

Minutes of a meeting of the Area Planning Panel (Bradford) held on Wednesday, 27 September 2017 at Committee Room 1 - City Hall, Bradford

Commenced 10.00 am
Concluded 10.35 am

Present – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT
Barker Shaw	Wainwright Azam Watson	Stelling

Apologies: Councillor Shabir Hussain

Councillor Wainwright in the Chair

12. DISCLOSURES OF INTEREST

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

Councillor Watson disclosed that the application in relation to 157 Whitehall Road, Wyke, Bradford (Minute 17(b)) was in her Ward but she had not discussed the matter, which was for noting by the Panel.

Councillor Azam disclosed that he was dealing with the application in relation to 348 Great Horton Road, Bradford (Minute 17(i)) but did not believe it would be prejudicial for him to remain in the meeting as the matter was for noting by the Panel.

Councillor Wainwright disclosed that the application in relation to Land at Kesteven Road, Bradford (Minute 17(k)) was in his Ward but he had not discussed the application, which was for noting by the Panel.

ACTION: *City Solicitor*

13. MINUTES

Resolved –

That the minutes of the meetings held on 12 April and 6 July 2017 be signed as a correct record.

14. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

15. PUBLIC QUESTION TIME

There were no questions submitted by the public.

16. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

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

(a) **102 Beechwood Avenue, Bradford** Wibsey

A householder planning application for a single storey side extension, a single storey rear extension, a hip to gable roof alteration and front and rear box style dormer windows at 102 Beechwood Avenue, Bradford - 17/03045/HOU

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 extensions to the side and rear, roof alterations and the installation of dormer windows. It was noted that 17 representations had been received in support and against the scheme and the issues were covered in the report. The development would impact on neighbours and visual amenity, however, the roof alterations and rear dormer window could be constructed under permitted development rights. The rear and side extensions exceeded the requirements, but could be altered and also built without prior planning approval. The Strategic Director, Place then recommended the application for approval, subject to the conditions as set out in the report.

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

- Most of the alterations could be completed without planning permission.
- The development would not enhance the property or area.
- The amendments would not bring the house up to modern standards.
- There were not any similar dormers in the area or on Beechwood Avenue.

In response the Strategic Director, Place confirmed that the hipped to gable roof alteration could change the character of the property, however, the proposal could be carried out under permitted development rights.

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) 71 Beacon Road, Bradford

Wibsey

A full planning permission is sought for the formation of enlarged existing front porch and a lobby extension to the rear at 71 Beacon Road, Bradford - 17/03281/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the application sought the formation of an enlarged existing front porch and a lobby extension to the rear of the property, which had been once been a surgery and had now been converted to a Mosque and Madrassa. In 1988 a change of use was granted to Class D1, which permitted the building to be used as a place of worship and a ramp access would be provided to both entrances. Members were informed that the grills on the windows and the signage did not have planning permission, however, retrospective applications would be submitted. The Strategic Director, Place stated that a number of objections had been received and the issues were covered in the report. He confirmed that the Council's Drainage and Highway Departments had not submitted any representations. It was noted that the proposal was acceptable and the application was acceptable and in accordance with Council policies. The application was then recommended for approval, subject to the conditions as set out in the report.

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

- He lived in the vicinity and was representing local residents.
- In 1988 permission was granted for the change of use to a Doctor's surgery and flat above, but the report failed to state the property was used as a dental laboratory.
- Advice had been sought from a solicitor.
- Planning consent was required for the change of use to a Mosque and this information had been sent to the Council's Planning Department in July 2017.
- No response had been received from the Council and the local Member of Parliament (MP) had become involved and contacted the Strategic Director, Place.
- A meeting had taken place on 28 July 2017 regarding the issues arising in relation to the change of use.
- Council planning officers were advised not to attend the meeting.
- Points raised at the meeting had still not been resolved.
- Planning permission should not be granted when issues were still outstanding.
- The construction of the rear lobby would force cars to park elsewhere and they may block the private road.
- There was strong evidence that planning permission was required to change the use to a Mosque.
- Residents would continue to campaign.



- Issues should be resolved before planning permission was granted.
- Residents were concerned regarding noise and disturbance issues.

In response to some of the comments made, the Strategic Director, Place explained that the issues raised were covered in the officer's report. He confirmed that the view of the Local Planning Authority was that the property had already been granted class D1 use and planning permission was not required. The Council as the Local Planning Authority had the right to state the use class of the building and it was believed that the use was lawful. It was noted that many had been involved in the issue, however, the view that the use was suitable had been consistent. The signs and window grills would be regularised and the only issue to be resolved was the consideration of the submitted planning application. Any nuisance matters would fall under the remit of the police or the Council's Environmental Health Unit and the parking situation would not alter.

In response to further questions from Members, the Strategic Director, Place reported that:

- The clothing bank in the front car park required permission or should be removed.
- The use was authorised under the 1988 permission.
- The application for consideration was the enlargement of the front porch and a lobby extension to the rear.
- A response had been sent to the MP.

The City Solicitor informed Members that a letter had been received from a solicitor and had been discussed with planning officers. He confirmed that a view had been formed that the flat was ancillary to the doctor's surgery use, which was class D1 and, therefore, the property could be changed to a Mosque. It was noted that the solicitor had a different opinion on the matter. The Strategic Director, Place reported that several responses had been sent to Ward Councillors and they had all been very clear and taken the same stance. He indicated that the objector could pursue the matter in relation to the use if they wished.

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

- The Planning Department had thoroughly considered the application.
- The objections had been looked at in detail.
- An additional structure would not be created.
- The number of people who could use the building would not increase.
- The existing ramps would be enclosed, which would be beneficial.
- Additional applications would be submitted in relation to the window grills and signs.
- The clothing bank issue would be resolved.
- It was accepted that the objectors had a different opinion.
- The applicant was entitled to apply for planning permission for these elements.



The Strategic Director, Place indicated that the applications for the signage and window grills would be appreciated as soon as possible.

During the discussion Members acknowledged that the application in question was for covering the existing ramps, not the use and they had been assured that responses had been sent to the MP and Ward Councillors.

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

17. MISCELLANEOUS ITEMS

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

REQUESTS FOR ENFORCEMENT/PROSECUTION ACTION

(a) **15 Woodroyd Terrace, Bradford** **Little Horton**

Without planning permission the erection of a porch to the front of the property - 16/00524/ENFUNA

On 8 September 2017 the Planning Manager (Enforcement and Trees) authorised enforcement action.

(b) **157 Whitehall Road, Wyke, Bradford** **Wyke**

Without planning permission the construction of a rear dormer window - 16/01124/ENFUNA

Enforcement action was authorised by the Planning Manager (Enforcement and Trees) on 8 September 2017.

(c) **176 Washington Street, Bradford** **Toller**

Without planning permission the erection of an outbuilding to the front of the property - 16/00665/ENFUNA

On 26 July 2017 the Planning Manager (Enforcement and Trees) authorised Enforcement Action.

(d) **18 Como Avenue, Bradford** **Toller**

Without planning permission the construction of a two storey side and rear



extension that does not accord strictly with the terms of planning permission 14/03339/HOU - 14/00734/ENFUNA

The Planning Manager (Enforcement and Trees) authorised enforcement action on 26 July 2017.

(e) 19 Jesmond Avenue, Bradford **Toller**

Without planning permission the erection of a single storey side extension and timber framed shelter - 16/00610/ENFUNA

The Planning Manager (Enforcement and Trees) authorised enforcement action on 8 September 2017.

(f) 23- 25 Turner Place, Bradford **City**

Without planning permission the erection of a single storey extension to the rear of the property that extends over the ginnel - 16/00074/ENFUNA

The Planning Manager (Enforcement and Trees) authorised Enforcement Action on 7 August 2017.

(g) 30 Killinghall Road, Bradford **Bradford Moor**

Breach of condition 3 of planning permission 14/01761/FUL - 17/00333/ENFCON

On 24 August 2017 the Planning Manager (Enforcement & Trees) authorised the issue of a Breach of Condition Notice.

(h) 34 Kelmores Grove, Bradford **Royds**

Without planning permission the material change of use of the building from retail to a mixed hot food takeaway/cafe, tanning salon and bouncy castle hire use - 16/00900/ENFCOU

On 8 September 2017, the Planning Manager (Enforcement and Trees) authorised Enforcement Action.

(i) 348 Great Horton Road, Bradford **City**

Unauthorised extractor flue - 16/00748/ENFUNA

On 24 August 2017 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

(j) Campus House, 10 Hey Street, Bradford **City**

Without planning permission the material change of use of the building on the land to a sui generis use as a night club and shisha lounge - 16/00969/ENFCOU



On 8 September 2017 the Planning Manager (Enforcement and Trees) authorised Enforcement Action.

(k) Land at Kesteven Road, Bradford **Tong**

Untidy Land – Land adversely affecting the amenity of the area - 14/00551/215DS

The Planning Manager Enforcement and Trees under delegated powers authorised the issuing of a Section 215 Notice which was issued on 29 June 2017.

(l) Land adjacent Hannah Court, Wyke, Bradford **Wyke**

Without planning permission the material change of use of the land to timber processing and storage - 16/00312/ENFCOU

Therefore on 7 August 2017 the Planning Manager (Enforcement and Trees) authorised Enforcement Action.

(m) Annexe Building, Chapel Street, Bradford **Little Horton**

Without planning permission the material change of use of the land and building from A2 (office) to B2 (vehicle repairs and maintenance) and construction of a single storey extension - 16/00467/ENFCOU

The Planning Manager (Enforcement and Trees), authorised enforcement action on 7 August 2017.

DECISIONS MADE BY THE SECRETARY OF STATE

APPEALS ALLOWED

(n) 26 Carr Lane, Bradford **Wyke**

26 Carr Lane Bradford BD12 0QS

Construction of granny annex to rear garden (resubmission) - Case No: 17/00440/HOU

Appeal Ref: 17/00072/APPHOU

(o) 266 Bradford Road, Shipley **Heaton**

Two storey extension to side and rear - Case No: 17/00645/HOU

Appeal Ref: 17/00078/APPHOU



APPEALS DISMISSED

(p) 1 Wheatlands Square, Bradford

Toller

Front dormer window, including gable end conversion, rear dormer window, enlargement of existing front porch and bay window and separate double garage with playroom over - Case No: 16/09087/HOU

Appeal Ref: 17/00031/APPHOU

(q) 1A Whitefield Place, Bradford

Toller

Appeal against Enforcement Notice - Case No: 16/00673/ENFUNA

Appeal Ref: 17/00041/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

