

Decisions of the Area Planning Panel (Shipley) held on Thursday 8 September 2011

These decisions are published for information in advance of the publication of the Minutes

DECISIONS:

1. **227 WROSE ROAD, BRADFORD**

Windhill & Wrose

A full application for the change of use of a store attached to 227 Wrose Road, Bradford to a private hire booking office. The proposed hours of operation are 9am to 9pm seven days per week - 11/02340/FUL

Resolved –

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

ACTION: Strategic Director, Regeneration and Culture (Ian Wilson – 01274 434605)

2. **8 NAB WOOD MOUNT, SHIPLEY**

Shipley

Householder application for proposed development at 8 Nab Wood Mount, Shipley, comprising the construction of a single storey side extension with rear dormer window, two rear dormer windows in the rear roof slope of the existing property, a conservatory to the rear, and the enlargement of the vehicular access on to Nab Wood Drive - 11/02405/HOU

Resolved –

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

ACTION: Strategic Director, Regeneration and Culture (Ian Wilson – 01274 434605)



INVESTORS
IN PEOPLE



2009-2012
Positive engagement
of wider people
1996-2007
Improving Rural Services
Empowering Communities



BRADFORD
METROPOLITAN DISTRICT COUNCIL

3. **'ARE-JAY BARGIE', CANAL BOAT, LEEDS & LIVERPOOL
CANAL TOWPATH, SHIPLEY**

Shipley

A full planning application for the change of use of part of the canal to facilitate the trade of ice-creams, snacks, drink and sandwiches from an 18-metre long canal barge on a 36-metre long mooring space, including an advertising 'A' frame, litter bin and three benches to be in keeping with existing ones under bridge 207A at 'Are-Jay Bargie', Leeds-Liverpool Canal, off Victoria Road, Saltaire, Shipley - 11/02017/FUL

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration and Culture's technical report and subject to the following amendments to Condition 3 and 4 and also subject to the following additional condition:

Conditions:

3. **The change of use hereby permitted shall only be for a single traditional-style trading barge maintained in a tidy and presentable condition operating at any one time from the approved site.**
4. **The premises the subject of this decision shall only be open for business between the hours of 09.00 and 20.00 and no customer shall be served or otherwise make use of the premises outside these hours.**

Additional condition:

- (i) **Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, or any subsequent equivalent legislation, any trading barge operating within the mooring hereby approved shall be used only for purposes defined at Class A1 – Shops of the above Order (or subsequent equivalent legislation) and for no other purpose.**

ACTION: Strategic Director, Regeneration and Culture (Ian Wilson – 01274 434605)

4. **ASDA STORES, MANOR LANE, SHIPLEY**

Shipley

Full application for a proposed pharmacy unit to replace existing storage space at the Asda store, Manor Lane, Shipley - 11/02118/FUL

Resolved –

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

ACTION: Strategic Director, Regeneration and Culture (Ian Wilson – 01274 434605)

**5. ASSOCIATED WASTE MANAGEMENT, CANAL ROAD, Windhill & Wrose
BRADFORD**

An application for the extension of the existing Waste Transfer Hall to enclose waste storage and stockpiling areas and for the variation of conditions 8, 14, 16, 17 and 19 of planning permission 09/00676/FUL to allow an extension of the hours permitted for HGV movements and unrestricted night time operations within the extended Waste Transfer Hall at the Associated Waste Management Waste Transfer Station, Canal Road, Bradford - 11/01085/FUL

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration and Culture's technical report and also subject to the following amendments to Conditions 2, 8, 12, 22, 24 and 25:

Conditions:

2. The development hereby approved shall only be carried out in accordance with the following documents:-

- a) Document entitled "Acoustic Report", dated 11 August 2011, ref. J1873-Rev B, date stamped as received by the Council on 17 August 2011;
- b) Drawing entitled "Existing Site Survey", scale 1:250, dated 02/11, numbered BD11/5305/01a, dated as received by the Council 23 June 2011;
- c) Drawing entitled "Proposed Floor Plan", scale 1:125, dated 02/11, numbered BD11/5305/02H, dated as received by the Council 23 June 2011;
- d) Drawing entitled "Proposed Site Plan", scale 1:250, dated 02/11, numbered BD11/5305/05A, dated as received by the Council 23 June 2011;
- e) Drawing entitled "Proposed Elevations", scale 1:100, dated 02/11, numbered BD11/5305/03F, dated as received by the Council 23 June 2011;
- f) Drawing entitled "Proposed Elevations - 2", scale 1:100, dated 03/11, numbered BD11/5305/06B, dated as received by the Council 28 July 2011.

Save where measures are required by the conditions set out elsewhere on this permission, which shall take precedence over the above documents.

8. Within 3 months of the date of this decision notice a scheme for monitoring noise levels arising from the development shall be submitted to the Local Planning Authority for approval in writing. Unless otherwise agreed in writing by the Local Planning Authority the scheme shall provide for:

- a) attended measurements by a competent person of LAeq noise levels over 1 hour at each of the monitoring locations identified in condition 13 below;
- b) measurements to be taken at three monthly intervals or such other frequency as may be agreed in writing with the Local Planning Authority;
- c) details of equipment proposed to be used for monitoring;

- d) monitoring during typical working hours both at night time and in the daytime with the main items of plant and machinery in operation;
- e) the logging of all weather conditions, approximate wind speed and direction and both on site and off site events occurring during measurements including 'phased out' extraneous noise events;
- f) a monitoring review meeting with the Local Planning Authority to discuss the results from the previous monitoring period, at 6 monthly intervals for the first 3 years beginning with the date of this decision notice and 12 monthly intervals thereafter.

The approved noise monitoring arrangements shall be implemented in accordance with the agreed timescale whilst ever the development subsists and a report detailing the results of each noise monitoring session shall be forwarded to the Local Planning Authority within 14 days of the date on which each monitoring session takes place.

12. The openings in the southern and eastern elevations of the waste transfer hall extension, as shown on drawing BD11/5305/03F shall be fitted with PVC strip curtain doors and roller shutter doors respectively in accordance with the details contained in the approved acoustic report, ref J1873-Rev B. The roller shutter doors and PVC strip curtain doors shall remain closed other than between the hours of:

07.00 hours to 18.30 hours Monday to Friday; and
07.00 hours to 13.30 hours on Saturdays.

22. The 21 metre x 21 metre turning area identified on drawing BD11/5305/02H shall be kept clear of waste, materials or debris and shall remain unobstructed during the times permitted for HGV movements, as referred to in condition 19 above, whilst ever the development subsists.
24. The eastern site boundary wall, as shown on drawing BD11/5305/03F, shall be maintained whilst ever the development subsists.
25. Unless otherwise agreed in writing by the Local Planning Authority, a representative of the operator of the site to which this notice relates shall attend at least one neighbourhood forum meeting, for the area within which the site is situated, within every 6 month period for the first 3 years commencing with the date of this decision notice and at least one neighbourhood forum meeting for the area within which the site is situated within every 12 month period thereafter.

And also subject to the following additional conditions:

- (i) That all unenclosed loads of waste received at or removed from the site to which this notice relates shall be appropriately sheeted or netted.
- (ii) That operations within the extended waste transfer hall shall be subject to 24 hour CCTV monitoring by the site operator. The recordings shall be retained on site for a period of not less than two weeks and shall be made available for viewing within 24 hours of a written request from the Local Planning Authority.

ACTION: Strategic Director, Regeneration and Culture (Ian Wilson – 01274 434605)

6. **BRADFORD & BINGLEY PLC, 212 MAIN STREET, BINGLEY** **Bingley**

Full planning application for the demolition of offices and erection of two-storey supermarket with parking and associated servicing and landscaping - 11/00940/MAF

Resolved –

That the application be approved for the reasons and subject to the conditions, with the proviso that Conditions 4, 10, 11 and 12 be deleted, and a Section 106 Agreement as set out in the Strategic Director, Regeneration and Culture’s technical report and also subject to the following additional condition:

- (i) **That prior to the occupation of the approved development, the development shall be carried out in accordance with the Travel Plan (Savill Bird Axon Issue 7 September 2011).**

ACTION: Strategic Director, Regeneration and Culture (Ian Wilson – 01274 434605)

7. **HAWKSWORTH MOOR SERVICE RESERVOIR, HILLINGS LANE** **Wharfedale**
MENSTON

An application for full planning permission for the change of use of a former reservoir to form a single detached dwelling at the Hawksworth Moor Reservoir, Hillings Lane, Menston - 11/02347/FUL

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration and Culture’s technical report and also subject to the following additional condition:

- (i) **That a report detailing the feasibility of installing renewable energy systems in the proposed development be provided and the level of provision to be installed to be agreed in writing by the Local Planning Authority.**

ACTION: Strategic Director, Regeneration and Culture (Ian Wilson – 01274 434605)

8. **LAND NORTH OF 47 – 57 THOMPSON LANE, BAILDON** **Shipley**

Outline planning application for the construction of nine dwellings at land north of 47 – 57 Thompson Lane, Baildon, Bradford - 11/03009/REG4

Resolved –

That the application be refused on the following grounds:

- 1. **The proposal would result in the overdevelopment of a constrained site causing harm to the amenity of existing facing residents due to the resulting overbearing relationship and loss of outlook, and would also result in the loss of a mature tree. The development is therefore contrary to policies UDP3, UR3, D1, NE5 and NE6 of the Replacement Unitary Development Plan.**

2. The development of the open space would be harmful to the local environment as it forms an attractive buffer between the houses to the south and east and the open countryside beyond Thompson Lane. Its loss would have a detrimental impact on both the visual quality of the vicinity and the quality of life of existing residents. The development is therefore contrary to policies UDP3, UR3 and D1 of the Replacement Unitary Development Plan.
3. The proposed development would generate significant extra traffic and vehicle trips that would exacerbate on street parking congestion in the locality to the detriment of the free flow of traffic. The development would also result in additional on street parking restricting visibility at the Thompson Lane (main part) junctions with the crescent bounding the development site. The development would therefore be harmful to the free flow of traffic along all parts of Thompson Lane in the vicinity of the application site and would be detrimental to the safety of pedestrians and vehicle users. The development is therefore contrary to policies TM2, TM12 and TM19A of the Replacement Unitary Development Plan.
4. The application as submitted provides insufficient information to enable its proper consideration by the Local Planning Authority. In particular the application lacks specific details relating to:
 - i) the alternative route of the public sewer that is proposed to be diverted; and
 - ii) the impact of the proposed development on the setting of the Saltaire World Heritage Site.

The development is therefore contrary to the objectives of policies UDP3, NR16 and S/BH14 of the Replacement Unitary Development Plan and national planning advice outlined in Planning Policy Statement 5.

ACTION: Strategic Director, Regeneration and Culture (Ian Wilson – 01274 434605)

9. **LAND WEST OF HARDAKER CROFT, BAILDON** **Baildon**

A full application for the construction of four dwellings at land to the rear of Saffron Tuft and Wayside, West Lane and west of Hardaker Croft, Baildon - 11/01041/FUL

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration and Culture's technical report and also subject to the following additional conditions:

- (i) That the garages shall at no time be converted into units of living accommodation; and
- (ii) That further information in relation to the feasibility of installing renewable energy systems in the proposed development be provided.

ACTION: Strategic Director, Regeneration and Culture (Ian Wilson – 01274 434605)

10. **REQUESTS FOR ENFORCEMENT/PROSECUTION ACTION**

(i) **ORCHARD LODGE, BRADFORD ROAD, BINGLEY** **Bingley Rural**

Non compliance with planning condition 3 on planning application 03/03375/FUL.

This breach of planning control was first brought to the attention of the Local Planning Authority in June 2009. The occupier submitted the required plans to discharge the first part of planning condition 3, however, the required works were never carried out and the property is now occupied. Therefore Enforcement Action was authorised by the Planning Manager on 19 July 2011. It was considered that by not complying with the condition the sub standard access was detrimental to highway safety and residential amenity contrary to URS and TM19a on the Council's adopted Unitary Development Plan.

Resolved –

That the decision be noted.

NO ACTION

(Ian Wilson – 01274 434605)

11. **DECISIONS MADE BY THE SECRETARY OF STATE**

APPEAL ALLOWED

(i) **85A MAIN STREET, BURLEY IN WHARFEDALE, ILKLEY** **Wharfedale**

Repair roof, chimney flashing, install rooflights to second bedroom and bathroom. Internal refurbishment to replace bathroom and kitchen, second bathroom and bedroom. Upgrade of wiring. Replaster and insulate bathroom and second bedroom - Case No: 10/05227/LBC

Appeal Ref: 11/00041/APPLBC

APPEALS DISMISSED

(i) **11 REDBURN AVENUE, SHIPLEY** **Heaton**

Construction of dormers to front and rear, alterations to existing roof space and porch to front - Case No: 11/01259/HOU

Appeal Ref: 11/00089/APPHOU

(ii) **26 THE ROBINS, BURLEY IN WHARFEDALE, ILKLEY** **Wharfedale**

Construction of a timber play house and raised decking platform - Case No: 09/01061/ENFUNA

Appeal Ref: 11/00037/APPENF

(iii) **85A MAIN STREET, BURLEY IN WHARFEDALE, ILKLEY** **Wharfedale**

Guttering to front of property, replace window at front - Case No: 10/05227/LBC1

Appeal Ref: 11/00121/APPLBC

Resolved –

That the decisions be noted.

NO ACTION

(Ian Wilson – 01274 434605)

FROM: S Hemingway
City Solicitor
City of Bradford Metropolitan District Council

Committee Secretariat Contact: Claire Tomenson – 01274 432457

i:\decsheets\areaplanpanel2011-12/pls8Sept