

Minutes of a meeting of the Area Planning Panel (Bradford) held on Thursday, 6 July 2017 at Committee Room 1 - City Hall, Bradford

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| Commenced | 10.20 am |
| Adjourned | 1.15 pm |
| Re-convened | 2.05 pm |
| Concluded | 3.30 pm |

Present – Councillors

| CONSERVATIVE | LABOUR | LIBERAL DEMOCRAT AND INDEPENDENT |
|--------------|---|-------------------------------------|
| Barker | S Hussain Wainwright Azam Watson | Stelling |

Observers: Councillor Alun Griffiths (Minute 5(a) and (b)), Councillor Richard Dunbar (Minute 5(h) and (n)), Councillor David Green (Minute 5(d) and (g)), Councillor Taj Salam (Minute 5(c)) and Councillor Mohammed Shafiq (Minute 5(k))

Apologies: Councillor Mark Shaw

Councillor S Hussain in the Chair

1. DISCLOSURES OF INTEREST

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

Councillor Azam disclosed that he knew the applicant in relation to 346 Great Horton Road, Bradford (Minute 5(e)) and 35 Oak Lane, Bradford (Minute 5(l)) but had not discussed the applications.

Councillor Hussain disclosed that he knew the applicant in relation to 346 Great Horton Road, Bradford (Minute 5(e)) and 35 Oak Lane, Bradford (Minute 5(l)) but had not discussed the applications.

Councillor Hussain disclosed that the applicant was a relative of a Councillor in relation to 8 Fair Road, Bradford (Minute 5(f)) but he had not discussed the application.

ACTION: *City Solicitor*

2. MINUTES

Resolved –

That the minutes of the meeting held on 15 March 2017 be signed as a correct record.

3. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

4. PUBLIC QUESTION TIME

There were no questions submitted by the public.

5. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

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

(a) & (b) 1 Booth Royd, Bradford

Idle & Thackley

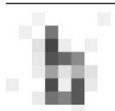
(a) Application for listed building consent for the installation of boundary walling and gates and various internal alterations at 1 Booth Royd, Bradford - 17/00792/LBC

(b) Installation of boundary walling and gates at 1 Booth Royd, Bradford - 17/02962/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 installation of boundary walling, gates and other internal alterations and listed building consent. The property was situated on an unadopted road that was not a public right of way and the scheme proposed that the existing wall be moved. The Strategic Director, Place reported that concerns had been raised that it would be difficult for vehicles to turn around in the road, however, it had been considered that there would be sufficient room to manoeuvre. He confirmed that the existing pedestrian access would be maintained and recommended the application for approval, subject to the conditions as set out in the report.

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

- He had no objections to the existing alterations.
- He was concerned about heritage and highway safety.
- It was a wide open cobbled courtyard.
- The Heritage Team had not objected to the proposal, however, he believed that the proposal would have an impact on a historical part of Idle, as the



- courtyard would become a fenced off area.
- The report stated that vehicles would be able to turn around and exit, but they would probably reverse out onto Town Lane.
 - It was an informal turning area and served a purpose.
 - The application should be refused.

In response the Strategic Director, Place acknowledged that it was a wide open courtyard now, however, the gate could be offset without planning permission and confirmed that it was a private matter as to whether the land owner permitted access on to their land.

An objector was present at the meeting and made the following comments:

- He had lived at 2 Booth Royd Drive for 43 years.
- His property had a right of way and access.
- It was an unadopted public highway.
- It was the only means of access for nine houses.
- It was not fair that one owner could restrict access.
- The previous owner had permitted vehicles to turn in the area.
- If gates were installed then vehicles would have to make multi point manoeuvres.

Another objector outlined the following points:

- He lived opposite the site on Town Lane.
- The proposal would encroach on residents' pathways.
- Vehicles would have to reverse onto the main road.
- It was near to schools.
- There was a pedestrian crossing nearby.
- Vehicles had managed to turn around previously.

The applicant was present at the meeting and addressed the Panel:

- She was currently renovating the property.
- The gates would protect the historical site, as stone had previously been stolen and reduce the threat of crime.
- The Council's Highways Department had not objected.
- The property had private rights over the pedestrian access.
- The Secretary of State had described the area as having ample parking.
- The application did not affect the residents' right to park.
- Emergency services used the most accessible route, which was Booth Royd Drive.
- Many businesses and services had been consulted and no issues had been raised.
- The gate would be placed in its original setting, but slightly set back.
- The gate had been approved by the Council's Rights of Way Team.
- The proposal ensured that the listed building was retained and enjoyed.



The Strategic Director, Place informed Members that the Highways officer had stated that the gates and walling were not detrimental to highway safety and vehicles would still be able to leave in a forward gear. The pedestrian access would also still be maintained. He indicated that there may have been some errors in the past regarding the documentation and it may not be a private road, if so, no closure was required. It was noted that gates had previously been present, which gave weight to the road being private, and other residents had been given permission to have access, which was a private matter. The City Solicitor added that pedestrian access would be with the permission of the owner.

The applicant confirmed that the owners of 2 Booth Royd Drive had permission, however, all other access was pedestrian only. The previous occupants had lived in the property from 1967 to 2016 and they had used the cobbled driveway. It was a private area and the other properties only had pedestrian rights of way. The applicant stated that residents would be given access to the area if requested and the pedestrian right of way had been in place since 1920.

In conclusion the Strategic Director, Place reiterated that private rights were not a planning matter and Members needed to consider whether the appearance of the gates were in keeping with the listed building. He added that an informative could be placed on the application that the owner would have to comply with the ownership requirements.

Resolved –

(a) & (b):

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) 228 Parkside Road, Bradford

Little Horton

A full application for the demolition of a detached bungalow and the construction of a two storey detached building to provide a community and education centre at 228 Parkside Road, West Bowling, Bradford - 17/00862/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He reported that the application was for the demolition of the existing bungalow and the construction of a two storey building, with access from Parkside Road. The proposal had originally been submitted in December 2016 and the new scheme had now been amended. Members noted that the layout had previously been open plan and was now separated into classrooms, which was more appropriate with an education centre. The previous application had been refused on highway safety grounds, however, the nature of the use had altered and there was sufficient space for parking. The Strategic Director, Place confirmed that the parking provision was below the Council’s



standard, but it was acceptable as the majority of users would be from the local vicinity. He stated that conditions had been placed on the application including one to control the materials used and another to restrict the use of the facility. The application was then recommended for approval, subject to the conditions as set out in the report.

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

- The building layout had been altered.
- The existing property on the site was derelict.
- The new building would change the corridor of Parkside Road.
- Parking for eight to nine vehicles would be provided.
- The facility would be for local use and people would walk there.
- Conditions would be adhered to.
- The facility was required.
- Bradford Trident Community Council had looked at the application.

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

- He had not been notified of this meeting.
- A full search had been undertaken in 1988 and only single storey buildings were permitted on the land due to the railway tunnel underneath.
- Bats visited the vicinity and were the Bat Conservation Trust aware?

In response to some of the points made, the Strategic Director, Place explained that:

- Restrictions on the use of the land did not stop planning permission being granted.
- There were no records of bat roosts in the area, but a condition could be placed on the application.
- The stability of the site would be investigated at the building regulation stage, however, no information had been identified for this particular site.
- Any building issues would be dealt with at the building regulation stage.

During the discussion Members expressed concerns in relation to the stability of the site and suggested that conditions be placed on the application. The Strategic Director, Place indicated that an informative could be placed on the application advising the applicant of the concerns and that appropriate consents would be required. The Ward Councillor supporting the scheme stated that it would be a public building and the health and safety of those using the facility would not be put at risk. He added that all the necessary reports would be taken into consideration and the property would not be able to take out public liability insurance.

The City Solicitor acknowledged that concerns had been raised and indicated that the application could be deferred with delegated powers, however, he confirmed that the railway tunnel was not a planning issue and would be dealt with by building regulations. Therefore, if the application was deferred, the Council's



Building Control Service would not be able to provide answers to the concerns raised as no decision had been made on the application.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Place’s technical report and subject to the following footnote being placed on the application:

That, in light of concerns raised regarding the stability of the site, the applicant must consult with the Council’s Building Control Service and other relevant organisations in order to obtain the appropriate consents.

Action: Strategic Director, Place

(d) 27 Beechwood Avenue, Bradford

Wibsey

A full planning application for the construction of a part single and part two-storey rear extension, hip to gable roof conversion, extended basement and front and rear dormer windows at 27 Beechwood Avenue, Bradford - 17/01303/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 extensions and dormer windows, some of which were permitted development. Members noted that the front dormer and rear extensions required planning permission, however, they were considered to be visually acceptable and have a sufficient separation distance between the neighbours. Parking at the premises would not be affected. A number of representations had been received in support and against the proposal and the issues were covered within the report. A Ward Councillor had submitted a representation following the publication of the officer’s report and had requested that the construction hours be limited. The Strategic Director, Place confirmed that it was possible to condition construction hours, however, officer’s did not recommend this course of action. He then recommended the application for approval, subject to the conditions as set out in the report.

In response to a Member’s question, the Strategic Director, Place reported that the rear dormer and hipped roof could be completed under permitted development rights, however, the front dormer and rear extension would require planning permission.

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

- He recognised that some of the work could be undertaken under permitted development rights.
- The impact of the extensions on the adjacent property should be considered.
- The construction hours should be limited to protect residents’ amenity.



- Construction work should not be permitted on Sunday and a cut off point should be stated during the week on an evening.

During the discussion Members agreed that the construction hours should be limited.

Resolved –

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

- (i) **That the hours of construction be limited to 7.30 am to 6.00pm Monday to Friday and 07.30 am to 12.30pm Saturday.**

Action: Strategic Director, Place

(e) 346 Great Horton Road, Bradford

City

Full application for a two storey side extension, dormer window, new aluminium shop frontage, cladding and roller shutters at 346 Great Horton Road, Horton Grange, Bradford - 17/00875/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He confirmed that the application proposed a rear extension and amendments to the front of the premises that had previously been fire damaged. The use of the building would remain the same, however, the type of shutters had been amended to the preferred lattice type. 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

(f) 64-66 Manningham Lane, Bradford

Manningham

A full planning application for the change of use of the ground floor of a building from an A1 retail use to an A3 restaurant/café at 64 – 66 Manningham Lane, Bradford - 17/02129/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 requested a change of use from A1 retail to A3 restaurant at premises located



within a commercial row of units that included other takeaways. The only alteration was for signage and nine tables were illustrated for seating. The scheme would not cause any residential amenity issues and the hours of use had been conditioned. Members were informed that there were no highway safety implications as the premises would be a restaurant not a takeaway. The application was then recommended for approval, subject to the conditions as set out in the report.

The applicant's agent was present at the meeting and confirmed that the site was vacant and on the main route to the City Centre. The A3 use had been established for 23 years. He explained that the plans indicated that a small extraction fan would be used, however, this would not be required and he requested that condition 3 be removed from the application.

In response the Strategic Director, Place stated that the condition should remain, as the Council's Environmental Health Unit would need to be consulted and the discharge of a condition from an application was a separate matter. He reported that the premises had previously been used as a shop, therefore, the extraction system would need to be checked to ensure it would be suitable for restaurant purposes.

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

(g) 8 Fair Road, Bradford

Wibsey

A full planning application for the change of use of the property from class A2 to class A5 hot food takeaway at 8 Fair Road, Wibsey, Bradford - 17/01521/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 a change of use from a bank to a hot food takeaway at a property which was within a designated local centre. A number of representations in objection and support had been submitted and the issues were covered within the officer's report. A Ward Councillor had also requested clarification of the issues. The Strategic Director, Place stated that in principle the A5 use was acceptable and the proposal would not cause any significant amenity issues. He reported that the operating hours would be restricted to 11pm and no external alterations had been proposed, only minor changes. Members were informed that there were parking restrictions in the area and a bus stop was located outside the premises. The change of use would generate traffic, but only on a short stay basis and there was parking provision on the road, therefore, the proposal was not considered to create significant highway safety issues. An area at the rear of the property would be provided for waste storage and it was recommended that the application



be approved, subject to the conditions as set out in the report.

In response to Members' queries, the Strategic Director, Place confirmed that there were seven hot food takeaway outlets within the local centre, a number of which were within the immediate vicinity and were a mixture of types.

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

- There were other hot food takeaways within the vicinity.
- The use was acceptable in ratio to other businesses, however, the ratio was based upon judgement.
- There was an over sufficiency of hot food takeaways in the village.
- In principle the proposal was acceptable as it would be located in the local centre.
- Wibsey Primary School was in close proximity.
- He had not seen the information provided by Metro in relation to the bus stop outside the premises. There were already parking issues in the area and there would not be any enforcement after 6pm.
- Parking was a major issue in the village. Where would customers park?
- Customers may park at the bus stop outside the premises or in the Liberal Club car park.
- The Panel could make a judgement on the ratio of business in the vicinity and the parking issues.
- The application should be refused.

In response to a few of the issues raised, the Strategic Director, Place reported that if vehicles parked on the pavement and at the bus stop this would be a safety issue, however, there was no evidence that the business would cause indiscriminate parking and it was not a planning consideration. In relation to the ratio of businesses, Members were informed that certain aspects and the viability of the local centre would be looked at. It was noted that the Council's Highways Department had been consulted, however, there was no requirement to consult with Metro, and the view they had taken was that the proposal would not create any significant safety issues.

During the discussion a Member raised issues in relation to the overcrowding of takeaways in the local vicinity, parking, road safety issues and the position of the bus stop outside the premises. Another Member echoed the concerns raised and added that no answers had been provided in relation to the ratio of takeaways in the vicinity.

Resolved –

That the application be refused for the following reason:

That there would be an over concentration of hot food takeaways in the vicinity, which would be detrimental to the vitality and viability of the Wibsey Local Centre and in addition, the position of the bus stop in front of the premises could cause indiscriminate parking to the detriment of



highway safety. Therefore, the proposal would be contrary to Policies UR3 and TM19A of the Replacement Unitary Development Plan and Principle 1 of the Council's Hot Food Takeaway Supplementary Planning Document.

Action: Strategic Director, Place

(h) 832 Thornton Road, Thornton, Bradford Thornton & Allerton

A householder planning application for the construction of a single storey rear extension, rear dormer window and ground works within the rear garden at 832 Thornton Road, Bradford - 17/00562/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 an extension, dormer window and ground works. Several representations had been submitted in objection and support of the development and the issues raised were covered in the officer's report. An additional letter had also been received following publication. It was noted that issues in respect of ownership and rights of access were not planning matters and the application was recommended for approval, subject to the conditions as set out in the report.

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

- Residents were concerned in relation to the impact of heavy machinery on the poor road access.
- The development was out of proportion with the existing and adjoining premises.
- Draining was not covered within the report.
- The garden was above the natural incline of the land.
- The kerbing had created water pooling.

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

- It was a private unadopted road, not a service road.
- The deeds stated that only light vehicles could use the road.
- The dry stone wall on the road could collapse.
- The property was part of a row of six semi detached houses and it would look out of place.
- There would not be any natural drainage as the garden would be concreted.
- Additional drainage would have to be installed.
- The applicant had blocked the access to his garage.
- The access road was narrow and it was impossible for wide vehicles to gain access.
- Heavy vehicles did not use the road.
- How could planning permission be granted when there was no access?



In response to the points raised, the Strategic Director, Place informed the Panel that the scheme would not harm visual amenity and the rear dormer window could be constructed under permitted development rights. He explained that the issue regarding the access road was a private matter and the applicant had stated that he had a right of access. In relation to surface water, there was a great deal of hard standing and a condition could be placed on the application that details of a surface drainage scheme be submitted prior to commencement of development.

In response to a Member's query, the Strategic Director, Place confirmed that the proposal would not affect the use of the private road and the applicant would be installing pedestrian access, which would reduce the use.

The applicant was present at the meeting and confirmed that:

- There was no drainage on the unadopted road.
- No objections had been raised regarding the access.
- All work would be carried out with the upmost care.
- Other properties had extensions and garages on the road, so how had the materials got there?
- The objections were petty arguments.

In response to further questions the Strategic Director, Place stated that:

- Access issues could not be enforced.
- Enquiries could be undertaken if it was believed that the development was for commercial use.
- Drainage on the access road could not be controlled, however, run off from the site could be conditioned.

Resolved –

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

- (i) That prior to the commencement of development the details of a scheme for surface water drainage be submitted to and approved in writing by the Local Planning Authority.**

Action: Strategic Director, Place

(i) Land West of 1 to 9 Wharfedale Rise, Bradford

Heaton

An outline planning application for residential development consisting of six dwellings at land at Wharfedale Rise, Chellow Lane, Bradford - 17/00674/OUT

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the application was outline for



the construction of six dwellings on land that was a former allocated phase two housing site. Members were informed that residential and wildlife areas surrounded the site and that the principle of development was acceptable due to its former status. The trees in the wildlife area were protected and a survey had been undertaken in February. It was noted that the proposed houses were shown as being located close to the trees, however, this could change as the application was outline. A number of representations had been submitted and the issues were covered in the officer's report. The Strategic Director, Place indicated that there may be some pressure on the trees in the future, but the land was a former housing site, and he, therefore, recommended the application for approval.

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

(j) Park Grange Medical Centre, 141 Woodhead Road, Bradford **City**

An outline planning application for eight apartments on land at 141 Woodhead Road, Bradford - 17/00307/OUT

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the application was outline for the construction of eight apartments located next to a public open space, with limited use and had been deferred from the meeting held in April 2017. The principle of development was acceptable and all matters would be considered at the Reserve Matters Stage. The indicative plans had been amended and eight parking spaces would be provided, which was considered sufficient. The Strategic Director, Place stated that there were no significant highway safety issues, the applicant had expanded that red line boundary of the application and shown an indicative parking layout fro the site. 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 raised the following points:

- Flooding occurred when it rained.
- The traffic was always heavy in the area.
- Eight parking spaces were not sufficient.
- The proposal was not in line with other residential properties.
- The proposal would overlook other properties.
- Traffic would increase.
- The scheme would be detrimental to the health and wellbeing of residents.
- The building would deprive residents of the sunrise.
- It would be detrimental to deprive residents of sunlight.
- The increase in waste would encourage rodents.



- The scheme would have an adverse effect on residents' human rights.
- The site was not suitable for a high rise building.

The applicant was present at the meeting and stated that:

- Eight parking places would be provided for the eight apartments.
- Students did not normally have vehicles.
- The proposal was supported by the Council's Highways Department and Environmental Health Unit.
- The building would fit well with the surroundings.
- The proposal would benefit the area.
- Local materials would be used.

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

(k) 110A Leeds Old Road, Bradford

Bradford Moor

Change of use of existing commercial premises to retail unit and infill extension - 17/01596/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He confirmed that the application was for the change of use and the construction of a small extension at a site located on a busy junction on Leeds Old Road. The existing garages on the site would be demolished. It was reported that the main concern was the position of the building at the junction and the conflicting traffic lights. The proposed A1 retail use would be greater than the existing workshop and it was believed that customers would park on the adjacent streets and exacerbate the issues in the area. In relation to the traffic signals, Members were informed that the light had its own demand loop, as the site had to be taken into consideration when the Morrisons development was being constructed. The Leeds to Bradford cycle superhighway now crossed in front of the access and created another issue. It was believed that the A1 use would have a greater impact and the separate traffic signal would stop other traffic in the vicinity and could create problems. The Strategic Director, Place then recommended the application for refusal as per the reasons set out in the report.

The applicant's agent addressed the Panel and stated that:

- It was a local family clothing business.
- They had selected the right location for the demand.
- It was a prominent location on a main route into the City.
- It was an appropriate location and would develop a run down building.



- The scheme would not harm residential amenity.
- Highway safety was the main issue.
- The report stated that there was no signal control, however, there was a dedicated traffic light for the exit.
- Both the entrance and exit were covered by traffic lights, which had been installed as part of the Morrisons development.
- A sensor triggered the traffic light, so waiting traffic would not be blocked.
- Level access kerbs and double yellow lines were in place.
- No accidents had occurred at the site.
- The proposal would direct customers on a one way system to the site.
- There was sufficient parking on Randolph Street.
- It would be unfair to refuse the application as it met and exceeded Council requirements on many issues.
- The application should be approved.

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

- The officer's report was sympathetic to the proposal.
- Some highways information had not been covered within the report.
- There was a traffic signal to control the access and egress to the site.
- The applicant would be happy to accept conditions.
- It was an empty site and an eyesore.
- The family and area would be successful if the application was approved.

Resolved –

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

Action: Strategic Director, Place

(I) 35 Oak Lane, Bradford

Manningham

A variation of condition application to extend the hours of use until 01.00 am at 35 Oak Lane, Manningham, Bradford - 17/01064/VOC

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He informed Members that the application proposed an extension to the hours of use until 1am at premises that was outside the local centre and surrounded by residential properties. It was noted that the property was a part of a commercial row of units with flats above and that the submission requested that the current hours of use be extended from 8am to midnight to 1am. A number of representations in objection and support had been received and the issues were detailed in the officer's report. The Strategic Director, Place reported that in 2009 an application had been submitted to amend the operating hours up to 2am and this had been refused. He confirmed that the Council had since introduced restrictions to hot food takeaway use to 11pm, so the applicant already had an additional hour. The application was then



recommended for refusal, as per the reason set out in the report.

In response to a Member's queries, the Strategic Director, Place confirmed that the premises could be open until midnight and that enforcement action was being undertaken as the business was breaching the hours of operation.

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

- He was a resident of Bertram Road.
- The application should be rejected.
- Supporters of the application did not live in the vicinity.
- It was a local business and residents wanted it to succeed.
- The application requested the extension of the opening hours until 1am, but the premises had flouted the law and been open until 2.30am.
- The business was not adhering to the current operating hours, so why would it close at 1am?
- If the opening hours were extended the nasty odour emitted from the premises would remain longer.
- It was a residential area where children lived.
- Some of the customers displayed anti social behaviour.
- Employees congregated at the rear and were noisy.
- Rubbish thrown from the premises often missed the skip and landed in a neighbour's garden.
- Incidents had taken place in the back yard and the fire service had to be called.
- There were litter issues.
- The premises were causing major problems in the area and the application should be refused.

Another objector was present at the meeting and added that:

- The premises were not in a local centre.
- The property was located within 400 metres of Lister Park.
- The application should be rejected.
- Takeaway premises should only be permitted in exceptional circumstances.

The applicant was present at the meeting and stated that:

- If he had no regard to the restrictions he would have not have submitted the application.
- He had engaged with the local community.
- He had submitted an application to the Council's Licensing Team.
- Litter was cleared.
- Signs requested that customers were courteous.
- The business was being unfairly targeted by residents.



Resolved –

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

Action: Strategic Director, Place

(m) 68-70 Manningham Lane, Bradford

Manningham

A retrospective application for the change of use from A3 Restaurant and Cafe to A5 Hot Food Takeaway at 68-70 Manningham Lane, Bradford - 17/02128/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He reported that the application proposed the change from a restaurant to a hot food takeaway at premises that was not located within a local centre. Members were informed that there were numerous facilities used by young people within the vicinity and the proposal was not acceptable under the Council’s Hot Food Takeaway Supplementary Planning Document. There were double yellow lines on the road outside the property and insufficient information had been provided to enable the proper consideration of the application. It was then recommended for refusal, as per the reasons set out in the report.

In response to Members’ queries, the Strategic Director, Place confirmed that enforcement action was ongoing and the premises had always been used for food purposes.

The applicant’s agent then addressed the Panel and stated that:

- He supported the change of use.
- The enforcement action was ongoing due to the premises being deemed as a takeaway and not a café.
- The floor above was used as office space.
- The residential properties to the rear would not be affected by the proposal.
- The buffer zone was not being adhered to by other businesses on the row and the Council were being unfair to this business.
- The Council’s Takeaway Policy should not apply as it was a mixed use area and there were many commercial and retail outlets in the vicinity.
- The closest secondary school was near to the Valley Road Stadium.
- There were other hot food outlets on the same row.
- The occupants of many of the vehicles parked on the road were visiting the Job Centre opposite.
- The business was already permitted to operate from 11 to 1pm and this would continue.
- It was a mixed use area with other commercial premises on the same row.
- The application should be approved.



Resolved –

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

Action: Strategic Director, Place

**(n) Harrop Edge Farm, Stephenson Road,
Bradford**

Thornton & Allerton

A full planning permission an Agricultural building (Resubmission of application 16/05252/FUL) at Harrop Edge Farm, Stephenson Road, Bradford - 17/02501/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the application was a resubmission of a similar scheme with some alterations. There were changes in land levels and a landscaping scheme had been proposed along the boundary to obscure the agricultural building which would be positioned at a high point and would be prominent. The applicant had been questioned as to why the building could not be located at a lower point and in response had stated that safe access was required from Stephenson Road in inclement weather, however, this was not sufficient justification. Members noted that harm would be caused to the Green Belt by the views from the north due to the prominent position of the building and the application was then recommended for refusal as per the reason set out in the report.

A Member raised a question regarding the materials and in response the Strategic Director, Place reported that there were no issues regarding the materials to be used, as they would be the same as other buildings, however, the siting of the proposal was a problem. The Council’s policy stated that it should be located in a less prominent position and it had been suggested that the new development be placed in the area where the existing buildings were located. Another Member suggested that trees could be planted around the building and the Strategic Director, Place explained that discussions would need to be undertaken with the applicant.

A Ward Councillor then addressed the Panel and stated that:

- The application proposed plans to shield the building from view.
- The building had been reduced in height, size, position and volume.
- A separate track would not be required if the building was sited as proposed.
- It would not affect the Green Belt or have a massive impact.
- Inclement weather could be severe in Thornton.
- Locating the building at the top of the slope would enable the applicant to continue working in any weather condition.



With regard to some of the points raised, the Strategic Director, Place acknowledged that a landscaping scheme had been proposed to the south, however, a Member had queried the scheme to the north of the proposed building. He agreed that the building had been reduced in height, however, the position was the issue. Each application was judged on its own merits and the proposed siting was not the best location for the building.

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

- The previous refusal had been based on the fact that no justification of the position of the building had been provided.
- The building needed to be sited at the proposed location.
- Agricultural consultants had been engaged.
- Stock needed to be accessed safely in all weathers.
- Other buildings were sited on a 1 in 4 or 1 in 5 slope.
- Safe access was required.
- The farm did not have suitable storage provision.
- Other Council departments had not objected to the proposal.
- The building had been reduced in size and would be set into the land in order to diminish its appearance.
- Bad weather was experienced 4 months per year.

In response to questions, the applicant confirmed that he lived at the farm and had previously been isolated due to weather conditions.

During the discussion Members acknowledged the reasons put forward in support of the proposed building's location and indicated that a landscaping scheme would be required to minimise the impact on the Green Belt.

Resolved –

That the application be approved for the following reason:

That, in light of the proposed appropriate landscaping scheme and the sufficient reasons put forward in justification, the position of the agricultural building would not appear incongruous and harmful to visual amenity and would have a minimal impact on the openness of the Green Belt and, therefore, satisfy policies UR3, GB1 and GB2 of the Council's Unitary Development Plan and the National Planning Policy Framework.

And be subject to the following conditions:

- (i) That permitted development rights be removed in relation to additional areas of hardstanding.**
- (ii) That prior to the commencement of development the details of a landscaping scheme be submitted to and approved in writing by the Local Planning Authority.**



(iii) That prior to the commencement of development the details of the materials to be used be submitted to and approved in writing by the Local Planning Authority.

Action: Strategic Director, Place

6. MISCELLANEOUS ITEMS

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

REQUESTS FOR ENFORCEMENT/PROSECUTION ACTION

(a) **147 Newton Street, Bradford** Little Horton

Unauthorized externally mounted roller shutter - 17/00294/ENFUNA

On 7 June 2017 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

(b) **15 Dorset Close, Bradford** Little Horton

Unauthorized construction of a boundary wall/fence and gate post - 16/00019/ENFUNA

On 27 April 2017 the Planning Manager (Enforcement and Trees) authorised Enforcement Action.

(c) **2 Dyehouse Road, Bradford** Wyke

Unauthorized use of the land for motor vehicle sales and storage - 17/00170/ENFCOU

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers on 2 May 2017.

(d) **20 Moore Avenue, Bradford** Wibsey

Without planning permission the erection of a:

1. front canopy,
2. single storey side extension,
3. two storey rear extension; and
4. raised platform.

16/00387/ENFAPP

The Development Services Manager authorised the issuing of an Enforcement Notice under delegated powers on 28 April 2017.



(e) 22 Black Dyke Lane, Bradford **Thornton & Allerton**

Unauthorised use of the land as a construction contractors yard and depot -
17/00309/ENFCOU

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers on 15 June 2017.

(f) 249 Kensington Street, Bradford **Toller**

Unauthorised construction of a single storey extension that forms an entrance foyer and does not accord with the terms of any planning permission -
16/00590/ENFCON

On 14 February 2017 the Planning Manager (Enforcement and Trees) authorised enforcement action.

(g) 383 – 385 Leeds Road, Bradford **Bradford Moor**

Unauthorised mixed Class A3 restaurant and function room use -
13/00673/ENFUNA

On 19 April 2017 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

(h) 4 Drake Fold, Wyke, Bradford **Wyke**

Unauthorised erection of a timber framed shelter (including hoarding), timber canopy and externally mounted roller shutter along with shutter box and associated guide rails - 16/00284/ENFUNA

On 19 April 2017 the Planning Manager (Enforcement and Trees) authorised Enforcement Action.

(i) 412 Shetcliffe Lane, Bradford **Tong**

Unauthorised construction of a rear dormer window - 17/00067/ENFAPP

The Planning Manager authorised the issuing of an Enforcement Notice under delegated powers on 30 May 2017.

(j) 83 Institute Road, Bradford **Eccleshill**

Unauthorised rear dormer window - 17/00116/ENFUNA

On 24 May 2017 the Planning Manager authorised the issue of an Enforcement Notice.



(k) 234 Parkside Road, Bradford Little Horton

Breach of condition 6 of planning permission 10/05892/FUL - 17/00055/ENFCON

On 11 May 2017 the Planning Manager (Enforcement & Trees) authorised the issue of a Breach of Condition Notice in the interests of residential amenity.

(l) Park Methodist Chapel, New Cross Street, Bradford Little Horton

Breach of condition 1 of planning permission 17/00233/FUL - 15/00148/ENFUNA

On 7 June 2017 the Planning Manager (Enforcement & Trees) authorised the issue of a Breach of Condition Notice.

DECISIONS MADE BY THE SECRETARY OF STATE

APPEAL ALLOWED

(m) 83 Cross Lane, Tong, Bradford Tong

Two storey side/single storey rear extension - Case No: 16/09587/HOU

Appeal Ref: 17/00047/APPHOU

APPEALS DISMISSED

(n) 17 Oak Lane, Bradford Manningham

Retrospective planning application for replacement shop front with integrated shutters and replacement extract flues - Case No: 16/08998/FUL

Appeal Ref: 17/00018/APPFL2

(o) 912 – 914 Leeds Road, Bradford Bradford Moor

Retrospective application for external shutters to retail units - Case No: 16/06587/FUL

Appeal Ref: 17/00012/APPFL2

(p) Land adjacent to 35 Brighouse and Denholme Road, Queensbury Denholme, Bradford

Residential development on line of former cottages and gatehouse - Case No: 16/05081/OUT

Appeal Ref: 17/00023/APPOU2

(q) Land at Whetley Grove, Bradford Toller



Detached house and reallocation of land back from private ownership to open green space for the benefit of the existing residents - Case No: 16/09379/FUL

Appeal Ref: 17/00017/APPFL2

(r) **Land rear of 112 Undercliffe Road, Bradford** **Bolton & Undercliffe**

Construction of 6 semi-detached dwellings and 1 detached dwelling - Case No: 16/07817/FUL

Appeal Ref: 17/00008/APPFL2

(s) **Land west of 3 Sowden Grange, Thornton, Bradford** **Thornton & Allerton**

New detached dwelling house - Case No: 16/09297/FUL

Appeal Ref: 17/00024/APPFL2

APPEAL WITHDRAWN

(t) **Prospect House, 62 Tong Street, Bradford** **Tong**

Partial change of use of the first floor to create 4 dwellings - Case No: 16/06813/FUL

Appeal Ref: 17/00037/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

