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**ITEM No. 6**

LOCATION

**THE WROSE BULL PH, 35 WROSE ROAD, WROSE**

**7 MAY 2009**

**ITEM No: 6**  
**WARD: WINDHILL AND WROSE**  
**RECOMMENDATION: THAT PLANNING PERMISSION BE GRANTED**

**Application No: 08/03746/FUL**

**Type of Application/Proposal and Address:**

This is a partly retrospective application for full planning permission for external works at the Wrose Bull Public House, Wrose Road, Wrose. Works subject to the application comprise retention in a modified form of a raised seating terrace with disabled access ramp to the front of the premises; retention of alterations to a former conservatory associated with its conversion to a kitchen; new kitchen extraction system; window replacements; new external bin store; removal of existing ductwork, new stone gate posts to the car park entrance, and a lantern above the main entrance.

**Site Description:**

The Wrose Bull is a large, detached public house set in substantial grounds within the Wrose conservation area. The building occupies a prominent position within the conservation area and is bordered by highways to all sides; Wrose Road to the front, Snowden Road to the west and rear, and Towngate to the east. Vehicular access is provided from Wrose Road and Towngate.

The building itself is traditional in appearance and character and has been extended several times in the past in a variety of styles and materials. The large curtilage comprises a car park, sitting out area, and a small wooded area. The property is not statutorily listed but it has been designated a key unlisted building in the conservation area.

**Relevant Site History:**

07/05977/FUL - Construction of a masonry terrace to the main facade of the property, a timber pergola to one side, and a fenced bin store to the other, refused 10/10/2007 due to impact on character and appearance of the building and the conservation area and detriment to residential amenity.

07/10504/FUL - Retention of raised external seating terrace to the front elevation including disabled access and planter beds, new side door, bin store, external lantern above front entrance, and gate piers adjacent to the vehicular access from Wrose Road, refused 8/5/2008 due to impact on character and appearance of the building and the conservation area.

08/01838/FUL – Construction of timber pergola to external seating area, to act as a smoking shelter, granted 12/5/2008.

**Replacement Unitary Development Plan (RUDP):**

The site is unallocated on the Replacement Bradford Unitary Development plan (2005) but is located within the Wrose Conservation Area. Relevant policies are:

UR3 - The Local Impact of Development  
D1 - General Design Considerations  
D3 - Access for People with Disabilities  
BH7 - New Development in Conservation Areas  
TM19A - Traffic management and road safety

P1 - Air Quality  
P7 – Noise

**Parish Council:**

Wrose Parish Council object to the work carried out at the Wrose Bull. They consider the changes unsympathetic to the character of the building and the conservation area. Particular reference is made to the impact of the raised seating area, materials used for part of the structures, the obtrusive extractor system, and an ongoing kitchen odour nuisance.

**Publicity and Number of Representations:**

Advertised by site and press notices and letters to neighbours. The most recent round of notification (including repeat press and site adverts and letters) specified that responses should be provided by 30<sup>th</sup> April 2009. Any additional responses received following completion of this report will be reported verbally at the meeting.

The Council received seven written representations to the original application. To date the council has received eight written representations to the amended scheme.

**Summary of Representations Received:**

- Works are unsympathetic to the historical character of the main building and Wrose conservation area;
- Inappropriate materials used for the conversion of the conservatory and the entrance pillars;
- Noise from outside drinking/smoking;
- The disabled access ramp creates an inappropriate feature that encourages outside drinking and disabled access is already available to the side entrance;
- Inadequate dispersal of cooking smells;
- The new stone pillars are detrimental to highway safety;
- Disturbance due to noise from deliveries and people leaving the pub;
- Unsecured bin store.

Concern is expressed about breaches of licensing conditions. This issue is not a material planning consideration and therefore can not be taken into account in the determination of this planning application.

**Consultations:**

Design and Conservation –

- Gate posts – The artificial stone used in the construction of the new gate posts is inappropriate. Natural stone would be acceptable.
- Conservatory roof – The conservatory roof material does not have a sympathetic finish. A matt finish is required.
- Conservatory wall – The newly boarded elevations have an inappropriate colour. A sludgy/khaki colour would be acceptable.
- Extraction system/flue – Amendments overcome original objections.

Trees – No objections.

Highways DC – Further comments are being sought and will be reported verbally.

Environmental Protection – It is not considered that there is a statutory odour nuisance. However, notwithstanding this, the Environmental Protection officer is working with the applicant to ensure that, were practicable, measures are introduced to reduce the perceived nuisance.

### Summary of Main Issues:

The main issues to be considered relate to i) the impact of the works on the character and appearance of the building and the conservation area; and ii) smell and arrangements for the disposal of cooking odours.

### Appraisal:

This is the third application for retention of unauthorised works at this prominent public house. The council recognises the important role the pub plays in the local community and the challenging times facing such businesses. Officers have, over a considerable period, been in negotiation with the applicants to ameliorate or overcome negative impacts of the completed works in order to ensure that the special character and appearance of the conservation area, and the amenity of near neighbours, are preserved.

As a result of these discussions, the plans have undergone numerous amendments in order to achieve the current position which officers now consider to be acceptable. In line with good practice the amended plans have been re-publicised and made available for public examination.

The main issues will now be considered.

#### i) Impact of the works on the character and appearance of the building and the conservation area

A key consideration in the negotiation process has been the visual impact the finished alterations and proposed works would have on the character and appearance of the building and the wider conservation area. Some of the existing unauthorised works are currently detrimental to both the building and its sensitive setting. Specifically, detrimental elements are:

- **The colour and materials of the new kitchen** (i.e. within the converted conservatory). There are no objections in principle to the conversion of the former conservatory to form a kitchen and it should be noted that the operators of the public house were within their rights when changing the **use** of the conservatory to a kitchen. Permission was not required to use this part of the premises as a kitchen. However, the physical alterations to the appearance of the building are subject to planning control. As part of the conversion the previously glazed elevations and roof have been replaced by painted timber boarding and artificial slate. The paint colour of the external boarding and 'glossy' roof material of the kitchen appear as strident, unsympathetic and discordant elements that fail to blend appropriately with the parent building.
- **The external kitchen extract/air supply plant.** It is accepted that adequate kitchen extract and air supply plant is required to service a commercial kitchen. However, the equipment that has been provided breaks the roof line of the single storey kitchen, appearing as a prominent and incongruous feature against a traditional building group.
- **The solid wall around the front terrace and disabled access.** When seen from the front, this wall appears as a heavy, insensitive addition that blocks views of a large part of the principal front elevation of the building, so disturbing its symmetry and unbalancing the façade.
- **The gate piers at the vehicular entrance from Wrose Road** are constructed of an inferior artificial material that fails to relate well with surrounding, natural stone.

These elements, individually and together, cause harm to the special character and appearance of the public house, its immediate setting, and the wider Wrose Conservation

Area. However, it is considered that these concerns could be addressed by the imposition of conditions to secure the following amendments:

- **The colour and materials of the new kitchen.** The choice of materials used in forming the new kitchen from the conservatory has proved contentious and it is acknowledged that the ideal would be a stone built structure more in line with the main building. However the choice of materials (particularly to the roof) has been constrained by the strength of the retained conservatory structure within which the new kitchen has been fitted. Officers accept that this means that lightweight artificial materials are the only viable option. It is the view of officers that the painted timber-clad walls and artificial slates are acceptable, although the light, creamy colour and shiny roof finish that has been provided is not sympathetic to the main building. On the advice of the Design and Conservation Officer, methods to tone down the appearance of the materials can be conditioned. Methods would include the painting of the timber elevations in a darker tone, and the treating of the roof to dull down the existing shine.

It should be noted that this structure appeared as a modern conservatory until converted to a kitchen. The alterations that have been carried out were to a modern extension whose appearance contrasted with the original building fabric in any event. The kitchen is also located to the rear of the premises and is relatively well screened by established trees and recent additional screen planting. Officers consider that, subject to the treatments noted above, this part of the development would be appropriate and in accordance with RUDP policy BH7.

- **The external kitchen extract/air supply plant**  
See main issue ii) below.
- **The solid wall around the front terrace and disabled access.** It is considered that the ramped access and raised platform to the front of the public house should be retained in line with policy D3 of the RUDP and the Council's design guidance which states that all users of a building should be able to use the same entrance and exit and should be able to do so without assistance. However, the recommendation of the Design and Conservation Officer that the section of walling to this part of the development should be replaced with simple steel railings to allow the full main fascia to be viewed in its entirety is noted. This is confirmed in the submitted drawing. A condition is proposed to ensure that this work is implemented in a timely manner.
- **The gate piers at the vehicular entrance from Wrose Road.** There is no objection to the provision of gate piers per se or the provision on them of ornamental lanterns (which reflect the new lantern above the main doorway which is considered acceptable). However, the piers have been constructed in artificial stone and consequently appear incongruous to the adjoining boundary treatment and the original part of the main building which are in natural stone. It is considered that a condition could be imposed to require the piers to be rebuilt in natural stone. Some concern is expressed that the piers block visibility for emerging traffic at this established access point. However, these concerns are not considered significant given the very low level of the adjacent boundary wall to the east and reasonable visibility to the west.

#### ii) Arrangements for the disposal of cooking odours

The conversion of the conservatory to a kitchen has involved the introduction of a new extract and ventilation system. The plant currently in situ was ill conceived and has a

notable detrimental impact on the visual amenity of the area. The amended plans seek to overcome these concerns by screening the plant with a combination of increased use of the roof void, an alteration in the roof design, and by adding a parapet roof to an existing flat roof. These measures – coupled with the location of the plant in a less sensitive part of the premises - are considered to satisfactorily ameliorate concerns regarding visual appearance sufficient to ensure that RUDP policy BH7 is satisfied.

There have been a number of complaints regarding cooking odours within the locality. The Councils' environmental protection officer has confirmed that there is no statutory nuisance. However, it is recommended that a planning condition should be imposed requiring the approval of an adequate system for preventing escape of odours and keeping noise within acceptable levels to be submitted, approved, and implemented. This should ensure that RUDP policies P1 and P7 are satisfactorily complied with.

### **Conclusion**

In conclusion, officers recognise that the public house provides a community facility but also that this needs to be balanced against the impacts on residential amenity and the conservation area. It is considered that, with suitable conditions, the amended plans can provide an acceptable form of development that does not unduly impact on these important considerations. Accordingly, and subject to the conditions noted above, it is recommended that permission is granted.

### **Community Safety Implications:**

None anticipated as a result of this development

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

The development would be appropriate and in accordance with policies UR3, D1, D3, BH7, TM19A, P1 and P7 of the Replacement Bradford Unitary Development Plan (2005).

### **Conditions of Approval:**

1. 3-year time limit on commencement of development.
2. Within one month of the date of this decision, details of an alternative paint colour for the exterior kitchen elevations shall be submitted to and approved in writing by the Local Planning Authority and the agreed colour shall be applied within three months of the date of the Local Planning Authority's approval. The colour shall thereafter be retained and shall not be changed without the prior written agreement of the Council.

Reason: In order to ensure a satisfactory standard of appearance in the interests of protecting and maintaining the character and appearance of the key unlisted building and the wider Wrose Conservation Area, and to comply with policy BH7 of the Replacement Bradford Unitary Development Plan (2005).

3. Within one month of the date of this decision, details of a method of treatment to permanently dull down the appearance of the artificial roof slates over the new kitchen to a matt finish shall be submitted to and approved in writing by the Local Planning Authority and the agreed treatment shall be completed within three months of the date of the Local Planning Authority's approval.

Reason: In order to ensure a satisfactory standard of appearance in the interests of protecting and maintaining the character and appearance of the key unlisted building and the wider Wrose Conservation Area, and to comply with policy BH7 of the Replacement Bradford Unitary Development Plan (2005).

4. Within three months of the date of this decision, the two gate piers adjacent to the vehicular access on Wrose Road shall be demolished and replaced with structures of the same dimensions and design, in natural stone.  
Reason: In order to ensure a satisfactory standard of appearance in the interests of protecting and maintaining the character and appearance of the key unlisted building and the wider Wrose Conservation Area, and to comply with policy BH7 of the Replacement Bradford Unitary Development Plan (2005).
5. Within three months of the date of this decision, the existing masonry wall around the new raised seating area, terrace, and ramped access shall be replaced with 1100mm high black powder coated metal balustrade as detailed on drawing numbered 0760/518/Rev C, hereby approved.  
Reason: In order to ensure a satisfactory standard of appearance in the interests of protecting and maintaining the character and appearance of the key unlisted building and the wider Wrose Conservation Area, and to comply with policy BH7 of the Replacement Bradford Unitary Development Plan (2005).
6. Within three months of the date of this decision, the proposed works to screen and enclose external kitchen extract/ventilation plant, as detailed on drawing numbered 0760/518/Rev C hereby approved, shall be implemented in full.  
Reason: In order to ensure a satisfactory standard of appearance in the interests of protecting and maintaining the character and appearance of the key unlisted building and the wider Wrose Conservation Area, and to comply with policy BH7 of the Replacement Bradford Unitary Development Plan (2005).
7. Within one month of the date of this decision, details relating to measures to ensure that odour and noise emissions from the kitchen extract/air supply plant, hereby approved, are limited to and maintained at acceptable levels shall be submitted to and agreed in writing by the Council and the agreed details shall be implemented within three months of the date of the Local Planning Authority's approval of them and thereafter maintained unless otherwise agreed in writing by the Local Planning Authority.  
Reason: In order to ensure that the plant can operate without harming the residential amenity of neighbours due to nuisance from noise and smell, in accordance with policies UR3, P1 and P7 of the Replacement Bradford Unitary Development Plan (2005).