

Minutes of a meeting of the Area Planning Panel (Bradford) held on Wednesday, 15 March 2017 in the Banqueting Hall - City Hall, Bradford

Commenced 10.00 am
Concluded 12.15 pm

Present – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
Rickard Shaw	Lee Wainwright Amran Azam	Stelling

Observers: Councillor Rizwana Jamil, Councillor Hassan Khan and Councillor Imran Khan
(Minute 38(d))

Councillor Lee in the Chair

35. DISCLOSURES OF INTEREST

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

Councillor Azam disclosed that he had commented on the applications in relation to St Mary’s RC Church, East Parade, Bradford (Minute 38(e) and (f)) and he therefore withdrew from the meeting during the consideration of these items 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).

Councillors Azam and Lee disclosed that they had been contacted in relation to Land South of Woolcombers Way, Junction of Dick Lane, Bradford (Minute 38(d)) but had not discussed the application.

ACTION: City Solicitor

36. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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



37. PUBLIC QUESTION TIME

There were no questions submitted by the public.

38. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

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

(a) 11 Knightsbridge Walk, Bradford Tong

A full planning application for the construction of a two storey side and rear extension, amendments to an existing porch and the removal of an existing garage at 11 Knightsbridge Walk, Bradford - 17/00253/HOU

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He informed Members that the application proposed the construction of a side and rear extension, amendments to an existing porch and the removal of the existing garage. It was noted that an application for a two storey extension had previously been refused at the premises and subsequently allowed on appeal. A number of objections had been received and the issues were addressed in the officer’s report. The Strategic Director, Place confirmed that the existing access would be widened and an integral garage provided. He then recommended the application for approval, subject to the conditions as set out in the report.

In response to Members’ queries, the Strategic Director, Place stated that:

- The property currently had two large and one small bedroom and would have two large and three small bedrooms upon completion.
- The Council required 1.5 car parking spaces per development and three spaces had been proposed.
- There was sufficient space for service vehicle access and if cars obstructed the road it was a police matter.
- There was an existing 1.2 metre gap to the side of the property and this would remain.

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

- The concerns raised regarding the plans were in relation to parking and the proposed buildings.
- Three parking spaces would be provided.
- He was aware of the issues in the vicinity regarding refuse collection and parking.
- The previous proposal had been too close to shared boundaries, however, the scheme had now been amended and provided the required 7 metre separation distance.
- All the issues raised by neighbours had been accommodated.
- The development would not overlook adjacent properties.



- If approved, it would be ensured that skips would not be placed on the road.
- The existing third bedroom was very small and the new bedrooms would provide space for his growing family.
- The proposal was the same as the extension to the neighbouring property that had four to five bedrooms.

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) 11 McMahon Drive, Bradford

Queensbury

A householder application for the construction of a two storey side extension, single storey rear extension and rear dormer windows at 11 McMahon Drive, Bradford - 16/09425/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 a two storey side extension, single rear extension and a rear dormer within a residential area. The property was located at the head of a cul de sac, was single storey to the front and already had a rear dormer and conservatory. A number of representations had been received, as well as a petition and the issues were covered in the officer’s report. The Strategic Director, Place reported that a disabled person resided at the property, however, the Council’s Occupational Health Unit had stated that internal adaptations could be carried out to the accommodation to meet the needs of the individual. He explained that the rear dormer could be installed under permitted development rights and there were no residential amenity or adverse highway safety issues. The proposals had been adequately considered to take into account the disabled person who lived in the property and the application was recommended for approval subject to the conditions as set out in the report.

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

- The size and layout raised concerns.
- It was believed that the proposal would cause issues for adjacent properties.
- The scheme would encroach on the natural light to number 9 and 12 McMahon Drive.
- The turning circle would be affected.
- The proposal would stand out, be an eyesore and not be in keeping with the area.
- Would the access ramp to the front be the only entrance?
- A ramp was not appropriate at the front of the property.



- If the bins were placed at the front of the property it would be an eyesore.
- Parking would be an issue and vehicles would park in the turning head.
- The deeds stated that off street parking had to be provided.
- Noise would increase due to extra residents and vehicles.
- Access to the public footpath would be restricted.
- Residents were concerned about the construction period and the impact upon them.
- Local residents had raised concerns about the proposal.
- Issues had been raised in relation to the size of the extensions, highways and parking.

In response to a question from the Chair and in light of some of the comments made, the Strategic Director, Place confirmed that the property would have six bedrooms on completion. He stated that it was a residential dwelling, could not be occupied in any other way and would not create any excessive noise. The proposal was in accordance with the Council's Householder Supplementary Planning Document and issues such as the placing of skips on the street would require permission. Any matters relating to land ownership were private and the scheme would not be able to be completed if it did not belong to the applicant.

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

- The proposal would support his mother's needs.
- Downstairs was used as a bedroom.
- His father lived on his own in a large house, as there was no room for him in the property.
- He had three children and fostered others.
- Space was limited in the house.
- Personal issues had been raised within the objections.
- The proposal was in accordance with planning laws.
- There would be two parking spaces and no additional cars.
- Visitors would park on the road, as did other residents.
- The proposal was in line with others in the area.
- The application would improve his family's life.

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

- The application had been revised four times.
- All the aspects had been taken into account.
- The development would not have a detrimental impact.
- The proposed scheme and ramp complied with all Council policies.

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) Former Car Park to Black Swan Public House,
Frizinghall Road, Bradford**

Heaton

Construction of four semi-detached dwellings and two detached bungalows with associated car parking, at the former car park of the Black Swan public house, Frizinghall Road, Bradford - 16/02335/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the application proposed the construction of four houses and two bungalows with car parking on an overgrown site. Members were informed that there were protected trees to the front and rear of the plot and that the previous lapsed planning permission had permitted the removal of the trees at the back. The roots of the retained trees to the front of the site would be protected and a condition had been placed on the application. The Strategic Director, Place confirmed that a number of representations had been submitted and the issues raised were covered within the report. He confirmed that there was a suitable distance between neighbouring properties to ensure no overshadowing would occur, adequate parking provision and improvements to the drainage system. It was noted that access would be directly onto Rydal Avenue for some properties and via Frizinghall Road for the remainder. In conclusion the application was recommended for approval subject to the conditions as set out in the officer's 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) Land South of Woolcombers Way,
Junction of Dick Lane, Bradford**

Bowling and Barkerend

A full application for a car sales business, with associated building and boundary treatment at land south of Woolcombers Way, Dick Lane, Bradford - 16/08525/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He reported that the application proposed a car sales business on an untidy site that was surrounded by residential houses. The access point would be widened and a Traffic Regulation Order (TRO) placed on the road in order to permit free movement of vehicles. The unsightly boundary treatments would be revised and the proposed building would be placed at the back of the site. The Strategic Director, Place stated that seven additional representations had been received following the publication of the report, however, they all reiterated previous concerns. He informed Members that, if



they were minded to approve the application, an additional condition would be required to restrict the opening hours to 0900 to 2000 Monday to Friday and 0900 to 1700 Saturday and Sunday. The application was then recommended for approval subject to the conditions set out in the report and the proposed additional condition.

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

- Representations had been received from local residents.
- The use of the valeting bays was covered by condition 10 on the application.
- The proposal would improve the access in order to accommodate HGVs and the TRO would prevent parking on the road.
- The Plans identified that HGVs and long vehicles would be able to enter and leave the site in a forward gear.
- Vehicles would be delivered to the business on a weekly basis and the Council's Highways Department was satisfied with the access off Woolcombers Way.
- A condition to control any glare from lights on the site had been placed on the application and an additional condition to limit the operating hours would be added.
- Road works would take place within the site to make alterations, but the main road would not be altered.

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

- He represented the builder who was developing the site opposite.
- The proposal was a mixed commercial use and not appropriate for a residential area.
- The site opposite had planning permission for eight houses.
- The proposed use would be detrimental to the living conditions of the occupiers of the new houses.
- Commercial activity close to a residential development was unacceptable and contrary to the Council's Replacement Unitary Development Plan.
- The scheme was prejudicial to highway safety and residential roads would be used to access the site.
- There was no evidence that the site could accommodate the levels of traffic.
- The roads were already congested.
- Planning conditions could not mitigate the highway concerns.
- The application should be refused.

The Strategic Director, Place confirmed that the application was for a car sales business and the use of the building must be ancillary to that.

Three Ward Councillors were present at the meeting and made the following points:



- The proposed change of use to a car sales business was inappropriate.
- The scheme would have a negative impact on the area for residents.
- Parking was an issue in the area and customers could park on the roads and cause access problems.
- Parking for residents was limited.
- The scheme would create major problems for residents.
- Deliveries would involve the use of articulated vehicles, which would not be expected on a residential street and would cause detriment to residents.
- Large vehicles would have to reverse onto the site, which would be a major safety hazard for road users and pedestrians.
- Noise from the equipment on the site would have a negative impact on the daily lives of residents.
- Houses on the east of the site would be affected by the flood and security lighting.
- Advertising signs would not be appropriate and would distract drivers in close proximity to a pedestrian crossing.
- The land should be retained for residential purposes.
- Local residents did not want this type of use nearby.
- The site was located at the end of a busy road and cul de sac.
- Woolcombers Way was the only access point for over 300 houses and flats.
- Articulated Lorries would block the road for a considerable amount of time.
- The development was wrong for the area.

In response to further queries from Members, the Strategic Director, Place explained that the proposed new houses opposite had been taken into consideration. He confirmed that the applicant was a sole trader and had been requested to ensure that the access would be wide enough for large vehicles if necessary, however, it was not anticipated that large Lorries would be expected every week. It was noted that visitor parking had been provided on the site and allowances had been made for parking on the road and for large vehicles.

The applicant was present at the meeting and stated that:

- He operated a used car business in Shipley with 38 vehicles.
- The business had been family run for 30 years.
- The proposal would expand the business, as more space was required.
- There was no intention to use the site as a car wash.
- The valet bays would be used to clean vehicle stock by the business.
- A pre-planning application had been submitted and agreed.
- 6 months had passed and there were still issues with the application.
- The Council's Highways Department had requested a TRO and the plans had been amended. It had then been removed but was now a requirement.
- Many hours and money had been spent on the highways issues.
- Residential use had been previously approved.
- The planning issues had been resolved.
- The site was a derelict wasteland and was prone to fly tipping.



- The site was dangerous for children in the area and may become infested.
- He wanted to invest in the site and make it beneficial for the local community.
- Jobs would be created.
- Transporters were not used and there was no intention to use them. The access had to be widened as a worst case scenario.
- The TRO would stop parking on the road.
- On average there would only be five customers per day.
- The office would be the only building on the site.

During the discussion a Member expressed sympathy with the applicant and acknowledged that the business would invest in the community, however, he noted that the District was short of housing land, desperately required houses and needed to sustain safer communities.

Another Member stated that the proposed development would have an adverse impact on residential amenity and highway safety and added that it was not in accordance with Council policies. The Chair agreed that the highway safety issues had not been resolved and indicated that the site should be retained for housing.

Resolved –

That the application be refused for the following reason:

That the proposal would have a detrimental effect on the adjoining large residential estate and highway safety due to the high level traffic use of the road, the type and quantity of vehicles that would require access to the site and the close proximity to a busy road junction and pedestrian crossing. For this reason the proposal fails to comply with policy TM2 and TM19A of the Council's adopted Replacement Unitary Development Plan.

Action: Strategic Director, Place

(e) St Mary's RC Church, East Parade, Bradford Bowling and Barkerend

(i) An application for listed building consent for a number of advertisements including signs to the building, post mounted signs and flag poles to St Mary's RC Church, East Parade, Bradford - 16/08955/LBC

(ii) An application for advertisement consent for a number of advertisements including signs to the building, post mounted signs and flag poles to St Mary's RC Church, East Parade, Bradford - 16/08954/ADV

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the building was a large church that had recently been granted permission to convert to a mixed use site



incorporating a restaurant, amongst other uses. The application proposed signage to the building, the majority of which was acceptable, however, the main concern was a large advertisement hoarding type sign that was to be located on the gable and did not relate well to the building. The building was listed and the hoarding would not be directly advertising its use. It was noted that discussions had taken place with the applicant for a smaller sign to advertise the use of the building, but this had not been agreed. The Strategic Director, Place then tabled photographs submitted by the applicant and stated that the condition of the building was not in question. He then recommended that the Listed Building Consent be refused and that the request for advertisement consent be a split decision.

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

- The position of the sign was not the only issue, the size had also to be considered.
- The issue was the size of the sign and the appropriateness of a sign would also depend upon the content. Examples had been proposed to the applicant.
- The Council had won appeals in respect of advertising.
- The applicant had been requested to place the sign on the opposite side of the building.
- It was a listed building and the concerns in relation to its state of disrepair had been acknowledged.
- The refusal of the advertising hoarding should not stop the development of the site.

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

- The change of use had been approved.
- The completion of the transfer of the buildings was nearly finished.
- The building had last been used in 2008.
- It was damaged internally and in a hazardous state.
- The applicant had invested a great deal of capital.
- The signage was important to the premises.
- The sign on the south gable was the issue.
- It was accepted that the visual impact on the building was subjective.
- The sign would be better placed on the plain gable end of the building.
- The Alhambra's signs were not an original feature.
- The advertising of events at a new venue would be justified.
- Members should support the new enterprise.

In response to further questions, the Strategic Director, Place reported that the gable was a listed feature of the building and officers had tried to negotiate a smaller sign. He confirmed that the details of any new proposals would need to be considered.

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



- The building had been empty since 2008 and was becoming more and more dilapidated.
- The contentious sign would be a rotating sign.
- The sign would be advertising events at the conference centre.
- It would not have an impact on the area.
- The sign would be a high standard and relate to the listed building.
- The applicant was committed to the redevelopment of the property.
- There would not be any significant harm to the building.
- The application should be approved.

During the discussion a Member indicated that there were many buildings within the District that should be brought back into use and the Council needed to make it acceptable for developers. He acknowledged that the application was at an impasse and it was not an acceptable position. The size of the proposed sign was acceptable, however, the design needed to reflect and be in keeping with the listed building.

The Strategic Director, Place reiterated that the development of the site would not be affected if the proposed sign was refused and that officers had tried to reach an agreement with the applicant. He added that the Council had won appeals in relation to large signs and similar ones in the District had been removed.

Another Member expressed sympathy with the applicant and acknowledged that there was an issue regarding listed buildings within the District. He noted that it was a National policy and he could not support the proposal, even though he would like to, as the impact of the sign on the listed building needed to be removed.

Resolved –

- (i) **That authority be delegated to the Strategic Director, Place to negotiate the removal of “Wall Sign 2” from the proposed plans and issue a grant of Listed Building Consent and that the revised drawings be received within one month otherwise Listed Building Consent for the proposed signage be refused for the reasons set out in the Strategic Director, Place’s technical report.**
- (ii) **That a split decision be issued for the reasons and subject to the conditions set out in the Strategic Director, Place’s technical report.**

Action: Strategic Director, Place

39. MISCELLANEOUS ITEMS

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



REQUESTS FOR ENFORCEMENT/PROSECUTION ACTION

(a) 1350 Leeds Road, Bradford **Bradford Moor**

Unauthorised canopy structures - 16/01024/ENFUNA

On 15 February 2017 the Planning Manager (Enforcement and Trees) authorised the issue of an Enforcement Notice.

(b) 270 Leeds Road, Bradford **Bowling and Barkerend**

Unauthorised externally mounted roller shutters - 16/00441/ENFUNA

On 15 February 2017 the Planning Manager (Enforcement and Trees) authorised the issue of an Enforcement Notice.

(c) 4 Plumpton Gardens, Wrose, Bradford **Windhill and Wrose**

Unauthorised porch structure - 16/00939/ENFAPP

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

(d) 661 Great Horton Road, Bradford **Great Horton**

Unauthorised externally mounted roller shutter -16/00892/ENFUNA

On 8 February 2017 the Planning Manager (Enforcement and Trees) authorised the issue of an Enforcement Notice.

DECISIONS MADE BY THE SECRETARY OF STATE

APPEAL ALLOWED

(e) 99 Cumberland Road, Bradford **Great Horton**

Retrospective planning application for single-storey rear extension for disabled people - Case No: 16/04491/HOU

Appeal Ref: 17/00003/APPHOU

APPEALS DISMISSED

(f) 10 Ashfield, Bradford **Tong**

Replacement front and side boundary wall - Case No: 16/07359/HOU

Appeal Ref: 17/00006/APPHOU



(g) **105 Moore Avenue, Bradford**

Wibsey

Retrospective application for two-storey extension to side, single-storey extension to rear and double garage with porch to front and dormer window to the rear elevation - Case No: 16/07258/HOU

Appeal Ref: 17/00005/APPHOU

(h) **Rose and Crown, 199 -201 Westgate, Bradford**

City

Installation of solid metal roller shutters over windows to the side - Case No: 16/05351/FUL

Appeal Ref: 16/00130/APPFL2

(i) **Stone Yard, Bradford Road, Idle, Bradford**

Eccleshill

The storage of stone components, pre-packaged walling stone and stone sets - Case No: 16/00178/CLE

Appeal Ref: 16/00081/APPCLC

APPEAL WITHDRAWN

(j) **Hand Car Wash at 1394 Leeds Road, Bradford**

Bradford Moor

Appeal against Enforcement Notice - Case No: 15/00867/ENFUNA

Appeal Ref: 16/00137/APPENF

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

