

## Agenda for a meeting of the Area Planning Panel (Bradford) to be held on Wednesday 20 January 2016 at 1000 in Committee Room 1, City Hall, Bradford

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### Members of the Panel - Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
Rickard	Lee (Chair)	Reid
Whiteley	Amran	
	Ferriby	
	Wainwright	

### Alternates:

<i>Conservative</i>	<i>Labour</i>	<i>Liberal Democrat</i>
<i>Ellis</i>	<i>Duffy</i>	<i>Stelling</i>
<i>Sykes</i>	<i>Farley</i>	
	<i>M Slater</i>	
	<i>Swallow</i>	

### Notes:

- This agenda can be made available in Braille, large print or tape format on request by contacting the Agenda contact shown below.
  - The taking of photographs, filming and sound recording of the meeting is allowed except if Councillors vote to exclude the public to discuss confidential matters covered by Schedule 12A of the Local Government Act 1972. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted. Anyone attending the meeting who wishes to record or film the meeting's proceedings is advised to liaise with the Agenda Contact who will provide guidance and ensure that any necessary arrangements are in place. Those present who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
  - If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.
  - Light refreshments and a lunch will be provided for the Members of the Panel only.
  - Applicants, objectors, Ward Councillors and other interested persons are advised that the Panel may visit any of the sites that appear on this Agenda during the day of the meeting, without prior notification. The Panel will then reconvene in the meeting room after any visits in order to determine the matters concerned.
  - At the discretion of the Chair, one representative of both the applicant(s) and objector(s) may be allowed to speak on a particular application for a maximum of five minutes.
  - A briefing for all Member groups will be held at **0930** in **Committee Room 1, City Hall, Bradford**
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### From:

Dermot Pearson  
Interim City Solicitor  
Agenda Contact: Claire Tomenson  
Phone: 01274 432457  
E-Mail: [claire.tomenson@bradford.gov.uk](mailto:claire.tomenson@bradford.gov.uk)

### To:



## A. PROCEDURAL ITEMS

### 1. **ALTERNATE MEMBERS** (Standing Order 34)

The Interim City Solicitor will report the names of alternate Members who are attending the meeting in place of appointed Members.

### 2. **DISCLOSURES OF INTEREST**

(Members Code of Conduct - Part 4A of the Constitution)

To receive disclosures of interests from members and co-opted members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

*Notes:*

- (1) *Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (2) *Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*
- (3) *Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.*
- (4) *Officers must disclose interests in accordance with Council Standing Order 44.*

### 3. **MINUTES**

**Recommended –**

**That the minutes of the meeting held on 14 October 2015 be signed as a correct record (circulated separately).**

### 4. **INSPECTION OF REPORTS AND BACKGROUND PAPERS**

Reports and background papers for agenda items may be inspected by contacting the person shown after each agenda item. Certain reports and background papers may be restricted.

Any request to remove the restriction on a report or background paper should be made to the relevant Strategic Director or Assistant Director whose name is shown on the front page of the report.



If that request is refused, there is a right of appeal to this meeting.

Please contact the officer shown below in advance of the meeting if you wish to appeal.

(Claire Tomenson - 01274 432457)

## 5. PUBLIC QUESTION TIME

(Access to Information Procedure Rules – Part 3B of the Constitution)

To hear questions from electors within the District on any matter which is the responsibility of the Panel.

**Questions must be received in writing by the City Solicitor in Room 112, City Hall, Bradford, by mid-day on Monday 18 January 2016.**

(Claire Tomenson - 01274 432457)

## **B. BUSINESS ITEMS**

### 6. PLANNING APPLICATIONS AND OTHER MATTERS

The Panel is asked to consider the planning applications and other matters which are set out in the following documents.

(i) **Document “K”** – relating to items recommended for approval or refusal.

The sites concerned are:

- |   |         |  |
|---|---------|--|
| 1. 10 Ransdale Grove, Bradford (page 1)   | Approve | <b><u>Little Horton</u></b>            |
| 2. 1A Leylands Lane, Bradford (page 6)  | Approve | <b><u>Heaton</u></b>                   |
| 3. 21 Syringa Avenue, Sandy Lane, Bradford (page 14)                              | Approve | <b><u>Thornton &amp; Allerton</u></b>  |
| 4. 37 Westwood Avenue, Bradford (page 20)   | Approve | <b><u>Bolton &amp; Undercliffe</u></b> |
| 5. Duke Of York Inn, Dean Lane Head, Old Allen Road, Thornton, Bradford (page 28) | Approve | <b><u>Thornton &amp; Allerton</u></b>  |
| 6. Duke Of York Inn, Dean Lane Head, Old Allen Road, Thornton, Bradford (page 36) | Approve | <b><u>Thornton &amp; Allerton</u></b>  |
| 7. Land North of 25 Prospect Street, Woodside, Bradford (page 41)                 | Approve | <b><u>Royds</u></b>                    |
| 8. Shires Business Park, Becks Road, Bradford (page 49)                           | Approve | <b><u>City</u></b>                     |
| 9. 236 Heaton Road, Bradford (page 57)  | Refuse  | <b><u>Manningham</u></b>               |
| 10. 37 Heights Lane, Bradford (page 63)   | Refuse  | <b><u>Heaton</u></b>                   |

(ii) **Document “L”** - relating to miscellaneous items:

11 -22. Requests for Enforcement/Prosecution Action (page 69)

23 -31. Decisions made by the Secretary of State – Dismissed (page 93)

(Mohammed Yousuf – 01274 434605)

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THIS AGENDA AND ACCOMPANYING DOCUMENTS HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER



City of Bradford  
Metropolitan District Council



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## Report of the Strategic Director, Regeneration to the meeting of the Area Planning Panel (BRADFORD) to be held on 20 January 2016

K

### 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.	10 Ransdale Grove Bradford BD5 7NS - 15/06183/HOU [Approve] (page 1)	Little Horton
2.	1A Leylands Lane Bradford BD9 5PX - 15/06928/FUL [Approve] (page 6)	Heaton
3.	21 Syringa Avenue Sandy Lane Bradford BD15 9LB - 15/06912/HOU [Approve] (page 14)	Thornton and Allerton
4.	37 Westwood Avenue Bradford BD2 2NJ - 15/05482/FUL [Approve] (page 20)	Bolton and Undercliffe
5.	Duke Of York Inn Dean Lane Head Old Allen Road Thornton Bradford BD13 3RT - 15/03021/FUL [Approve] (page 28)	Thornton and Allerton
6.	Duke Of York Inn Dean Lane Head Old Allen Road Thornton Bradford BD13 3RT - 15/03022/LBC [Approve] (page 36)	Thornton and Allerton
7.	Land North Of 25 Prospect Street Woodside Bradford - 15/01523/FUL [Approve] (page 41)	Royds
8.	Shires Business Park Becks Road Bradford - 15/05994/FUL [Approve] (page 49)	City
9.	236 Heaton Road Bradford BD9 4PS - 15/06909/FUL [Refuse] (page 57)	Manningham
10.	37 Heights Lane Bradford BD9 6JA - 15/02901/FUL [Refuse] (page 63)	Heaton

Julian Jackson  
Assistant Director (Planning, Transportation and Highways)

Report Contact: Mohammed Yousuf  
Phone: 01274 434605

Email: mohammed.yousuf@bradford.gov.uk

**Portfolio:**  
Housing, Planning and Transport

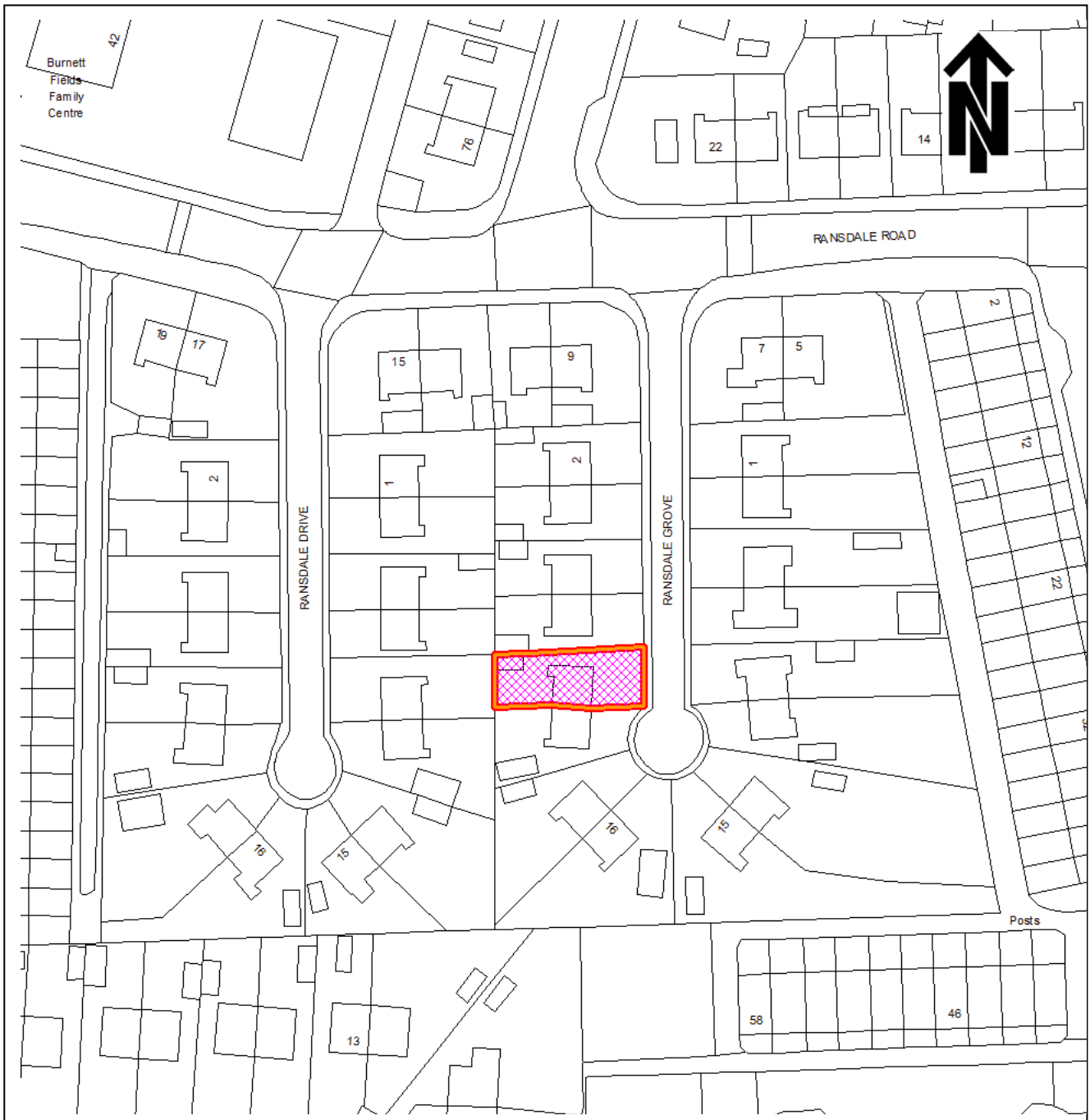
**Overview & Scrutiny Committee Area:**  
Regeneration and Economy



**Area Planning Panel (Bradford)**

**15/06183/HOU**

20 January 2016



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ITEM NO. : 1	LOCATION: <b>10 Ransdale Grove Bradford</b>
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**20 January 2016**

**Item Number:** 1  
**Ward:** LITTLE HORTON  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
15/06183/HOU

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

This is a householder planning application for the construction of a single storey side extension and a part two-storey, part single storey rear extension at 10 Ransdale Grove, Bradford.

**Applicant:**  
Mrs A Ghani

**Agent:**  
AA Planning Services

**Site Description:**

The site is a semi-detached residential property, constructed of stone and pebbledash walls under a slate roof. The local area is primarily residential, with Ransdale Grove being a quiet residential cul-de-sac.

**Relevant Site History:**

15/06184/PNH - Construction of single storey rear extension (4 metres) - Prior Approval Not Required 04.12.2015.

**The National Planning Policy Framework (NPPF):**

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

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

***Allocation***

The site is unallocated on the Replacement Unitary Development Plan.

***Proposals and Policies***

UR3 The Local Impact of Development

D1 General Design Considerations

TM12 Parking Standards

TM19A Traffic Management and Road Safety

Householder Supplementary Planning Document (HSPD)

**Parish Council:**

Bradford Trident Community Council

**Publicity and Number of Representations:**

The application was advertised by neighbour notification letters. The publicity period expired on 23 November 2015. No representations have been received.

**Summary of Representations Received:**

Not applicable.

**Consultations:**

Drainage – A public sewer crosses the site so Yorkshire Water should be consulted. Land drainage should be investigated.

**Summary of Main Issues:**

Impact on the local environment.

Impact on residential amenity.

Impact on highway safety.

Other matters.

**Appraisal:**

**Impact on Local Environment**

The proposed side and rear extension will be constructed of stone and pebbledash walls with a slate roof, to match the existing building. The side extension will be single storey only and its design is sympathetic to the existing building. The proposed two-storey element will have a hipped roof to match the existing roof design. The overall size and design is appropriate; it will remain subordinate to the host dwelling and will respect its appearance and character, without creating a visually dominant or incongruous feature in the local area.

For these reasons, the side and rear extension complies with the requirements of the HSPD and policies UR3 and D1 of the RUDP.



### **Impact on Neighbouring Occupants**

The side extension will project 2.1 metres to the side and be single storey only. The size and position of the side extension will not result in any adverse impact on the private amenity space or habitable room windows of the adjacent property (No 8 Ransdale Grove). The rear extension is part single storey, part two storey, with the two storey element set in from the boundary with the attached dwelling (No 12 Ransdale Grove), such that it will not extend beyond a 45-degree line taken from the nearest habitable room window of either adjacent property. The size and position of the extension will not cause a significant adverse impact through overbearing, overshadowing or a loss of outlook. The plan has been amended in response to concerns of overlooking to the rear. The HSPD requires a minimum of 7 metres to a rear boundary; as such the proposed first floor rear window serving a bedroom will now be obscurely glazed in order to prevent overlooking of neighbouring properties.

The overall impact of the proposed development on neighbouring occupants is acceptable and complies with the requirements of policies UR3 and D1 of the RUDP and the HSPD.

### **Impact on Highway Safety**

The proposed development includes the removal of the existing detached garage and will reduce the length of the driveway. Nevertheless, sufficient parking will remain to the front of the property and as such, the proposal poses no apparent harm to highway safety, thereby compliant with policies TM12 and TM19A of the RUDP.

### **Other Planning Matters**

The proposal raises no other planning related matters that cannot be controlled successfully through appropriate conditions.

### **Community Safety Implications:**

There are no apparent community safety implications.

### **Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

### **Reason for Granting Planning Permission:**

The proposal is not considered harmful to visual amenity, residential amenity or highway safety and is therefore considered to comply with policies UR3, D1, TM12 and TM19A of the RUDP and the HSPD.

### **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 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.

3. The first floor bedroom window in the rear elevation of the extension hereby permitted shall be obscure glazed, as indicated on the amended plan, prior to the first occupation of the extension and thereafter retained.

Reason: To prevent overlooking or loss of privacy to adjacent occupiers and to accord with Policy UR3 of the Replacement Unitary Development Plan.

4. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no further windows, including dormer windows, or other openings shall be formed in the side and rear elevations of the hereby permitted extension without the prior written permission of the Local Planning Authority.

Reason: To safeguard the privacy and amenity of occupiers of neighbouring properties and to accord with Policy UR3 of the Replacement Unitary Development Plan.

**Footnote:**

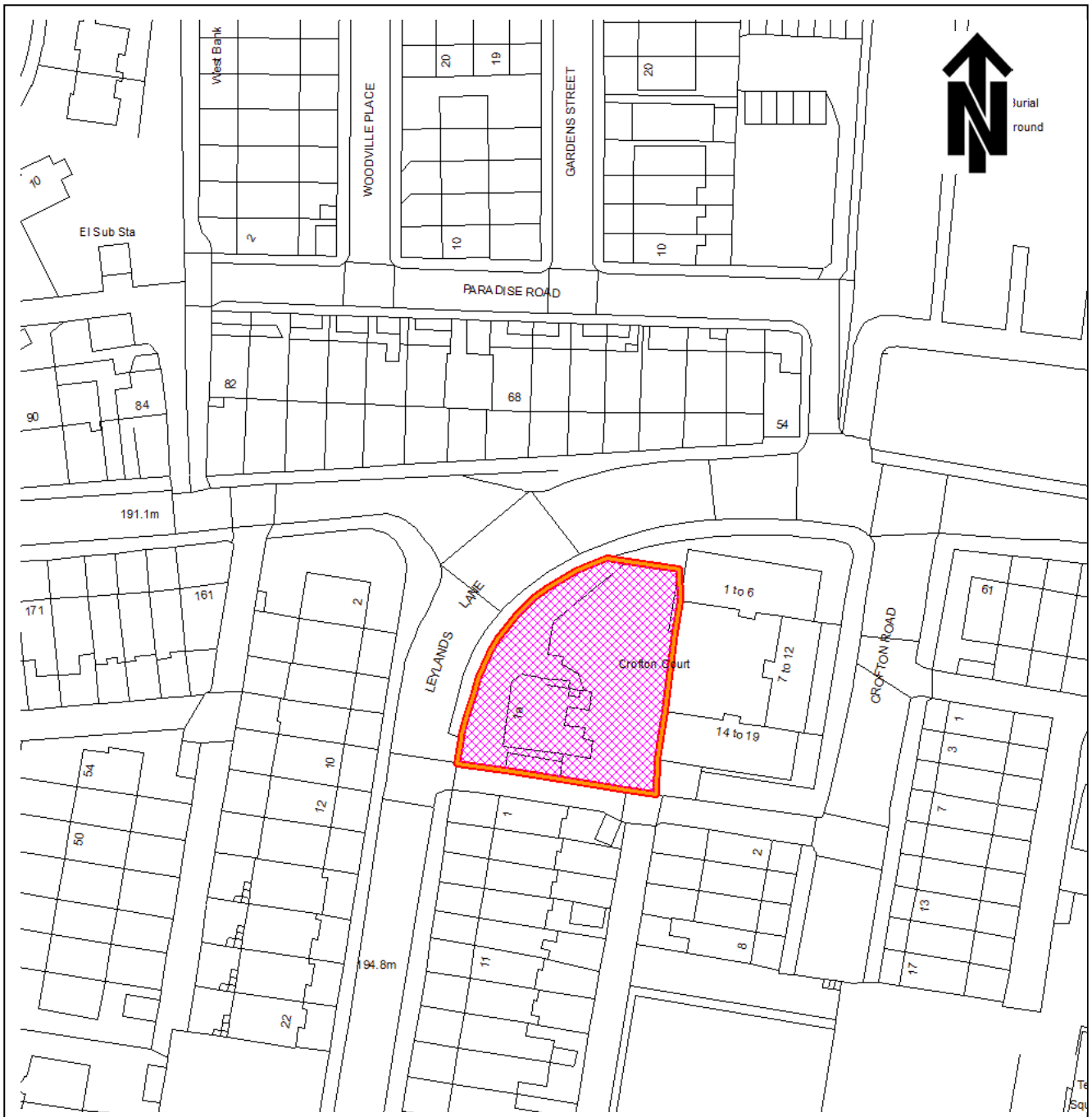
The developer is advised that a watercourse and public sewer exists within the site boundary. The Sewerage Undertaker (Yorkshire Water) must therefore be consulted for a view of the impact of the development on the public sewerage system. Further site investigations may be necessary to determine the position of the watercourse. The granting of planning permission does not override the requirement for the developer to obtain any necessary consents from Yorkshire Water in respect of the sewerage system.

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**Area Planning Panel (Bradford)**

**15/06928/FUL**

20 January 2016



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**ITEM NO. : 2**

**LOCATION:**

**1A Leylands Lane  
Bradford**

**20 January 2016**

**Item Number: 2**  
**Ward: HEATON**  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
15/06928/FUL

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

A full planning application for retention of Use Class D1 to ground floor and change of use from one residential unit to three at first and second floor at 1A Leylands Lane, Heaton, Bradford.

**Applicant:**

Mr Zafar Iqbal

**Agent:**

Mr H. Rashid, iDS

**Site Description:**

The site of 863m<sup>2</sup> comprises a detached, two-storey building with single-storey rear extensions and attic accommodation constructed of natural stone beneath a slate roof, dating from the late-19th/early-20th century and set within substantially hard-surfaced grounds. The prominent building stands on the inside of a sharp curve on Leylands Lane, enclosed by walling and hedge/tree-planting, opposite its junction with Highgate. The property was originally constructed as the manse to Heaton Baptist Chapel, the latter being re-developed for housing (Crofton Court) in the 1980's. The place of worship was transferred to the manse's ground floor with separately accessed residential accommodation to the upper floors; a sign to Leylands Lane continues to announce the presence of the place of worship. The site is surrounded by mainly traditional terraced dwellings, some of which are listed, with Crofton Court a more modern three-storey block of flats to the east. Vehicular access is taken from Crofton Road, which also serves the Crofton Court flats - both properties having undefined car parking - with pedestrian access also available via Leylands Lane.

**Relevant Site History:**

84/9/03307: Demolition of church and use for housing development, granted 10 August 1984

84/9/03308: (at The Manse) Change of use from ground floor to worship area, granted 10 August 1984

85/9/05679: (at The Manse) Removal of internal walls and construction of toilet block for place of worship, granted 29 October 1985

86/9/06427: Construction of 18 flats granted 4 December 1986

**The National Planning Policy Framework (NPPF):**

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

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

***Allocation***

The site is not allocated for any specific land-use in the RUDP. Taking account of policies saved for the purposes of formulating the Local Plan for Bradford, the following RUDP policies are applicable to the proposal.

***Proposals and Policies***

UR3: Local Impact of Development

H5: Residential Development of Land and Buildings Not Protected for Other Purposes

H7 and H8: Housing Density

TM2: Impact of traffic and its Mitigation

TM11: Parking Standards for Non-Residential Developments

TM12: Parking Standards for Residential Developments

TM18: Parking for People with Disabilities

TM19: Cycle Parking

TM19A: Traffic Management and Road Safety

D1: General Design Considerations

D3: Access for People with Disabilities

D4: Community Safety

D5: Landscaping

BH4A: Setting of Listed Buildings

NE10: Protection of Natural Features and Species

NR16: surface Water Run-off and Sustainable Drainage Systems

P7: Noise

**Parish Council:**

Not applicable.

**Publicity and Number of Representations:**

The application was publicised by individual neighbour notification letters and the display of a site notice. The publicity period expired 22 December 2015. Two objections have been received.

**Summary of Representations Received:**

1. Why, as is alleged with many planning applications, has the application been received retrospectively when work has been on-going, and the residents of Crofton Court have been subject to problems, for many months?
2. What are the opening hours of the nursery?
3. How many children are to be catered for?
4. Who are the residential units for?
5. Residents of the flats at Crofton Court have six parking spaces but in the past have used parking at 1A Leylands Lane as an overflow at the discretion of the church.
6. Vehicular access to the flats is only available via the driveway and car park to 1A Leylands Lane; could this cause issues, specifically re: access, parking spots, accidents disturbance and rights of way?
7. There is an established right of way through the site via a gate on to Leylands Lane.
8. There is a heavy demand for on-street parking on Crofton Road and Leylands Lane, the latter is also affected by traffic problems especially at peak times.
9. On properties relating to this application, it mentions 2A Crofton Road; where is this property?
10. Crofton Court is peaceful and tranquil most of the time; how is noise pollution going to affect the tenants of Crofton Court?
11. The application states there are no trees or hedges on site, however it includes several established trees and hedges, and a small garden.
12. Shared sites like this are totally unsuitable for the nursery part of the proposal, specifically re: safe-guarding rules of space, tenants above and many others.
13. It is understood that there are historical conditions on this shared site, which need to be looked into.

**Consultations:**

Building Control (Drainage): No comments required.

Design and Conservation Team: No objections or suggested conditions.

Highways Engineer: No objections or suggested conditions.

**Summary of Main Issues:**

Principle of development.

Visual amenity.

Amenities of occupiers of adjacent land.

Highway safety.

Other planning matters.

Outstanding Matters Raised by Representations.

## **Appraisal:**

### **Principle of Development**

The proposal would retain the existing use to the ground floor, which falls into Class D1: 'Non-Residential Institutions' of the Town and Country Planning (Use Classes) Order 1987 (as amended). Accordingly, the ground floor can be occupied without planning permission for a range of uses including: clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law court, non-residential education and training centres. Within these limitations therefore, the future use of the ground floor is not part of this application other than to confirm its established D1 use classification.

The existing upper floor residential accommodation would be sub-divided into three flats, which would continue to be accessed from a separate doorway (and staircase) to that serving the ground floor. The two uses would therefore be independent of each other and broadly maintain the existing situation.

The provision of additional separate residential flats to the upper floors is the substantive development that requires planning permission, which would be commensurate with the predominant land use of the surrounding area. The more intensive use of the site for residential accommodation would reflect the aims of the Council's density policies and would make a small contribution towards meeting the acknowledged under-supply of housing in the District. The site is in a sustainable location with good access to a range of services, established local infrastructure and high frequency public transport links.

The proposal is therefore acceptable in principle.

### **Visual Amenity**

The proposal does not include any significant alterations to the external appearance of the site, however it is noted that a positive, potentially long-term occupation of building will bring general improvements through on-going maintenance. Any signage required to announce the future use of the premises may require separate express advertisement consent and the applicant can be alerted to this through a footnote. The site is not within a conservation area but it is noted that 56-68 and 72-82 Highgate nearby are listed (grade II) for their group value as part of the original village however their setting will be unaffected by the development. The proposal therefore raises no adverse implications for visual amenity.

### **Amenities of Occupiers of Adjacent Land**

The use for residential flats would be consistent with the surrounding housing in terms of noise generation and general disturbance from future occupants. It is recognised that neighbouring residential properties exist at very close quarters and that some D1 uses generate more noise and general disturbance than others, particularly those with more intensive activity, reliance on car-borne visitors, etc. It is likely that the previous use as a place of worship may be untenable due to re-development of the original chapel for housing immediately adjacent to the site. The building would not be enlarged or altered such that the proposal would raise no implications in terms of additional overshadowing, over-dominance or overlooking of neighbouring properties.

### **Highway Safety**

The proposal is relatively small-scale and it is not anticipated that the uses would generate a level of traffic that would overwhelm the local highway network. Off-street parking for 14 vehicles is also provided, which would be sufficient for day-to-day use of the premises. This parking area conjoins that serving Crofton Court and appears to be the subject of a private reciprocal arrangement with its residents, the continuation of which would be a civil matter and not something that could be controlled through the planning system. Similarly, a common means of access to the site and Crofton Court may be the subject of private rights of way but, again, this is a private matter.

It is not anticipated that the development would harm either the free-flow of traffic on the local highway network or cause a threat to highway safety.

### **Other Planning Matters**

**Accessibility:** The ground floor is only accessible via a porch-covered entrance with three steps into the building. As use of this element of the building is already authorised in planning terms, it would be unreasonable to insist on provision of a level access, subject to compliance with any relevant Building Regulations and the Equality Act.

The proposal raises no other planning-related matters that cannot otherwise be controlled by conditions as needs be.

### **Outstanding Matters Raised by Representations**

What are the opening hours of the nursery?

How many children are to be catered for?

Comment: The application as submitted does not specify the operating hours or use as a children's day nursery of the ground floor however further information from the applicant suggests that this is likely to be its future use within the D1 classification.

Who are the residential units for?

Comment: The identity of future occupants of the residential units is not a planning matter.

There is an established right of way through the site via a gate on to Leylands Lane.

Comment: A gated pedestrian access exists to Leylands Lane though this is not indicated on the definitive maps as being a public right of way. Any private rights that affect the access would be a civil matter that cannot be controlled through the planning system.

On properties relating to this application, it mentions 2A Crofton Road; where is this property?

Comment: It is presumed that this is a reference to the site record on the Council's 'Public Access' website, which is required for geographical information purposes rather than relating to any other purpose, such as a real postal address.

The application states there are no trees or hedges on site, however it includes several established trees and hedges, and a small garden.

Comment: The application is for change of use with minimal associated external physical works, which raise no implications for trees or other planting on site. It is further noted that the trees are not affected by a preservation order and so could be removed without consent from the Council.



It is understood that there are historical conditions on this shared site, which need to be looked into.

Comment: The planning history of the site is provided above, none of which raises any enforcement issues. The objector provides no further details of the historical conditions or their effects and so it is difficult to comment further.

**Community Safety Implications:**

The proposal has no community safety implications.

**Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. The issues with regard thereto are noted above in relation to this application but do not raise any matters that would outweigh the material planning considerations.

**Conclusion:**

For these reasons, the proposal is considered to be acceptable when judged against the relevant policies in the RUDP. The points raised in objection are not considered to be of sufficient weight to go against these policies and so the proposal is recommended for approval subject to conditions.

**Reason for Granting Planning Permission**

The proposal would have no significant harm to visual or residential amenity, highway safety or any other planning-related matters and so complies with the above-noted RUDP policies and the NPPF.

**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. Before any part of the development hereby permitted is brought into use, the off-street car parking facility shall be provided and retained whilst ever the use subsists.

Reason: In the interests of highway safety and to accord with policies TM12 and TM19A of the Replacement Unitary Development Plan.

**Footnotes:**

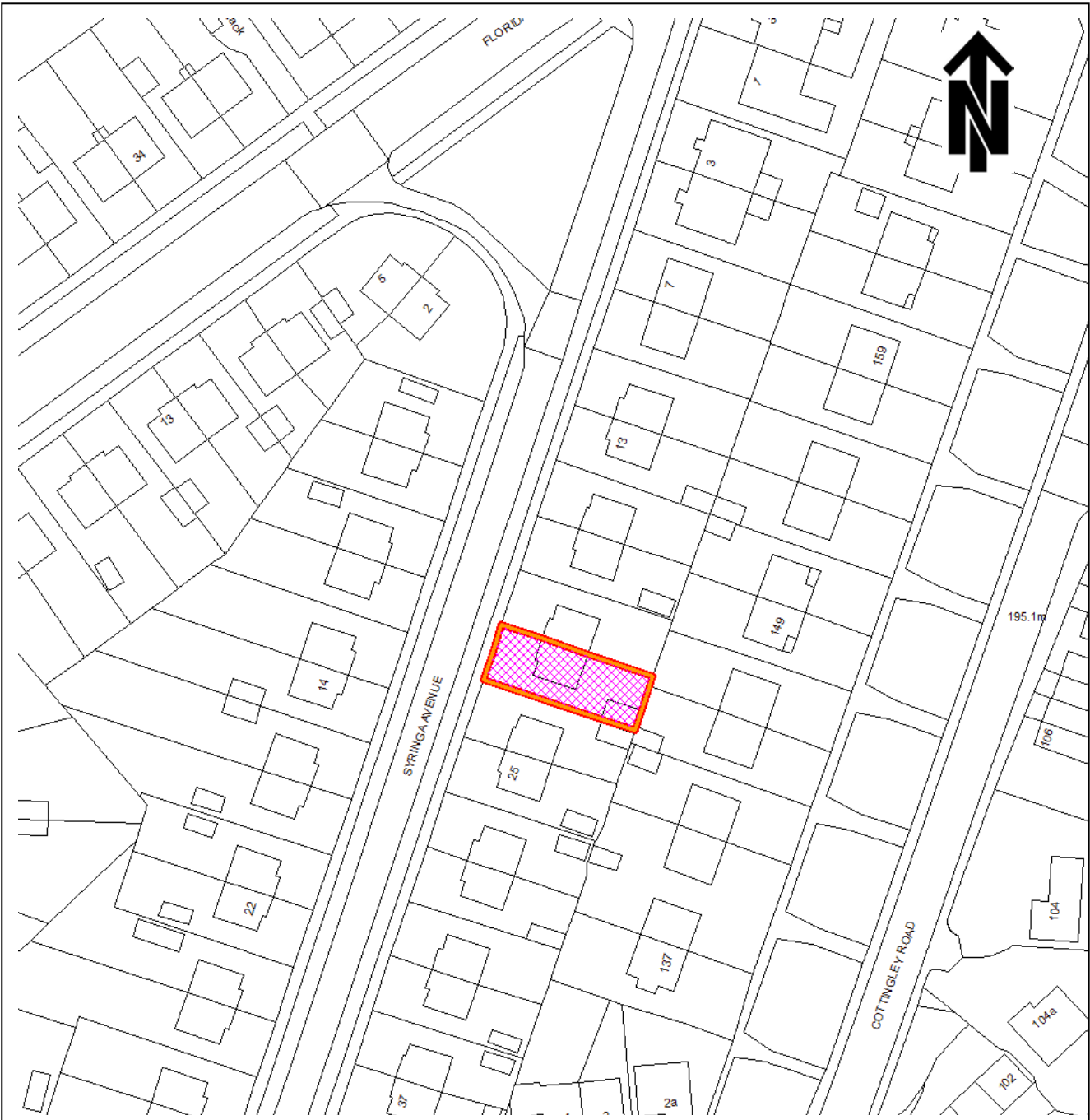
1. The developer should be aware that any signage may require express advertisement consent and so should contact the Council's Development Services for further information.

2. The developer's attention is drawn to the Equality Act 2010 that, amongst other things, establishes rights for disabled people to employment and access to goods, facilities and services.
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**Area Planning Panel (Bradford)**

**15/06912/HOU**

20 January 2016



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ITEM NO. : 3	LOCATION: <b>21 Syringa Avenue</b> <b>Sandy Lane Bradford</b>
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**20 January 2016**

**Item Number: 3**  
**Ward: THORNTON AND ALLERTON**  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
15/06912/HOU

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

This is an application for the construction of a part two storey side and rear extension and single storey rear extension at 21 Syringa Avenue, Sandy Lane, Bradford.

**Applicant:**  
Mr F Khan

**Agent:**  
Mr Mo Ali

**Site Description:**

The application dwelling is a semi-detached property constructed of pebble dashed render and surmounted by a tiled roof. The surrounding area is of a residential character consisting of semi-detached properties set at uniform distances from the highway.

**Relevant Site History:**  
None.

**The National Planning Policy Framework (NPPF):**

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

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

**Allocation**

Unallocated.

**Proposals and Policies**

UR3 Local Impact of Development;  
D1 General Design Considerations  
TM12 Residential Parking Standards  
TM19A Traffic Management and Road Safety

Householder Supplementary Planning Document (HSPD)

**Parish Council:**

Sandy Lane Parish Council

**Publicity and Number of Representations:**

The application was publicised by the council through neighbour notification. The expiry date for comments in connection with the application was 25 December 2015. Eight letters of objection were received in connection with the application. A letter of objection has also been received from a Thornton and Allerton Ward Councillor.

**Summary of Representations Received:**

Loss of sunlight.  
Overlooking.  
Loss of views.  
Foundations will encroach on neighbouring properties.  
Increased on-street car parking.  
Vehicle parking may block emergency vehicles.

**Consultations:**

None required.

**Summary of Main Issues:**

Visual Amenity.  
Residential Amenity.  
Highway and Pedestrian Safety.  
Further Issues Raised by Representations.

**Appraisal:**

**Visual Amenity**

The proposed extension would be constructed of materials (render, tile) to match the application dwelling and therefore no adverse visual amenity implications are foreseen in this regard, compliant with policies D1 and UR3 of the RUDP and the HSPD.

The proposed side extension would have a width of 1.9 metres in relation to the 5.6 metre width of the host dwelling. The side extension would be set back from the front elevation of the host dwelling and inset from the side boundary of the neighbouring property by a distance of 1 metre. The side extension would be designed with a hipped roof to match the hipped roof form of the existing dwelling. As such the proposed side extension is of an acceptable size and design, achieving a subordinate appearance in relation to the host dwelling. The proposed extension therefore accords with policies D1 and UR3 of the RUDP and the HSPD.

The rear aspect of the extension would be part two storey and part single storey. The two storey element would have a depth of 3 metres and would be surmounted by a pitched roof with a hip; the single storey element would also have a depth of 3 metres and would be surmounted by a mono-pitch roof. The appearance of the latter is acceptable and would not detract from the visual amenity of the host dwelling. This aspect of the proposal accords with policies D1 and UR3 of the RUDP and the HSPD.

### **Residential Amenity**

The neighbouring dwelling to at 23 Syringa Avenue does not include any habitable room windows in the North-East facing elevation and therefore the proposed side and rear extension would not result in any adverse overbearing or loss of outlook implications for the habitable room windows of the property. The two storey rear aspect of the extension would have a depth of 3 metres beyond the existing rear elevation of the property, which would not intersect a 45 degree line as measured from the nearest habitable room window in the rear elevation of 23 Syringa Avenue and therefore no adverse overbearing or overshadowing implications are foreseen. The rear extension would also achieve sufficient separation from the rear private amenity space of 23 Syringa Avenue to ensure that no adverse overbearing or overshadowing implications would be incurred.

The submitted plan indicates that the proposed extension would be of single storey height and have a depth of 3 metres abutting the common boundary with 19 Syringa Avenue. In light of the limited depth of the single storey aspect of the extension this element of the proposal would not result in any significantly adverse overbearing or overshadowing implications. The two storey element of the rear extension would also have a depth of 3 metres however this aspect of the extension would be offset from the boundary of 19 Syringa Avenue by a distance of 3 metres. It is noted that the extension would be located to the South-West of the rear amenity space of 19 Syringa Avenue but the separation distance between the two storey rear aspect of the extension and the rear amenity space of the neighbouring dwelling is sufficient to ensure that no significant adverse overbearing or overshadowing implications would be incurred. The proposal is therefore considered to accord with policies D1 and UR3 of the RUDP and the HSPD.

The proposed extension would not include any habitable room windows with an unrestricted view within 7 metres of the rear boundary of any neighbouring dwelling or within 17 metres of the habitable room windows of any neighbouring dwelling. As such no adverse overlooking implications are foreseen. It is noted that the South-West facing elevation of the extension would include two windows at the ground floor and first floor levels. The first floor windows would be glazed in obscure glass and this can be ensured by a planning condition in the event that permission is granted. At the ground floor level the WC would also be glazed in obscure glass. The remaining window would serve a hallway and as this is a non-habitable area, no adverse overlooking implications would be incurred.

In the event that planning permission is granted permitted development rights could be removed for the installation of any additional windows in the side facing elevations of the extension in order to ensure that the residential amenity of neighbouring occupants is not compromised.

### **Highway and Pedestrian Safety**

Following the construction phase of the extension sufficient parking shall be retained in accordance with Appendix-C: Parking Standards of the RUDP and no other adverse highway or pedestrian safety implications are foreseen, compliant with policies TM12 and TM19A of the RUDP.

### **Further Issues Raised by Representations**

A representation has raised concern that the proposed development would result in a loss of views from surrounding properties however this is not a material planning consideration.

A representation has raised concern that the foundations of the proposed extension would encroach onto neighbouring properties. In the event that planning permission is granted a footnote could be applied advising the applicant to check that the development 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.

### **Community Safety Implications:**

The application does not present any community safety implications.

### **Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

### **Reason for Granting Planning Permission:**

The proposed development is not considered to result in any adverse implications in respect of visual amenity, residential amenity or highway and pedestrian safety. This proposal is therefore considered to accord with policies UR3, D1, TM12 and TM19A of the RUDP and the HSPD.

### **Recommendation:**

To grant planning permission.

**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. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no further windows, including dormer windows, or other openings shall be formed in the side facing elevations of the extension without prior written permission of the Local Planning Authority.

Reason: To safeguard the privacy and amenity of occupiers of neighbouring properties and to accord with policies UR3 and D1 of the Replacement Unitary Development Plan.

3. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no alterations to the roof of the extension shall be carried out without prior written permission of the Local Planning Authority.

Reason: To safeguard the privacy and amenity of occupiers of neighbouring properties and to accord with policies UR3 and D1 of the Replacement Unitary Development Plan.

4. The windows in the South-East facing elevation of the extension hereby permitted shall be glazed in obscure glass prior to the first occupation of the extension and thereafter retained.

Reason: To prevent overlooking or loss of privacy to adjacent occupiers and to accord with Policy UR3 of the Replacement Unitary Development Plan.

**Footnotes:**

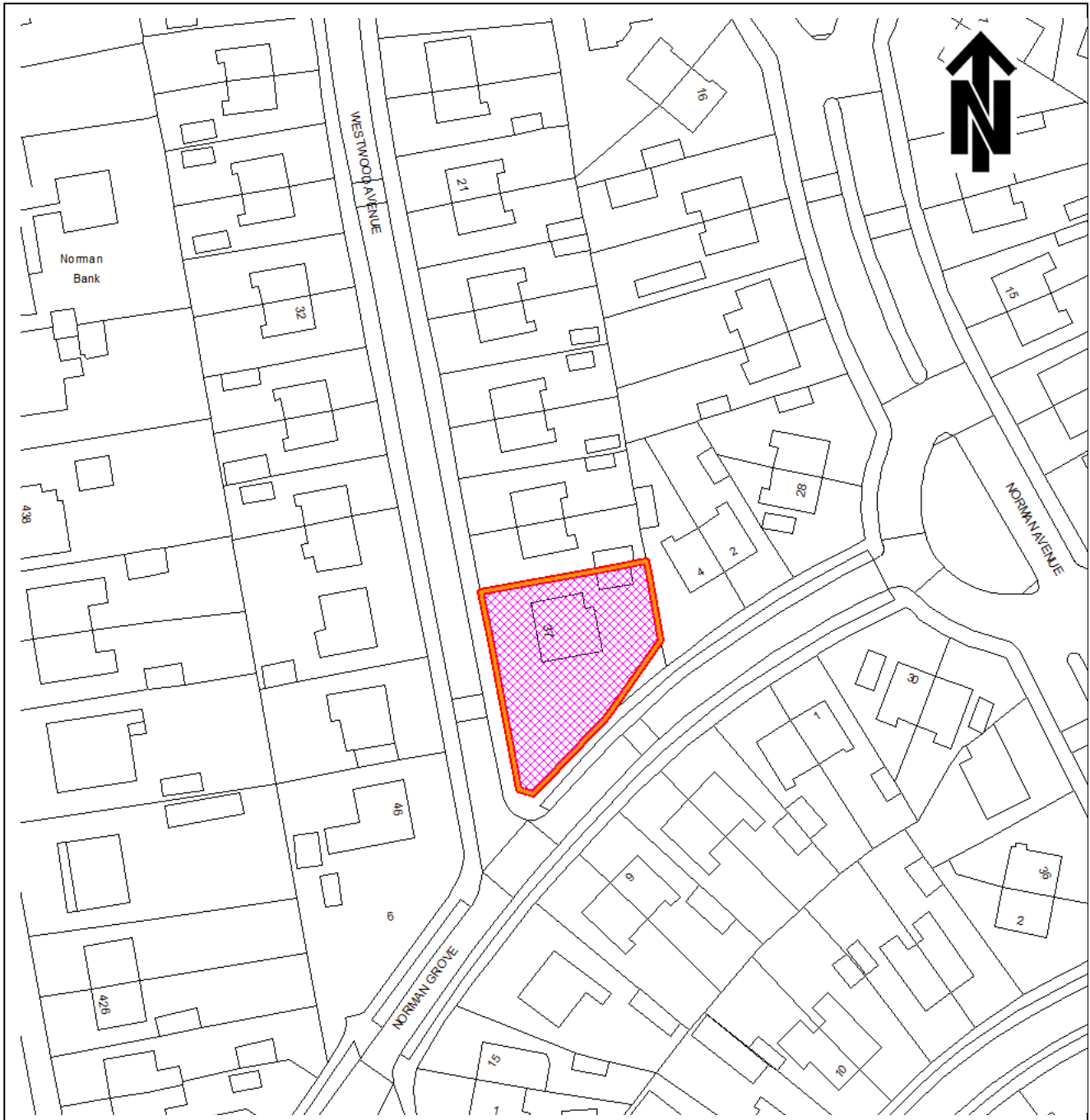
1. The applicants are advised to check that the development hereby approved lies wholly within the land within their control as the granting of planning permission does not override the need to obtain the consent of any neighbouring land owners affected by the development. The applicant should also seek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



**Area Planning Panel (Bradford)**

**15/05482/FUL**

20 January 2016



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ITEM NO. : 4	LOCATION: <b>37 Westwood Avenue Bradford</b>
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**20 January 2016**

**Item Number:** 4  
**Ward:** BOLTON AND UNDERCLIFFE  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
15/05482/FUL

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

This is a full planning application for the construction of a first floor to a bungalow, with extensions to the side and rear at 37 Westwood Avenue, Five-Lane Ends, Bradford.

**Applicant:**

Mr Bilal Ali Qaiser

**Agent:**

The Design Works

**Site Description:**

The site is presently occupied by a detached bungalow built of pebbledash walls under a slate roof. The property sits on a generous corner plot at the junction of Westwood Avenue and Norman Grove, in a predominantly residential area.

**Relevant Site History:**

Not applicable.

**The National Planning Policy Framework (NPPF):**

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

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

***Allocation***

The site is unallocated.

***Proposals and Policies***

UDP1 Promoting Sustainable Patterns of Development

UR2 Promoting Sustainable Development

UR3 The Local Impact of Development

D1 General Design Considerations

H7 Housing Density

H8 Housing Density

NR16 Surface Water Run-Off

TM2 Impact of Traffic and its Mitigation

TM12 Parking Standards for Residential Properties

TM19A Traffic Management and Road Safety

**Parish Council:**

Not applicable.

**Publicity and Number of Representations:**

The application was advertised by neighbour notification letters. The publicity period expired on 11th November 2015.

The application has generated ten objections from eight people at six separate addresses. Three letters of support from two individuals have also been received.

**Summary of Representations Received:**

**In objection:**

Visual impact

Excessive size

Loss of view

Loss of privacy

Overlooking

Loss of light

No argument for two-storey building

Should extend to sides only

Drainage and flooding issues

Hard surfacing of parking area

Lack of parking

Highway safety

Description of proposal not accurate

Application form incorrect - site is currently vacant

Letters of support not from local neighbours

**In support:**

Neighbours highlighting little issues

Property designed for applicant's needs

Beautiful property

No impact on sunlight

Sufficient parking provision

**Consultations:**

Drainage – No comments

Highways – Minimum of 3 parking spaces required. Driveway and garage do not meet minimum width requirements. Proposal would likely lead to an increase in on-street parking and be harmful to highway safety.

**Summary of Main Issues:**

Principle of the development.

Impact on the local environment.

Impact on residential amenity.

Impact on highway safety.

Other Planning Matters.

Outstanding matters raised by representations.

**Appraisal:**

The application seeks permission for the partial demolition of an existing detached bungalow and construction of a two storey dwelling. The proposed dwelling will have a larger footprint, extending out to the side and rear, with the addition of a first floor to the original bungalow.

It is noted that the original application form described the proposed works as “two storey side and rear and first floor extensions to existing bungalow”. An amended application form clarified the development as “demolition of existing bungalow and construction of two storey detached dwelling.” The application will be assessed on the basis that it involves the substantial demolition of the existing bungalow and construction of a replacement two-storey dwelling.

**Principle of the Development**

The site is currently occupied by a detached residential building, which will be replaced with a larger, two-storey dwelling. The site is unallocated and is therefore not protected for any uses other than those that accord with the general policies of the RUDP. The site currently has a residential use and is surrounded by other dwellings.

The site is situated in a sustainable location, relatively close to services and facilities, and public transport in the form of regular bus routes and the proposal will make efficient use of the site. These factors weigh significantly in favour of the scheme and the development is unlikely to cause demonstrable and significant harm to the aims and objectives of the RUDP and NPPF. Taking into account the above, the principle of the proposed dwelling on this site is acceptable.

**Impact on the Local Environment**

The site currently accommodates a detached bungalow, built of pebbledash walls and a slate roof, which will be mostly demolished to allow the construction of a larger dwelling. The proposed dwelling will be constructed with stone and pebbledash walls under a slate roof.

The existing bungalow is not particularly visible in views along Westwood Avenue and Norman Grove due to the existing boundary hedge. The proposed two storey building will therefore appear larger and more prominent in the street scene; however, despite this it will not appear visually dominant or incongruous. When viewed from the front, the property will sit at the end of a row of two-storey dwellings on Westwood Avenue and when viewed from Norman Grove, it will be seen against the backdrop of a two-storey property. In this regard, the scale and position of the proposed dwelling is acceptable and in keeping with the street scene.

The design, scale and choice of materials will complement the surrounding area and will not detract from the visual amenity of the area. As such, the proposed dwelling will not have a significant adverse impact on the local environment and will accord with policies UR3 and D1 of the RUDP and the NPPF.

### **Impact on Neighbouring Occupants**

The proposed dwelling will have a larger footprint than the existing dwelling, extending closer to the rear boundary and the side facing Norman Grove, but will not be any closer to No. 35 Westwood Avenue. When viewed from No. 35 Westwood Avenue, the size and position of the dwelling will appear similar to a typical two-storey dwelling, and will not result in an adverse level of overbearing, overshadowing or a loss of outlook for any of the neighbouring properties.

The plans indicate that all boundary hedges will be retained; however, a condition should be appended to the decision notice to require the retention of boundary screening to the side and rear boundaries in order to prevent overlooking at close quarters. Two first floor windows are proposed in the rear elevation which will serve bedrooms. These windows will be 6.15 metres from the rear boundary, which is slightly less than the adopted distance of 7 metres. Nevertheless, the orientation of the proposed dwelling in relation to No. 4 Norman Grove ensures that the windows will face across the neighbour's driveway and front garden. As such, the proposal will not result in overlooking of neighbouring private amenity space or habitable room windows.

For these reasons, the proposal will have an acceptable impact on residential amenity, thereby according with the requirements of policies UR3 and D1 of the RUDP and the NPPF.

### **Impact on Highway Safety**

The proposal will retain the existing access onto Westwood Avenue, with the existing driveway and garage to be retained, although the drive will be extended across the front of the dwelling. It is noted that the Highways Officer has raised concerns with the width of the parking areas and therefore considers that only one parking space will be provided. However, the driveway will be retained as existing, which measures approximately 2.9 metres wide, i.e. only 100mm less than the suggested width. The driveway has clearly functioned adequately in the past and will accommodate for up to three vehicles, with the extended parking area in front of the dwelling allowing for a further vehicle.

The overall impact of the proposed replacement dwelling will not adversely affect highway or pedestrian safety and will afford the occupants sufficient off-street parking. As such, the proposed development is considered acceptable and compliant with the requirements of policies TM2, TM12 and TM19A of the RUDP.

### **Other Planning Matters**

The proposal raises no other planning related matters that cannot be controlled successfully through appropriate conditions.

Outstanding matters raised by representations

Impact on water and sewer systems

Comment: This is not a material planning consideration, but will be dealt with through the Building regulations process and service providers where appropriate.

### **Loss of view**

Comment: This is not a material planning consideration and cannot be taken account in the assessment.

No argument for two-storey building

Should extend to sides only

Comment: The application must be assessed on the basis of the submitted plans.

Application form incorrect - site is currently vacant

Comment: This does not affect the assessment of the proposed development.

Letters of support not from local neighbours

Comment: Applications are open to comments from anyone, and due consideration must be given to each comment, even if the representation is not made by a local resident.

### **Community Safety Implications:**

There are no apparent community safety implications.

### **Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

### **Reason for Granting Planning Permission:**

The proposed development is considered to relate satisfactorily with the existing local environment and is not considered to result in any significant loss of residential amenity or harm to highway safety. Subject to relevant conditions, the proposal is considered to comply with policies UDP1, UR2, UR3, D1, TM2, TM12, TM19A and NR16 of the RUDP and the NPPF.

### **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. Before development commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.

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. Prior to the first occupation of the hereby approved dwelling, all areas indicated to be used for vehicular access and parking on the approved plans shall have been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 as amended or any successor guidance. The gradient shall be no steeper than 1 in 15 except where otherwise approved in writing by the Local Planning Authority. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) this shall be so retained, free of obstructions and available for the use specified on the submitted plans for the lifetime of the development.

Reason: In the interests of amenity and highway safety, and in accordance with Policy TM12 of the Replacement Unitary Development Plan.

4. 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.

5. The development shall not begin until details of a scheme for separate foul and surface water drainage, including any existing water courses, culverts, land drains and any balancing works or off-site works, have been submitted to and approved in writing by the Local Planning Authority. Surface water must first be investigated for potential disposal through use of sustainable drainage techniques and the developer must submit to the Local Planning Authority a report detailing the results of such an investigation together with the design for disposal of surface water using such techniques or proof that they would be impractical. The scheme so approved shall thereafter be implemented in full before the first occupation of the development.

Reason: To ensure proper drainage of the site and to accord with policies UR3 and NR16 of the Replacement Unitary Development Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no development falling within Classes A to E of Part 1 of Schedule 2 of the said Order shall be carried out without the prior written permission of the Local Planning Authority.

Reason: So as not to detract from the amenities of adjoining properties by reason of loss of privacy and to avoid prejudicing the visual amenity of the area and to accord with policies UR3 and D1 of the Replacement Unitary Development Plan.

7. Prior to the first occupation of the dwelling hereby approved, a 1.8 metre high boundary screen shall be erected along the North and East boundaries, and shall thereafter be retained whilst ever the use subsists.

Reason: To prevent overlooking or a loss of privacy to adjacent occupiers and to accord with policies UR3 and D1 of the Replacement Unitary Development Plan.

**Footnote:**

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority). Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com)

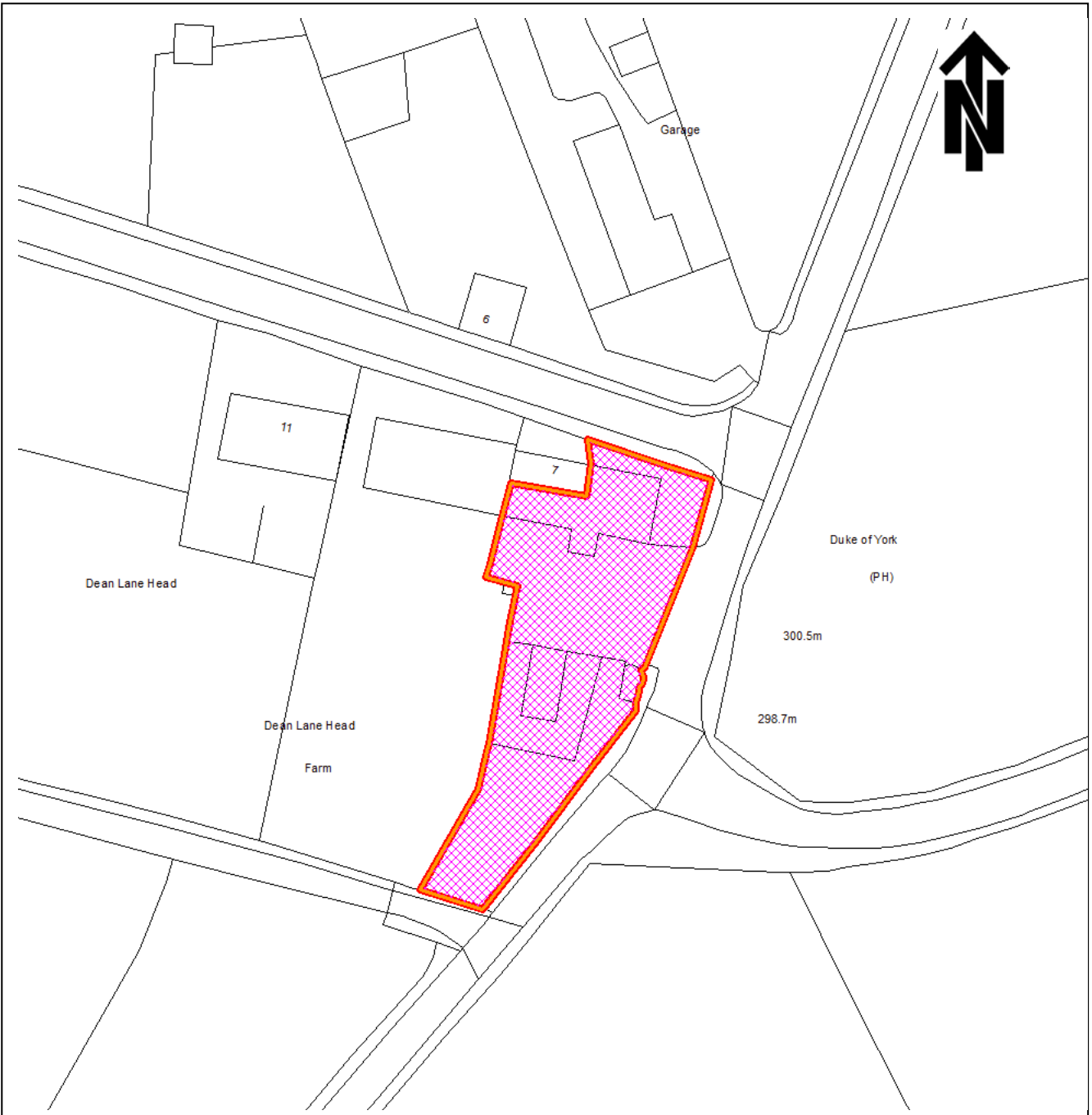
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**Area Planning Panel (Bradford)**

**15/03021/FUL**

20 January 2016



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ITEM NO. : 5	LOCATION: <b>Duke Of York Inn Dean Lane Head Old Allen Road Thornton Bradford</b>
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20 January 2016

**Item Number:** 5  
**Ward:** THORNTON AND ALLERTON  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
15/03021/FUL

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

A full application for the change of use from a public house to three dwellings at the Duke of York Inn, Dean Lane Head, Old Allen Road, Thornton, Bradford.

**Applicant:**

Mr and Mrs Robertshaw

**Agent:**

SKP Architectural Design Services

**Site Description:**

The development site is in a semi-rural location at the junction of Old Allen Road and Back Lane. The property was originally a farmhouse that is dated to the 17th century. There have been a number of extensions and alterations over the years given its previous use as a public house. The building is 22.5 metres along the south elevation but only 10.8 metres to the north, the difference due to two back-to-back cottages facing Old Allen Road. The remainder of the block which historically must have been barns have also been converted into dwellings of a larger scale. A car park and field exist to the south of the building.

**Relevant Site History:**

11/03859/LBC: Replacement windows, refused 14.11.2011.

13/04540/FUL: Conversion of public house to 6 self-contained dwellings, granted 16.12.2013.

13/04541/LBC: Demolition and alterations to existing elevations, granted 17.12.2013.

15/03022/LBC: Concurrent listed building consent application for change of use of existing pub to three dwellings, also recommended for approval.

**The National Planning Policy Framework (NPPF):**

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

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

***Allocation***

The site is included within the Green Belt.

***Proposals and Policies***

UR3 The Local Impact of Development

D1 General Design Considerations

D3 Access for People with Disabilities

D5 Landscaping

NR16 Surface Water Run Off and Sustainable Drainage Systems

BH1 Change of Use of Listed Buildings

BH4 Alteration Extension or Substantial Demolition of Listed Buildings

TM2 Impact of Traffic and its Mitigation

TM12 Parking Standards for Residential Developments

TM19A Traffic Management and Road Safety

GB1 Green Belt

GB4 Conversion/Change of Use of Buildings in the Green Belt

Householder Supplementary Planning Document

**Parish Council:**

Not applicable.

**Publicity and Number of Representations:**

The application was advertised by way of a site notice, press advert and individual neighbour notification letters, the statutory publicity period expired on 28 August 2015. One letter of representation was received which is summarised below.

**Summary of Representations Received:**

Concerns regarding the drainage and legal rights to connect to the septic tank.

**Consultations:**

Drainage: There is no objection to the revised drainage proposal indicated on drawing No15/1027-07 Rev B subject to confirmation from the developer's that the construction of a drainage field in the position indicated does not interfere with the drainage field for the existing septic tank. A further percolation test will be required to satisfy building regulations. The drainage field should if possible be constructed at or below the adjacent road level. An easement will probably be required to facilitate access for maintenance of the existing septic tank.

Highways: No objections.

Design and Conservation: Subject to conditions requiring specific detailing the development is likely to preserve/enhance the special interest of the heritage asset and therefore is considered to accord with saved RUDP policies BH1 and BH4 and section 12 of the NPPF.

**Summary of Main Issues:**

Background and principle of development.  
Visual amenity / impact on listed buildings.  
Amenities of occupiers of adjacent land.  
Highway safety.  
Drainage.

**Appraisal:**

**Background and Principle of Development**

The application relates to the change of use of a public house, which is currently boarded up, into 3 dwellings. It follows a previous permission for the conversion of the pub into 6 dwellings which has not been implemented but is still extant.

The existing pub is located outside the urban areas of Bradford instead located within the Green Belt. The pub was previously dwellings and the surrounding area consists of a small number of dwellings and a car garage on the opposite side of Old Allen Road. An existing car park is located to the south of the main building which is included in the application site. The host property is grade II listed for its external features. The proposal will provide 3 new residential units from a derelict public house making a small contribution to meeting the District's housing demand and such use is compatible with adjacent dwellings. The proposed residential use is also subject of an extant permission. These factors weigh significantly in favour of the scheme and the principle of residential development therefore continues to be acceptable subject to other material planning considerations which shall be discussed below.

**Visual amenity / impact on the host listed building**

As mentioned above the host building is grade II listed due to the external appearance. The building dates back to circa 1800-1810 and is an enlargement of a C17 farmhouse. The property is two-storey with a sandstone "brick" front to Dean Lane with hipped stone slate roof. The property has three bay 2 light square mullioned window elevation with modern porch. To the side there are two window returns and C17 gabled wing with chamfered doorway and 2 light chamfered mullioned windows. These architectural features of the building strongly indicate previous residential use (domestic scale windows, multiple external doors and the layout of the chimneybreasts and fireplaces in the rooms).

The building has previously undergone some unsympathetic alterations such as the addition of the flat roofed extensions, modern casement windows and removal of stone mullions. The proposal includes the reconfiguration of the modern extensions to make them more traditional in their form and appearance and reinstatement of traditional details such as sash windows. Subject to control of details such as materials and finishes, these proposals are welcomed and will restore some of the character and architectural interest of the building. Internally the conversion will necessitate some alterations to the layout of the property however the scheme now proposed is less invasive than the previously approved residential scheme (which was for 6 smaller units) and the impact of the internal works are limited.

The key elements such as the major structural walls, chimneybreasts and existing stair cases are to remain in situ and overall I am satisfied that the proposal will enhance the special interest of the heritage asset.

Subject to the attached conditions the proposal is considered to be acceptable in terms of policies BH1, BH4, D1 and UR3 of the RUDP and guidance contained within the NPPF.

### **Amenities of Occupiers of Adjacent Land**

The existing authorised use of the property is as a public house and therefore the proposed use restoring the original residential use will result in less general disturbance to neighbouring residential properties. There would not be any increase in noise transfer between the properties therefore this issue would be dealt with under compliance with relevant Building Regulations which will require a certain level of noise insulation to meet current standards. There are no dwellings to the front and rear therefore overlooking is not an issue and the proposal only seeks the removal of a flat roofed annex rather than any additional physical development. The proposed change of use will provide some communal garden area but the site is located in a semi-rural area with a good network of public footpaths and outdoor space around. The proposal is acceptable in terms of residential amenity and policies UR3 and D1 of the RUDP.

### **Highway Safety**

The proposal provides adequate off-street parking for two vehicles per dwelling which is more than adequate. The existing car park will be used for the parking and as such the situation converting the pub to dwellings will see fewer trips and subsequently highway safety will be improved. Policies TM2, TM12 and TM19A of the RUDP are satisfied.

### **Drainage**

There are no insurmountable drainage considerations with the proposed development. The Council's Drainage Engineer has confirmed the details shown on plan drawing ref 15/1027-07 Rev B are acceptable subject to confirmation from the developer that construction of a drainage field in the position indicated does not interfere with those for the existing septic tank or that serving property at No. 9. The drainage field should be constructed at or below the adjacent road level.

Subject to adequate drainage details being provided prior to occupation the proposal is considered to be acceptable against policies NR16 and UR3 of the RUDP.

### **Community Safety Implications:**

There are no community safety implications with the development. Policy D4 of the Replacement Unitary Development Plan is satisfied.

### **Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

**Reason for Granting Planning Permission:**

The development is not considered to adversely affect the character of the area and will enhance the appearance of the host property providing an appropriate use which will secure the buildings future. It is considered that the proposal will not have any significant adverse effects upon the residential amenity of the neighbouring residents and is acceptable in terms of highway safety and drainage. As such the proposal is considered to be in accordance with policies UR3, H7, H8, BH1, BH4, D1, D3, D4, D5, NR16, GB1, GB4, TM19A, TM12 and TM2 of the RUDP and guidance contained within the Council's adopted 'Householder' Supplementary Planning Document.

**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. All new mullions installed shall be of natural stone with a flat faced finish to match the existing and retained as such thereafter.

Reason: In the interests of visual amenity and to retain the historic integrity of the host listed building in accordance with policies UR3, D1, BH1 and BH4 of the Replacement Unitary Development Plan.

3. A sample panel of the natural stone materials and type of pointing to be used shall be erected on site for inspection before development begins. All new areas of walling shall then be constructed in the agreed material.

Reason: To assist the selection of appropriate materials in the interests of visual amenity and to accord with policies UR3, D1, BH1 and BH4 of the Replacement Unitary Development Plan.

4. Notwithstanding any details shown on the approved plans the roofs of the extensions shall be constructed of natural stone slates; artificial stone shall not be used.

Reason: In the interests of visual amenity and to retain the historic integrity of the host listed building in accordance with policies UR3, D1, BH1 and BH4 of the Replacement Unitary Development Plan.

5. All new areas of pointing shall be undertaken in a lime-sand mortar and have a flush or slightly recessed finish.

Reason: In the interests of visual amenity and to retain the historic integrity of the host listed building in accordance with policies UR3, D1, BH1 and BH4 of the Replacement Unitary Development Plan.

6. Before first occupation all external joinery shall have a painted finish which shall be retained thereafter.

Reason: In the interests of visual amenity and to retain the historic integrity of the host listed building in accordance with policies UR3, D1, BH1 and BH4 of the Replacement Unitary Development Plan.

7. On installation all windows shall be set back into their reveals by a minimum of 100mm and retained as such thereafter.

Reason: In the interests of visual amenity and to retain the historic integrity of the host listed building in accordance with policies UR3, D1, BH1 and BH4 of the Replacement Unitary Development Plan.

8. On installation all rainwater goods shall be timber and cast iron with a dark finish which shall be retained as such thereafter.

Reason: In the interests of visual amenity and to retain the historic integrity of the host listed building in accordance with policies UR3, D1, BH1 and BH4 of the Replacement Unitary Development Plan.

9. All foul and surface water shall be drained in accordance with plan ref 15/1027-07 Rev B.

Reason: To ensure proper drainage of the site and to accord with policies UR3 and NR16 of the Replacement Unitary Development Plan.

10. 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 15/1027-07 Rev B and completed to a constructional specification approved in writing by the Local Planning Authority.

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.

11. Before the development is brought into use, the off street car parking facility shall be laid out, hard surfaced, sealed and drained within the curtilage of the site in accordance with the approved drawings. The gradient shall be no steeper than 1 in 15 except where otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to accord with Policy TM12 of the Replacement Unitary Development Plan.

12. The boundary treatments as shown on plan 15/1027-07 Rev B received by the Council on the 30th of December 2015 shall be provided in full to a height of no more than 900mm prior to the first occupation of the dwelling and shall thereafter be retained unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and privacy and to accord with policies BH1, BH4, UR3 and D1 of the Replacement Unitary Development Plan.

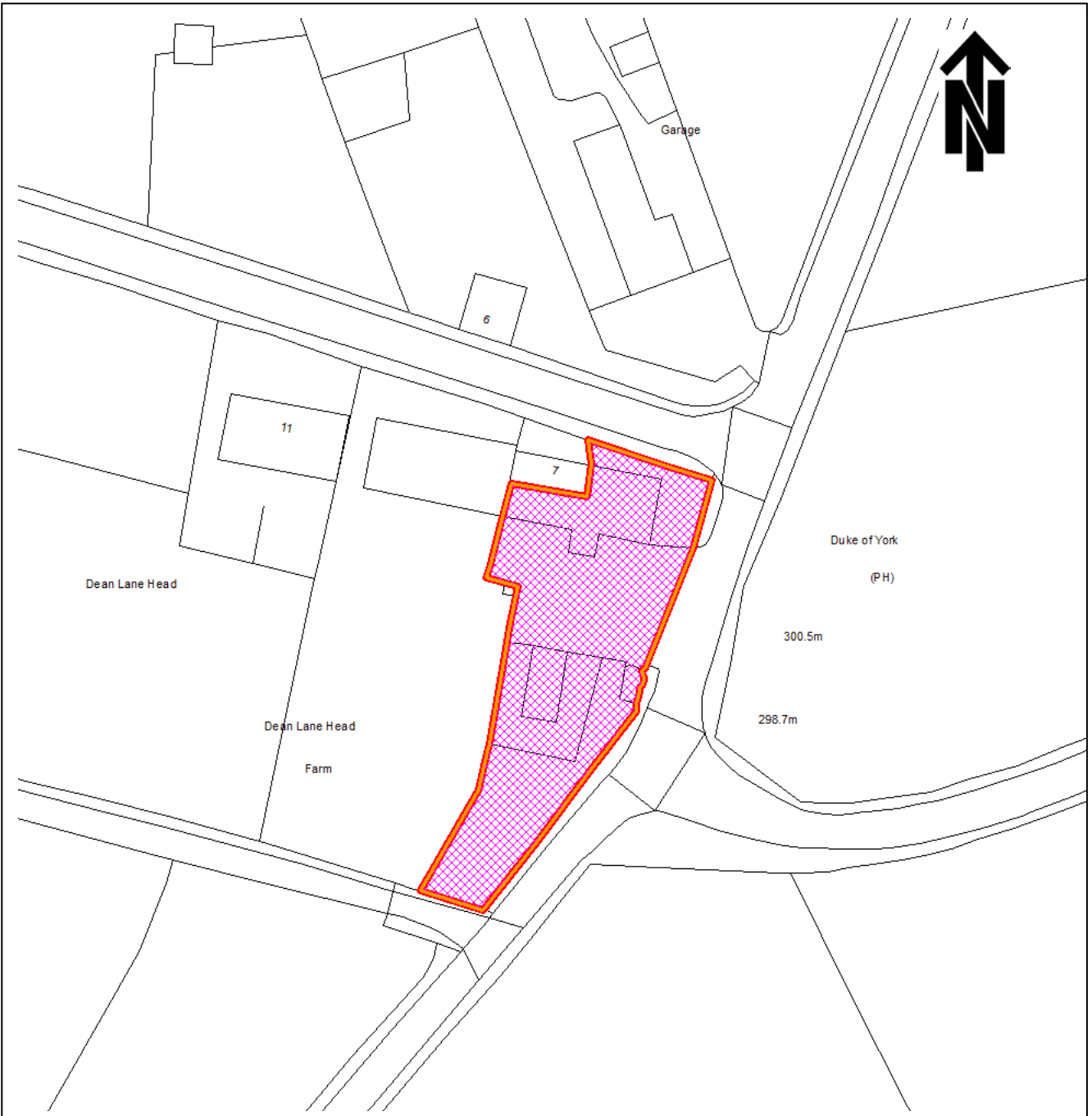
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**Area Planning Panel (Bradford)**

**15/03022/LBC**

20 January 2016



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ITEM NO. : <b>6</b>	LOCATION: <b>Duke Of York Inn Dean Lane Head Old Allen Road Thornton Bradford</b>
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20 January 2016

**Item Number:** 6  
**Ward:** THORNTON AND ALLERTON  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
15/03022/LBC

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

A listed building application for the change of use from a public house to three dwellings at the Duke of York Inn, Dean Lane Head, Old Allen Road, Thornton, Bradford.

**Applicant:**

Mr and Mrs Robertshaw

**Agent:**

SKP Architectural Design Services

**Site Description:**

The development site is in a semi-rural location at the junction of Old Allen Road and Back Lane. The property was originally a farmhouse that is dated to the 17th century. There have been a number of extensions and alterations over the years given its previous use as a public house. The building is 22.5 metres along the south elevation but only 10.8 metres to the north, the difference due to two back-to-back cottages facing Old Allen Road. The remainder of the block which historically must have been barns have also been converted into dwellings of a larger scale. A car park and field exist to the south of the building.

**Relevant Site History:**

11/03859/LBC: Replacement windows, refused 14.11.2011

13/04540/FUL: Conversion of public house to 6 self-contained dwellings, granted 16.12.2013

13/04541/LBC: Demolition and alterations to existing elevations, granted 17.12.2013

15/03021/FUL: Concurrent planning application for change of use of existing pub to three dwellings, also recommended for approval.

**The National Planning Policy Framework (NPPF):**

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

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

***Allocation***

The site is included within the Green Belt.

***Proposals and Policies***

BH1 Change of Use of Listed Buildings

BH4 Alteration Extension or Substantial Demolition of Listed Buildings

**Parish Council:**

Not applicable.

**Publicity and Number of Representations:**

The application was advertised by way of a site notice and press advert. The publicity period expired on 28 August 2015. No representations were received relating to the listed building application.

**Summary of Representations Received:**

Not applicable.

**Consultations:**

Design and Conservation: Subject to conditions requiring specific detailing the development is likely to preserve/enhance the special interest of the heritage asset and therefore is considered to accord with saved RUDP policies BH1 and BH4 and section 12 of the NPPF.

**Appraisal:**

The host building is grade II listed due to the external appearance. The building dates back to circa 1800-1810 and is an enlargement of a C17 farmhouse. The property is two-storey with a sandstone "brick" front to Dean Lane with hipped stone slate roof. The property has three bay 2 light square mullioned window elevation with modern porch. To the side there are two window returns and C17 gabled wing with chamfered doorway and 2 light chamfered mullioned windows. These architectural features of the building strongly indicate previous residential use (domestic scale windows, multiple external doors and the layout of the layout of the chimneybreasts and fireplaces in the rooms).

The building has previously undergone some unsympathetic alterations such as the addition of the flat roofed extensions, modern casement windows and removal of stone mullions. The proposal includes the reconfiguration of the modern extensions to make them more traditional in their form and appearance and reinstatement of traditional details such as sash windows. Subject to control of details such as materials and finishes, these proposals are welcomed and will restore some of the character and architectural interest of the building. Internally the conversion will necessitate some alterations to the layout of the property however the scheme now proposed is less invasive than the previously approved residential scheme (which was for 6 smaller units) and the impact of the internal works are limited.

The key elements such as the major structural walls, chimneybreasts and existing stair cases are to remain in situ and overall I am satisfied that the proposal will enhance the special interest of the heritage asset.

Subject to the attached conditions the proposal is considered to be acceptable in terms of policies BH1, BH4, D1 and UR3 of the RUDP and guidance contained within the NPPF.

**Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

**Reason for Granting Planning Permission:**

The development is considered to enhance the appearance of the host listed building satisfying policies BH1 and BH4 of the RUDP and NPPF.

**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. All new mullions installed shall be of natural stone with a flat faced finish to match the existing and retained as such thereafter.

Reason: In the interests of visual amenity and to retain the historic integrity of the host listed building in accordance with policies BH1 and BH4 of the Replacement Unitary Development Plan.

3. A sample panel of the natural stone materials and type of pointing to be used shall be erected on site for inspection before development begins. All new areas of walling shall then be constructed in the agreed material.

Reason: To assist the selection of appropriate materials in the interests of visual amenity and to accord with policies BH1 and BH4 of the Replacement Unitary Development Plan.

4. Notwithstanding any details shown on the approved plans the roofs of the extensions shall be constructed of natural stone slates; artificial stone shall not be used.

Reason: In the interests of visual amenity and to retain the historic integrity of the host listed building in accordance with policies BH1 and BH4 of the Replacement Unitary Development Plan.

5. All new areas of pointing shall be undertaken in a lime-sand mortar and have a flush or slightly recessed finish.

Reason: In the interests of visual amenity and to retain the historic integrity of the host listed building in accordance with policies BH1 and BH4 of the Replacement Unitary Development Plan.

6. Before first occupation all external joinery shall have a painted finish which shall be retained thereafter.

Reason: In the interests of visual amenity and to retain the historic integrity of the host listed building in accordance with policies BH1 and BH4 of the Replacement Unitary Development Plan.

7. On installation all windows shall be set back into their reveals by a minimum of 100mm and retained as such thereafter.

Reason: In the interests of visual amenity and to retain the historic integrity of the host listed building in accordance with policies BH1 and BH4 of the Replacement Unitary Development Plan.

8. On installation all rainwater goods shall be timber and cast iron with a dark finish which shall be retained as such thereafter.

Reason: In the interests of visual amenity and to retain the historic integrity of the host listed building in accordance with policies BH1 and BH4 of the Replacement Unitary Development Plan.

9. The boundary treatments as shown on plan 15/1027-07 Rev B received by the Council on the 30th of December 2015 shall be provided in full to a height of no more than 900mm prior to the first occupation of the dwelling and shall thereafter be retained unless otherwise first agreed in writing by the Local Planning Authority.

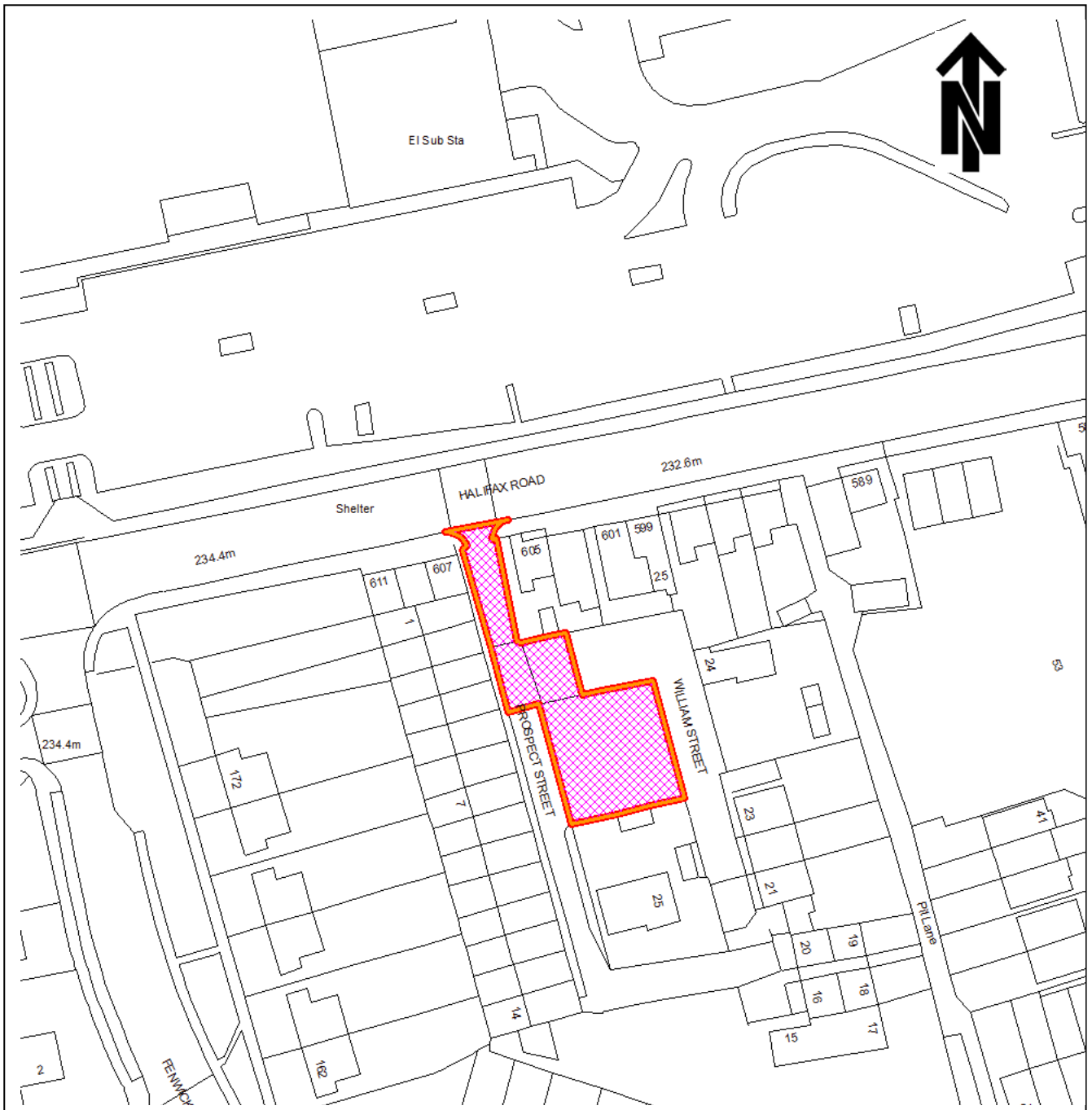
Reason: In the interests of amenity and privacy and to accord with policies BH1 and BH4 of the Replacement Unitary Development Plan.

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**Area Planning Panel (Bradford)**

**15/01523/FUL**

20 January 2016



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ITEM NO. : 7	LOCATION: <b>Land North Of 25 Prospect Street Woodside Bradford</b>
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**20 January 2016**

**Item Number:** 7  
**Ward:** ROYDS  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
15/01523/FUL

**Type of Application/Proposal and Address:**  
Construction of a detached dwelling at land north of 25 Prospect Street, Woodside, Bradford.

**Applicant:**  
Mr Tempest

**Agent:**  
Belmont Design Services Ltd

**Site Description:**

The site is a level grassed parcel of land with vehicular access directly onto Prospect Street, which is an unmade and unadopted road serving as access for properties on Prospect Street and William Street. The surrounding area is predominantly residential, comprising stone built terraced houses to north, east and west with mainly on-street parking; a modern bungalow is situated to the south. The land slopes quite steeply to the south. Prospect Street exits directly onto Halifax Road, a main arterial route between Halifax and Bradford.

**Relevant Site History:**

09/04855/FUL: Construction of 3 dwellings, refused 08.12.2009 due to (1) intensification of the unadopted Prospect Street, (2) poor junction arrangements at Halifax Road, and (3) lack of on-site provision for vehicles.

10/02718/FUL: Construction of a new dwelling, refused 29.07.2010 due to (1) intensification of the unadopted Prospect Street and (2) poor junction arrangements at Halifax Road.

14/01778/FUL: Construction of detached dwelling, withdrawn 02.07.2014

**The National Planning Policy Framework (NPPF):**

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

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

**Allocation**

The site is unallocated.

**Proposals and Policies**

Policy UR2 Promoting Sustainable Development  
Policy UR3 The Local Impact of Development  
Policy H5 Protecting the Housing Supply  
Policy H7 Density - Expectation  
Policy H8 Density - Efficient Use of Land  
Policy D1 General Design Considerations  
Policy D2 Sustainable Design  
Policy D4 Community Safety  
Policy D5 Landscaping  
Policy TM2 Impact of Traffic and its Mitigation  
Policy TM12 Parking Standards for Residential Developments  
Policy TM19A Traffic Management & Road Safety  
Policy NR16 Drainage  
Policy NE10 Protection of Natural Features and Species  
Policy P6 Unstable Land  
Policy P7 Noise

Householder Supplementary Planning Document

**Parish Council:**

Not applicable.

**Publicity and Number of Representations:**

The application was advertised by neighbour notification letters and a site notice. The publicity period expired on 25 May 2014. The application received 7 representations objecting to the proposal.

**Summary of Representations Received:**

Street has got enough houses. Area is not big enough for proposed house.  
Response: Covered below.

Highways-related issues: intensification of use of the poor access; congestion; parking issues; pavement virtually non-existent.

Response: Covered below.

Previous applications refused.

Response: Covered below.

Loss of children's play area.

Response: The applicant has served notice to all the owners of the site and certificate B had been signed on the application form confirming this. As such none of the site forms a children's play area.



Low bid purchase reflected planning permission would not be forthcoming.

Response: In the absence of a planning decision no presumption with certainty can be made.

Drainage issues:

Response: Covered below

Space for emergency vehicles.

Response: Works vehicles can be moved if required to allow access.

Disruption.

Response: This will only be short-lived and is to be expected during any construction, and would not be a sufficient to refuse the application.

### **Consultations:**

Highways: There is no highway objection.

The Coal Authority: Considers that the content and conclusions of the Preliminary Coal Mining Risk Assessment Report are sufficient for the purposes of the planning system and meet the requirements of the NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development subject to conditions.

Drainage: No objections.

Minerals and Waste: The only minerals or waste legacy matter relevant to this application is the location of the site within the Coal Mining Development High Risk Area.

### **Summary of Main Issues:**

Principle of development.

Visual amenity.

Residential amenity.

Highway safety and access issues.

Mining legacy.

### **Appraisal:**

#### **Principle of Development**

This is a greenfield site which is unallocated in the RUDP and its policies, and those of the NPPF, promote sustainable patterns of development; indeed, Policy UDP1 of the RUDP seeks to focus new development on the urban areas. A core planning principle in the NPPF states that planning should proactively drive and support sustainable economic development to deliver the homes, amongst other things, that the country needs. The NPPF states that every effort should be made objectively to identify and meet the housing needs of an area and respond positively to wider opportunities for growth. Whilst small, the provision of this single windfall dwelling will help to meet the housing demand of the District.

Policies H7 and H8 of the RUDP seek to ensure that the best and most efficient use is made of any development site. As such there is a requirement to achieve a minimum density of 30 dwellings per hectare (d/h) and as the site area is about 300m<sup>2</sup>, the proposal represents a density of 33d/h, which meets the Council's target. Subject to its local impact the proposal is acceptable in principle.

### **Visual Amenity**

RUDP Policy D1 states that new development should relate to the existing character of the locality. Immediately south of the site is an existing bungalow and the proposed house is similar in scale of this house. The scheme is a suitably designed development which is in accordance with the principles of the NPPF and the RUDP. The use of artificial stone and artificial slates is acceptable in this relatively unobtrusive location.

### **Residential Amenity**

Main habitable room windows face towards the north, west and east. There is sufficient distance between these windows, on ground floor level, and the nearest existing properties to prevent an excessive increase in overlooking. It is recommended that permitted development rights for windows are removed for the south elevation to prevent overlooking to neighbouring properties in the interests of residential amenity.

Based on the layout and scale of the proposed development it is acceptable in terms of other residential amenity issues (over-dominance, overshadowing, loss of outlook) and accords with policies UR3 and D1 of the RUDP.

### **Highway Safety**

The full wording of the reasons for the last refused application (10/02718/FUL) is as follows:-

1. The proposed development will result in the intensification of the use of Prospect Street which is an unadopted street lacking adequate surface treatment, footways, surface water drainage, street lighting and turning facilities. In addition it fails to provide safe access for all road users on foot, by vehicle and by service and emergency vehicles leading to conditions prejudicial to highway safety. This would be contrary to Policies TM2 and TM19A of the Replacement Unitary Development Plan.
2. Access from and to Halifax Road fails to provide a suitable junction arrangement to allow vehicles to manoeuvre safely to and from the A6036 classified road (Halifax Road) due to insufficient visibility, poor surfacing and severe gradient, thereby affecting the safe and free flow of traffic along the A6036 and creating conflicts between vehicles and pedestrians. This would be contrary to Policies TM2 and TM19A of the Replacement Unitary Development Plan.

This current application has been submitted with mitigation measures to address these two reasons. The junction of Prospect Street with Halifax Road is to be reconfigured to provide a 4.3-metre wide carriageway by repositioning the western kerb line and replacing the grass verge with a 1.2-metre wide footway. The first 21 metres of Prospect Street from Halifax Road is to be re-graded to achieve a reasonably level gradient (1 in 20) for the initial 6 metres. This section would also be resurfaced, the first 6 metres in tarmac and the remainder in stone. The re-grading and resurfacing of the highway and provision of a footway on one side as proposed would be a suitable improvement and would bring wider community benefits to other residents on Prospect Street and William Street. The red line boundary of the application site has been amended to include the section of Prospect Street running through to Halifax Road to enable the highway alterations to be conditioned.

Two off-street parking spaces for the dwelling are also proposed, which accords with adopted standards.

Subject to the mitigation measures being implemented prior to dwelling being occupied, the development is acceptable in terms of highway safety, access and parking and accords with policies TM2, TM12 and TM19A of the RUDP.

### **Mining Legacy**

The site is located within a Coal Authority high risk area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application and in response the applicant has submitted supporting information in the form of a Preliminary Coal Mining Risk Assessment Report. This identifies that shallow mine workings pose a potential risk to the proposed development and goes on to make appropriate recommendations to carry out an intrusive ground investigation (boreholes) in order to ascertain the ground conditions and to establish the presence or otherwise of mine workings.

In the event that shallow mine workings are encountered, The Coal Authority considers that due consideration should also be afforded to the potential risk posed by mine gas to the proposed development. Furthermore the applicant should ensure that the exact form of any intrusive site investigation is agreed with The Coal Authority's as part of their permit application. The findings of these intrusive site investigations should inform any mitigation measures which may be required in order to remediate mining legacy affecting the site and to ensure the safety and stability of the proposed development. The Coal Authority recommends that that the Local Planning Authority imposes conditions to this effect.

### **Drainage**

In order to keep the impermeability of the land to a minimum the applicant has been requested to investigate the use of porous materials in the construction of the car parking and hard standing areas and an amended plan has been submitted showing a surface water soak away, surface water drains and the parking area to be resin gravel allowing water to permeate. The application accords with Policy NR16 of the RUDP.

### **Community Safety Implications:**

There are no foreseen community safety implications with the proposed development and so Policy D4 of the RUDP is satisfied.

### **Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that that any issues with regard thereto are raised in relation to consideration of this application.

**Reason for Granting Planning Permission:**

The residential development would not adversely affect the character of the area or have any significant adverse effects upon residential amenity and is acceptable in terms of highway safety and the site can be made safe and stable to develop. The issues under the previously refused application (10/02718/FUL) essentially on highways safety grounds have now been addressed. As such the proposal accords with policies UR2, UR3, H5, H7, H8, D1, D2, D4, D5, TM2, TM12, TM19A, NR16, NE10 and P7 of the RUDP and the NPPF.

**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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent equivalent legislation) no further windows, including dormer windows, or other openings shall be formed in the dwelling without prior written permission of the Local Planning Authority.

Reason: To safeguard the privacy and amenity of occupiers of neighbouring properties and to accord with Policy UR3 of the Replacement Unitary Development Plan.

3. Before development commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.

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.

4. Before any works towards construction of the development begin on site, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site to base course level in accordance with the approved plans. The access shall be fully completed to a constructional specification approved in writing by the Local Planning Authority prior to the first occupation of the dwelling hereby approved.

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 Replacement Unitary Development Plan.

5. Before any part of the development hereby approved is brought into use, the visibility splays as shown on the approved plans shall be laid out and there shall be no obstructions to visibility exceeding 900mm in height within the splay so formed above the road level of the adjacent highway.

Reason: In the interests of highway safety and to accord with Policy TM12 of the Replacement Unitary Development Plan.

6. Before any part of the development hereby permitted is brought into use, the off-street car parking facility shall be constructed of porous materials, or made to direct run-off water from a hard surface to a permeable or porous area within the curtilage of the site, and laid out with a gradient no steeper than 1 in 15.

Reason: In the interests of highway safety, drainage and to accord with policies UR3, TM12 and NR16 of the Replacement Unitary Development Plan.

7. Prior to any development starting on site full details for the off-site highways works associated with the unadopted access road, Prospect Street, leading to the site from Halifax Road, as shown indicatively on the approved plan, shall be submitted to and approved in writing by the Local Planning Authority. The works shall then be completed on site prior to the dwelling being brought into use.

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.

8. Prior to the commencement of development hereby approved a detailed site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The report shall detail the findings of the intrusive investigation works undertaken in order to establish the presence or otherwise of any coal mining legacy issues on the site.

Reason: To ensure the site is safe and stable to be developed and to accord with policies UR3 and P6 of the Replacement Unitary Development plan.

9. In the event that the site investigations confirm the need for remedial works to treat the mine workings to ensuring the safety and stability of the proposed development, all remedial works identified by the site investigation report shall be undertaken prior to development beginning. A remediation verification report shall be prepared in accordance with the approved remediation strategy which shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development hereby approved.

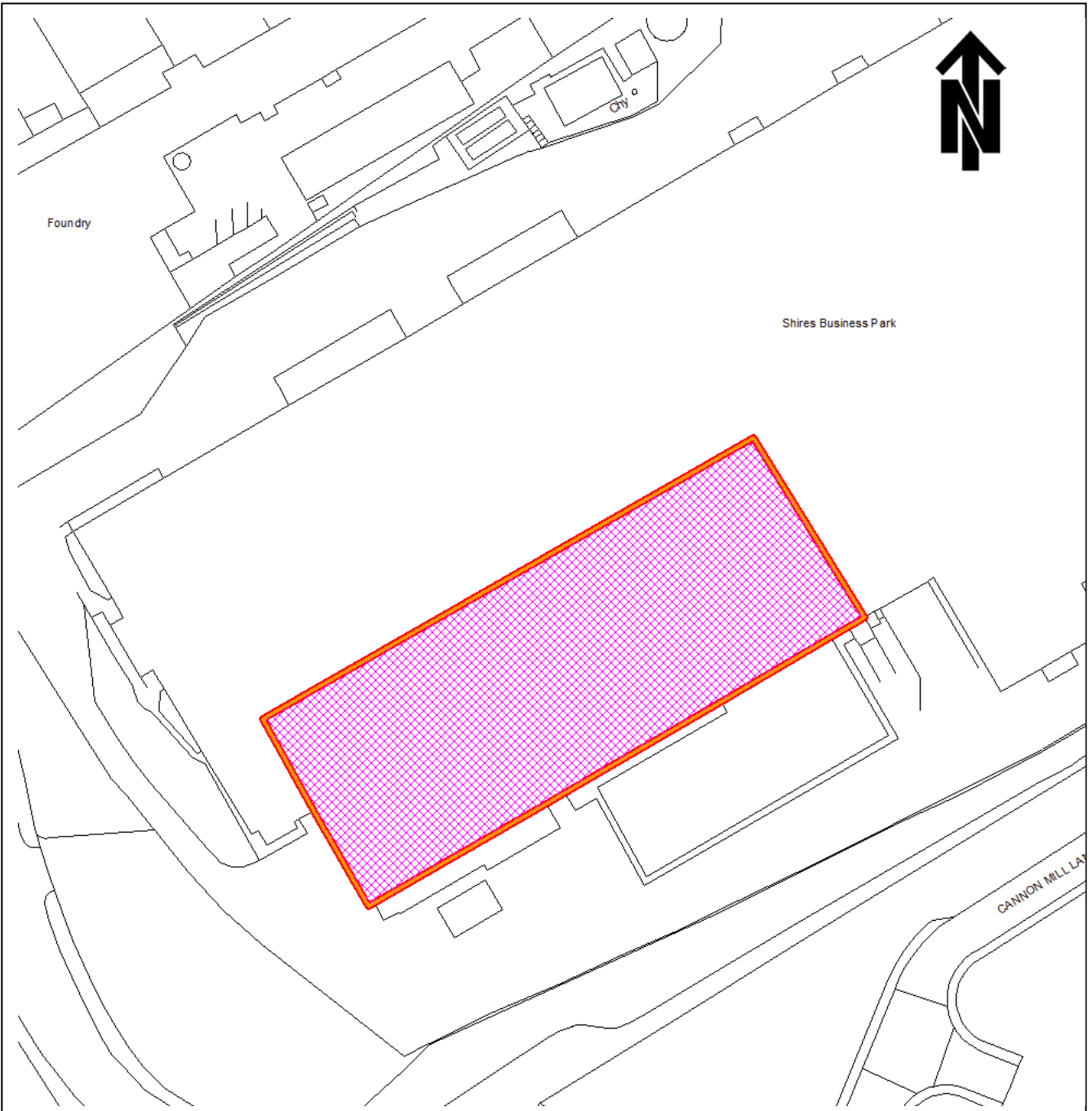
Reason: To ensure the site is safe and stable to be developed and to accord with policies UR3 and P6 of the Replacement Unitary Development Plan.

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**Area Planning Panel (Bradford)**

**15/05994/FUL**

20 January 2016



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ITEM NO. : 8	LOCATION: <b>Shires Business Park</b> <b>Beckside Road Bradford</b>
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**20 January 2016**

**Item Number: 8**  
**Ward: CITY**  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**  
**APPLICATION WITH PETITIONS**

**Application Number:**  
15/05994/FUL

**Type of Application/Proposal and Address:**  
A full planning application for change of use of part of the building from Use Classes B1/B2/B8 to Use Class D2 (indoor football pitches) at the former Shires Ltd building, Beckside Road, Great Horton, Bradford.

**Applicant:**  
Italian Furniture Company

**Agent:**  
Mr Asif Khawaja, Khawaja Planning Services

**Site Description:**  
The site comprises part of a building located on a larger area in excess of 4 hectares that is currently used for warehousing and manufacturing with the former being the dominant use. Office accommodation to the front of the site has recently been demolished. The building is surrounded by a traffic circulation route and informal parking areas. Access to the site is taken from Beckside Road via a large gated entrance/exit point. The site is located within an area that has a variety of uses including residential to the north and west, retail, industrial and commercial to the south and east.

**Relevant Site History:**  
15/01135/FUL: Change of use of part of site from mixed B1/B2/B8 to Class D2 for five, 5-a-side indoor football pitches, withdrawn 3 August 2015.  
15/01704/MAF: Change of use from industrial and warehouse to auction room, granted 03.09.2015  
14/00584/FUL: Change of use of part of the building from mixed use class B1/B2/B8 to class D2 use (indoor football pitches), refused 30 May 2014 on highway safety grounds. The subsequent appeal was dismissed on 16 October 2014 – whilst the Inspector accepted the principle of use, problems with the internal layout of the site leading to highway safety concerns were noted.  
11/01328/FUL: Change of use of part of site from mixed B1/B2/B8 to A1 Retail (non-food), refused 21 May 2012. The subsequent appeal was dismissed 31 October 2013  
10/06095/FUL: Change of use of partial areas to A1 and A3 use with existing B1, B2 and B8 use to remain, withdrawn 4 February 2011.  
90/06521/COU: Change of use from warehouse and offices to general industrial warehouse and offices, granted 8 November 1990.

**The National Planning Policy Framework (NPPF):**

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

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

***Allocation***

Employment Zone

***Proposals and Policies***

UR2	Promoting Sustainable Development
UR3	The Local Impact of Development
TM2	Impact of Traffic and its Mitigation
TM11	Parking Standards for Non-Residential Developments
TM19A	Traffic Management and Road Safety
D1	General Design Considerations
E6	Employment Zones

**Parish Council:**

Not applicable.

**Publicity and Number of Representations:**

The application has been publicised by means of a site notice and individual notification letters. Expiry date of the publicity period was 2 December 2015. At the time of report preparation, the following representations had been received:

Three objections have been received including one from a City Ward Councillor requesting that the application be referred to Bradford Area Planning Panel in the event of officer recommendation of approval. Two petitions have also been received with objections to the proposals, with a total of 293 signatures between them.



**Summary of Representations Received:**

Health and safety concerns regarding the building and the proposed uses.

Highway safety concerns: additional traffic generation and the impact of this on the highway and the surrounding uses.

Potential to generate anti-social behaviour.

Adverse impacts on residential amenity

**Consultations:**

Highways: No objections subject to implementation of access improvements at the site entrance.

**Summary of Main Issues:**

Principle of use.

Residential amenity.

Visual impact.

Highway safety.

Outstanding matters as a result of representations received.

**Appraisal:**

**Principle of Use**

The proposal is to change the use of part of the warehouse/industrial building (about 4,300 square metres) to form indoor football pitches. The site is within an Employment Zone whereby RUDP Policy E6 is a relevant consideration. The proposed use is not defined as an employment use and is therefore contrary to the aims of Policy E6. However, there are five mitigating factors (detailed below) in this case that weigh in favour of the proposal, as was the case in the recent planning application 14/00584/FUL for a slightly higher floor space of 4,500 square metres of Class D2 use.

1. The Employment Land Study of 2011 concluded that whilst there is currently sufficient employment land in the Bradford district based upon take up rates, there would be insufficient employment land to meet projected take up rates to 2028. However, the highest demand for employment land is in Bradford south close to the M606 corridor and not within areas to the west of the city centre where this site lies. Demand here is less acute and this would suggest other uses maybe suitable outside the defined employment uses if market signals indicated other uses may be more viable
2. The proposed class D2 use would generate similar employment densities as Class B8 and B2 uses, but it is acknowledged that the proposal would have a lower employment density than Class B1 uses. A good proportion of the existing building seems to be in use as warehousing (B8), particularly as an area of offices buildings have been demolished and it is therefore considered a significant drop in employment density would not occur.

3. The building covers an area of some 25,000 square metres and only about 17% of its floor area will be changed to Class D2 use; most of the building will therefore be retained for employment use and contribute to the function of the employment zone. It is noted here that another part of the building has recently been granted planning permission for auction room use (sui generis). This is located to the far end of the building and amounts to the loss of a further proportion of the building to a non-employment use (about 2900 square metres). However, even if this permission was implemented, more than 50% of the floor space of the building would remain available for employment uses, which would be acceptable.
4. A recent appeal has been considered in relation to the site and the refusal of planning application 14/00584/FUL. The Inspector considered the principle of use as part of the appeal and did not challenge the position of the Local Planning Authority in terms of the principle of the use or the weight given to the Employment Land Study 2011. The Inspector opined that the principle of use is acceptable in the context of RUDP Policy E6.
5. Should the need arise, the part of the building in question could revert back to a Class B2/B8 without any significant modifications, apart from a planning application if the Class D2 use is implemented. This is a view confirmed by the Inspector at appeal who also gave weight to the fact that parts of the building are currently vacant and could easily revert back to appropriate employment uses.

Therefore the proposed Use Class D2 is unlikely to significantly prejudice the delivery of employment land in the Bradford District and would comply with the requirements of RUDP Policy E6 and paragraph 22 of the NPPF. The principle of use is acceptable, particularly when taking a flexible approach to employment sites as detailed in paragraph 22 of the NPPF.

### **Residential Amenity**

The site is not surrounded by residential properties, although there is an area of housing to the north. The proposed use would have a limited impact on the amenities of the surrounding properties, particularly given the existing commercial and industrial activities on the site that are largely unrestricted and operate without restriction to hours, which will lead to a certain degree of disturbance. A condition is recommended to restrict the hours of use of the proposed Use Class D2 to limit the effect on residential amenity.

### **Visual Impact**

No external alterations are proposed to the building and so there is consequently no impact in terms of the character of the building. Any signage necessary to advertise the use may be controlled through the need to apply for Express Advertisement Consent.

### **Highway safety**

The proposed use will provide a total of 60 dedicated parking spaces within the site close to the entrance point and along part of the south flank of the site. A dedicated pedestrian route will be provided from the parking areas to the front of the site to the entrance to the proposed Class D2 unit. The access point to the site will also be improved as shown on the detailed plans to provide split access for heavy goods and other vehicles which will work to reduce conflicts between vehicle types and allow safer routes for pedestrians. This access will improve upon the existing situation and allow easier turning, access and egress for larger vehicles onto Becks Road, particularly when making right turns. The appeal Inspector considered the improved access to be acceptable and to effect an overall improvement to highway safety for the site and surrounding road network - this is in addition to an appeal made in 2013 for a 4,500 square metre retail unit on the far side of the site which was also considered acceptable by the Inspector to aid highway safety. The assessment and concerns of the Inspector in relation to the appeal dismissed on 16 October 2014 have been addressed with this proposal. There is now a defined pedestrian route to the unit that will protect pedestrians from site traffic and access to other parts of the building would not be adversely affected whilst allowing traffic flow to be maintained at the site. Given the factors above and particularly the appeals considered in relation to the site, no significant highway safety implications will occur, particularly as traffic generation as a result of the Class D2 use is unlikely to be greater than that already occurring at the site to serve the commercial and manufacturing uses within the building. In terms of the impact of the approved auction room use to the far side of the site, the proposal is unlikely to lead to significant additional concerns for highway safety, given the scale of the site and the access improvements proposed. The auction room use is not likely to generate significant additional traffic beyond that already possible from established employment uses at the site.

### **Outstanding matters as a result of representations received**

Potential to generate anti-social behaviour

Comment: This is not a significant material planning consideration. The proposal is unlikely to generate significant opportunities for crime given that most of the parking provision benefits from natural surveillance from the existing building and the entrance to the unit will be highly visible within the site.

Health and safety concerns regarding the building and the proposed uses

Comment: The suitability of the building to accommodate the use is not a material consideration. Other health and safety legislation will control these matters which could relation to fire safety, structural stability of the building, etc.

### **Community Safety Implications:**

None Significant.

### **Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that that any issues with regard thereto are raised in relation to consideration of this application.

**Reason for Granting Planning Permission:**

The change of use of part of the building from Class B1/B2/B8 to Class D2 is acceptable in principle at this employment site given that most of the building will remain in employment use and there is little demonstrated demand for employment land in this area of the District. No significant implications are foreseen in terms of residential amenity or visual impact and with the adequate levels of parking provision, dedicated pedestrian access and no restrictions to the traffic flow within the site, there are no significant highway safety implications. The proposal is therefore considered to comply with policies UR3, D1, TM2, TM11, TM19A and E6 of the RUDP and guidance contained within the NPPF

**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. Before any part of the development is brought into use, the proposed improvements to the 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 YK1855-1T- 002 and completed to a constructional specification approved in writing by the Local Planning Authority.

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

3. Before any part of the development is brought into use, the proposed car parking spaces shall be laid out, hard surfaced, sealed, marked out into bays and drained within the curtilage of the site in accordance with the approved plan and to a specification to be submitted to and approved in writing by the Local Planning Authority. The car park 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 Policies TM2 and TM19A of the Replacement Unitary Development Plan.

4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, or any subsequent equivalent legislation, the premises shall be used for indoor football pitches only and for no other purpose (including any other activity within Class D2 of the Order).

Reason: In order that the Local Planning Authority retains reasonable control over future changes of use with particular regard to residential amenity and highway safety to accord with policies UR3 and TM2 of the Replacement Unitary Development Plan.

5. The premises shall not be used outside the hours of 08:00 to 23:00 each day.

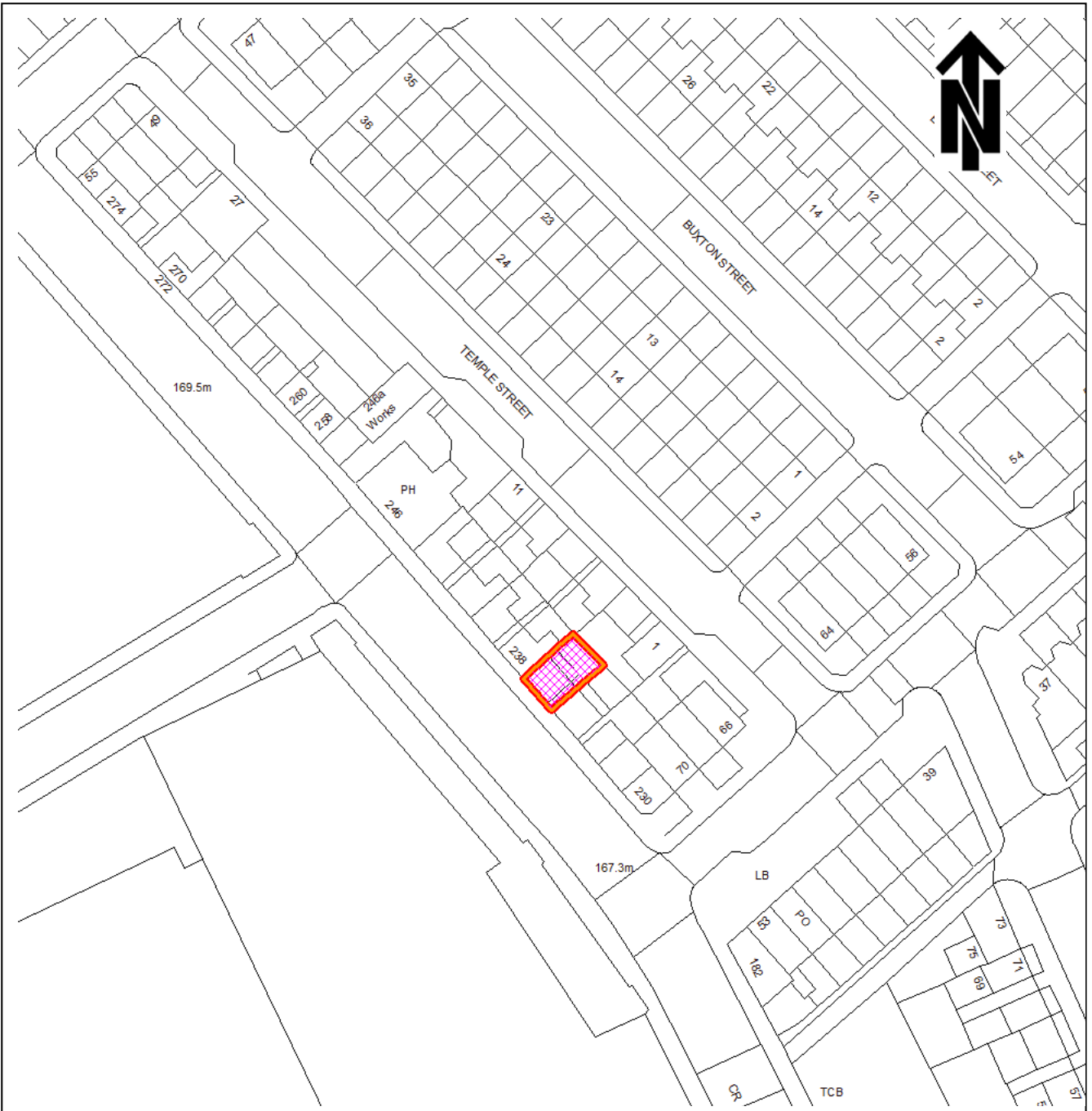
Reason: In the interests of the amenities of neighbouring residents and to accord with Policy UR3 of the Replacement Unitary Development Plan.

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**Area Planning Panel (Bradford)**

**15/06909/FUL**

20 January 2016



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ITEM NO. : <b>9</b>	LOCATION: <b>236 Heaton Road Bradford</b>
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20 January 2016

**Item Number:** 9  
**Ward:** MANNINGHAM  
**Recommendation:**  
**TO REFUSE PLANNING PERMISSION**

**Application Number:**  
15/06909/FUL

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

Change of use of ground floor of dwelling to estate agency (A2), single-storey rear extension and conversion of existing roofspace to bedrooms including front and rear dormer windows at 236 Heaton Road, Bradford.

**Applicant:**

Mr Ali

**Agent:**

Mr B A W Ratcliffe, Building Design Consultant

**Site Description:**

The site is a mid-terraced, 2-storey stone-built house within North Park Road Conservation Area. There is an existing barbers shop at the end of the terrace towards the south-east. There are business premises intermittently dispersed along Heaton Road though the area is predominately residential. The rear of the site faces the back of a property on Temple Street which has been extended and includes opaque-glazed rear windows.

**Relevant Site History:**

15/00736/FUL: Change of use from dwelling to barbers shop, single storey rear extension with front and rear dormer windows, refused 17.04.2015

15/03783/FUL: Change of use from dwelling to estate agency (A2), single storey rear extension and conversion of existing roofspace to bedrooms including front and rear dormer windows, refused 15.10.2015.

Both applications were refused for, essentially the same reasons of (1) noise and disturbance of residents in adjacent terraced properties (2) inadequate access for disabled people, and (3) over-development with excessive take-up of outdoor amenity space.

**The National Planning Policy Framework (NPPF):**

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

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

***Allocation***

The site is not allocated for any specific land-use in the RUDP but is included in the North Park Road Conservation Area and Manningham/Girlington Community Priority Area.

***Proposals and Policies***

UDP4 Economic Regeneration  
UR3 The Local Impact of Development  
D1 General Design Considerations  
D3 Access for People with Disabilities  
D13 Shopfronts  
BH7 New Developments in Conservation Areas  
BH8 Shopfronts in Conservation Areas  
TM2 Impact of Traffic and its Mitigation  
TM19A Traffic Management and Road Safety  
CF6 Community Priority Areas  
P7 Noise

**Parish Council:**

Not applicable.

**Publicity and Number of Representations:**

Application was publicised by way of site notices, neighbour notification letters and Newspaper Advertisement. The overall expiry for the publicity was 1 January 2016.

Representations have been received from a Manningham Ward Councillor requesting that, in the event of this application not being supported by officers, the application is referred to the Bradford Area Planning Panel.

**Summary of Representations Received:**

The reasons of the last refusal have been fully addressed by way of (1) reducing the size of rear extension, (2) sound-proofing the internal walls and ceiling to remove any noise and disturbance issues, and (3) provision of a disabled access from rear of the property as it was not possible from the front without encroaching the public foot path.

**Consultations:**

Highways: No objections.



### **Summary of Main Issues:**

Background and principle of development.

Design issues.

Accessibility.

Residential amenity.

Highway and pedestrian safety.

### **Appraisal:**

#### **Background and Principle of Development**

This application is in essence a re-submission of that previously refused under 15/03783/FUL, the full wording of the reasons being as follows:-

1. The proposed development by reason of its terraced setting would result in adverse impacts on the amenities of the surrounding residential properties in this mainly residential area due to disturbance from customers and visitors arriving and departing from the site and the associated noise from users during operation of the use. The proposed use is therefore contrary to policy UR3 and P7 of the Replacement Unitary Development Plan.
2. The access to the shop fails to provide an adequate and dignified means of access for people with physical disabilities contrary to the provisions of Policy D3 of the Replacement Unitary Development Plan and also fails to meet the objectives of the Councils Shopfront Design Guide (October 2007) Design Principle 6 which requires reasonable efforts should be made to achieve primary access to the premises which is available to all in an equitable and unobstructed manner.
3. Under Section 12 of the Householder SPD (page 33) extensions which take up more than half of the useable garden area, either individually or when added to previous extensions, are unlikely to be acceptable. The proposed extension, if built, would occupy more than half of the useable garden area and as such does not meet this policy requirement whereby constituting over-development also conflicting with the Councils Policy UR3 of the Replacement Unitary Development Plan.

The proposed Use Class A2 estate agency would occupy the front section of the property's ground floor; the remainder of the building would continue to be occupied as a dwelling. Opening hours for the estate agency would be 0900 to 1730 Monday to Fridays and 0900 to 1230 on Saturdays. This element of the proposal would provide a new business unit and some employment compliant with the NPPF and RUDP Policy UDP4 and so is acceptable in principle.

### **Design Issues**

With regards shopfronts, the Council's adopted Shopfront Design Guide SPD requires retention of traditional details and integration with the form, style and character of the building façade and its neighbours. Furthermore, RUDP policies BH8 and D13 require shopfronts within conservation areas to be of high standard of design and consistent with the character and scale of the host building's fascia, façade and street scene. The proposals have features generally of the acceptable scale both relative to the host building and the wider street scene and are considered to comply with these policy requirements.

The rear extension has been reduced to occupy less than half of the property's useable outdoor amenity space compliant with the Householder SPD and overcoming the over-development concerns set out in the previous refusals.

The proposed front dormer window would have a width of 1.5-metres and a pitched roof form and that to the rear would be three metres wide with a flat roof, both complying with the Householder SPD and policies D1 and BH7 of the RUDP.

### **Accessibility**

Policy D3 requires adequate means of access for people with physical disabilities. Shopfront Design Guide SPD (Design Principle 6) states that where development involves the substantial replacement of a shopfront or refurbishment of retail premises, reasonable efforts should be made to achieve primary access to the premises which is available to all in an equitable and unobstructed manner. This should be achieved within the ownership of the premises and without unreasonably harming the appearance of the property or the streetscape.

The Design and Access Statement accompanying this application states:

"Unfortunately, level access to the proposed shop is not possible due to the raised ground floor level and access being directly off the public pavement...a ramped access for the disabled can be provided at the rear. Internal doors will have a minimum clear opening of 780mm, to allow wheelchairs to pass through."

Whilst a non-primary solution can be acceptable it has not been demonstrated that an internal solution is not possible from the principle elevation which is the equitable solution to achieving level access. In the absence of any information demonstrating why an internal level access solution is not possible, the proposed alternative non-primary access, via a kitchen, for disabled people is not dignified. Furthermore this access is not within the red-line boundary and so is not within the applicant's control.

For these reasons the proposal fails to provide a level access and, as previously, fails to comply with the Council's relevant policies.

### **Residential Amenity**

The application alludes to soundproofing, especially the floor between the 'proposed shop' and the flat over, to minimise noise transfer. However, no soundproofing details have been submitted and no mitigation measures to the adjacent terraced houses are proposed. The proposed A2 use can be intensive and the relationship of the building with neighbouring residential properties is such that noise of customers coming and going is likely to harm residential amenity. As such the proposed change of use is considered to be in conflict with policies UR3 and P7 of the RUDP.

### **Highway and Pedestrian Safety**

The application site benefits from adequate on-street parking provision so it is likely that no adverse highway or pedestrian safety would be raised. As such the proposed development is compliant with Policy TM19A of the RUDP.

### **Community Safety Implications:**

There are no apparent community safety implications.

**Conclusion:**

Whilst some aspects of the previously refused proposal have been addressed, others remain relating to noise and disturbance of neighbouring residents and equitable access for disable people. The proposal therefore again fails to comply with the relevant policies adopted by the Council and so is recommended for refusal.

**Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. The issues with regard thereto are assessed above as material planning considerations in relation to this application.

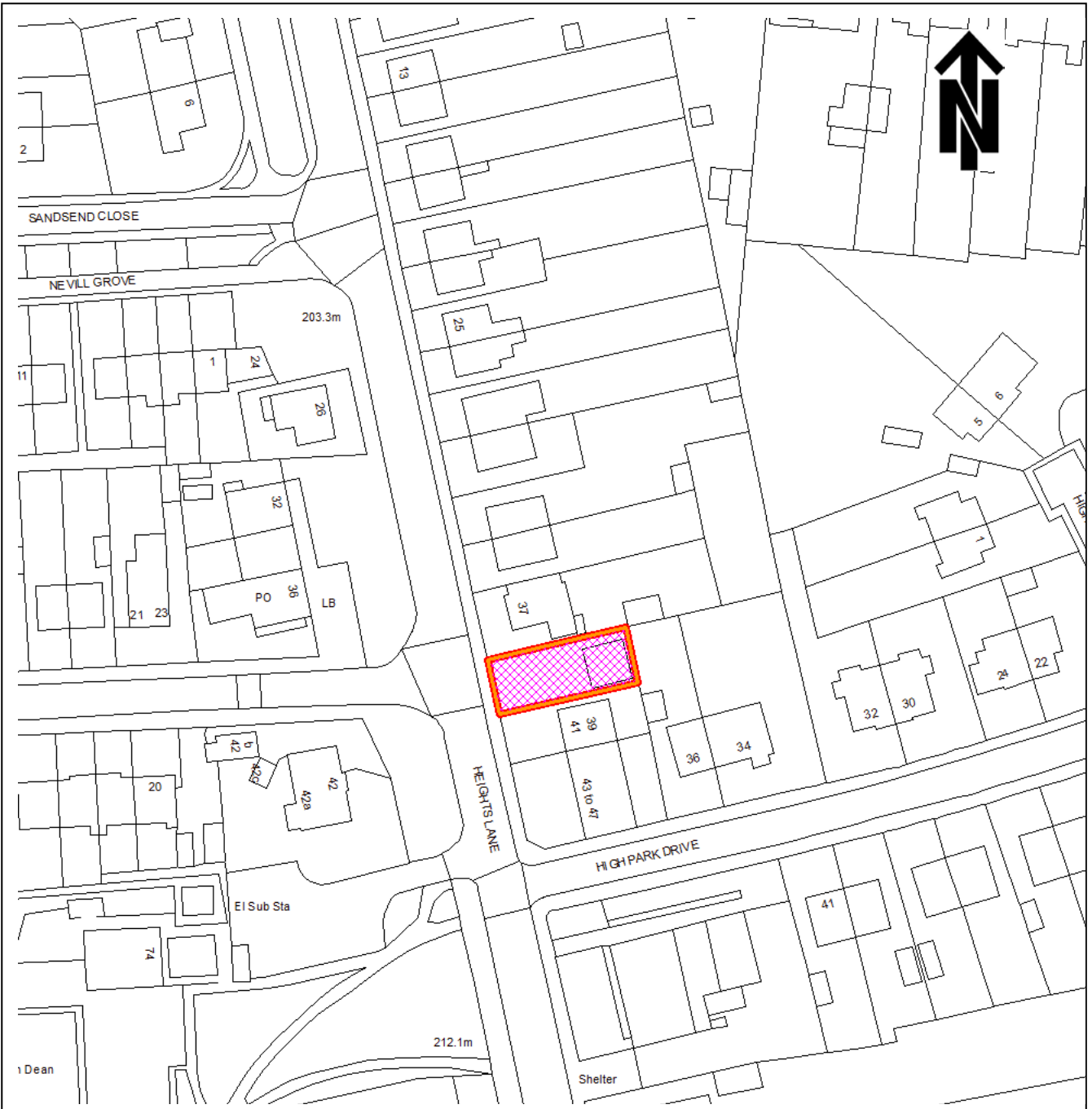
**Reasons for Refusal:**

1. The proposed development by reason of its terraced setting would result in adverse impacts on the amenities of the surrounding residential properties in this mainly residential area due to noise and general disturbance from customers and visitors arriving and departing from the site and the associated noise from users during operation of the use. The proposed use is therefore contrary to policies UR3 and P7 of the Replacement Unitary Development Plan.
2. The proposal fails to include a primary access to the premises that is available to all in an equitable and unobstructed manner and so does not make adequate provision for people with physical disabilities contrary to Policy D3 of the Replacement Unitary Development Plan and the Council's adopted Shopfront Design Guide supplementary planning document.

**Area Planning Panel (Bradford)**

**15/02901/FUL**

20 January 2016



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<p>ITEM NO. : <b>10</b></p>	<p><b>LOCATION:</b> <b>37 Heights Lane</b> <b>Bradford</b></p>
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**20 January 2016**

**Item Number: 10**  
**Ward: HEATON**  
**Recommendation:**  
**TO REFUSE PLANNING PERMISSION**

**Application Number:**  
15/02901/FUL

**Type of Application/Proposal and Address:**  
A full planning application for the construction of a new dwelling within the curtilage of 37 Heights Lane, Daisy Hill, Bradford.

**Applicant:**  
Mr Keith Thomson

**Agent:**  
Mr Kevin Williams

**Site Description:**  
37 Heights Lane is a large stone-built individually designed detached dwelling set in an established residential locality. The property has a sizeable curtilage consisting of a modest front yard, a large rear garden and a side garden. The side garden currently provides off-street parking and has a freestanding flat roofed garage positioned to the rear. The wider locality has a variety of housing designs, but the predominant design is a hipped roof semi-detached dwelling which gives the street scene a relatively uniform appearance. On the opposite side of Heights Lane there are a number of small-scale commercial/retail premises.

**Relevant Site History:**  
93/01577/FUL: Construction of extension in roof space of property, granted 08.07.1993.

**The National Planning Policy Framework (NPPF):**

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

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

**Allocation**

Unallocated.

**Proposals and Policies**

UR2	Promoting Sustainable Development
UR3	The Local Impact of Development
H7	Housing Density – Expectation
H8	Housing Density – Efficient Use of Land
TM2	Impact of traffic and its mitigation
TM12	Parking standards for residential developments
TM19A	Traffic management and road safety
D1	General Design Considerations
D2	Energy Efficiency and Sustainable Design
D3	Access for People with Disabilities
NR16	Surface Water Run Off and Sustainable Drainage Systems

**Parish Council:**

Not in a Parish.

**Publicity and Number of Representations:**

The application has been publicised via a site notice and individual neighbour notification letters. The publicity period expired on 4 October 2015. Two representations have been received including one from a Heaton Ward Councillor.

**Summary of Representations Received:**

The representations received are in support of the proposed development, its design and eco-friendly credentials.

**Consultations:**

Highways Development Control – The proposed parking space is inadequate, there is inadequate parking provision and the site lacks an on-site turning facility, which in combination with the proximity to a road junction and existing demand for on-street parking will lead to conditions prejudicial to highway safety.

Drainage – Conditions are suggested for drainage of the site and it is also suggested that Yorkshire Water should be consulted regarding the presence of a public sewer within proximity of the development.

**Summary of Main Issues:**

Principle.

Residential Amenity.

Visual Amenity.

Highway Safety.

## **Appraisal:**

### **Principle**

There is an urgent need for the Council to provide appropriate housing land. In relation to housing land supply, the NPPF indicates that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years-worth of housing against the Council's housing targets. The Council SHLAA update report 2015 indicates that the five-year housing land supply position will remain below the level required by the NPPF.

In light of the housing land supply shortfall relative to the requirements of the NPPF, there is an urgent need to increase the supply of housing land in the District. The site is unallocated on the RUDP so there would be no policy restrictions to the principle of developing this site for an additional dwelling.

Furthermore, the NPPF also observes that housing applications should be considered in the context of the presumption in favour of sustainable development, and local planning authorities should encourage the effective use of land. A new dwelling would represent a sustainable approach to development close to existing infrastructure such as shops, other facilities and public transport. These factors, along with the accessible nature of the proposed dwelling, weigh significantly in favour of the scheme and support the principle of residential development.

The proposal remains subject to an assessment of the local impact of the development and the main issues are assessed below.

### **Residential Amenity**

The site is relatively restricted in terms of its size, and the proposed dwelling has been designed to take advantage of the available space bringing the development close to the shared boundaries with existing properties at 39 Heights Lane and 36 High Park Drive. The proposed dwelling has however been carefully designed to minimise any impact on the amenity of neighbouring residents. The scale and massing of the building has been kept to a minimum and the building sited to prevent an overbearing relationship or significant increase in overshadowing.

To the rear, what are effectively first floor windows do not meet the required 7-metre separation distance to the rear boundary, but the addition of angled louvres, subject to their design, would be sufficient to prevent a harm to neighbouring privacy.

The proposal therefore satisfies the requirements of policies UR3 and D1 of the RUDP in respect of neighbouring amenity.

Adequate space is retained to meet the needs of the future occupants needs in the form of the front yard and the courtyard style rear garden.

### **Visual Amenity**

As noted above, the proposed dwelling has been designed to maximise the use of the site, whilst both respecting neighbouring amenity and providing adequate living accommodation. The applicant's desire for an environmentally friendly development has also been a fundamental factor in the design.

The resulting dwelling has a singular modern design, that although not without merit will appear at odds with the traditional character of the host property and the wider street scene. The form and scale of the dwelling is poorly related to that of the neighbouring dwellings and traditional character of the locality such that it will appear out of place in this setting.

The construction materials proposed are either stone to match the neighbouring properties, but this compromises the modern design and integrity of the building and results in a contrived appearance. Alternatively a white rendered finish, which provides a clean modern finish to reflect the dwelling's design, only serves to further highlight the incongruous nature of the building within this street scene.

For this reason the design, form and scale of the proposed dwelling does not respect the context of the site or the character and appearance of the locality and will result in an incongruous feature within the street scene contrary to the requirements of policies UR3 and D1 of the RUDP.

### **Highway Safety**

The proposed dwelling would be a modest single-bedroomed house. The layout has been reconfigured to ensure an adequate parking space is created to the front of the property. The existing dwelling will also retain the capability of providing one off-street parking space, with the possibility of tandem parking to create two spaces.

The Council's Highway Engineer has raised concerns regarding highway safety as a consequence of the parking arrangements and the lack of an on-site turning facility.

However, given that the site currently provides parking and a garage associated with the existing dwelling, and an existing access is already available to the front of the original property, neither of which currently provide on street turning, the implications for highway safety, above and beyond what could already occur, would not justify refusal. The provision of up to three off-street spaces would also accord with the Council's parking standards as detailed in Appendix C of the RUDP. Furthermore, reliance on private transport is reduced by the access to local amenities and local bus services.

It is notable that the Highway Engineer has referred to on-street parking causing an obstruction to pedestrians in the past, but there are limited parking restrictions in place and inappropriate parking on the footway would be a matter for the police.

### **Community Safety Implications:**

None foreseen.



**Equality Act 2010, Section 149:**

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that that any issues with regard thereto are raised in relation to consideration of this application.

**Reasons for Refusal:**

The proposed dwelling would detract from the appearance of the existing dwelling and wider street scene by reason of the design, form, scale and resultant overall appearance, which would be out of character with the traditional built form of existing buildings. For these reasons the development would be harmful to visual amenity and contrary to policies D1 and UR3 of the Replacement Unitary Development Plan.

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**Report of the Strategic Director, Regeneration to the meeting of the Area Planning Panel (BRADFORD) to be held on 20 January 2016**

**L**

**Summary Statement - Part Two**

**Miscellaneous Items**

	<u>No. of Items</u>
Requests for Enforcement/Prosecution Action (page 69)	(12)
Decisions made by the Secretary of State – Dismissed (page 93)	(9)

Julian Jackson  
Assistant Director (Planning, Transportation and Highways)

Report Contact: Mohammed Yousuf  
Phone: 01274 434605

Email: [mohammed.yousuf@bradford.gov.uk](mailto:mohammed.yousuf@bradford.gov.uk)

**Portfolio:**  
Housing, Planning & Transport

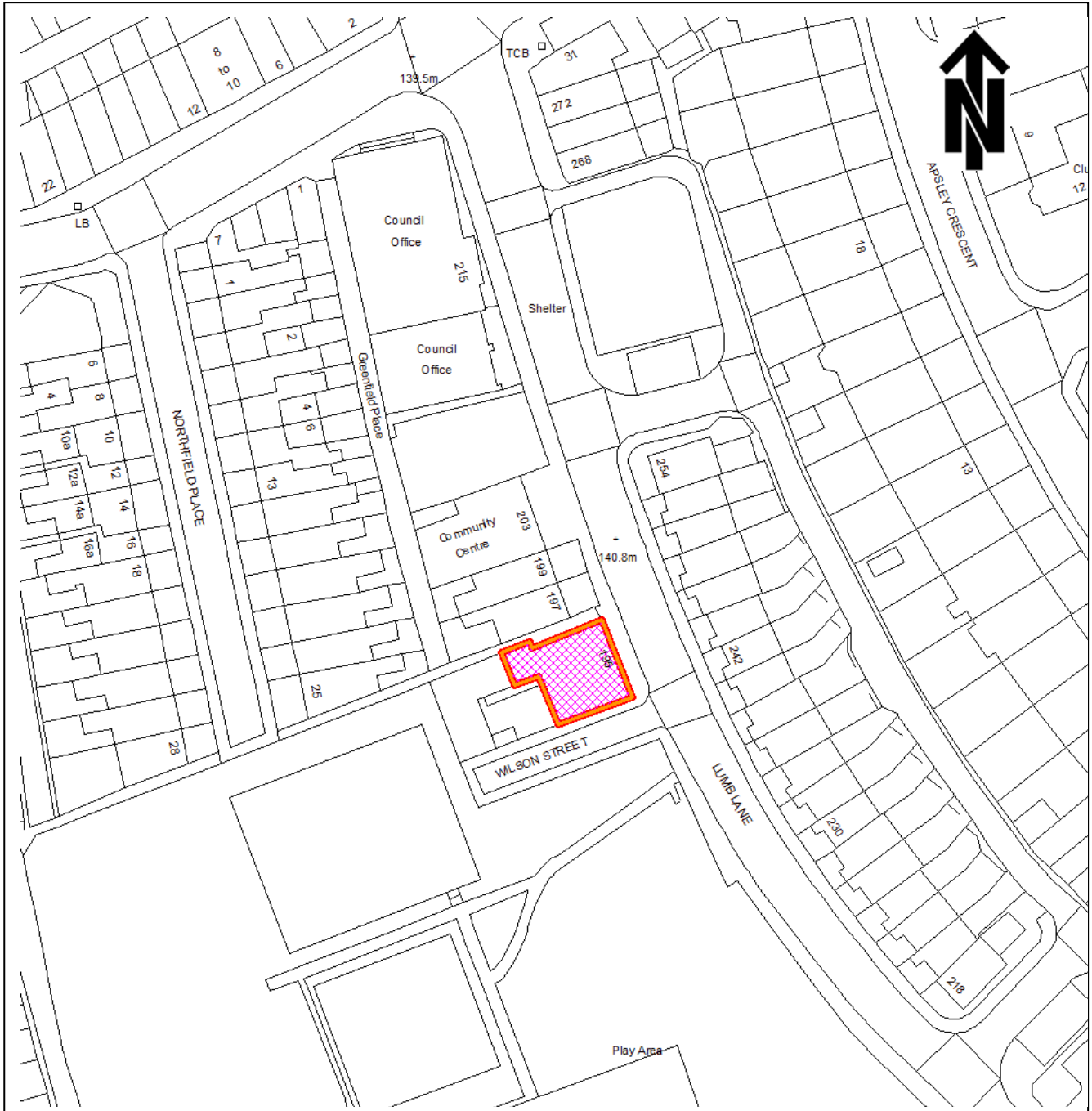
**Overview & Scrutiny Committee Area:**  
Regeneration and Economy



Area Planning Panel (Bradford)

14/00960/ENFUNA

20 January 2016



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ITEM NO. : 11	LOCATION: <b>195 Lumb Lane Bradford</b>
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**20 January 2016**

**Item Number:** 11  
**Ward:** MANNINGHAM  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
14/00960/ENFUNA

**Site Location:**  
195 Lumb Lane, Bradford, BD8 7SG

**Breach of Planning Control:**  
Unauthorised roller shutters.

**Circumstances:**

In October 2014 the Local Planning Authority received an enquiry regarding the installation of roller shutters at the former public house premises.

An inspection was made and it was noted that four externally mounted roller shutters had been installed, for which the Local Planning Authority had no record of planning permission having been granted.

The owner of the property has been requested to take action to rectify the breach of planning control, however no action has been taken to date.

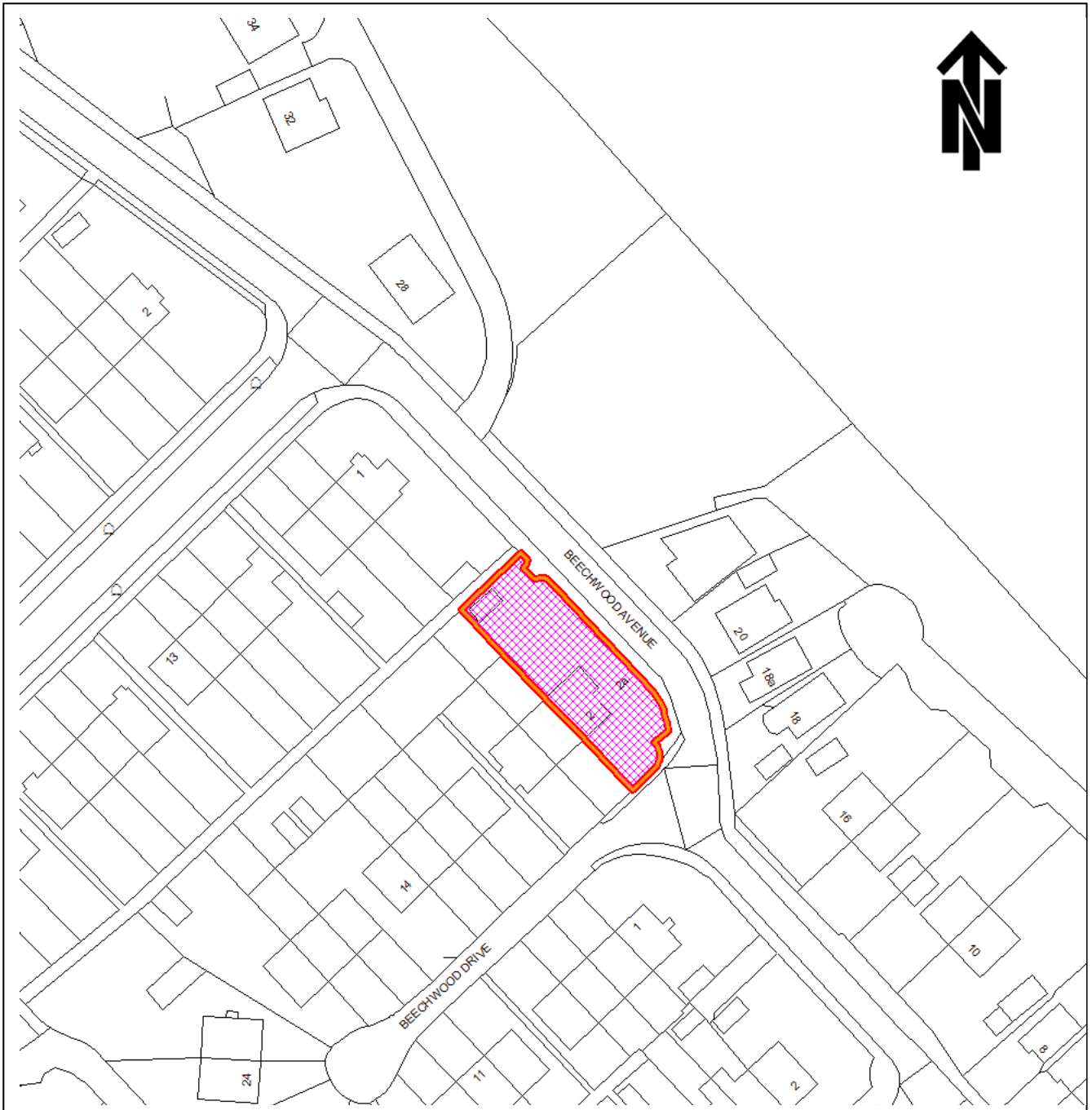
On 24 November 2015 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised externally mounted roller shutters are detrimental to visual amenity by virtue of their design and appearance, contrary to Policies BH7, D1, UR3 and UDP3 of the Council's adopted Replacement Unitary Development Plan and the Council's adopted A Shopkeepers Guide to Securing their Premises Supplementary Planning Document.

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**Area Planning Panel (Bradford)**

**14/01076/ENFAPP**

20 January 2016



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ITEM NO. : 12	LOCATION: <b>2 Beechwood Drive Bradford</b>
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**20 January 2016**

**Item Number: 12**  
**Ward: WIBSEY**  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
14/01076/ENFAPP

**Site Location:**  
2A Beechwood Drive, Wibsey, Bradford, BD6 3AG

**Breach of Planning Control:**  
Unauthorised construction of dwelling house.

**Circumstances:**  
Planning permission was granted under application number 13/04026/FUL, for the construction of a dwelling house with a small rear extension forming an addition to the end of an existing terrace row.

Following complaints received, a site visit confirmed that the dwelling had not been constructed in accordance with the planning permission.

The unauthorised dwelling house is in a highly prominent position and is badly related to the existing street scene, in particular the scale, mass, height and poor design which detracts for the visual amenity of the area.

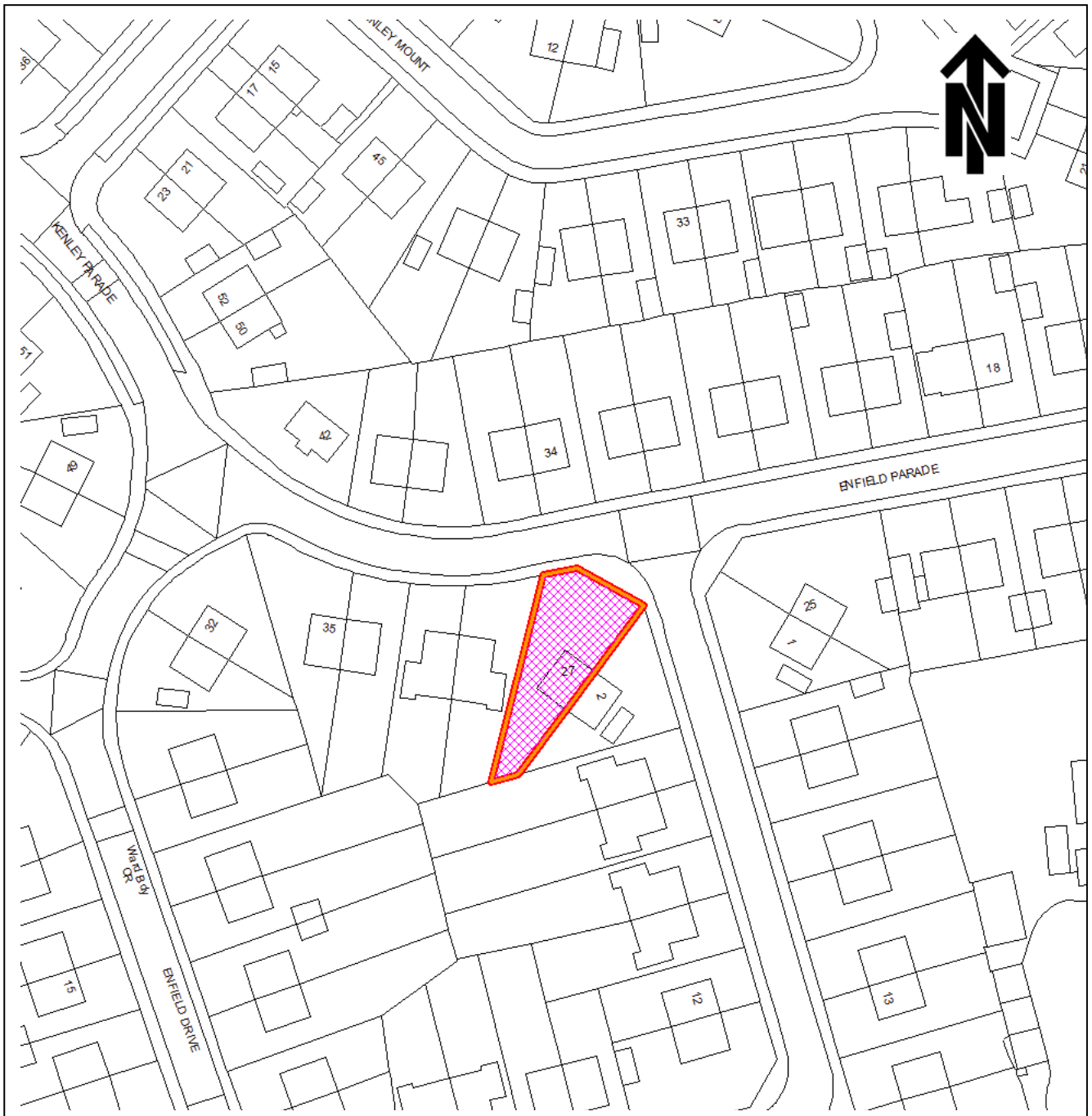
The Planning Manager (Enforcement and Trees) therefore authorised the issuing of an Enforcement Notice under delegated powers, on 8 September 2015.

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**Area Planning Panel (Bradford)**

**14/00690/ENFUNA**

20 January 2016



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ITEM NO. : 13	LOCATION: <b>27 Enfield Parade Bradford</b>
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**20 January 2016**

**Item Number: 13**  
**Ward: WIBSEY**  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
14/00690/ENFUNA

**Site Location:**  
27 Enfield Parade, Bradford

**Breach of Planning Control:**

Without Planning permission the construction of a single storey extension with overhanging roof structure to the rear of the premises.

**Circumstances:**

Following complaints received by the Local Planning Authority (LPA), a site visit carried out confirmed that a single storey extension with overhanging roof structure had been constructed to the rear of the premises.

A retrospective planning application for the extension was refused planning permission on 10 August 2015.

It is considered expedient to take enforcement action in respect of this matter as the unauthorised extension is within close proximity of the common boundary of the neighbouring property. The overall projection of the extension including the overhanging roof features causes excessive overshadowing and overbearing affect upon the adjoining residential property, contrary to Policy UR3 and D1.

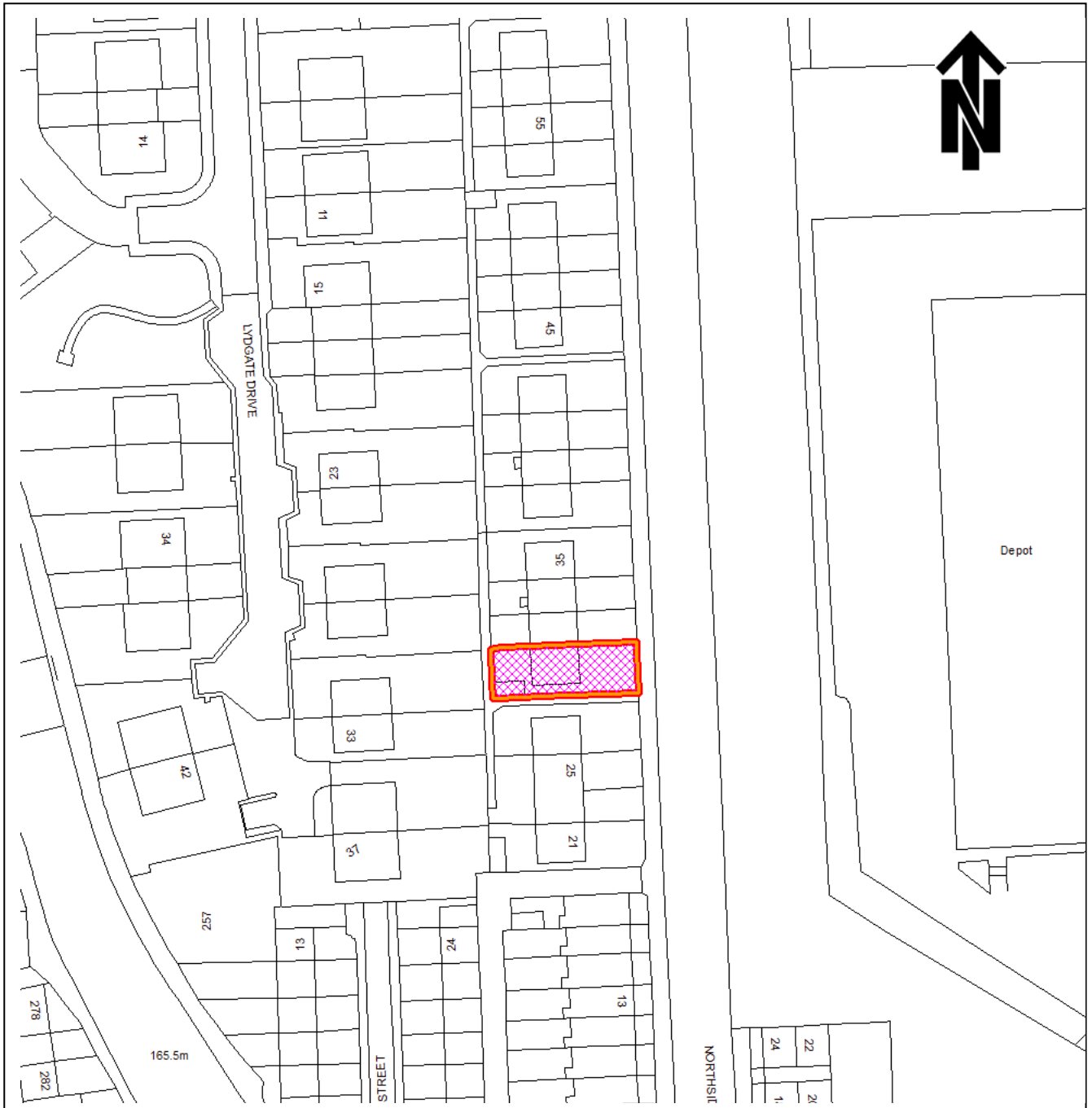
The Planning Manager (Enforcement and Trees) under delegated powers authorised enforcement action on 21 September 2015, requiring the demolition of the extension and removal of the resulting materials.

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**Area Planning Panel (Bradford)**

**15/00660/ENFCOU**

20 January 2016



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<p>ITEM NO. : <b>14</b></p>	<p><b>LOCATION:</b> <b>29 Northside Terrace</b> <b>Bradford</b></p>
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**20 January 2016**

**Item Number: 14**  
**Ward: GREAT HORTON**  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
15/00660/ENFCOU

**Site Location:**  
29 Northside Terrace, Bradford, BD7 2QU

**Breach of Planning Control:**  
Unauthorised vehicle repairs and storage.

**Circumstances:**  
In August 2015 the Local Planning Authority received an enquiry regarding the use of the property for vehicle repairs and storage.

The property is tenanted and the owner has been requested to ensure that the unauthorised vehicle repairs and storage use cease, however the unauthorised activity is continuing.

On 16 October 2015 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

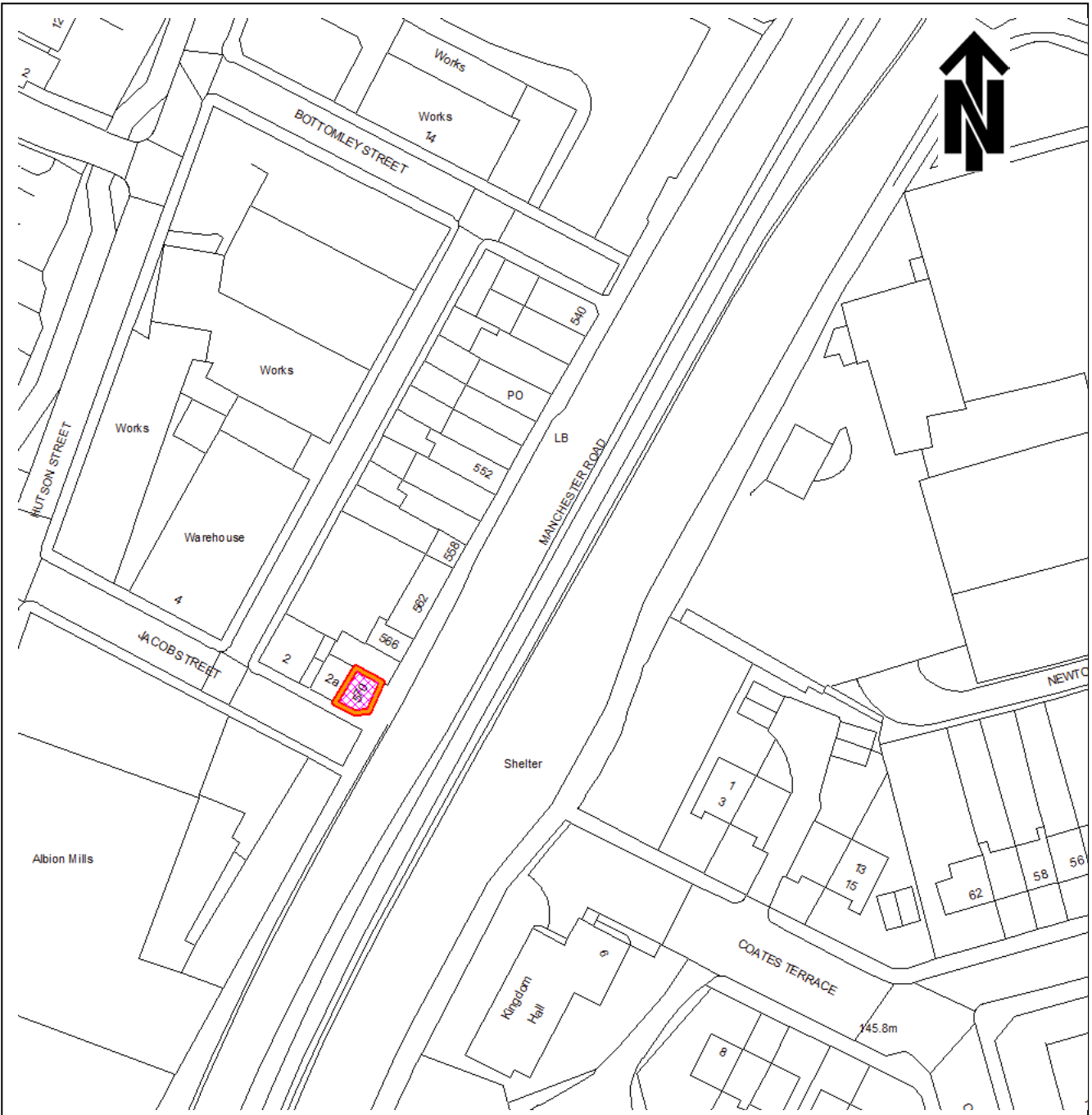
It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised vehicle repairs and storage use of the property is detrimental to residential amenity, contrary to Policies D1 and UR3 of the Council's adopted Replacement Unitary Development Plan.

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Area Planning Panel (Bradford)

14/00906/ENFUNA

20 January 2016



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ITEM NO. : 15	LOCATION: <b>570 Manchester Road Bradford</b>
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**20 January 2016**

**Item Number:** 15  
**Ward:** LITTLE HORTON  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
14/00906/ENFUNA

**Site Location:**  
570 Manchester Road, Bradford, BD5 7LR

**Breach of Planning Control:**  
Unauthorised roller shutter.

**Circumstances:**

In April 2015 it was noted that an externally mounted roller shutter had been installed to the front elevation of the property, for which planning permission had not been granted.

The owner of the property has been requested to take action to rectify the breach of planning control, however no action has been taken to date.

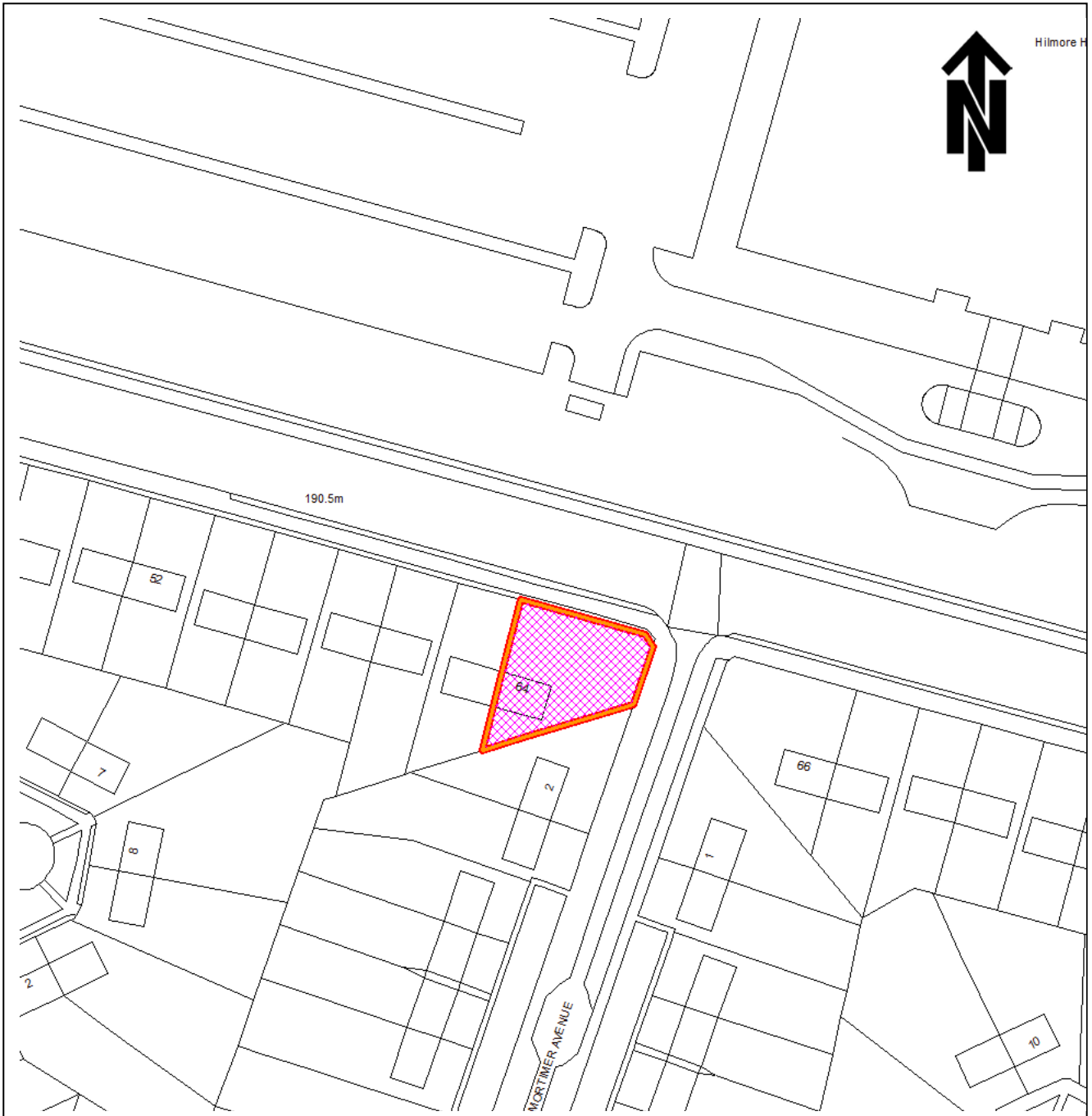
On 24 November 2015 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised externally mounted roller shutter is detrimental to visual amenity by virtue of its design and appearance, contrary to Policies D1, D11, UR3 and UDP3 of the Council's adopted Replacement Unitary Development Plan and the Council's adopted A Shopkeepers Guide to Securing their Premises Supplementary Planning Document.

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**Area Planning Panel (Bradford)**

**15/00361/ENFUNA**

20 January 2016



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ITEM NO. : 16	LOCATION: <b>64 Gain Lane Bradford</b>
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**20 January 2016**

**Item Number: 16**  
**Ward: BRADFORD MOOR**  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
15/00361/ENFUNA

**Site Location:**  
64 Gain Lane, Bradford, BD3 7EA

**Breach of Planning Control:**  
Unauthorised single storey side extension.

**Circumstances:**  
In April 2015 the Local Planning Authority received enquiries regarding an extension to the property.

An inspection was made and it was noted that a single storey side extension was under construction, for which planning permission had not been granted.

Retrospective planning application 15/03214/HOU for the single storey side extension was refused by the Council in September 2015.

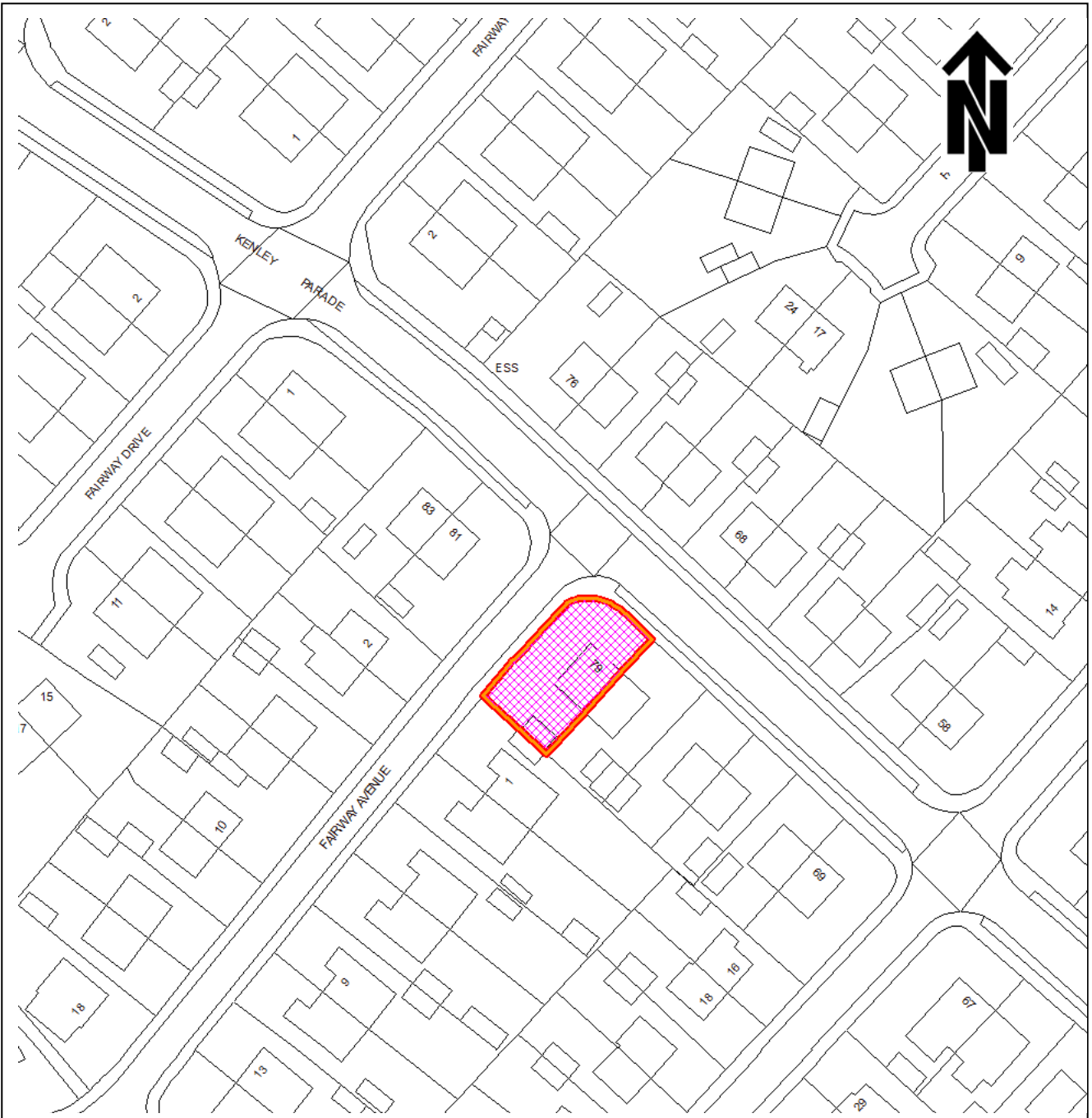
The unauthorised single storey side extension remains in place and on 16 December 2015 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised single storey side extension is detrimental to visual amenity by virtue of its design and appearance, contrary to Policies D1, UR3 and UDP3 of the Council's adopted Replacement Unitary Development Plan and the Council's adopted Householder Supplementary Planning Document.

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**Area Planning Panel (Bradford)**

**13/00313/ENFCOU**

20 January 2016



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ITEM NO. : 17	LOCATION: <b>79 Kenley Parade Bradford</b>
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**20 January 2016**

**Item Number:** 17  
**Ward:** GREAT HORTON  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
13/00313/ENFCOU

**Site Location:**  
79 Kenley Parade, Bradford, BD7 4JJ

**Breach of Planning Control:**  
Change of use from residential to mixed use of residential and teaching establishment.

**Circumstances:**  
It was brought to the attention of the Local Planning Authority that the above property was being used as a teaching establishment. Investigations into the use confirmed that planning permission was required. The owner of the property has failed to apply for planning permission and the use is therefore unauthorised.

The unauthorised use is contrary to policies UR3, P7 and TM19A of the Council's Replacement Unitary Development Plan.

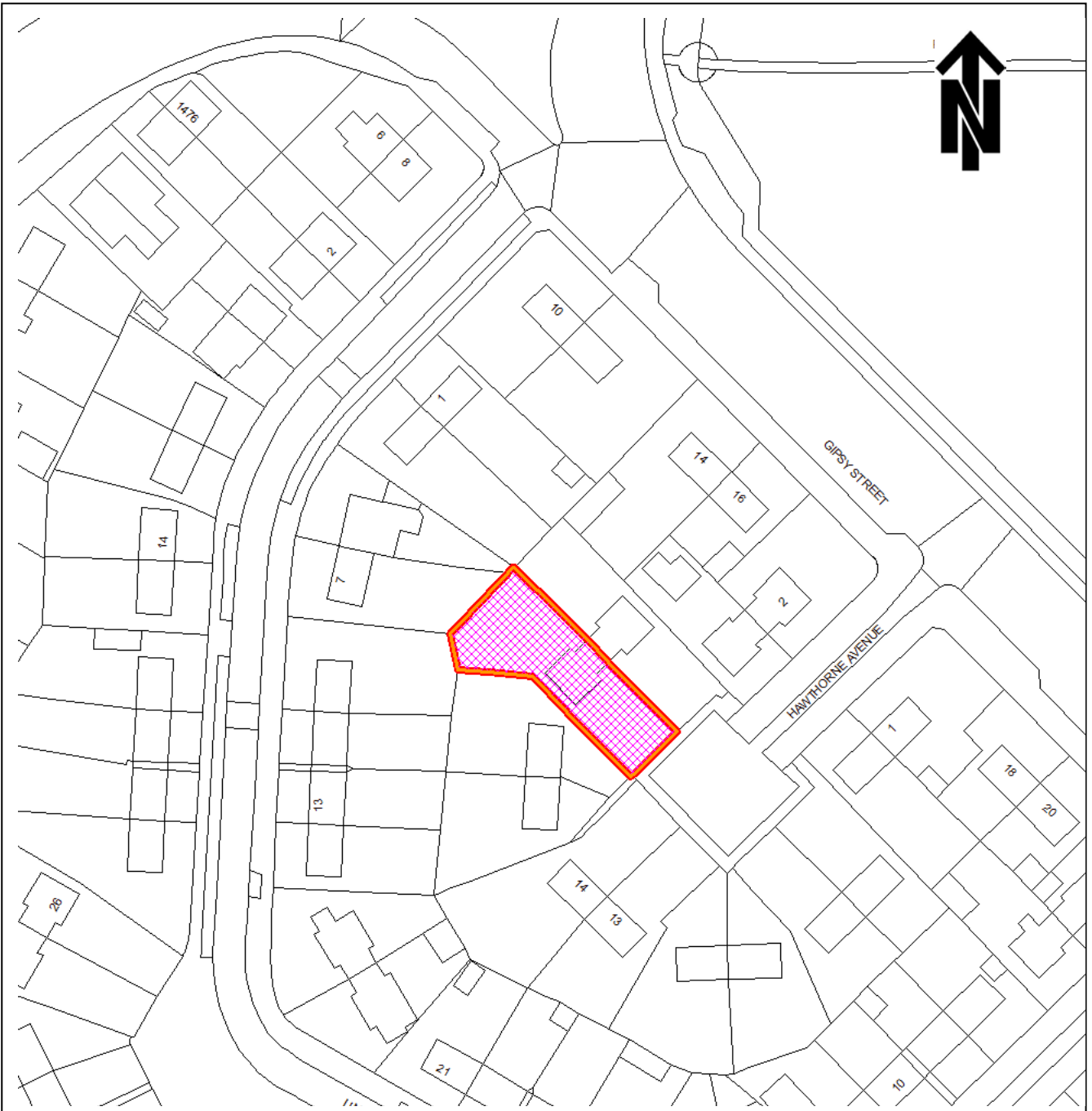
The Planning Manager authorised the issuing of an Enforcement Notice under delegated powers, on 30 September 2015.

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**Area Planning Panel (Bradford)**

**14/00529/ENFUNA**

20 January 2016



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ITEM NO. : 18	LOCATION: <b>8 Hawthorne Avenue Bradford</b>
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**20 January 2016**

**Item Number:** 18  
**Ward:** BRADFORD MOOR  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
14/00529/ENFUNA

**Site Location:**  
8 Hawthorne Avenue Bradford BD3 7AP

**Breach of Planning Control:**  
Unauthorised structure.

**Circumstances:**  
In August 2014 the Local Planning Authority received enquiries regarding a structure being constructed at the property.

An inspection showed that a large concrete block structure was being constructed in the rear garden area of the property, for which the Council had no record of planning permission having been granted.

The owner of the property has been requested to take action to rectify the breach of planning control, however no action has been taken to date.

The unauthorised structure remains in place and on 30 September 2015 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

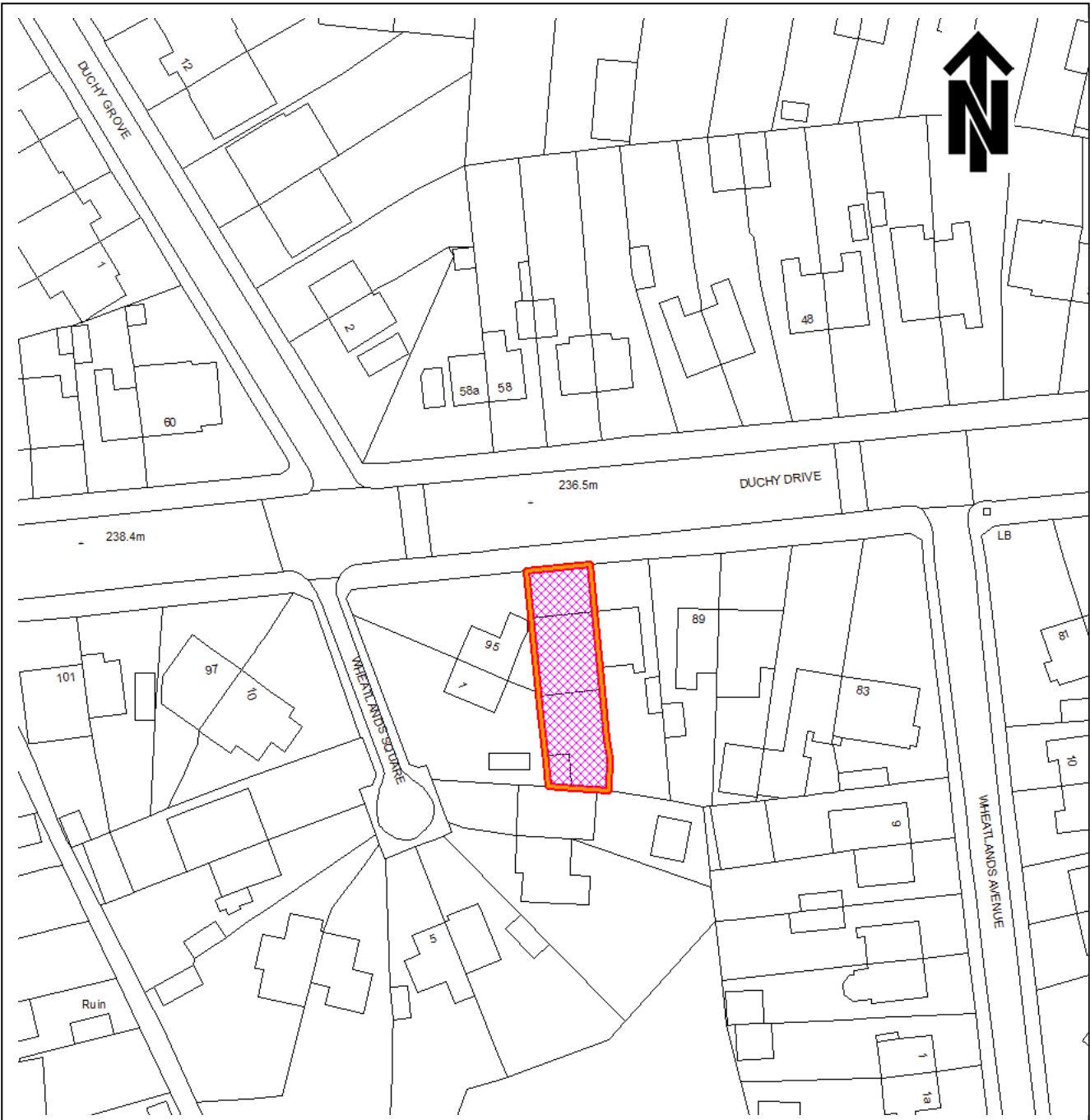
It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised structure is detrimental to visual and residential amenity by virtue of its size, position and appearance, contrary to Policies D1, UR3 and UDP3 of the Council's adopted Replacement Unitary Development Plan.

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**Area Planning Panel (Bradford)**

**13/00302/ENFUNA**

20 January 2016



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ITEM NO. : 19	LOCATION: <b>93 Duchy Drive Bradford</b>
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**20 January 2016**

**Item Number: 19**  
**Ward: WIBSEY**  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
13/00302/ENFUNA

**Site Location:**  
93 Duchy Drive, Heaton, Bradford

**Breach of Planning Control:**

Without Planning permission the construction of a dormer window extension to the rear of the property.

**Circumstances:**

Following complaints received by the Local Planning Authority (LPA), a site visit carried out confirmed that a dormer window extension had been constructed to the rear of the property.

No action has been taken by the owner of the premises to rectify the breach of planning control.

It is considered expedient to take enforcement action as the top opening; plain glass side window of the dormer allows overlooking of the neighbouring property to the detriment of existing and future occupier. The unauthorised materials used in its construction result in a visually dominant and incongruous feature which detracts from the character and appearance of the host building, contrary to Policy UR3 and D1 of the Replacement Unitary Development Plan.

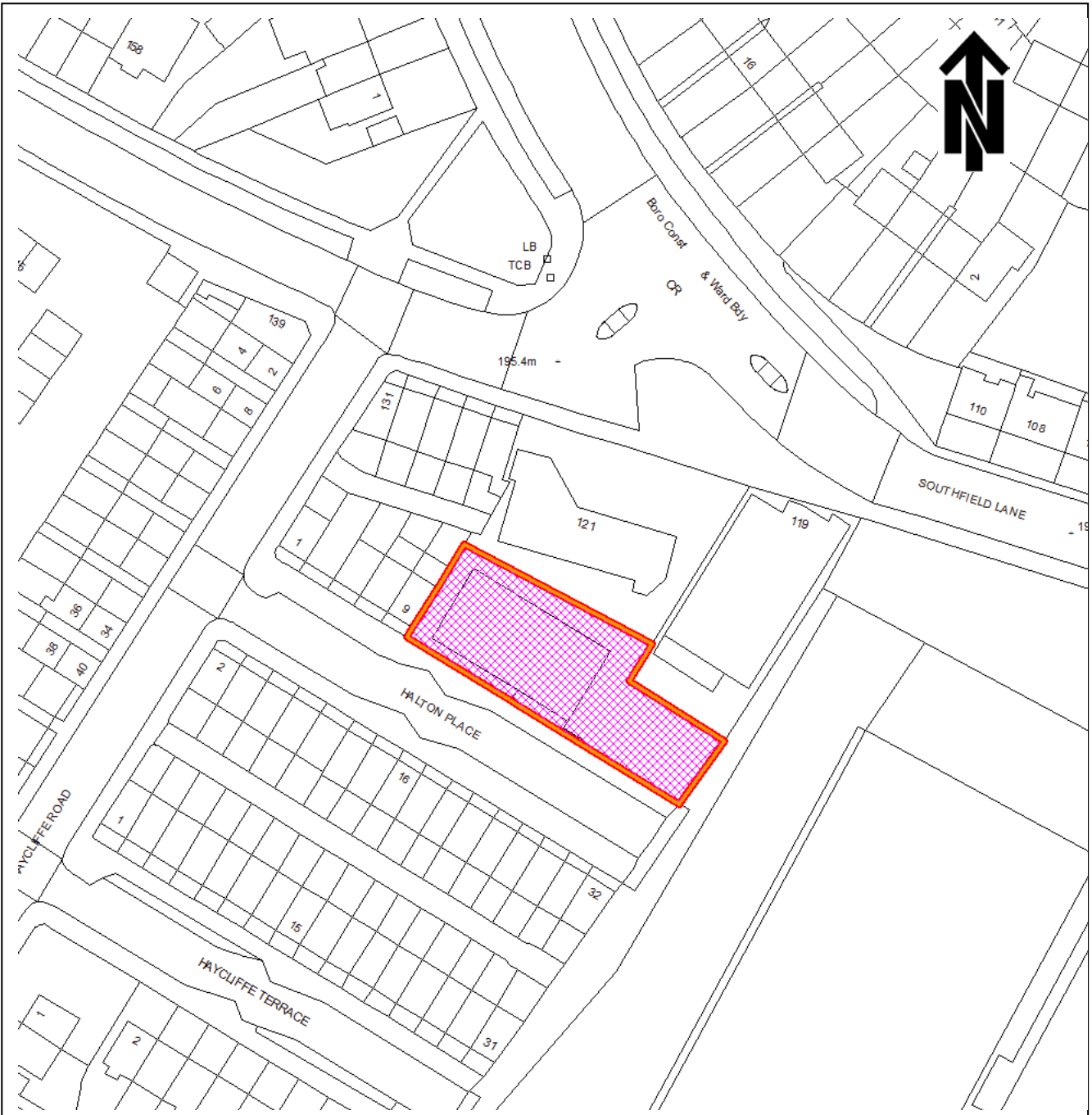
The Planning Manager (Enforcement and Trees) under delegated powers authorised enforcement action on 3 November 2015, requiring the either:

- The side window of the dormer window be obscurely glazed and fixed and the materials of the dormer window to match the roof of the dwelling; or
- Demolish the dormer window extension repairing any damage to the property. Demolition of the extension and removal of the resulting materials.

**Area Planning Panel (Bradford)**

**15/00803/ENFUNA**

20 January 2016



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ITEM NO. : <b>20</b>	<b>LOCATION:</b> <b>A Baldwin And Company Builders Limited</b> <b>Southfield Lane Bradford</b>
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**20 January 2016**

**Item Number: 20**  
**Ward: GREAT HORTON**  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
15/00803/ENFUNA

**Site Location:**  
Land at Halton Place, Great Horton, Bradford

**Circumstances:**

Following complaints received by the Local Planning Authority, a site visit confirmed that a car sales business was operating from a former car park to the rear retail premises at 121 Southfield Lane and fronting onto the residential cul de sac of Halton Place.

The unauthorised use of the land has an adverse impact on the residential amenity of the neighbourhood.

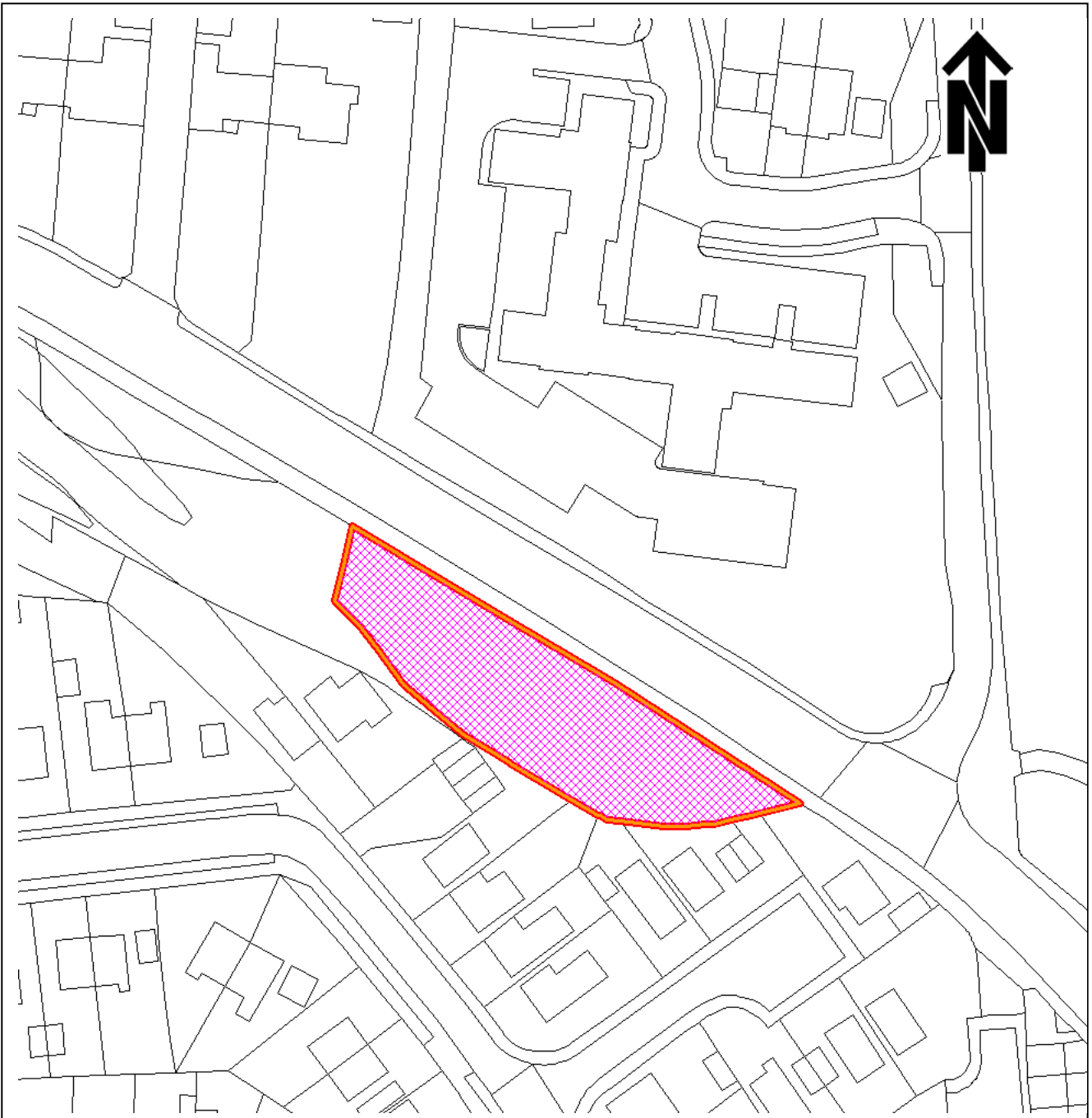
On 22 December 2015 the Area Planning Manager authorised enforcement action to require the use to cease.

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**Area Planning Panel (Bradford)**

**15/00316/ENFCON**

20 January 2016



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ITEM NO. : 21	LOCATION: <b>Land North Of 17 Harehill Road Bradford</b>
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**20 January 2016**

**Item Number: 21**  
**Ward: IDLE AND THACKLEY**  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
15/00316/ENFCON

**Site Location:**  
351 Leeds Road, Thackley, Bradford, BD10 9AB

**Breach of Planning Control:**  
Breach of conditions 5, 6 and 7 of planning permission 14/01151/FUL.

**Circumstances:**  
In May 2014 the Council granted planning permission for the construction of a new detached dwelling. Conditions 5, 6 and 7 of the planning permission require the site to be laid out in accordance with the approved site layout plan prior to the new dwelling being occupied.

The new dwelling is now occupied and the site has not been laid out in accordance with the approved plan, as required by conditions 5, 6 and 7. The owner/occupier of the new dwelling has been requested to rectify the breach of planning control, however no action has been taken.

On 8<sup>th</sup> December 2015 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice (Breach of Condition).

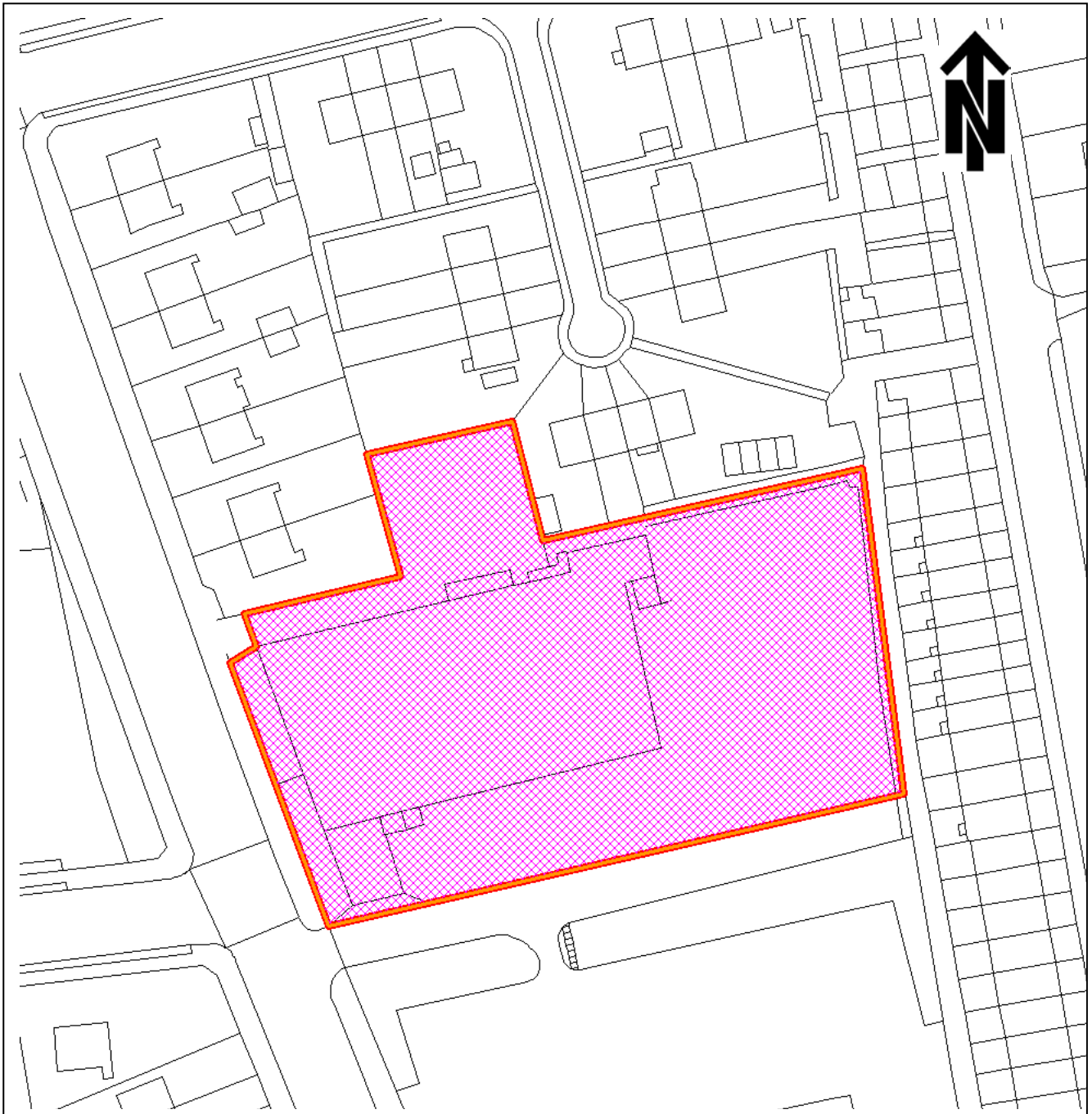
It is considered expedient to instigate Enforcement (Legal) Action as the breach of conditions is detrimental to highway safety, contrary to Policy TM19a of the Council's adopted Replacement Unitary Development Plan.

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**Area Planning Panel (Bradford)**

**15/00111/ENFCOU**

20 January 2016



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ITEM NO. : <b>22</b>	LOCATION: <b>The Focus Centre Ingleby Road Bradford</b>
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**20 January 2016**

**Item Number: 22**  
**Ward: GREAT HORTON**  
**Recommendation:**  
**THAT THE REPORT BE NOTED**

**Enforcement Reference:**  
15/00111/ENFCOU

**Site Location:**  
The Focus Centre, Ingleby Road, Bradford

**Circumstances:**

Following complaints received a site visit confirmed that containerised storage facility had been set up within the rear car park of the mill building which involves the siting of multiple extra-large storage containers on block work piers with associated walling.

The development is located close to the site boundary and is overlooked by residential properties to the rear. The impact is primarily due to poor design and visual amenity.

On 22 December 2015 the Area Planning Manager authorised enforcement action to require the development to be removed.

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## DECISIONS MADE BY THE SECRETARY OF STATE

### Appeals Allowed

There are no Appeal Allowed Decisions to report this month

### Appeals Dismissed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
23	City (ward 07)	174 Westgate Bradford BD1 2RN  Appeal against Enforcement Notice - Case No: 14/00500/ENFUNA  Appeal Ref: 15/00052/APPENF
24	Toller (ward 24)	2 Como Grove Bradford BD8 9QA  Conversion of loft with additional dormer windows and change roof from hipped to gable - Case No: 15/01101/HOU  Appeal Ref: 15/00118/APPHOU
25	Great Horton (ward 11)	206 Southfield Lane Bradford BD7 3NQ  Appeal against Discontinuance Notice - Case No: 14/00845/ENFADV  Appeal Ref: 14/00138/APPDIS
26	Manningham (ward 19)	220 - 222 City Road Bradford BD8 8JY  Retrospective application for the display of advertisements to exterior of building - Case No: 14/05097/LBC  Appeal Ref: 15/00048/APPLB2
27	Manningham (ward 19)	220 City Road Bradford BD8 8JY  Retrospective application for display of signage to external walls and within window openings - Case No: 14/05098/ADV  Appeal Ref: 15/00049/APPAD2

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
28	Little Horton (ward 18)	387 Little Horton Lane Bradford BD5 0LG  Appeal against Enforcement Notice - Case No: 14/01151/ENFUNA  Appeal Ref: 15/00082/APPENF
29	Bradford Moor (ward 06)	53 Fitzroy Road Bradford BD3 9PB  Construction of front stone porch - Case No: 15/03425/HOU  Appeal Ref: 15/00126/APPHOU
30	Manningham (ward 19)	69 Athol Road Bradford BD9 4QS  Construction of single storey rear extension - Case No: 15/01252/HOU  Appeal Ref: 15/00116/APPHOU
31	Idle And Thackley (ward 13)	Croft Top 8 Town Lane Bradford BD10 8NS  Retrospective planning application for the construction of new palisade metal fence 6ft in height to replace the old existing metal chain fence - Case No: 15/00593/FUL  Appeal Ref: 15/00102/APPFL2

## **Appeals Upheld**

There are no Appeal Upheld Decisions to report this month

## **Appeals Upheld (Enforcements Only)**

There are no Appeal Upheld Decisions to report this month

## **Appeals Withdrawn**

There are no Appeal Withdrawn Decisions to report this month

## **Appeal Allowed in Part/Part Dismissed**

There are no Appeals Allowed in Part/Part Dismissed to report this month

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