

Minutes of a meeting of the Area Planning Panel (Bradford) held on Tuesday, 21 February 2017 at the Banqueting Hall - City Hall, Bradford

Commenced 10.00 am
Concluded 11.00 am

Present – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
Rickard Shaw	Lee Amran Azam	Stelling

Observers: Councillor David Warburton (Minute 33 (f))

Apologies: Councillor Alan Wainwright

Councillor Lee in the Chair

29. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

30. MINUTES

Resolved –

That the minutes of the meetings held on 19 October and 7 December 2016 be signed as a correct record.

31. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

32. PUBLIC QUESTION TIME

There were no questions submitted by the public.



33. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

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

(a) 72 – 76 Thornton Road, Bradford **City**

A part retrospective application seeking to regularise the installation of two extraction flues, seven air conditioning units and two roller shutters at 72-76 Thornton Road, Bradford - 16/09552/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the application was part retrospective and sought to regularise the installation of two extraction flues. He stated that it was beneficial for the building to be in use and confirmed that the Council’s Conservation officer was satisfied with the scheme. The application was 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) City Hall, Centenary Square, Bradford **City**

Refurbishment of Council office suite, City Hall, Centenary Square, Bradford - 16/09259/LBC

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the application was to grant listed building consent for the removal of a suspended ceiling and a studded wall within an office in City Hall. It was noted that Historic England, the Victorian Society and the Council’s Conservation Team had been consulted on the proposal. 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



(c) **Shibden Head Day Nursery, 49 Halifax Road, Queensbury
Bradford**

Retention of temporary modular unit for extended period of 18 months originally approved under 13/02315/FUL and 11/02242/FUL at Shibden Head Day Nursery, 49 Halifax Road, Queensbury, Bradford - 16/09072/FUL

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 retention of a temporary building whilst the applicant sought alternative accommodation. Members were informed that the cabins were concealed from view and had been in situ for a number of years. Representations in support and against the proposal had been received and the issues were detailed within the officer's report. The Strategic Director, Place reported that the applicant had requested a further 18 month temporary permission and this was deemed to be reasonable and sufficient. He then recommended the application 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

(d) **40 Brackendale Avenue, Bradford Idle and Thackley**

A full planning application for the construction of one dwelling within the garden area of 40 Brackendale Avenue, Thackley, Bradford - 16/09282/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He reported that the previous application for the construction of a property had been refused due to the impact on the protected trees. The new submission was very similar to the previous proposal but had been moved further away from the protected trees and side windows had been created to allow light into the habitable rooms. The Strategic Director, Place confirmed that the rear garden would still be overshadowed by the protected trees and recommended the application for refusal as per the reason set out in the report.

A number of objectors were present at the meeting and raised the following concerns:

- Local residents had submitted objections.
- Those supporting the proposal lived outside the Thackley area.
- The application had not changed since the last refusal.
- The property had only been moved slightly away from the protected trees.
- The site backed onto woodland.



- Over 600 houses were to be built in the BD10 area.
- One house would be squeezed into a garden.
- It had been believed that the legal covenant stating only one house and garage per plot would protect the site.
- The whole estate would change.
- The previous application had been refused in December 2016.
- The proposal had only moved 300 millimetres.
- Nothing had changed from the previous scheme.
- A Ward Councillor had objected to the application stating that the style and design was not in keeping with the area and it would affect amenity.
- The development would impact on the nearby wildlife pond.
- Some of the trees were protected.
- Tree roots would affect the plot.
- It was a garden not a building plot.
- Other building land was available.
- There was insufficient room for a driveway.
- Parking was already an issue in the vicinity.
- The Fire Service had previously raised issues about parking in the area.

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

- The proposal's relationship with the trees was an issue.
- The Council's Highways Department had not objected to the application.
- Only one tree would need to be pruned and this could be requested.
- It was acknowledged that there were some protected trees.
- The techniques used to build in such areas were proven and would not affect the trees.
- It would have a small garden space, but various areas would get the light.
- The leaf fall affected residents now.
- Additional windows and larger bi-fold doors had now been included.
- Building Control stated that 25% of floor areas should be windows and the proposal would provide 33%.

In response to some of the comments made, the Strategic Director, Place informed Members that the issue was not just about the impact on the tree roots but also in relation to the pressure to prune the tree canopies. He confirmed that sufficient distance was required between houses and protected trees in order to stop future issues. The small garden space would be shaded by the trees and the building control requirement was separate to planning.

The Panel noted that the tree report had not been updated from the previous application, however, the issue was in relation to the proximity of the proposed dwelling to the trees and the future pressure on the property.



Resolved –

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

Action: Strategic Director, Place

(e) 5 Acre Lane, Eccleshill, Bradford

Eccleshill

A householder planning application for the retention of a static caravan in use as a residential annex at 5 Acre Lane, Bradford - 16/08354/HOU

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He informed Members that the application requested the retention of a static caravan that was being used as a residential annex within a residential area. It was noted that permission had been granted in 2014 for the construction of a granny annex, however, the temporary building had appeared instead. A previous application for the caravan had been refused and the subsequent appeal dismissed. The Strategic Director, Place confirmed that according to the Council’s Occupational Health Unit a disabled person occupied the caravan, however, they did not have any evidence of their specific needs. The application was then recommended for refusal as per the reason set out in the officer’s report.

Resolved –

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

Action: Strategic Director, Place

(f) 70 Rooley Crescent, Bradford

Wyke

A full planning application for the construction of a detached dwelling within the rear garden of 70 Rooley Crescent, Bradford - 16/08375/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He reported that the host property was a large house with open land to the rear and new houses to the left and right. Members were informed that the land dropped away at the proposed location site and an access would be created. The proposed dwelling would impact on the rear garden of the next door property, however, this would be resolved if it was moved back slightly and there would still be sufficient room. The Strategic Director, Place explained that the proposal would be contemporary in design and have lots of glazing to the upper floor. He stated that the proposed balcony would overlook the neighbour’s garden and the mass of the wall presented to the adjoining garden was an issue. It was reiterated that there was an opportunity to site the



development 6 metres further back and this would resolve all the issues raised. The application was the recommended for refusal as per the reasons set out in the report.

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

- The function of the walkway was to provide access for cleaning. It didn't have an amenity value but provided an escape route.
- 70 Rooley Crescent had been built with large balconies that had never been used.
- The proposed house would be sited at a significantly lower level than the other properties.
- If the proposed property was moved further North, then its height would increase or significant excavation would have to be undertaken.
- The proposal would have little or no impact on the habitable rooms of 72a Rooley Crescent.
- The views from 72b Rooley Crescent would be screened by its garage.
- The design and access statement for 72a recognised that there would be overlooking issues. There was currently a wire mesh fence and if it was replaced with a solid fence this would provide screening.
- 72b Rooley Crescent would cast a shadow on the garden of the proposed property.

In response to a query from the Chair, the applicant explained that if the proposed location was altered then the shelter belt between the existing house and the development would be reduced. The host property's garden would also be reduced in size. He informed the Panel that the proposed house would be their future home and if altered it would not be accessible for them.

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

- The proposed house would be environmentally friendly.
- The plot sloped and the property would be situated half way down.
- It would be constructed partially underground and not restrict views.
- There were varied house designs in the area.
- There were 13 properties located in garden land in the area and others nearby.
- The development would be used for future living by the applicant.
- The proposed house would not be seen from the road.
- The application should be granted.

The Chair questioned whether the proposed house would have to have two floors if it was moved back. In response, the Strategic Director, Place confirmed that the development already had accommodation on two floors and if it was moved back into the site a further floor may be required, however, this would not be necessary. He stated that the balance of the needs of the occupiers to planning requirements had been considered and it was believed that there would be an impact on the garden of the adjacent property, which would be unacceptable. If the scheme was moved back and the height of the property increased, the



proposal would still be acceptable as it would be on a level with the house next door.

During the discussion Members acknowledged the impact on neighbours.

Resolved –

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

Action: Strategic Director, Place

34. MISCELLANEOUS ITEMS

The Strategic Director, Place presented **Document “L”** and the Panel noted the following:

REQUESTS FOR ENFORCEMENT/PROSECUTION ACTION

(a) 18 Newlands Avenue, Bradford **Bradford Moor**

Unauthorized single storey front extension - 16/00751/ENFUNA

On 28 December 2016 the Planning Manager (Enforcement and Trees) authorised the issue of an Enforcement Notice.

(b) 30 North Parade, Bradford **City**

Display of advertisements without Listed Building Consent - 16/00921/ENFLBC

On 9 January 2017 the Planning Manager (Enforcement and Trees) authorised the issue of a Listed Building Enforcement Notice.

(c) 60-70 Manningham Lane, Bradford **Manningham**

Unauthorized hot food takeaway use - 15/00952/ENFCOU

On 11 January 2017 the Planning Manager (Enforcement and Trees) authorised the issue of an Enforcement Notice.

(d) 12a North Parade, Bradford **City**

Display of advertisements without Listed Building Consent -16/01012/ENFLBC

On 9 January 2017 the Planning Manager (Enforcement and Trees) authorised the issue of a Listed Building Enforcement Notice.



(e) **Bradford Plaza, Leeds Old Road, Bradford** **Bradford Moor**

Breach of condition 3 planning permission 13/05126/FUL - 16/00204/ENFCON

On 5 January 2017 the Planning Manager (Enforcement and Trees) authorised the issue of an Enforcement Notice (Breach of Condition).

(f) **Sanderson Building,** **Bowling and Barkerend**
1-5 Feversham Street, Bradford

Unauthorised externally mounted roller shutters - 16/00433/ENFUNA

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

DECISIONS MADE BY THE SECRETARY OF STATE

APPEALS DISMISSED

(g) **1 Durham Terrace, Bradford** **Toller**

Covered canopy for fruit and vegetable display - Case No: 16/01958/FUL

Appeal Ref: 16/00125/APPFL2

(h) **1 Wrose Grove, Bradford** **Windhill and Wrose**

Two-storey side extension - Case No: 16/06362/HOU

Appeal Ref: 16/00132/APPHOU

(i) **21 Hampden Street, Bradford** **Little Horton**

Appeal against Enforcement Notice - Case No: 15/00801/ENFUNA

Appeal Ref: 16/00122/APPENF

(j) **22 Glenrose Drive, Bradford** **Great Horton**

Construction of two storey extension - Case No: 16/06324/HOU

Appeal Ref: 16/00129/APPHOU

(k) **8 St Mary's Road, Manningham, Bradford** **Manningham**

Retrospective application for two roller shutters to the rear elevation and alterations to stone walling - Case No: 16/04260/HOU

Appeal Ref: 16/00135/APPHOU



APPEAL ALLOWED IN PART/PART DISMISSED

(I) 342 Great Horton Road, Bradford

City

Extension to east elevation to form ancillary dessert lounge allowed on appeal -
shutters removed from application - Case No: 16/00945/FUL

Appeal Ref: 16/00120/APPFL2

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

