

Minutes of a meeting of the Area Planning Panel (Bradford) held on Wednesday, 11 January 2017 in the Banqueting Hall - City Hall, Bradford

Commenced 10.00 am
Concluded 11.30 am

Present – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
Rickard Ellis	Lee Wainwright Amran Azam	Stelling

Apologies: Councillor Mark Shaw

Councillor Lee in the Chair

24. DISCLOSURES OF INTEREST

The following disclosures of interest were received in the interest of clarity:

Councillor Azam disclosed that he knew the applicants in relation to 33 Spencer Road, Bradford (Minute 27(d)) and he therefore withdrew from the meeting during the consideration of this item in accordance with the requirements of the Members’ Code of Conduct (Part 4A of the Constitution) and the Members’ Planning Code of Conduct (Part 4B of the Constitution).

Councillor Stelling disclosed that he had represented residents who were objecting to the application in relation to 25 Buttermere Road, Bradford (Minute 27(a)) and he therefore withdrew from the meeting during the consideration of this item in accordance with the requirements of the Members’ Code of Conduct (Part 4A of the Constitution) and the Members’ Planning Code of Conduct (Part 4B of the Constitution).

ACTION: City Solicitor

25. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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



26. PUBLIC QUESTION TIME

There were no questions submitted by the public.

27. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

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

(a) 25 Buttermere Road, Bradford Bolton & Undercliffe

A full planning application for the construction of front and rear dormer windows, a side and rear extension to 25 Buttermere Road, Bradford - 16/08700/HOU

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the application was for the construction of front and rear dormers and a side and rear extension. Members were informed that numerous objections had been received and the issues were detailed in the officer’s report. The Strategic Director, Place reported that there were similar extensions and dormers in the vicinity. He confirmed that the dormers complied with Council policies and part of the application could be undertaken under permitted development rights, the side extension would, however, require planning permission. The application was then recommended for approval, subject to the conditions as set out in the report.

Resolved –

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

Action: Strategic Director, Place

(b) 36 Santa Monica Road, Bradford Idle & Thackley

A householder planning application for the construction of a hip-to-gable roof conversion with front and rear dormer windows at 36 Santa Monica Road, Bradford - 16/08434/HOU

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He informed the Panel that the application proposed the construction of a hipped gable roof and front and rear dormer windows, part of which did not require planning permission. A number of representations in objection and support had been received and the issues were identified in the report. It was noted that the front dormer was in accordance with all Council policies and the application was therefore recommended for approval.



In response to a Member's query, the Strategic Director, Place reported that there were other dormers in the vicinity and the Council's Householder Supplementary Planning Document (HSPD) allowed front dormers when there were no others on the street.

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

- He owned the adjacent property.
- The National Planning Policy Framework (NPPF) supported a social role in planning and there was a shortage of bungalows.
- The proposal would deprive the elderly from suitable accommodation.
- Bradford Council had a social responsibility for the elderly and the young.
- How could the development protect the environment?
- He had not seen any letter that stated planning permission was not required for the work that had commenced.
- The house with a dormer to the front was further along the road.
- The development would not add character to the area.
- It would be the only property with a hipped roof.
- Other properties had been modified without changing to a hipped roof.
- The bungalows in the area were predominantly occupied by elderly people.
- Three extra bedrooms would be accommodated within the alterations.
- How would additional people be accommodated when the living space would not alter?
- Grass verges were not used for parking.
- Residents wanted to maintain the appearance of the street.

A supporter of the application was present at the meeting and stated that officers had dealt with all the objections raised. He informed Members that the scheme was to provide accommodation for the applicant's elderly parents. The applicant added that other properties in the area had been extended and, therefore, the precedent had been set.

In response to further questions from Members, the Strategic Director, Place confirmed that the number of parking spaces provided would not alter and complied with the Council's standards. He reiterated that the proposal was in accordance with the Council's policies and that the roof conversion and rear dormer were permitted development.

Resolved –

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

Action: Strategic Director, Place



(c) Land East of 35 Springfield Avenue, Bradford

Great Horton

A full planning application for the construction of two shop units with three one-bedroom flats above with associated car parking on land to the east of 35 Springfield Avenue, Bradford - 16/04724/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He informed the Panel that the application proposed the construction of two shop units and three one bedroom flats with parking. Representations and a petition against the scheme had been submitted and the issues were covered in the officer's report. It was noted that the plans had been amended and the building would now be set back from the footpath and reduced in size, along with the provision of five car parking spaces. The layby at the front of the development would also be extended. The Strategic Director, Place confirmed that the scheme complied with Council policies and would be similar to neighbouring buildings. He stated that units would be use class A1 and their operating hours would be restricted to 0730 to 2200 hours. The application was then recommended for approval, subject to the conditions as set out in the report.

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

- The extension of the existing layby would provide adequate customer parking.
- The units could not be changed to takeaway premises without planning permission.
- There were no other shops in the immediate area.
- The units could be used for any type of retail.
- Five car parking spaces would be provided.
- The layby could be extended subject to the provision of a scheme and its approval by the Council's Highways Department.
- The layby would be adequately extended but not to cause obstructions.

The applicant then addressed the Panel and confirmed that the proposal complied with Council policies.

During the discussion the Chair stated that more local shops were required and reiterated to the applicant that permission from the Council's Highways Department would be required before the layby could be extended.

Resolved –

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

Action: Strategic Director, Place



(d) 33 Spencer Road, Bradford

City

An application for the construction of a front extension at 33 Spencer Road, Bradford - 16/08483/HOU

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He informed Members that the application was for the construction of an extension to a terraced property and that similar proposals had previously been refused. It was noted that a number of properties in the vicinity had been extended at the rear, however, there were very few additions to the front elevations and the development would be obtrusive and contrary to Council policies. The application was then recommended for refusal as per the reason set out in the report. Members also noted that the applicant was related to a Councillor.

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

- 19 Spencer Road was extended to the front.
- The applicant wanted the same for his property.
- Endeavours had been made to match the extension with houses and the street scene.
- There were similar houses on nearby streets.
- The application could be appealed.

The applicant was also at the meeting and informed the Panel that he would like the same extension as 19 Spencer Road. He confirmed that there would still be plenty of space to park two vehicles on completion of the extension and there were other very similar houses in the area.

In response to a query from the Chair, the Strategic Director, Place stated that the Council had allowed side extensions to connect to a porch at ground floor level in a previous policy, however, the application was contrary to the new and old policy.

During the discussion Members acknowledged that the application was contrary to past and previous policies and noted the threat to appeal the decision from the applicant's agent.

Resolved –

That the application be refused for the reason set out in the Strategic Director, Place's technical report.

Action: Strategic Director, Place



(e) Interfaith Education Centre, Listerhills Road, Bradford City

A Listed Building Consent application for the demolition of the grade II listed former St Andrew's School including schoolmaster's house and alterations to the boundary walls, Listerhills Road, Bradford - 16/05662/LBC

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the proposal was to demolish grade II listed former school buildings that were fire damaged in 2009. English Heritage had been approached and requested to remove the listed building status but this had been rejected as they believed that the building still had qualities which merited listing. It was noted that the building was badly damaged and in a poor condition. Members were informed that an outline application for the construction of eight residential dwellings had been submitted alongside the listed building consent application. The Strategic Director, Place reported that the view of the heritage consultees was that the building still had benefits and as it was listed Paragraph 133 of the National Planning Policy Framework (NPPF) had to be considered. He confirmed that efforts needed to be made to retain some of the building or a compelling case submitted as to why it should all be demolished. The building had been marketed in 2012 on the basis that it had to be fully restored, however, this did not have to take place. The requirement was that the building had to have been adequately and successfully marketed and officers did not believe that this had been carried out. The Strategic Director, Place indicated that heritage funds were available and could provide some funding. He stated that the site needed to be brought back into use and a satisfactory scheme had not been submitted. The application was then recommended for refusal as per the reason set out in the report.

In response to Members' queries, the Strategic Director, Place confirmed that:

- The whole site was listed.
- The heritage aspect of the application had to be considered and the criteria was very strict.
- The building had been Council property when it had caught fire.
- The Council and the applicant had been aware of the issues and that it was a listed building. The state of the site had not been concealed.
- Historic England was a statutory consultee, which the Council had to consult, and they had decided that the site was still of special interest.

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

- The applicant was not to blame for the state of the building.
- The Council had decided to dispose of the building following the fire.
- Tests against Paragraph 133 of the NPPF undertaken by the Council were not accurate.
- The issue was whether the building could be brought back into use if retained.
- He believed that the first test had been satisfied.
- Professionals had stated that it would cost in excess of £1 million to bring



the building back into use.

- There was a huge gap between the amount it would cost to bring the building back into use and the money gained from business.
- The process to obtain a lottery grant was complicated and the applicant would not be eligible.
- No expression of interest had been received from a suitable organisation that could apply for a lottery bid.
- The proposal would have a number of benefits.
- The combination of the removal of a dangerous building, the cessation of anti-social behaviour and the provision of housing for the District overruled the NPPF tests.
- The application should be supported.

During the discussion Members expressed concerns at spending in the region of £1.5 million of public funds on the property for a return of £400,000, as it was not economically viable. It was noted that the building had character, however, there was no use for it and it was believed that the applicant had met the criteria specified by the NPPF. Members acknowledged that the final decision would be taken by the Secretary of State.

Resolved –

That the application be referred to the Secretary of State for Communities and Local Government under the provisions of the Arrangements for Handling Heritage Applications Direction 2015 and, subject to him deciding not to call-in the application for determination, authority be delegated to the Strategic Director, Place to approve it for the following reasons:

That the demolition of the grade II listed building would be justified as the information provided satisfies the criteria specified in paragraph 133 of the National Planning Policy Framework (NPPF) and it has been demonstrated that the loss of the building would be necessary to achieve substantial public benefits. The demolition of the building and the re-use of the site for the delivery of eight new residential properties outweighs the cost and public benefit of restoring the building and, therefore, satisfies the NPPF and Policy BH2 of the Council's Unitary Development Plan .

And that the application be subject to the Strategic Director, Place imposing the following condition:

- (i) No work shall begin on site until a written scheme of investigation for the architectural and archaeological recording of the area covered by the proposed development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the time frame for the completion of the recording. Unless otherwise agreed in writing by the Local Planning Authority the recording shall be carried out in accordance with that scheme and by an appropriately qualified and experienced archaeological/building recording consultant or organisation.**



Reason: In the interest of recording the historic interest of this building and to comply with Policies BH3 and BH4 of the Replacement Unitary Development Plan and the National Planning Policy Framework.

Action: Strategic Director, Place

(f) Land Rear of 112 Undercliffe Road, Bradford Bolton & Undercliffe

A full planning application for the construction of three pairs of semi-detached dwellings and one detached dwelling on land to the rear of 112 Undercliffe Road, Bradford - 16/07817/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that outline planning consent had been granted in 2015 for the construction of seven houses and that a full application had now been submitted, with alterations made to the outline permission. A number of objections had been received and the applicant's Ward Councillor had requested that the scheme be considered by the Panel. The Strategic Director, Place confirmed that the site was overgrown and bound by residential properties. He stated that the footprint of the dwellings had been increased, the layouts amended in order to make the houses larger and a new access had been proposed from Undercliffe Road. There would be an impact on neighbouring properties due to the scale of the proposed dwellings and their proximity to boundaries would be overbearing and create overshadowing. There would be a lack of parking provision due to the size of the proposed properties and the application was then recommended for refusal, as per the reasons set out in the officer's report.

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

- The Council's Householder Supplementary Planning Document (HSPD) required 17 metres distance between windows and this would be achieved between plots 1 to 4 and houses on Thornbridge Mews.
- The side windows of plots 2, 3 and 4 would be obscure glazed.
- Only one out of six bedrooms would have a roof light. It would not have an outlook, but would provide light and ventilation and would not cause the property to be substandard.
- The proposed detached dwelling would only affect one house. The scheme was highly comparable to that previously approved and would not have a detrimental impact as it would be a blank wall that faced it.
- Properties on Thornbridge Mews had no outside space.
- The proposal offered 14 off street parking places and the Council's Highways Department had not objected to the scheme.

In response to Members' questions, the Strategic Director, Place confirmed that the road was unadopted, however, the plans detailed it being improved to Council



standards. He explained that the Council was unable to encourage the adoption of the road, however, it could enforce adoptable standards. The Council currently requested 1.5 spaces per dwelling and the new guidance would require two spaces. The main issue was in relation to service vehicles and the turning circle shown, as it may not be able to accommodate large refuse vehicles. In relation to the new guidance, the City Solicitor stated that no weight could be given to the new requirements until the Secretary of State removed the holding state on the Council's Core Strategy Development Plan.

During the discussion a Member raised concerns in relation to service vehicle access, the parking provision and the alterations made to the previously approved outline consent. Other Members agreed that the development would be overbearing and overlook the adjoining properties.

Resolved –

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

Action: Strategic Director, Place

28. MISCELLANEOUS ITEMS

The Strategic Director, Place presented **Document "J"** and the Panel noted the following:

REQUESTS FOR ENFORCEMENT/PROSECUTION ACTION

(a) **105 Moore Avenue, Bradford** **Wibsey**

Dormer window and detached garage - 14/00426/ENFUNA

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers on 14 December 2016.

(b) **257 Cemetery Road, Bradford** **Great Horton**

Construction of a detached dwelling - 15/00486/ENFAPP

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers on 13 December 2016.

(c) **337 Great Horton Road, Bradford** **City**

Unauthorised externally mounted roller shutters - 15/00053/ENFUNA

On 29 November 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.



(d) 35 - 41 Beaconsfield Road, Bradford Clayton & Fairweather Green

Development not built in accordance with approved plans - 15/00971/ENFUNA

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers on 20 December 2016.

(e) 36 Clayton Road, Bradford Great Horton

Construction of timber framed and plastic clad structure, decking and product display area located to the front of the property - 16/01041/ENFLBC

The Area Planning Manager authorised the issuing of an Enforcement Notice under delegated powers on 8 December 2016.

(f) 82a Boynton Street, Bradford Little Horton

Unauthorised single storey extension - 15/00579/ENFUNA

On 30 November 2016 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

(g) Crofts Hall, Lower Rushton Road, Bradford Bradford Moor

Construction of structures on Crofts Hall and within the curtilage of the site - 15/00563/ENFAPP

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers on 13 December 2016.

(h) Land at Ramsey Street, Bradford Little Horton

Unauthorised use of land for motor vehicle storage - 15/00728/ENFCOU

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers on 25 November 2016.

DECISIONS MADE BY THE SECRETARY OF STATE

APPEAL ALLOWED

**(i) Land West of 457 Prince of Wales Inn, Thornton & Allerton
Allerton Road, Bradford**

Construction of retail unit with two bed apartment above – Case No:
15/04935/FUL

Appeal Ref: 16/00111/APPFL2



APPEALS DISMISSED

(j) 12 Melbourne Grove, Bradford **Bradford Moor**

Appeal against Enforcement Notice - Case No: 14/01118/ENFUNA

Appeal Ref: 16/00082/APPENF

(k) 346 Great Horton Road, Bradford **City**

Two storey side extension, dormer window, new shop frontage, cladding and internal alterations - Case No: 15/05843/FUL

Appeal Ref: 16/00100/APPFL2

(l) 4 Whitby Road, Bradford **Toller**

Variation of condition 2 of planning permission 95/00435/COU to remove the restriction on opening hours - Case No: 15/06274/VOC

Appeal Ref: 16/00101/APPVO2

(m) 50 Holme Street, Bradford **Little Horton**

Appeal against Enforcement Notice - Case No: 14/00465/ENFCOU

Appeal Ref: 16/00079/APPENF

(n) 70 Abb Scott Lane, Bradford **Royds**

Construction of detached dwelling - Case No: 16/00716/FUL

Appeal Ref: 16/00096/APPFL2

(o) 8Hilton Grove, Bradford **City**

Construction of first floor side and rear extension and single storey extension to rear side - Case No: 16/03423/HOU

Appeal Ref: 16/00124/APPHOU

(p) Land Adjacent to 90 Sunbridge Road, Bradford **City**

Appeal against Enforcement Notice - Case No: 12/00478/ENFUNA

Appeal Ref: 16/00074/APPENF



(q) Land at Stocks Lane, Bradford

Queensbury

Residential development of 21 dwellings with associated access, parking and landscaping - Case No: 15/07109/MAF

Appeal Ref: 16/00109/APPFL2

(r) The Gatehaus, Leeds Road, Bradford

City

Display of banner sign - Case No: 16/04398/ADV

Appeal Ref: 16/00121/APPAD1

(s) Whetley Mills, 370 – 372 Thornton Road, Bradford

Manningham

Retrospective application for banners and flag sign - Case No: 16/02293/LBC

Appeal Ref: 16/00092/APPLB2

Resolved –

That the decisions be noted.

Action: Strategic Director, Place

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

