

Minutes of a meeting of the Area Planning Panel (Bradford) held on Wednesday, 19 October 2016 in the Banqueting Hall - City Hall, Bradford

Commenced 10.00 am

Concluded 12.10 pm

Present – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
Rickard Shaw	Lee Wainwright Amran Azam	Stelling

Observer: Councillor David Green (Minute 16 (a) and (c))

Councillor Lee in the Chair

12. DISCLOSURES OF INTEREST

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

Councillor Amran recognised an attendee connected to Minute 16 (d) but had not discussed the application.

Action: City Solicitor

13. MINUTES

Resolved –

That the minutes of the meeting held on 11 May 2016 be signed as a correct record.

14. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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



15. PUBLIC QUESTION TIME

There were no questions submitted by the public.

16. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

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

(a) 147 Mayo Avenue, Bradford

Wibsey

A full planning application for the change of the roof line from hipped to gable and front and rear box style dormer windows at 147 Mayo Avenue, Bradford - 16/06956/HOU

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the application was for a hip to gable roof conversion and rear box style dormer windows. The street scene was uniform with semi detached houses, however, the application property was a different design. Representations in objection and support had been submitted and were detailed in the report. The Strategic Director, Regeneration informed the Panel that the majority of the work proposed could be undertaken under permitted development rights and planning permission was only required for the front dormer window, which had been designed in accordance with Council policies. He acknowledged that there were not many other dormers in the street scene, however, each application had to be judged on its own merits. The proposed dormer was acceptable and in line with Council policies and was therefore recommended for approval, subject to the conditions as set out in the report.

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

- He had purchased the property this year and did not want to spoil its character.
- The same materials would be used.
- He needed the additional space for his growing family but could not afford to build an extension.
- The changes would not have a great impact.

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

- He was objecting on behalf of the adjoining and rear neighbours to the roof extension.
- The houses were over 100 years old and unique.
- He understood that the applicant did not want to change the character of the house, however, the proposals would do so.
- Neighbours sympathised that the applicant wished to utilise the attic space, but this could be undertaken without making the proposed changes and



- had been done by the neighbours.
- The proposal would affect the character of the street due to the change in nature of the roofline.
- The neighbour to the rear was concerned that the dormer would overlook his property.

Resolved –

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

Action: Strategic Director, Regeneration

(b) 34 Ambleside Avenue, Bradford

Toller

A full planning application for the construction of a new dwelling at 34 Ambleside Avenue, Manningham, Bradford - 16/05520/FUL

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the application proposed the construction of a new property in the side garden of a house that was located with other mature dwellings. The development had been amended and was now sited further away from the existing dwelling to the rear. The internal arrangements had also been amended so that non-habitable rooms faced onto other properties. The Strategic Director, Regeneration confirmed that a number of objections had been submitted and were detailed in the officer’s report. He stated that the proposal made a small contribution to the District’s housing supply and complied with the Council’s policy on density. The dwelling would match the street scene and be sympathetic to other properties. Members noted that the angle had been increased between habitable rooms and there would not be any overlooking. The host property would be the most affected by the development. The Strategic Director, Regeneration reported that two off street parking spaces would be provided for the existing property along with two for the new dwelling. He then recommended the application for approval, subject to the conditions as set out in the report.

An objector was present at the meeting and commented that:

- A previous approved extension for the host property had not proposed any windows onto Haslingden Drive.
- The proposed site had previously been part of the garden of 53 Haslingden Drive and had always been a garden.
- There were a number of properties with large gardens in the area.
- A precedent could be set for other applications to be submitted.
- It was a built up area and the large gardens gave it character.
- If the proposed property was built, the view from his house would be onto a brick wall.
- The proposed dwelling would overlook his house.



- Parking was an issue in the vicinity due to the nearby hospital.
- The proposal would impact on other neighbours.

A supporter of the application was present at the meeting and made the following points:

- The proposed house would be for the children of the existing family.
- The National Planning Policy Framework stated that the social need should be considered and the property would serve to provide this.
- Only the amenity of 53 Haslingden Drive would be affected.
- The scheme complied with Council policies.
- The first floor windows would be at a 45 degree angle to those in neighbouring properties with a 15 metre gap between.
- The scheme proposed favourable distances.
- The impact of the proposed development would be less than the existing houses on the road.

Resolved –

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

Action: Strategic Director, Regeneration

(c) 37 Norwood Street, Bradford

Wibsey

A full planning application for the change of use of a section of the adopted highway to private domestic curtilage and creation of new access to serve the remaining properties at land at 37 Norwood Street, Bankfoot, Bradford - 16/05818/FUL

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. He informed the Panel that the application proposed the change of use of the adopted highway to residential curtilage for the use of the occupier of 37 Norwood Street and the creation of a new safer access to serve the existing properties. The area would be resurfaced and improved and the proposal would not have any significant impacts on the vicinity. The road was a cul de sac, had very light traffic use and was wide enough for vehicles to turn around. Residents of Dovesdale Road had raised concerns in relation to the access which were detailed in the officer’s report. It was noted that the applicant would need to follow the legal process under Section 247 of the Town and Country Planning Act 1990 in order to close the road and the application was then recommended for approval subject to the conditions and footnote as set out in the report.

In response to a question from the Chair, the Strategic Director, Regeneration confirmed that the other access would not be affected by the proposal, as it was outside the red line boundary of the application.



A Ward Councillor was present at the meeting and made the following points:

- The Council and Incommunities part owned the access road and frontages.
- The improvement to the local amenity was supported, however, the main issue was the access to the rear gardens of Dovesdale Road.
- The bin alley did not exist, as it had been closed 4 years ago and a concrete wall had been placed across it.
- The ability to access the rear of properties on Dovesdale Road for maintenance purposes was required, with a guarantee that it would remain.
- The bin alley was not required as refuse was collected from the front of properties on Dovesdale Road.

An objector was present at the meeting and commented that:

- He occupied 29 – 31 Dovesdale Road.
- Fences had been erected down the road in June and one had been placed in front of his garden gate.
- He was not against any improvements.
- He wanted access to his garden at the rear.

The applicant was present at the meeting and stated:

- Neighbours were happy with the proposal.
- He had previously submitted information.
- The Council's Highways Department had visited the site and agreed that the path to the gardens had been blocked off over 4 years ago by a neighbour.
- If the path was re-opened, it would provide access for all the properties on Dovesdale Road.

In response to a query from the Chair, the City Solicitor confirmed that a Certificate had been submitted with the application and that the proposal would not affect private interests, however, the issues raised were between neighbours and, therefore, consideration of the application could be deferred by the Panel. The Strategic Director, Regeneration indicated that there may be permitted development rights and the applicant had served notice by submitting a certificate, therefore, if the Panel were minded to defer the application a time limit would be required.

Resolved –

That the application be deferred and referred back to the Panel within the next 6 months in order for the issues regarding access to the rear gardens of Dovesdale Road to be resolved.

Action: Strategic Director, Regeneration



(d) 7 Thackley Avenue, Bradford

Idle & Thackley

A full planning application for the construction of a side and rear extension to the existing dwelling and construction of a detached dwelling in the garden of 7 Thackley Avenue, Thackley, Bradford - 16/03919/FUL

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the proposal was for an extension to the side and rear of the existing house and the construction of a new property in the garden, with two parking spaces provided for each dwelling. It was noted that 18 representations had been received and the issues raised were detailed in the officer's report. Following discussions with the applicant, amended plans had been submitted which reduced the size and height of the proposed house and slightly reduced the size of the extension. Consultations had been undertaken with the Council's Highways and Drainage Departments who had not raised any objections. The Strategic Director, Regeneration reported that there was a need for housing in the District and the single dwelling would make a small contribution. He confirmed that the site was located in a sustainable location and that the development was acceptable in principle. Members were informed that the scheme would be a slight underdevelopment, as it provided a density of 29 dwellings per hectare and the Council usually sought 30. The proposed dwelling would be sited away from the road and would not encroach on the street scene. The extension would be set back from the front elevation, be subordinate to the host property and would not create an impact on the street scene. The Strategic Director, Regeneration confirmed that the rear extension would be 3 metres in depth and complied with the Council's Householder Supplementary Planning Document (HSPD). He stated that the alterations to the proposed new dwelling would result in less impact on neighbours, it would not overshadow or overdominate and not be detrimental to residential amenity. Off street parking would be provided for both properties and the application was then recommended for approval, subject to the conditions as set out in the report.

In response to Members' questions, the Strategic Director, Regeneration clarified that the Council did not have a defined distance between walls, only windows and 12 or 13 metres was sufficient. He indicated that the footprint of the existing dwelling would possibly increase by 20%, however, it was subordinate to the existing house.

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

- Discussions had been undertaken with the planning officer.
- The height of the new dwelling had been lowered in order to reduce the impact.
- A property in Brackendale Avenue had a similar extension.
- The parking provision had been amended at the request of the Council's Highway's Department.
- The plot was more than double the size of others in the vicinity and of a



- sufficient size to accommodate another house.
- The scheme was a sustainable development.
- The proposed dwelling would face the gap between 37 and 39 Thackley Road and would be lower than these two houses.
- Drainage issues would be covered by building control.
- The boundaries would be retained.

Resolved –

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

Action: Strategic Director, Regeneration

(e) Dog and Gun, 1001 Harrogate Road, Bradford Idle & Thackley

Full application for the extension of an existing rear terrace and the formation of access doorway at the Dog and Gun public house, 1001 Harrogate Road, Apperley Bridge, Bradford - 16/04356/FUL

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. He informed the Panel that the application was for the extension of the existing rear terrace and the formation of an access door at the grade II listed public house. The Listed Building Consent for the scheme had already been granted and the existing terrace had been granted planning permission in 2011 with no restrictions to its use. It was noted that a window to the rear of the premises would be converted into a doorway and the terrace would be extended across the car park with acoustic fencing placed on the boundary with neighbours. The Strategic Director, Regeneration confirmed that the premises had been a public house for many years and planning permission for the terrace had been granted in 2011 with no limits to its use. He reported that the Council’s Environmental Health Unit had not raised any objections to the proposal, subject to the terrace not being used after 2200 hours, therefore, it had been suggested that the operational hours be conditioned and applied to all of the seating area. The parking provision would be reduced from 12 to 9 spaces but would not harm highway safety. The application was then recommended for approval subject to the conditions as set out in the report.

In response to a Member’s query, the Strategic Director, Regeneration confirmed that the capacity of the terrace would be 7 tables and 9 parking spaces would be sufficient.

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

- He lived next to the premises and had not received notification of the planning application.
- The report by the Council’s Environmental Health Department was welcomed.



- The current Landlord had little regard for licensing policies.
- There was no acoustic fencing on his garden boundary with the premises.
- The decking had been constructed prior to planning permission being granted.
- Parking was an issue and vehicles were left on double yellow lines.
- If planning permission was granted, it would improve the noise issues.
- Complaints about the noise had been reported to the Council's Licensing Team.
- If the application was approved, acoustic fencing should be installed at the bottom of the car park.

During the discussion Members acknowledged that more control would be placed on the use of the terraced area if the application was approved and queried whether acoustic fencing could be placed all around the car park. In response the Strategic Director, Regeneration explained that the distance to other properties and the planting would absorb the noise. He indicated that it was considered that acoustic fencing would not assist in the noise reduction and it could compromise the setting of the listed building. Members stated that they believed that the fencing would reduce the noise levels, along with additional landscaping and added that the decking area should not be used after 2200 hours.

Resolved –

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

- (i) **Notwithstanding the details of Condition 3, the development shall not commence until plans showing additional acoustic screening and landscaping to the north-western boundary (i.e. adjacent to 35 Meadow Road) have been submitted to and approved in writing by the Local Planning Authority. The boundary treatment so approved shall be installed prior to the first use of the terrace hereby approved and retained whilst ever the use subsists.**

Reason: In order to safeguard the amenity of nearby residents and to accord with the requirements of policies UR3 and P7 of the Replacement Unitary Development Plan.

Action: *Strategic Director, Regeneration*

(f) Stanley Lowe Garage, Bradford Road, Bradford

Eccleshill

A full planning application for the change of use of the building from an office to private vehicle hire booking office at Stanley Lowe garage, Bradford Road, Idle, Bradford - 16/05225/FUL



The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. He reported that the application was for a change of use from an office to a private vehicle hire booking office on Bradford Road. The site was shared with a vehicle hire company and could support two car parking spaces to the front of the building. It was noted that highway safety was the main issue and the use would require five off street spaces. The applicant had stated that vehicles would not be attending the site, however, he had secured permission to use five spaces in the nearby public house car park. The Strategic Director, Regeneration indicated that the provision of extra parking spaces contradicted the applicant's claim that vehicles would not attend the site. He reported that the site would generate traffic and the experience of other similar properties had identified that conditions could not control vehicles attending the site. The application proposed a 24 hour operation and people could congregate in the vicinity, which would affect the residential properties in the area. The application was then recommended for refusal, subject to the conditions as set out in the report.

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

- Parking spaces were not always available on the site and the parking at the public house was remote from the site.
- Conditions prohibiting vehicles or customers visiting the site were difficult to enforce and each application was considered on its own merits. The robustness of conditions could be tested and from past experiences, such restrictions were not watertight.

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

- The original application had been withdrawn.
- The submitted proposal remedied all the previous shortfalls.
- The private hire vehicles were fitted with trackers and assigned work remotely, so did not attend the office.
- The provision of five extra spaces had been negotiated in the public house car park and seven spaces would be available in total.
- There would not be a visual impact.
- Bradford Road was busy and noisy.
- There was sufficient space for a waiting room, however, it would not be required.
- The hours of operation could be limited to 0700 to 2200 hours.
- No cars would be displaced from the public house car park as 36 spaces were available.
- Friday night was busy at the public house, but there was only a maximum of five cars parked as people walked there.
- There had been a positive response to the withdrawn application.
- The business employed 50 people and had been located in the area for many years.
- Granting permission would allow a well established permission to grow.



During the discussion Members indicated that they were satisfied that the applicant had met all the required criteria and the use would not generate the need for additional car parking, as the work was assigned remotely. However, it was acknowledged that the applicant had negotiated the provision of additional car parking spaces at a nearby public house.

Resolved –

That the application be approved for the following reason:

That the proposed change of use to a private hire office would be acceptable as it would be designed to work on a remote basis and would not be detrimental to residential amenity. The proposal would not have an impact on highway safety due to the adequate provision of additional car parking spaces and, therefore, satisfy policy UR3 of the Council's Unitary Development Plan.

And be subject to the following condition:

- (i) The use of the premises shall be restricted to the hours from 07:00 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.

Action: Strategic Director, Regeneration

17. MISCELLANEOUS ITEMS

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

REQUESTS FOR ENFORCEMENT/PROSECUTION ACTION

(a) 1 Baring Avenue, Bradford **Bradford Moor**

Unauthorised rear dormer window - 16/00314/ENFUNA

On 9 September 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

(b) 1a Whitefield Place, Bradford **Toller**

Unauthorised cold store unit - 16/00673/ENFUNA

The unauthorised cold store unit remains in place and on 9 September 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.



(c) 41 Lower Rushton Road, Bradford

Bradford Moor

Unauthorised dormer windows - 13/00612/ENFUNA

The unauthorised front and rear dormer windows remain in place and on 8 September 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

(d) 451 Toller Lane, Bradford

Toller

Unauthorised portable building - 15/00470/ENFUNA

On 9 September 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

(e) 8 St Mary's Road, Bradford

Manningham

Unauthorised wall, gate and roller shutters to rear boundary - 15/00260/ENFUNA

The unauthorised wall, gate and roller shutters remain in place and on 5 September 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

(f) 97 Wellington Road, Bradford

Bolton & Undercliffe

Unauthorised fence and vehicular access - 16/00317/ENFUNA

On 9 September 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

(g) Land at 16 All Alone Road, Bradford

Windhill & Wrose

Stoneyard - 16/00473/ENFCOU

The Planning Manager (Enforcement and Trees) authorised formal action on 30 August 2016.

Resolved –

That the decisions be noted.

Action: Strategic Director, Regeneration



DECISIONS MADE BY THE SECRETARY OF STATE

APPEALS ALLOWED

(h) 17 Ascot Parade, Bradford

Royds

Construction of two storey extension and alterations to include garage conversion
– Case No: 16/02251/HOU

Appeal Ref: 16/00085/APPHOU

(i) 25 Leeds Old Road, Bradford

Bradford Moor

Appeal against Enforcement Notice - Case No: 15/00347/ENFUNA

Appeal Ref: 16/00071/APPENF

(j) 27 Enfield Parade, Bradford

Wibsey

Appeal against Enforcement Notice - Case No: 14/00690/ENFUNA

Appeal Ref: 16/00069/APPENF

(k) 46-48 Duckworth Lane, Bradford

Toller

Appeal against Enforcement Notice - Case No: 14/00999/ENFUNA

Appeal Ref: 16/00033/APPENF

(l) 5 Kenstone Crescent, Bradford

Idle & Thackley

Construction of single storey side extension - Case No: 15/06941/CLP

Appeal Ref: 16/00013/APPCLP

(m) 5 Kenstone Crescent, Bradford

Idle & Thackley

Construction of side extension to widen the existing living room - Case No:
16/00369/CLP

Appeal Ref: 16/00051/APPCLP

APPEALS DISMISSED

(n) 19 Oaks Drive, Bradford

Clayton & Fairweather Green

Construction of detached dwelling with garden store to rear - Case No:
15/02339/FUL



Appeal Ref: 16/00073/APPFL2

(o) 3 Southbrook Terrace, Bradford

City

Appeal against Enforcement Notice - Case No: 14/00554/ENFLBC

Appeal Ref: 16/00010/APPENF

(p) 52-54 Killinghall Road, Bradford

Bradford Moor

Appeal against Enforcement Notice - Case No: 15/00268/ENFUNA

Appeal Ref: 16/00029/APPENF

Resolved –

That the decisions be noted.

Action: Strategic Director, Regeneration

Chair

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

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

