

Agenda for a meeting of the Area Planning Panel (Bradford) to be held on Wednesday 21 February 2018 at 10.00 am in Committee Room 1, City Hall, Bradford

Members of the Committee – Councillors

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

Alternates:

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT
Ellis Whiteley	Duffy Lal Lee	Griffiths

Notes:

- This agenda can be made available in Braille, large print or tape format on request by contacting the Agenda contact shown below.
- The taking of photographs, filming and sound recording of the meeting is allowed except if Councillors vote to exclude the public to discuss confidential matters covered by Schedule 12A of the Local Government Act 1972. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted. Anyone attending the meeting who wishes to record or film the meeting's proceedings is advised to liaise with the Agenda Contact who will provide guidance and ensure that any necessary arrangements are in place. Those present who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
- If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.
- **A legal briefing for all Members will take place at 0930 in Committee Room 1 on the day of the meeting.**
- Applicants, objectors, Ward Councillors and other interested persons are advised that the Committee may visit any of the sites that appear on this Agenda during the day of the meeting, without prior notification. The Committee will then reconvene in the meeting room after any visits in order to determine the matters concerned.
- At the discretion of the Chair, representatives of both the applicant(s) and objector(s) may be allowed to speak on a particular application for a maximum of five minutes in total.

From:

Michael Bowness
Interim City Solicitor
Agenda Contact: Claire Tomenson
Phone: 01274 432457
E-Mail: claire.tomenson@bradford.gov.uk

To:

A. PROCEDURAL ITEMS

1. ALTERNATE MEMBERS (Standing Order 34)

The City Solicitor will report the names of alternate Members who are attending the meeting in place of appointed Members.

2. DISCLOSURES OF INTEREST

(Members Code of Conduct - Part 4A of the Constitution)

To receive disclosures of interests from Members and co-opted members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the Member during the meeting.

Notes:

- (1) *Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (2) *Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*
- (3) *Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.*
- (4) *Officers must disclose interests in accordance with Council Standing Order 44.*

3. INSPECTION OF REPORTS AND BACKGROUND PAPERS

(Access to Information Procedure Rules – Part 3B of the Constitution)

Reports and background papers for agenda items may be inspected by contacting the person shown after each agenda item. Certain reports and background papers may be restricted.

Any request to remove the restriction on a report or background paper should be made to the relevant Strategic or Assistant Director whose name is shown on the front page of the report.

If that request is refused, there is a right of appeal to this meeting.

Please contact the officer shown below in advance of the meeting if you wish to appeal.

(Claire Tomenson - 01274 432457)

4. PUBLIC QUESTION TIME

(Access to Information Procedure Rules – Part 3B of the Constitution)

To hear questions from electors within the District on any matter which is the responsibility of the Panel.

Questions must be received in writing by the City Solicitor in Room 112, City Hall, Bradford, by mid-day on Monday 19 February 2018.

(Claire Tomenson - 01274 432457)

B. BUSINESS ITEMS

5. PLANNING APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL 1 - 52

The Panel is asked to consider the planning applications which are set out in **Document “M”** relating to items recommended for approval or refusal.

The sites concerned are:

- | | |
|---|---------------------------------|
| (a) 11 and 13 Apperley Road, Bradford (<i>Approve</i>) | <u>Idle and Thackley</u> |
| (b) Barkerend Health Centre, Barkerend Road, Bradford (<i>Approve</i>) | <u>Bradford Moor</u> |
| (c) Calder Bank Farm, Calder Banks, Queensbury, Bradford (<i>Approve</i>) | <u>Queensbury</u> |
| (d) 16 Chapel Street, Bradford (<i>Refuse</i>) | <u>City</u> |
| (e) 16 Chapel Street, Bradford – Listed Building Consent (<i>Refuse</i>) | <u>City</u> |
| (f) 24 Summerville Road, Bradford (<i>Refuse</i>) | <u>City</u> |
| (g) 40 Sunderland Road, Bradford (<i>Refuse</i>) | <u>Manningham</u> |
| (h) 49 Hastings Street, Bradford (<i>Refuse</i>) | <u>Little Horton</u> |

(Mohammed Yousuf – 01274 434605)

6. MISCELLANEOUS ITEMS

53 - 74

The Panel is asked to consider other matters which are set out in **Document “N”** relating to miscellaneous items as follows:

- (a) Discontinuance Notice
- (b) – (i) Requests for Enforcement/Prosecution Action
- (j) Decisions made by the Secretary of State - Upheld
- (k) – (o) Decisions made by the Secretary of State – Dismissed

(Mohammed Yousuf – 01274 434605)

THIS AGENDA AND ACCOMPANYING DOCUMENTS HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER

Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 21 February 2018

M

Summary Statement - Part One

Applications recommended for Approval or Refusal

The sites concerned are:

<u>Item</u>	<u>Site</u>	<u>Ward</u>
A	11 And 13 Apperley Road Bradford BD10 9RR - 17/04916/FUL [Approve]	Idle And Thackley
B	Barkerend Health Centre Barkerend Road Bradford BD3 8QH - 17/06590/FUL [Approve]	Bradford Moor
C	Calder Bank Farm Calder Banks Queensbury Bradford BD13 1BY - 17/05148/FUL [Approve]	Queensbury
D	16 Chapel Street Bradford BD1 5DL - 17/06171/FUL [Refuse]	City
E	16 Chapel Street Bradford BD1 5DL - 17/06172/LBC [Refuse]	City
F	24 Summerville Road Bradford BD7 1PX - 17/06043/FUL [Refuse]	City
G	40 Sunderland Road Bradford BD9 4QJ - 17/06712/HOU [Refuse]	Manningham
H	49 Hastings Street Bradford BD5 9PQ - 17/06527/FUL [Refuse]	Little Horton

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

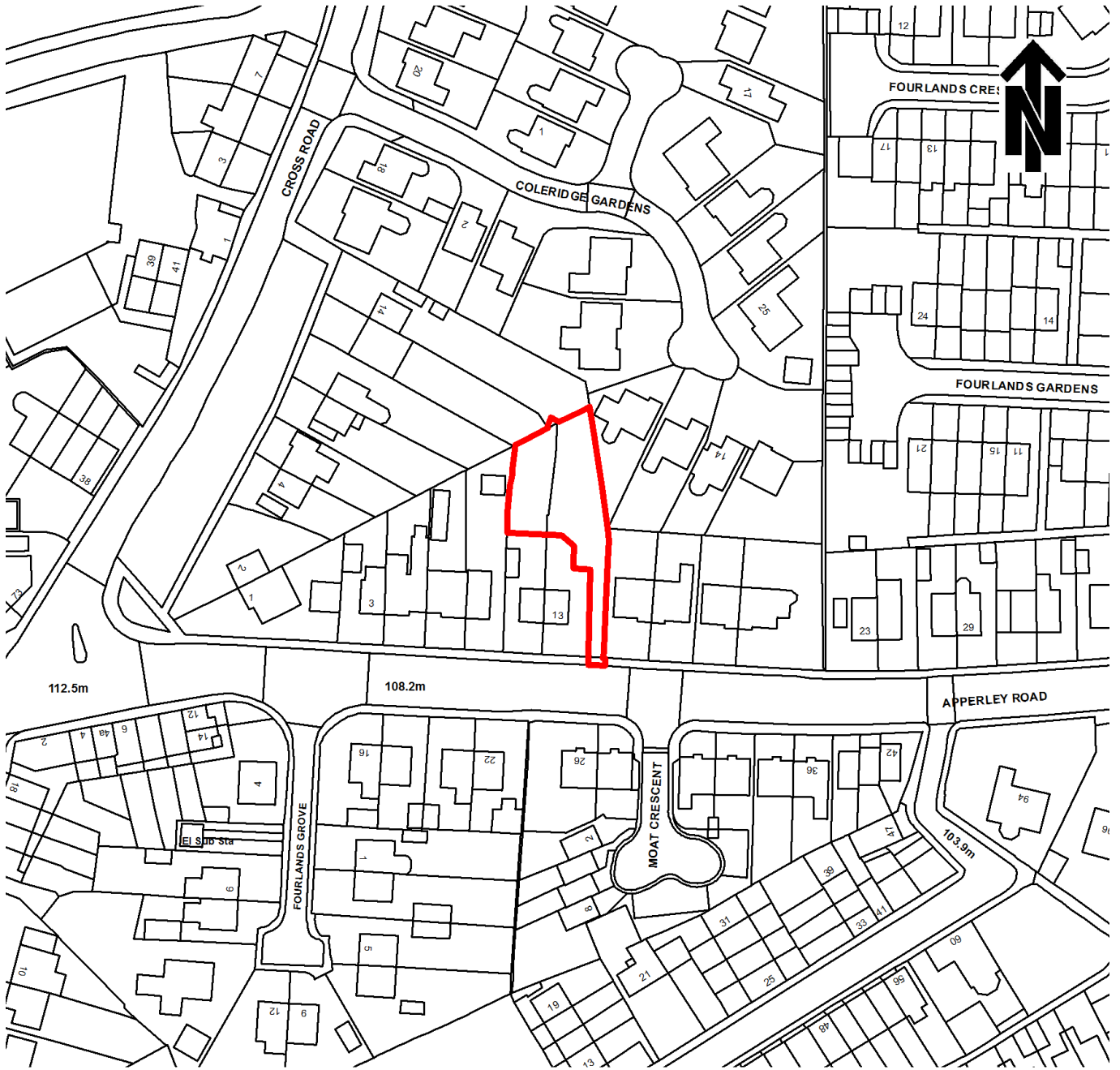
Report Contact: Mohammed Yousuf
Phone: 01274 434605

Email: mohammed.yousuf@bradford.gov.uk

Portfolio:
Regeneration, Planning and Transport

Improvement Committee Area:
Regeneration and Economy

17/04916/FUL



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**11 And 13 Apperley Road
Bradford
BD10 9RR**

21 February 2018

Item: A
Ward: IDLE AND THACKLEY
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
17/04916/FUL

Type of Application/Proposal and Address:

This is a full planning application for the construction of two detached dwellings on land to the rear of 11 and 13 Apperley Road, Bradford.

Applicant:

Mr John Lamb (Langley Properties Ltd)

Agent:

Mr Alex Green (AMG Architectural Ltd)

Site Description:

The site comprises the rear garden areas of 11 and 13 Apperley Road. Access to the site is from the existing driveway to the side of No 13 Apperley Road, which slopes up to the rear garden area, which is relatively level, albeit higher than properties to the North and East. The surrounding area is primarily residential and has a mix of semi-detached and detached dwellings.

Relevant Site History:

There is no planning history on this site.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Local Plan for Bradford:

The Core Strategy Development Plan Document was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is not allocated for any specific land-use purposes in the Replacement Unitary Development Plan. Accordingly, the following adopted Core Strategy policies are applicable to this proposal.

Core Strategy Policies

DS3 Urban Character
DS4 Streets and Movement
DS5 Safe and Inclusive Places
HO5 Density of Housing Schemes
TR2 Parking Policy
EN7 Flood Risk
EN8 Environmental Protection

Parish Council:

Not in a Parish.

Publicity and Number of Representations:

A site notice and neighbour notification letters advertised the application. The publicity period expired on 12 September 2017. The Local Planning Authority (Local Planning Authority) received ten objections from local residents and a further two objections from Ward Councillors.

Summary of Representations Received:

- Out of keeping with the area.
- Overdevelopment of the site.
- Inadequate parking
- Overlooking.
- Overbearing.
- Loss of outlook.
- Loss of light and overshadowing.
- Noise and disturbance from vehicle movements.
- No other houses built in gardens.
- Stability of the existing boundary wall.
- Trees and hedges removed prior to the submission of this application and this has affected local bird and bat populations.
- Approval might set a precedent.
- Garden fires during renovation of existing dwellings (environmental health issues).
- Single storey outbuildings would be expected but not two-storey dwellings.
- Should not build in rear gardens.
- The houses would not be affordable.

Consultations:

Drainage – Suggested conditions for appropriate drainage.

Highways – No objections subject to suggested conditions.

Summary of Main Issues:

1. Principle of the development.
2. Impact on local environment.
3. Impact on residential amenity.
4. Impact on highway safety.
5. Outstanding matters raised by representations.

Appraisal:

The application seeks full planning permission for the construction of two detached dwellings on land to the rear of 11 and 13 Apperley Road. During the course of this application, the agent submitted amended plans in order to overcome concerns identified regarding the residential impact of the proposed development; the assessment below will discuss the amendments in detail.

1. Principle of the Development

The National Planning Policy Framework (NPPF) has introduced a presumption in favour of sustainable development. The site is a Greenfield site in a primarily residential area, which is unallocated on the Replacement Unitary Development Plan (RUDP) and is therefore not protected for any uses other than those that accord with the general policies of the RUDP and Core Strategy Development Plan Document. While the site is Greenfield, it is relatively small and sustainably located. The NPPF does not advocate a brownfield first approach although it does look for an 'effective' use of land.

It is well publicised that Bradford has experienced a sizeable and persistent under delivery of housing for many years and also does not have a five-year supply of deliverable sites as required by the NPPF. The proposal would create two new dwellings, which would make a small contribution towards meeting the Council's housing requirements and achieve a housing density of 40 dwellings per hectare, which is within the Council's target of 30-50 dwellings per hectare.

The site is situated in a sustainable location, relatively close to services and facilities, and public transport in the form of regular bus routes. These factors weigh significantly in favour of the scheme and the principle of housing development on this site is considered acceptable.

2. Impact on the Local Environment

The proposal is for two detached dwellings with parking and garden areas. The amended proposed plans have reduced the size of the dwelling on plot 2 in response to concerns over residential amenity. The dwellings will be located to the rear of 11 and 13 Apperley Road and will be built from rendered walls, artificial slate roofs, and UPVC windows and doors, which will sit comfortably with the local palette of materials, where there is a mix of render and stone built dwellings. Nevertheless, any approval of this application should include a condition requiring the approval of materials to ensure appropriate finishes in the interests of visual amenity.

The dwellings will be of minimal visibility from Apperley Road or other public vantage points, and the scale and design of the dwellings is acceptable and unlikely to affect the character and appearance of the local area. The existing stone boundary wall will be retained, although to ensure it is structurally sound and capable of retaining this development, any

approval should include a condition requiring the submission of a structural survey of the boundary wall to ascertain what impact the development would have on its stability.

The overall design and appearance of the dwellings is acceptable and ensures that they will sit comfortably within the surroundings, not detract from the visual amenity of the local area, nor adversely affect the local environment. Therefore, the proposal is acceptable and in accordance with policy DS3 of the Core Strategy DPD and the NPPF.

3. Impact on Neighbouring Occupants

The proposal has been amended to alter the design and reduce the scale of the dwelling on plot 2 in order to overcome concerns regarding the residential amenity of neighbouring occupants. No 10 Coleridge Gardens sits directly to the north east of plot 2 and is at a lower level than the application site.

The initial plans indicated typical two-storey dwellings, however, the amended plans have cut out the rear corner of dwelling 2, removed part of the first floor and created a roof that slopes down to single storey where it faces towards the neighbour's rear garden; this helps to reduce the bulk and massing of the dwelling considerably. The agent has also provided some site sections, which indicate the ground levels and building levels. The site sections indicate that the ground level will be reduced slightly so that the overall ground level will not be significantly different to those on Coleridge Gardens.

The amended plans and site sections demonstrate that the scale and position of the proposed dwellings will not result in any significant adverse impact on neighbouring occupants through overbearing, overshadowing, or loss of outlook.

The two dwellings will maintain appropriate distances between existing and proposed dwellings. Habitable room windows will not overlook neighbour's private amenity space at close quarters; the nearest point to the rear of plot 1 comprises small sheds and outbuildings at the end of gardens on Cross Road to the North West. Side facing windows in the roof slope of plot 2 should be subject to a condition requiring a high sill window in order to prevent overlooking. Existing boundary screening will screen proposed ground floor windows appropriately. An objector has suggested that car headlights could shine into neighbouring properties; however, the existing boundary wall appears high enough to block lights from shining directly into neighbouring properties. Noise disturbance caused by vehicles would not be so significant as to justify refusal of the application and would be more akin to the host property (No 13 Apperley Road) accessing a garage to the rear of their property.

For these reasons, the proposed scale, siting, and orientation of the proposed dwellings in relation to adjacent properties is such that there will be no significant adverse impact on the amenities of neighbours. Therefore, the proposal is acceptable and complies with the requirements of policy DS5 of the Core Strategy DPD.

4. Impact on Highway Safety

The proposal includes the provision of two parking spaces per dwelling, which is sufficient for these properties and accords with the parking standards set in Appendix 4 of the Core Strategy DPD. The properties will make use of the existing access/driveway alongside No 13 Apperley Road. There is good visibility in both directions on Apperley Road and the level of vehicular movements to the site is unlikely to adversely affect the safe and free flow of traffic, nor will it conflict with pedestrian or highway safety in general. The proposal is therefore

considered acceptable in terms of highway safety and complies with the requirements of policy TR2 and Appendix 4 of the Core Strategy DPD.

5. Outstanding matters raised by representations

No other houses built in gardens.

Should not build in rear gardens.

Approval might set a precedent.

The houses would not be affordable.

Single storey outbuildings would be expected but not two-storey dwellings.

Comment: The application must be assessed as submitted and on its own planning merits. The principle and visual impact is detailed above, and the small scale of the development does not meet the requirements for needing affordable housing provision.

Trees and hedges removed prior to the submission of this application and this has affected local bird and bat populations.

Comment: The site appears to have been cleared prior to the submission of this application. The existing tree(s) on site were not the subject of a tree preservation order and their removal did not require any consent/formal approval from the LPA. Bats are a protected species; however, there are no habitat features likely to be affected by this development. Causing harm to bats is a criminal offence and the decision notice should include a footnote drawing the applicant's attention to this.

Garden fires during renovation of existing dwellings (environmental health issues).

Comment: This is not a material planning consideration but may be controlled by separate legislation, such as environmental protection.

Community Safety Implications:

There are no apparent community safety implications.

Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

Reason for Granting Planning Permission:

The proposal is not considered harmful to visual amenity, residential amenity, or highway safety and is therefore considered to comply with the aforementioned policies of the Replacement Unitary Development Plan, the Core Strategy Development Plan Document, and the National Planning Policy Framework.

Conditions of Approval:

1. The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. Before development commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies DS1, DS3, and EN3 of the Core Strategy Development Plan Document.

3. The bathroom and bedroom 3 windows in the side facing roof slope of the dwelling (plot 2) hereby permitted shall be installed such that there is a minimum internal sill height above finished floor level of 1.7 metres.

Reason: To prevent overlooking or loss of privacy to adjacent occupiers and to accord with Policy DS5 of the Core Strategy Development Plan Document.

4. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no further windows, including dormer windows, or other openings shall be formed in the side elevations of the hereby permitted dwellings without the prior written permission of the Local Planning Authority.

Reason: To safeguard the privacy and amenity of occupiers of neighbouring properties and to accord with Policy DS5 of the Core Strategy Development Plan Document.

5. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no development falling within Classes A to E of Part 1 of Schedule 2 of the said Order shall be carried out without the prior written permission of the Local Planning Authority.

Reason: To accord with Policies DS3 and DS5 of the Core Strategy Development Plan Document.

6. Before any part of the development hereby permitted is brought into use, the off-street car parking facilities indicated on the approved drawing numbered 02 Revision D, dated 4th January 2018, shall be constructed of porous materials, or made to direct run-off water from a hard surface to a permeable or porous area within the curtilage of the site, and laid out with a gradient no steeper than 1 in 15 except where otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of amenity, flood risk and highway safety, and in accordance with Policies TR2 and EN7 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

7. Before any part of the development is brought into use, the vehicle turning area shall be laid out, hard surfaced, and drained within the site, in accordance with details

shown on the approved plan numbered 02 revision D, dated 04 January 2018 and retained whilst ever the development is in use.

Reason: To avoid the need for vehicles to reverse on to or from the highway, in the interests of highway safety and to accord with Policy DS4 and TR2 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

8. Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site in accordance with the approved plan numbered 02-Revision D dated 04 January 2018, and completed to a constructional specification approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to accord with policy DS4 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

9. Any gates to be constructed as part of the development shall not open over the highway.

Reason: In the interests of highway safety and to accord with Policy TR2 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

10. The development shall not begin until details of a scheme for separate foul and surface water drainage, including any existing water courses, culverts, land drains and any balancing works or off-site works have been submitted to and approved in writing by the Local Planning Authority. Surface water must first be investigated for potential disposal through use of sustainable drainage techniques and the developer must submit to the Local Planning Authority a report detailing the results of such an investigation together with the design for disposal of surface water using such techniques or proof that they would be impractical. The details and scheme so approved shall thereafter be implemented in full before the first occupation of the development.

Reason: To ensure proper drainage of the site and to accord with policy EN7 of the Core Strategy Development Plan Document.

11. Before any development commences on site, full details, including all necessary calculations of those temporary and permanent works affecting the stability of the boundary retaining wall shall be submitted to and approved in writing by the Local Planning Authority. Any necessary measures so approved shall be carried out in accordance with a programme of works to be approved in writing by the Local Planning Authority.

Reason: Details are required of necessary retaining structures and such measures are necessary to protect the stability of the site in the interests of safety and to accord with policies EN8 and DS5 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

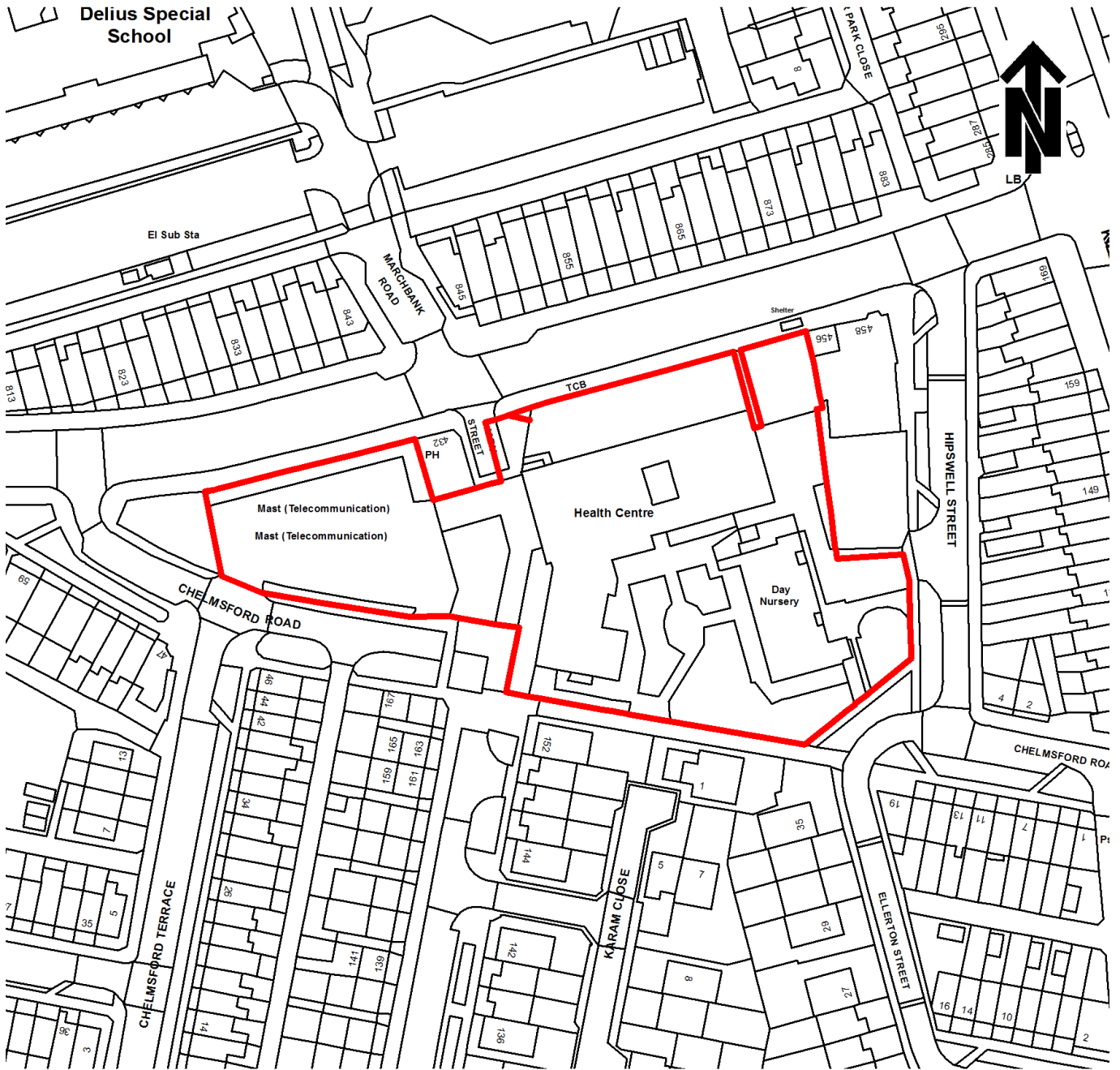
Footnote: The applicant's attention is drawn to the fact that a public sewer crosses the site. Consequently, before development commences the applicant is advised to consult the Sewerage Undertaker (Yorkshire Water) for any layout constraints and for a view of the impact of the development on the public sewerage system.

Footnote: All species of bat in Britain are protected by the Wildlife and Countryside Act 1981 (as amended), the Conservation (Natural Habitats & etc) Regulations 1994 and the Countryside and Rights of Way Act 2000. This means it is an offence to intentionally or recklessly:

- Kill, injure or handle a bat
- Disturb bats when they are roosting
- Obstruct, damage or destroy the places where bats live
- Sell, hire, barter or exchange a bat whether alive or dead
- Keep bats in captivity.

If bats are uncovered during the development, works must stop immediately and English Nature consulted for further advice. Whether bats are found or not, the developer is also encouraged to consider the inclusion of bat boxes/bricks within the development.

17/06590/FUL



1:1,250

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Barkerend Health Centre
Barkerend Road
Bradford BD3 8QH

21 February 2018

Item: B
Ward: BRADFORD MOOR
Recommendation:
TO GRANT PLANNING PERMISSION
APPLICATION WITH A PETITION

Application Number:
17/06590/FUL

Type of Application/Proposal and Address:

This is a full planning application for car park upgrade and access improvements at Barkerend Health Centre, Barkerend Road, Bradford.

Applicant:

Mr Robert Hicks, NHS Property Services

Agent:

Mr Michael Boyle, Urban and Consult Ltd

Site Description:

The site consists of Barkerend Health Centre and its adjacent car parks, on Barkerend Road near the junction with Killinghall Road. Access to the car parks is via Chelmsford Road and Hipswell Street. There is a footpath running North-South between the main car park and Health Centre, on what used to be Dalby Street. The surrounding area is largely residential although there is a madrassah adjacent to the site and schools nearby.

Relevant Site History:

Not applicable.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Local Plan for Bradford:

The Core Strategy Development Plan Document was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is not allocated for any specific land-use purposes in the Replacement Unitary Development Plan. Accordingly, the following adopted Core Strategy policies and saved RUDP policies are applicable to this proposal.

Core Strategy Policies

DS1 Achieving Good Design
DS3 Urban Character
DS4 Streets and Movement
DS5 Safe and Inclusive Places
TR2 Parking Policy
EN8 Environmental Protection

Parish Council:

Not in a Parish.

Publicity and Number of Representations:

A site notice and neighbour notification letters advertised the application. The publicity period expired on 25 December 2017. The Local Planning Authority (Local Planning Authority) received 59 objections and a petition with 138 signatures.

Following the submission of an amended site plan, notification letters have been sent to neighbours, including all those who have already objected to the development, in order to draw attention to the amended site plan. The deadline for comments on the amended scheme is 15 February 2018, thus any comments received will be verbally reported as an update at the Area Planning Panel.

Summary of Representations Received:

- Proposal will restrict access along the well-used footpath.
- Access to the car park should not be restricted.
- Car park is used by parents during school pick up and drop off.
- Will inconvenience the surgery and local residents who use the car park.
- Will block access to 432 Barkerend Road (a mosque and madrassah).
- Will restrict emergency exits from 432 Barkerend Road.
- Would cause parents to park outside residential properties.
- Would increase traffic and double parking on Barkerend Road.
- Children sometimes play in the car park on weekends.
- Impact on appearance and view.
- Should spend the money improving the local area.
- The car park should be for public use and for users of the mosque.
- Users of the health centre currently park on adjacent residential streets.

Consultations:

Highways Development Control – No objections subject to suggested condition to prevent gates opening over the highway.

Rights of Way – Do not support the proposal as initially submitted as it would adversely affect footpath users. As the route appears to have been used for a substantial period and therefore it should be treated as a public right of way and any gating or closure of this route will require a legal order, which would be open to public consultation.

Rights of Way (update on revised site plan) – The revised site plan retains the pedestrian access from Dalby Street/Barkerend Road to Lapage Street/Chelmsford Road. No objection to the revised proposal.

Summary of Main Issues:

1. Impact on local environment
2. Impact on highway safety
3. Other planning matters
4. Outstanding matters raised by representations

Appraisal:

The proposal seeks permission for various alterations to the existing car parks at Barkerend Health Centre. The alterations include resurfacing and marking out bays and walkways, installation of lighting, and erection of security fencing and gates around the car parks.

The proposed site plan has been amended, which now maintains pedestrian access along the path between the main car park and health centre building, which links Barkerend Road and Lapage Street.

1. Impact on local environment

The proposed boundary fencing and gates will enclose the parking area, and will be a typical mesh style construction with a height of 2 metres. The position of the fencing has been amended and will now only enclose the parking area, leaving the existing footpath open to the public. The scale, position, and overall appearance of the proposed fencing is considered acceptable and will not have a significant adverse impact on the appearance of the local area. It is worth noting that the site could be secured with a 1-metre high fence and gates without the need to obtain planning permission.

The proposed resurfacing of the car parks, marking of parking bays and pedestrian walkways, and installation of lighting will not significantly alter the appearance of the site, nor affect the local environment. A condition requiring the use of permeable surfacing should be appended to the decision notice to ensure appropriate drainage to prevent excessive surface water run-off. A further condition requiring the approval of lighting details should also be used in order to prevent excessive lighting.

The proposed alterations will have a relatively minimal impact on the character and appearance of the local environment and for this reason, the proposal is considered acceptable and compliant with policies DS1 and DS3 of the Core Strategy Development Plan Document.

2. Impact on highway safety

The proposal will retain the existing access and egress for the main car park onto Chelmsford Road, which in turn provides access onto Barkerend Road. The secondary car park will continue to take access from Hipswell Street. The existing informal car parks will be resurfaced and marked out into proper parking bays with clearly identified pedestrian walkways. This will likely increase the number of vehicles able to use the car park, reduce the parking pressures on neighbouring residential streets, and provide safer pedestrian routes to the health centre.

As noted above, the proposed site plan has been amended and now provides unrestricted pedestrian access along the existing footpath that runs North-South between the health centre and main car park, connecting Lapage Street with Barkerend Road. This path previously existed as Dalby Street, which was formally closed off and access restricted by bollards during the 1960s. The existing path is clearly well used by local residents as a shortcut and the amended plan now retains this path, enclosing only the parking area.

Both the Council's Highways Engineer and Rights of Way Officer raise no objections to the amended proposal, which will improve the off-street parking facilities and pedestrian routes, whilst maintaining pedestrian use of the footpath.

3. Other planning matters

The proposal raises no other planning related matters that the suggested conditions cannot control.

4. Outstanding matters raised by representations

Some representations objected on the basis that the proposal would restrict use of the footpath between Barkerend Road and Lapage Street, which would affect access to the schools and Madrassah/mosque.

Comment: The amended site plan now retains access along the footpath.

Local residents and parents picking up and dropping off children at the local schools use the car park and therefore access should not be restricted. If access were restricted, it would result in parents parking outside residential properties.

Comment: The car park is on privately-owned land and is therefore private property, which members of the public do not have an automatic right to use. As stated above, the landowner has the right to secure the site with a 1-metre high fence without planning permission, which would restrict access in any case.

The fencing would restrict access to/from 432 Barkerend Road (the madrassah/mosque) and the car park should be for public use and for users of the mosque. Children also sometimes play in the car park on weekends.

Comment: As discussed above, the car park is not a public car park, as it is privately owned. The landowner has the right to restrict access and can erect a 1-metre fence without planning permission. Furthermore, the proposed fencing does not block any of the accesses to 432 Barkerend Road.

Community Safety Implications:

There are no apparent community safety implications.

Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

Reason for Granting Planning Permission

The proposal is not considered harmful to visual amenity, residential amenity, or highway safety and is therefore considered to comply with the aforementioned policies of the Replacement Unitary Development Plan, the Core Strategy Development Plan Document, and the National Planning Policy Framework.

Conditions of Approval:

1. The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. Before any part of the development hereby permitted is brought into use, the proposed car parking spaces shall be laid out, hard surfaced with a porous material, and marked into bays in accordance with the approved plan numbered 0399.BA.P.02A, received by the Council on 29 January 2018.

Reason: In the interests of amenity, flood risk and highway safety, and in accordance with Policies TR2 and EN7 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

3. Any gates to be constructed as part of the development shall not open over the highway.

Reason: In the interests of highway safety and to accord with Policy TR2 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

4. Before the development is brought into use, details of the position and luminance of all external lighting to the building and car park areas shall be submitted to, and approved in writing by the Council. Thereafter, the external lighting shall be installed and maintained solely in accordance with the approved scheme.

Reason: To safeguard the amenity of occupiers of adjacent properties and highway safety in accordance with Policies DS5 and EN8 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

17/05148/FUL



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**Calder Bank Farm
Calder Banks
Queensbury
Bradford BD13 1BY**

21 February 2018

Item: C
Ward: QUEENSBURY
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
17/05148/FUL

Type of Application/Proposal and Address:

This is a full planning application for construction of a gravel trackway from current farm access point at Scarlet Heights across the field to existing stables associated with Calder Bank Farm, Calder Banks, Queensbury.

Applicant:

Mrs J Ingham

Agent:

None

Site Description:

This application relates to a field located close to the A647 Calder Banks, which is a busy route from Queensbury to Bradford. The field has two existing access points, one is accessed via an existing track and dropped crossing located to the side of Scarlet Heights day nursery and the other is via a narrow and low archway between houses on Calder Banks and through the yard of Calder Banks Farm.

There are some existing stables associated with the Calder Banks Farm located to the southern side of the field on a hardstanding, the field is used for grazing.

The southern boundary of the site adjoins the rear of houses on Calder Banks. The field is quite steep and slopes away from these properties.

Relevant Site History:

08/03415/FUL -Change of use of barn to form one detached dwelling (modified Proposal), detached garage, stable and store Granted 5.12.2008

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;

- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Local Plan for Bradford:

The Core Strategy Development Plan Document was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is unallocated. Accordingly, the following adopted Core Strategy and RUDP policies are applicable to this proposal.

Core Strategy Policies

- DS1 – Achieving good design
- DS2 – Working with the landscape
- DS4 – Streets and movement
- DS5 – Safe and inclusive places
- SC9 – Making great places

Saved RUDP Policies

- GB1 – New building in the greenbelt
- GB2 – Siting of new building in the greenbelt

- GB1 – New building in the greenbelt
- GB2 – Siting of new building in the greenbelt

Parish Council:

Not applicable.

Publicity and Number of Representations:

The proposal was publicised with a site notice and neighbour letters – expiry 9.10.17. Following the receipt of an amended layout plan the proposal was re-publicised with a site notice and neighbour letters – expiry 19.1.18.

8 Objections from 4 separate addresses were received as a result of the original publicity.

Following republication after revised drawings were received:

22 objections from 19 addresses and 13 letter of support from 12 addresses were received.

There are duplications as some of the original objectors have restated their comments.

Summary of Representations Received:

The objectors raise concerns that the stables will be used as a business. Increase in traffic will have implications for highway safety, existing traffic using the access already causes hold ups.

There is an existing entrance via the arch way.

Why was permission given for a detached house if the archway entrance is not suitable.

The supporters feel that the proposal will not be harmful to the area.

It will improve safety for the users of the field.

The access is existing so the track will not alter the existing situation in terms of traffic.

Consultations:

Highways - The proposal is via an existing access, it does not seek to alter or form a new access onto Scarlet Heights and the stables are an existing use so there are no objections.

Drainage - No objections.

Summary of Main Issues:

1. Background and principle of development.
2. Impact on the character and appearance of the surrounding area.
3. Impact on the amenity of the occupants of surrounding land.
4. Highway safety.
5. Outstanding Matters Raised by Representations.

Appraisal:

1. Background and principle of development

The application is for the construction of a gravel track across a field from the existing access adjacent to Scarlet Height day nursery to some existing stables. The site is located within Greenbelt.

The NPPF still advises that the construction of new buildings is considered to be inappropriate development in the green belt. However it names exceptions to this including provision of appropriate facilities for outdoor recreation. The track is not a building but is an engineering operation on land requiring planning permission. It will allow easier access across the field to tend to the animals and is related to the existing equestrian use of the site. Paragraph 90 of the NPPF provides an exception for engineering operations such as this track provided that they preserve openness and do not conflict with the purposes of including land in the green belt.

It is therefore considered to be acceptable in principle subject to it not having a harmful impact on the Greenbelt.

2. Impact on the character and appearance of the surrounding area.

The original plans showed the track curving across the field but following discussions it was amended to show a route closer to the boundaries to reduce its impact on long distance views. The surfacing for the track is proposed to be gravel and hardcore. This will eventually blend in with the grass and it is not considered that it would have a detrimental impact on the character and openness of the greenbelt especially as it is located in the most unobtrusive position possible whilst maintaining a curve to make manoeuvring horseboxes practical.

The proposal is therefore considered to accord with Policy DS1 and DS2 of the Core Strategy Development Plan Document and saved policies GB1 and GB2 of the Replacement Unitary Development Plan.

3. Impact on the amenity of the occupants of surrounding land.

The track will run along a field which adjoins the rear of dwellings, but there will be no change to the use of the field it will just make access for vehicles already entering the site more convenient. Therefore it is not considered that the proposal will have a materially greater impact on nearby residential properties than the existing situation.

4. Highway safety

Several objections have been received about intensification of the access creating highway safety issues as well as concerns about the stables becoming a business. This application is for a track only and has to be considered at face value, on its own merits, concerns about future potential breaches of planning control are not material considerations.

The access is existing and vehicles can use this freely regardless of whether there is a track in place. The stables are ancillary to the barn conversion and their use is restricted by a planning condition on application 08/03415/FUL which stated "The stables hereby permitted shall not be used for domestic storage or ancillary living accommodation and shall be for the private use only of the occupiers of the associated and barn conversion and shall not be used by third parties, for a commercial livery use or as a business.'

Planning permission would be required to use the stables for a business, so as they are domestic and associated with the dwelling the number of vehicle movements will not be excessive and is unlikely to cause congestion on this busy highway. As stated in the submission the access is already used for vehicles associated with the use of the land for grazing and the track will make it easier for horse boxes to grip when it is muddy.

The question of whether the archway is suitable and why permission was granted for a house taking access off this archway is irrelevant to the consideration of this proposal, both accesses are available for use at the preference of those who have the right to use them however it is noted that the archway is very low and narrow with a sharp turn off the road and would not be easy to negotiate with a horsebox.

The highway officer has no objections to the proposal as it does not seek to alter or create an access onto Scarlet Heights. Therefore it is considered that the development would accord with policy DS5 of the Core Strategy DPD

5. Outstanding Matters Raised by Representations

The objections related to highway safety and amenity are noted and are discussed above. The comments of the supporters are noted.

Community Safety Implications:

There are no apparent community safety implications.

Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application

Reason for Granting Planning Permission:

The proposal's impact on the character and purposes of including land within the greenbelt, local amenity and highway safety has been fully considered and is considered acceptable when measured against the relevant development plan policies and the NPPF.

Conditions of Approval:

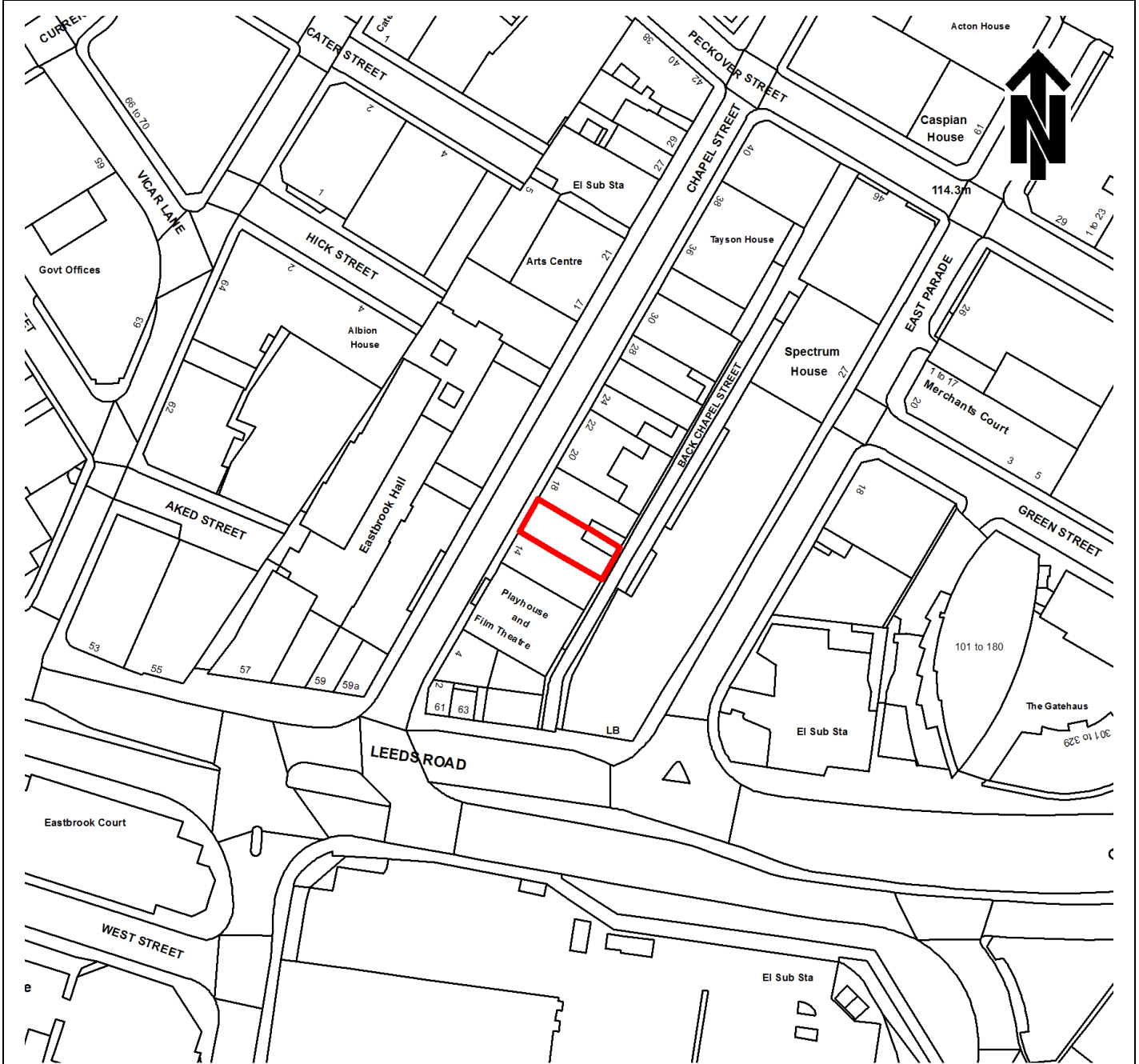
1. The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. Prior to development commencing a technical specification and cross-section for the proposed track, showing substructure, composition, means of retention and wearing surface shall be submitted to and approved in writing by the local planning authority. The development shall then be constructed and maintained in accordance with the approved details.

Reason: In the interests of visual amenity and greenbelt character and for the avoidance of doubt to the terms of this planning approval. To accord with policies DS1 and DS2 of the Core Strategy Development Plan Document and saved policy GB2 of the RUDP.

17/06171/FUL



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**16 Chapel Street
Bradford
BD1 5DL**

21 February 2018

Item: D
Ward: CITY
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
17/06171/FUL

Type of Application/Proposal and Address:

This is a full planning application change of use of the upper floors of 16 Chapel Street, Little Germany to provide habitable accommodation for charity use, internal alterations, replacement of rear windows and the construction of a rear dormer window. This application is considered alongside the listed building consent referenced 17/06172/LBC.

Applicant:

Mr Terry Pearson, Bradford Cinderella Club

Agent:

Mr Jonathan Holmes, Forward Planning & Design Ltd

Site Description:

This is a Grade II Listed Building within the Little Germany Conservation Area. The building is on Chapel Street close to its junction with Leeds Road. The surrounding area is a mix of commercial and residential uses. To the rear is a large cleared site currently used for car parking. The land levels rise steeply to the north.

Relevant Site History:

17/06172/LBC - Change of use of 1st & 2nd floors to habitable accommodation for charity use, internal alterations, replacement of rear windows and construction of rear dormer window - Pending consideration.

05/07625/COU - Change of use of offices to adult education centre - Granted 03.01.2006

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;

- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Local Plan for Bradford:

The Core Strategy Development Plan Document was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is unallocated on the RUDP but is within the Little Germany Conservation Area. Accordingly, the following adopted Core Strategy policies are applicable to this proposal.

Core Strategy Policies

Policy DS1 Achieving Good Design
Policy DS3 Urban Character
Policy DS4 Streets and Movement
Policy DS5 Safe and Inclusive Places
Policy TR2 Parking Policy
Policy EN3 Historic Environment

Parish Council:

The site is not in a Parish.

Publicity and Number of Representations:

The application was advertised with a press advertisement, a site notice and neighbour notification letters. This publicity period expired on 8 December 2017. At the time of report preparation 35 letters of support have been received.

Summary of Representations Received:

- The conversion will be of great benefit to the young people of the city.
- The proposal will improve the aesthetics of the local area.

Consultations:

Design & Conservation - Generally no objections are raised to the internal works proposed on ground and first floor or the replacement of the windows. A condition would be required to secure detailing of the secondary glazing. Acknowledge that the proposed dormer would be discordant but most views would largely be obscured by the projecting rear wing with a pitched roof and by the adjoining four storey former warehouse.

Summary of Main Issues:

1. Principle of Development.
2. Heritage Issues and Visual Amenity.
3. Highway Safety.

Appraisal:

1. Principle of the Development

The site is unallocated on the RUDP and so is not protected for any particular uses other than those which accord with the general policies of the RUDP. The building is currently vacant and the proposed charitable use of the premises is considered to be an opportunity to bring the building back into use. The proposal is therefore considered to be acceptable in principle subject to its local impact which is considered in the appraisal that follows.

2. Heritage Issues and Visual Amenity

The application proposes a number of alterations to the building to facilitate the new use. The most significant alterations requiring planning permission are the replacement of the rear windows and the construction of a dormer window to the rear of the building. The ground floor of the building will provide office and facilities for the running of the charity with the basement used to provide general storage and a games area for children. The first floor level will form a 'crash-pad' for underprivileged children with staff facilities on the second floor level.

The Conservation Officer accepts that the details for the proposed rear windows are considered to be acceptable and accepts that the proposed rear dormer window would be a significant addition to the original roof form of the building. The consultation response goes on to note that from most vantage points the dormer window would be largely obscured by the projecting rear wing with pitched roof and the adjoining four storey former warehouse. Significant weight is given to this factor and the benefits of bringing the building back into use before an on balance acceptance of this dormer window is given.

At this stage, it is necessary to outline the statutory duty imposed upon local authorities when considering proposals which affect listed buildings or their setting. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the general duty imposed upon Local Planning Authorities (LPAs) in considering whether to grant planning or listed building consent which affects a listed building or its setting. It notes that LPAs should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. It goes on to note that LPAs are required to have regard to the desirability of preserving features of special architectural or historic interest, and in particular, listed buildings.

This site is also within the Little Germany Conservation Area which is one of the best preserved and most characterful areas within the City. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty upon local authorities to pay special attention to the 'desirability of preserving or enhancing the character or appearance of the area'. This statutory duty is also reflected in local and national planning policy.

The main issue presented by this application is the proposed rear dormer window. This is a very large and obtrusive structure which covers almost the whole of the rear roof slope of this listed building. This type of structure would not generally be acceptable on a building which was not listed and not in a conservation area; this building is both. Significant weight has been given to the claim that there are limited public views of this structure however this is incorrect. There are long distance views of the rear of this terrace as it is approached from the Leeds Road-Shipley Airedale Road junction to the east. There are open car parks to the rear of this site which also allow for closer views from East Parade. Notwithstanding the

visibility of the dormer windows it is long-established practice that listed building control is concerned not only with public views but the integrity of the building as a whole for its own sake. The purpose of listing a building is to recognise the importance of the building and the preservation of its features. Virtually no space would be left around the proposed dormer window to provide any setting for it within the roof. As a consequence the intrinsic quality of the building would be unacceptably affected by the proposal.

The plans show that two bedrooms and a bathroom are proposed within the loft space for staff at the premises. These can be accommodated within two much smaller 1.5m wide pitched roof dormer windows and this suggestion was made to the applicants. Amended plans were received but the dormer windows were separated by less than one metre, reached the eaves of the building and incorporated a significant amount of cladding to their faces. A request was made to increase the separation between the two dormer windows to at least 1.5m and bring them off the eaves by around 0.5m. This would still provide sufficient space to create two bedrooms within the loft and would also result in two smaller dormer windows which would sit well within this roof without dominating it or incorporating a large amount of cladding materials to their faces. Unfortunately this was not accepted and officers were asked to consider only the initially submitted plans.

It is clear that the needs of the charity can be accommodated within two smaller dormer windows which would not cause substantial harm to the special interest of this listed building or the character and appearance of the listed building. In light of the identified harm to the significance of this listed building and the character and appearance of the Little Germany conservation area the proposal is currently considered to be unacceptable when measured against policy EN3 of the Core Strategy DPD and the NPPF.

3. Highway Safety

The application does not include any off-street parking provision however the site is centrally located with excellent access to the city's train station and bus interchange. There is some short-stay on-street parking available and a number of car parks nearby. The proposal is therefore not considered to be harmful to highway safety.

Community Safety Implications:

The proposal does not present any community safety implications.

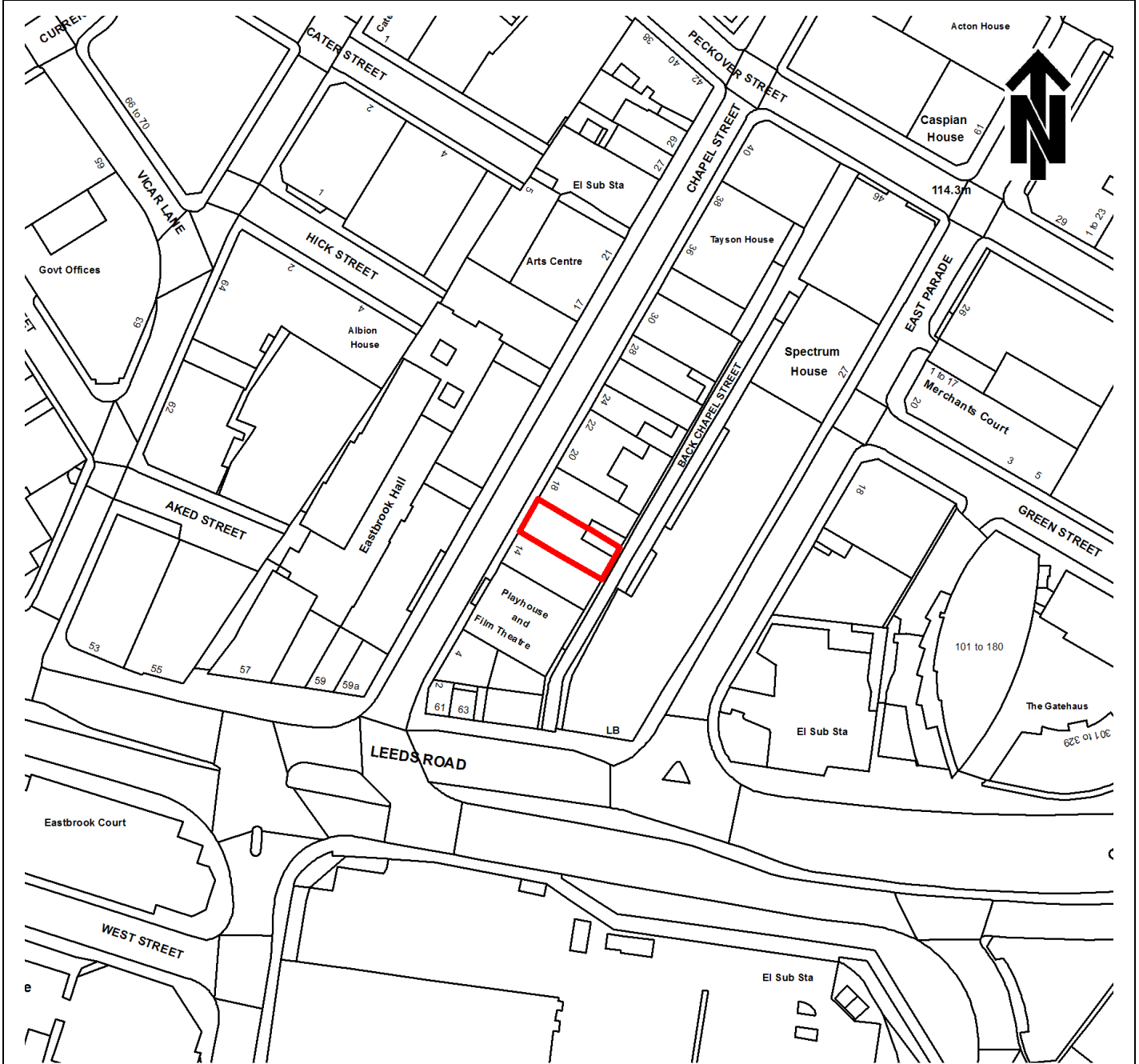
Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

Reasons for Refusal:

1. The proposed rear dormer window due to its size, prominent location and poor design, is considered to be an inappropriate and obtrusive feature to the roof of this Grade II Listed Building within the Little Germany Conservation Area. This is considered to result in substantial harm to the character and appearance of the listed building and the conservation area which is not outweighed by any public benefits of the scheme. Consequently, the proposal is considered to be contrary to Policies DS3 and EN3 of the Core Strategy Development Plan Document and the National Planning Policy Framework.
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17/06172/LBC



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**16 Chapel Street
Bradford
BD1 5DL**

21 February 2018

Item: E
Ward: CITY
Recommendation:
TO REFUSE LISTED BUILDING CONSENT

Application Number:
17/06172/LBC

Type of Application/Proposal and Address:

This application seeks listed building consent for internal alterations, replacement windows and the construction of a rear dormer window to facilitate the change of use of 16 Chapel Street, Little Germany. This application is considered alongside planning application referenced 17/06171/FUL.

Applicant:

Mr Terry Pearson, Bradford Cinderella Club

Agent:

Mr Jonathan Holmes, Forward Planning & Design Ltd

Site Description:

This is a Grade II Listed Building within the Little Germany Conservation Area. The building is on Chapel Street close to its junction with Leeds Road. The surrounding area is a mix of commercial and residential uses. To the rear is a large cleared site currently used for car parking. The land levels rise steeply to the north.

Relevant Site History:

17/06171/FUL - Change of use of 1st & 2nd floors to habitable accommodation for charity use, internal alterations, replacement of rear windows and construction of rear dormer window - Pending consideration.

05/07625/COU - Change of use of offices to adult education centre - Granted 03.01.2006.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;

- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Local Plan for Bradford:

The Core Strategy Development Plan Document was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is unallocated on the RUDP but is within the Little Germany Conservation Area. Accordingly, the following adopted Core Strategy policies are applicable to this proposal.

Core Strategy Policies

Policy EN3 Historic Environment

Parish Council:

The site is not in a Parish.

Publicity and Number of Representations:

The application was advertised with a press advertisement, a site notice and neighbour notification letters. This publicity period expired on 08 December 2017. At the time of report preparation no representations have been received to this application.

Summary of Representations Received:

No representations have been received.

Consultations:

Design & Conservation - Generally no objections are raised to the internal works proposed on ground and first floor or the replacement of the windows. A condition would be required to secure detailing of the secondary glazing. Acknowledge that the proposed dormer would be discordant but most views would largely be obscured by the projecting rear wing with a pitched roof and by the adjoining four storey former warehouse.

Appraisal:

The application proposes a number of alterations to the building to facilitate the new use. The most significant of these are the replacement of the rear windows and the construction of a dormer window to the rear of the building. The ground floor of the building will provide office and other facilities for the running of the charity with the basement used to provide general storage and a games area for children. The first floor level will form a 'crash-pad' for underprivileged children with staff facilities on the second floor level.

The Conservation Officer accepts that the details for the proposed rear windows are acceptable and accepts that the proposed rear dormer window would be a significant addition to the original roof form of the building. The consultation response goes on to note that from most vantage points the dormer window would be largely obscured by the projecting rear wing with pitched roof and the adjoining four storey former warehouse. Significant weight is given to this factor and the benefits of bringing the building back into use before an 'on balance' acceptance of this dormer window is given.

At this stage, it is necessary to outline the statutory duty imposed upon local authorities when considering proposals which affect listed buildings or their setting. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the general duty imposed upon Local Planning Authorities (LPAs) in considering whether to grant planning or listed building consent which affects a listed building or its setting. It notes that LPAs should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. It goes on to note that LPAs are required to have regard to the desirability of preserving features of special architectural or historic interest, and in particular, listed buildings. This statutory duty is also reflected in local and national planning policy.

The main issue presented by this application is the proposed rear dormer window. This is a very large and obtrusive structure which covers almost the whole of the rear roof slope of this listed building. This type of structure would not generally be acceptable on a building which was not listed and not in a conservation area. Significant weight has been given to the claim that there are limited public views of this structure however this is incorrect. There are long distance views of the rear of this terrace as it is approached from the Leeds Road-Shipley Airedale Road junction to the east. There are open car parks to the rear of this site which also allow for closer views from East Parade. Notwithstanding the visibility of the dormer windows it is long-established practice that listed building control is concerned not only with public views but the integrity of the building as a whole for its own sake. The purpose of listing a building is to recognise the importance of the building and the preservation of its features. Virtually no space would be left around the proposed dormer window to provide any setting for it within the roof and as a consequence the intrinsic quality of the building would be unacceptably affected by the proposal.

The plans show that two bedrooms and a bathroom are proposed within the loft space for staff at the premises. These can be accommodated within two much smaller 1.5m wide pitched roof dormer windows and this suggestion was made to the applicants. Amended plans were received but the dormer windows were separated by less than one metre, reached the eaves of the building and incorporated a significant amount of cladding to their faces. A request was made to increase the separation between the two dormer windows to at least 1.5m and bring them off the eaves by around 0.5m. This would still provide sufficient space to create two bedrooms within the loft and would also result in two smaller dormer windows which would sit well within this roof without dominating it or incorporating a large amount of cladding materials to their faces. Unfortunately this was not accepted and officers were asked to consider only the initially submitted plans.

It is clear that the needs of the charity can be accommodated within two smaller dormer windows which would not cause substantial harm to the special interest of this listed building or its character and appearance. In light of the identified harm to the character, appearance and significance of this listed building the proposal is currently considered to be unacceptable when measured against policy EN3 of the Core Strategy DPD and the NPPF.

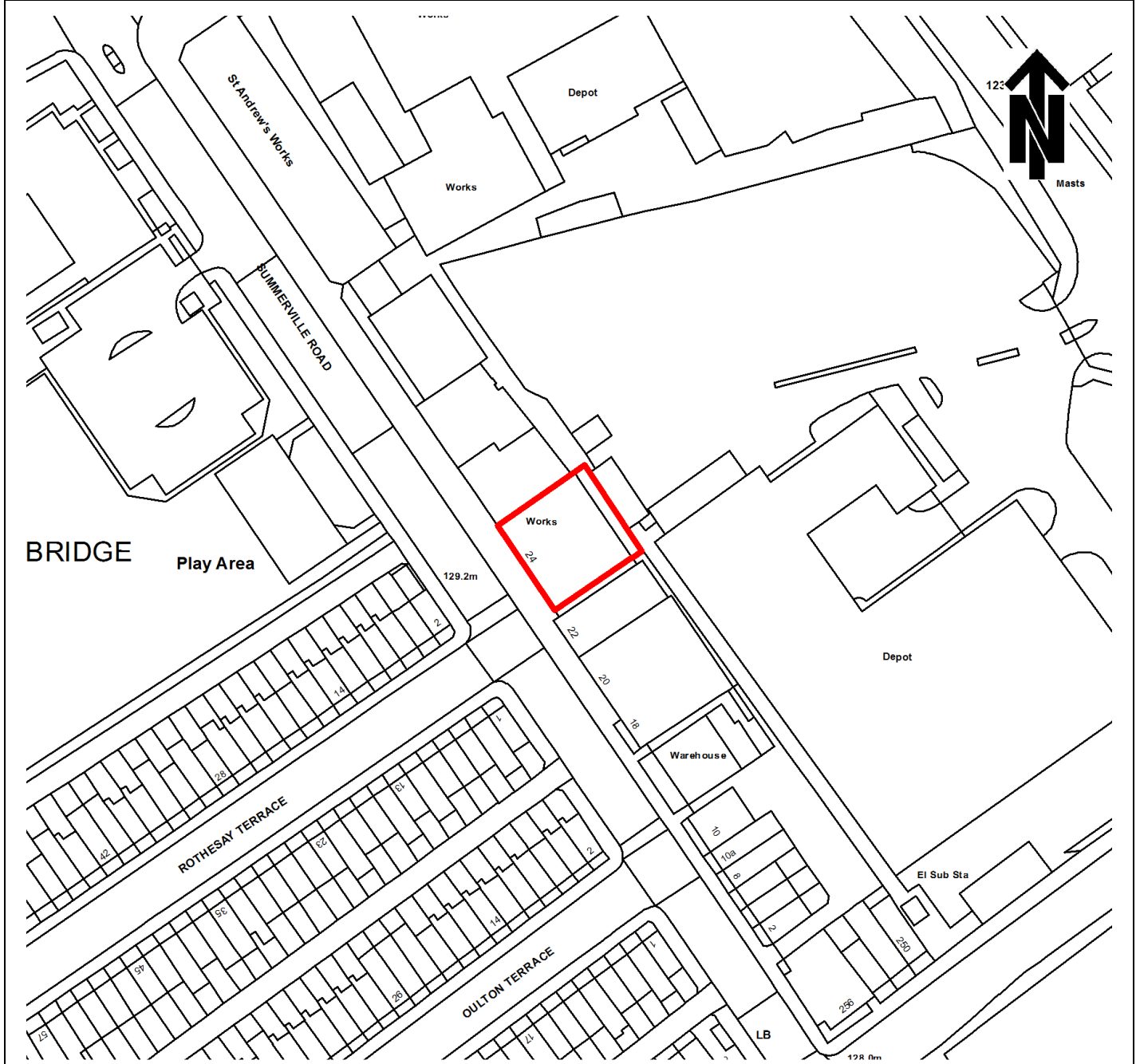
Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

Reasons for Refusal:

1. The proposed rear dormer window due to its size, prominent location and poor design, is considered to be an inappropriate and obtrusive feature to the roof of this Grade II Listed Building within the Little Germany Conservation Area. This is considered to result in substantial harm to the character and appearance of the listed building which is not outweighed by any public benefits of the scheme. Consequently, the proposal is considered to be contrary to Policy EN3 of the Core Strategy Development Plan Document and the National Planning Policy Framework.
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17/06043/FUL



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**24 Summerville Road
Bradford
BD7 1PX**

21 February 2018

Item: F
Ward: CITY
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
17/06043/FUL

Type of Application/Proposal and Address:
This is a full planning application for the change of use of a warehouse to a café at 24 Summerville Road, Bradford.

Applicant:
Mr S Rafiq

Agent:
Mr P Riyat

Site Description:
The site consists of a single storey warehouse with a small forecourt facing onto Summerville Road. It is within a row of predominantly industrial and commercial units. There are residential properties in very close proximity to the site, located on Rothesay Terrace. To the rear of the site is Shearbridge Depot.

Relevant Site History:
06/02528/COU - Change of use of existing warehouse units to retail use and construction of new retail units - Refused 04.08.2006.

14/04007/FUL - Change of use of unit 2 (warehouse) to MOT testing facility – Granted 13.11.2014.

The National Planning Policy Framework (NPPF):
The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;

- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Local Plan for Bradford:

The Core Strategy Development Plan Document was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is located within an employment zone as defined by the Replacement Unitary Development Plan. Accordingly, the following adopted Core Strategy policies and saved RUDP policies are applicable to this proposal.

Core Strategy Policies

EC1 Creating a successful and competitive economy
EC2 Supporting Business and Job Creation
EC4 Sustainable Economic Growth
DS3 Urban Character
DS4 Streets and Movement
DS5 Safe and Inclusive Places
TR2 Parking Policy
EN8 Environmental Protection

Saved RUDP Policies

E6 Employment Zones

Parish Council:

Not in a Parish.

Publicity and Number of Representations:

A site notice and neighbour notification letters advertised the application. The publicity period expired on 22 November 2017. Six objections and ten letters of support have been received.

Summary of Representations Received:

Objections:

- Too many similar uses in the area.
- Inadequate parking.
- Danger to pedestrians.
- Would exacerbate existing traffic problems on local residential roads.
- Noise disturbances.
- Approval would set a precedent for other buildings on Summerville Road.
- Similar application at No.14 was refused due to lack of parking and highway safety concerns.

Support:

- Great addition to the community.
- Café will create jobs for students.
- Will allow students to socialise.
- Will provide work/study space.
- Area is currently run down.

Consultations:

Highways – Proposal fails to include sufficient parking and would require a road closure order. The Highways Authority would not support a road closure order. The development would be hazardous to highway and pedestrian safety and would displace parking onto neighbouring residential streets.

Environmental Health – Odour and grease control/extraction unit required. Noise assessment required to ensure no adverse impact from noise emissions. Waste oil disposal provision is required.

Summary of Main Issues:

1. Principle of development.
2. Impact on local environment.
3. Impact on residential amenity.
4. Impact on highway safety.
5. Outstanding matters raised by representations.

Appraisal:

1. Principle of development

The application seeks permission for the change of use of a warehouse to a café. Along Summerville Road is a mixture of industrial uses and there are some residential properties in close proximity to the site. The site is located within a designated Employment Zone, as defined by the Replacement Unitary Development Plan (RUDP). In these areas, Policy E6 of the RUDP is applicable and requires that traditional employment uses are prioritised and that they play an important role in providing jobs for local communities. Within employment zones, it is important to maintain and encourage new industrial and commercial investment and any other development that is permitted must support the predominantly industrial and commercial function. Policies EC1, EC2, and EC4 also support the retention of employment generating uses.

A traditional café use can support the function of an employment zone in that it provides somewhere for the local workforce to get their lunch during the day. However, the scale of café use proposed here would be far in excess of a typical small café and would occupy a large warehouse building that could otherwise be used for a traditional employment use. There are a number of existing cafés and takeaways in the local area, primarily located on Great Horton Road, which already provide food offerings in support of the employment zone.

The application is not accompanied by any supporting information to explain or justify the development and in the absence of any justification the development is contrary to the requirements of policy E6 of the RUDP and policies EC1, EC2, and EC4 of the Core Strategy DPD.

2. Impact on local environment

The proposed physical alterations to the building include the installation of a glazed frontage with stonework walling, and the creation of an open sided terrace/smoking area to the rear. The alterations to the frontage would generally improve the existing industrial warehouse appearance. The plan does not include any extraction flues but it is noted that the Environmental Health Officer has suggested that an extraction system will be necessary to avoid adverse impacts from noise and odours. Should any external flues be required, a separate planning permission would be required, and a footnote to this effect could be appended to the decision notice if approving.

The proposed alterations will have a relatively minimal impact on the character and appearance of the local environment and for this reason, the proposal is considered acceptable and compliant with policy DS3 of the Core Strategy Development Plan Document.

3. Impact on residential amenity

The site is located within an employment zone where there is an expectation of industrial and commercial uses. There are a number of takeaway and café uses in the area (mostly located on Great Horton Road) and there is a lot of daytime activity in the area. The proposed café use would be in close proximity to residential properties on Rothesay Terrace and would lead to a concentration of activity with customers visiting the site, which would be less likely with an employment/commercial use.

The application specifies the opening hours as 09:00 to 23:59 seven days a week. The opening hours would result in increased comings and goings late at night, which could adversely affect neighbouring residents through noise and other disturbances during antisocial hours.

The Environmental Health Officer has suggested specific requirements for extraction systems and maximum noise levels, which could be controlled by condition if approving the development. Environmental Health comments suggest there would be minimal impact from the use on neighbouring properties in terms of the noise and odours from food preparation.

Nevertheless, the development would cause a concentration of activity near to residential properties at antisocial hours. The proposal would therefore cause harm to residential amenity due to noise disturbance and is therefore unacceptable and contrary to the requirements of policies DS5 and EN8 of the Core Strategy Development Plan Document.

4. Impact on highway safety

The site is located within an industrial area and its existing use is as a warehouse. The proposed café use would generate significantly more parking demand than an industrial use. Both the existing and proposed site plans indicate nine parking spaces marked out perpendicular to the highway, however, there are no existing perpendicular parking spaces and any parking in this location would be located partly on the adopted highway (Summerville Road). To use this area for parking would require a road closure order to extinguish the adopted highway. The applicant has not applied for a road closure order but the Highways

Officer advises that the Highways Authority would not support an application as manoeuvring to and from these parking spaces would be hazardous for pedestrians. It is also unlikely that the minimum 5-metre parking spaces and a minimum 2-metre wide footway could be provided. Furthermore, the use of the forecourt area for parking would also displace and discourage on street parking outside the premises onto neighbouring residential streets.

In accordance with the parking standards set out in Appendix 4 of the Core Strategy, the proposed use would require 1 space per 5-10sqm (if only considering the actual seating area) which would equate to between 65 and 32 parking spaces. Given that some people might walk to the café these standards could be reduced, but even so, the level of parking is far below what would be expected of a development of this scale. As such, even in the event that the 9 proposed spaces could be provided, the proposal fails to provide adequate suitable and accessible parking spaces. Therefore, the proposal would likely result in an increase in on-street parking in an area where parking problems already exist. The development is therefore contrary to the requirements of policy TR2 and Appendix 4 of the Core Strategy Development Plan Document.

5. Outstanding matters raised by representations

Some objections referred to a recently refused application for a similar use at No.14 Summerville Road, which was refused on highway safety grounds. Objections also referred to there being too many similar uses and that approval would set a precedent. Letters of support suggest that the development would be a good addition to the area and provide a good space for students to socialise and study.

Comment: Each application must be assessed on its own planning merits and against relevant planning policies and guidance.

Community Safety Implications:

There are no apparent community safety implications.

Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

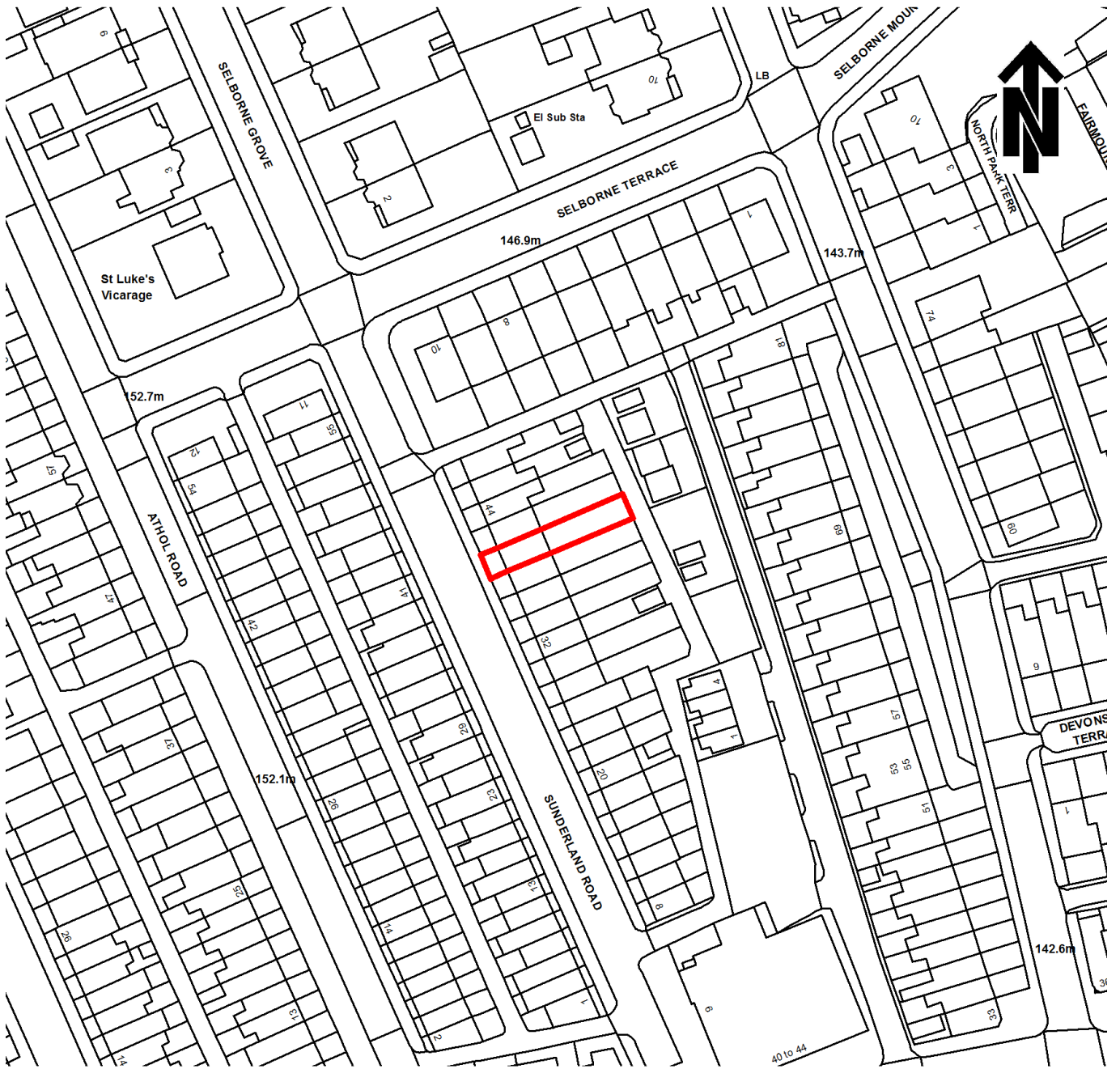
Reasons for Refusal:

1. The site lies within an employment zone where policy supports industrial and commercial uses. Any other development must demonstrate that it would support the function of the employment zone. The application is not accompanied by any supporting information or justification for the proposed use to warrant its approval in an employment zone. The proposed use is therefore unacceptable in principle and contrary to the requirements of policy E6 of the Replacement Unitary Development Plan and policies EC1, EC2, and EC4 of the Core Strategy Development Plan Document.

2. The proposal fails to provide adequate suitable and accessible parking spaces. The proposal would therefore result in an increase in on-street parking in an area where parking problems already exist and would likely lead to increased parking on local residential streets. The development would therefore be harmful to pedestrian and highway safety and would be contrary to the requirements of policies DS4, DS5, TR2, and Appendix 4 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

 3. The proposed use would lead to a concentration of customers visiting the site, and the proposed opening hours would result in comings and goings at antisocial hours and as such, the proposal would result in noise disturbances for local residents. The development therefore fails to comply with the requirements of policies DS5 and EN8 of the Core Strategy Development Plan Document.
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17/06712/HOU



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**40 Sunderland Road
Bradford
BD9 4QJ**

21 February 2018

Item: G
Ward: MANNINGHAM
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
17/06712/HOU

Type of Application/Proposal and Address:

This is a householder planning application seeking planning permission for a front dormer window at 40 Sunderland Road, Bradford, BD9 4QJ.

Applicant:

Mr J Akhtar

Agent:

Paul Manogue

Site Description:

40 Sunderland Road is a traditional stone built terrace dwelling situated in an established residential locality within the North Park Road Conservation Area. The locality is characterised by similar rows of residential terrace dwellings.

Relevant Site History:

17/03667/HOU - Front dormer window – Refused 11.08.2017 (undesirable size and siting).

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Local Plan for Bradford:

The Core Strategy Development Plan Document was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is in the North Park Road Conservation Area accordingly, the following adopted Core Strategy policies are applicable to this proposal.

Core Strategy Policies

DS1 - Achieving Good Design
DS3 - Urban character
DS5 - Safe and Inclusive Places
EN3 - Historic Environment

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application has been publicised via an advert in the local press, a site notice and individual neighbour notification letters. The publicity expired on 19.01.2018. One representation has been from a local Ward Councillor.

Summary of Representations Received:

The representation received supporting the proposal given the requirements of the occupants and requesting referral to the Area Planning Panel if Officers are minded to refuse the application.

Consultations:

Design and Conservation - The flat roofed dormer window would appear incongruous and out of keeping with the traditional character of the host property. On this basis the proposal fails to satisfy Core Strategy Policy EN3 of the Local Plan for Bradford.

Summary of Main Issues:

1. Impact on Local Environment.
2. Impact on Neighbouring Occupants.
3. Impact on Highway Safety.

Appraisal:

1. Impact on Local Environment

The application site is a mid-terrace stone-built property located within the North Park Road Conservation Area. Within conservation areas the Local Authority have a statutory duty in Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving and enhancing the character or appearance of these areas, and this is reflected in national and local planning policies. The proposal is for a 2.7 metre wide flat roofed dormer window to the front elevation of the property, and follows the refusal of a 3m wide dormer window in the same position.

The Householder Supplementary Planning Document provides clear design guidance on the design of dormer windows in conservation areas and requires that front dormer windows should be of a pitched roof design with a maximum width of 1.5 metres. As such the proposed dormer window by reason of its size and design is considered to form an incongruous feature on the roofscape of the dwelling to the detriment of the appearance of the host property and the surrounding street scene, contrary to policies DS1, DS3 and EN3 of the Core Strategy Development Plan Document and the Householder Supplementary Planning Document.

It is accepted that the surrounding street scene includes examples of flat roof dormer windows to the front elevations of properties. However, given the age of the dormer windows and the absence of any planning application history it is likely that the existing windows within the street are immune from enforcement action, where possible the Council seek removal of unauthorised dormer windows. Furthermore the Householder Supplementary Planning Document makes clear that existing dormer windows, which are of poor quality design, should not be used to inform the design of new proposals. As such the existing structures do not provide any valid justification for the approval of this proposal. It is also noteworthy that where planning history exists it is apparent that the traditional pitch roof dormer window has been insisted upon, and this property and no.27 have had recent refusals for box style dormer windows. Amongst others appeals have also been dismissed at 50 and 54 Victor Street for similar style dormer windows.

2. Impact on Neighbouring Occupants

The proposed front dormer window would not benefit from an unrestricted view within 7 metres of the rear boundary of any neighbouring dwelling or within 17 metres of the habitable room windows of any neighbouring dwelling. As such no adverse overlooking implications are foreseen. The proposal does not raise any further residential amenity concerns and is considered to accord with policy DS5 of the Core Strategy Development Plan Document and the Householder Supplementary Planning Document.

3. Impact on Highway Safety

The proposed development would not alter the existing parking or access arrangements and therefore no adverse highway or pedestrian safety implications are foreseen. The proposal is therefore considered to accord with policy TR2 of the Core Strategy Development Plan Document.

Community Safety Implications:

None foreseen.

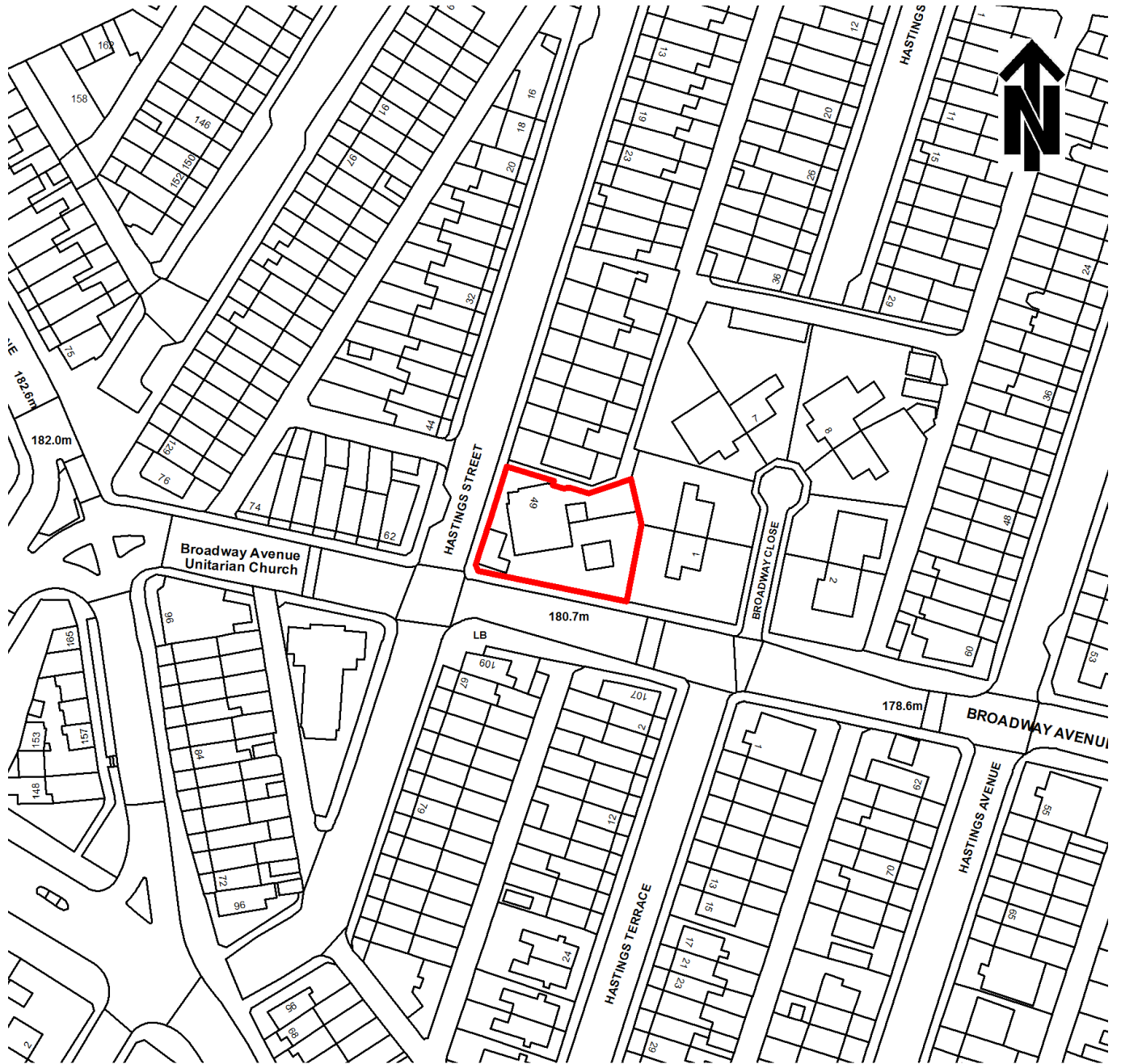
Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

Reasons for Refusal:

1. The proposed dormer window by reason of its excessive size and inappropriate design is considered to detract from the appearance of the host dwelling and the wider character of the North Park Road Conservation Area, contrary to policies DS1, DS3 and EN3 of the Core Strategy Development Plan Document and the Householder Supplementary Planning Document.
-

17/06527/FUL



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**49 Hastings Street
Bradford
BD5 9PQ**

21 February 2018

Item: H
Ward: LITTLE HORTON
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
17/06527/FUL

Type of Application/Proposal and Address:
Full planning permission is sought for the alteration and extension of the Mosque at 49 Hastings Street, Bradford, BD5 9PQ.

Applicant:
Mr Javed Hussain

Agent:
Mr Shuaib Khan

Site Description:
49 Hastings Street is a former joiner's workshop converted into a place of worship/madrassa in 1993. The site is roughly square situated at the junction between Hastings Street and Broadway Avenue. The main building is a two-storey dual pitched stone built building. The building has been extended in the past with a single storey lean-to extension to the front and a large flat roof extension to the rear. In addition there are some free standing structures within the curtilage, one of which is stone built and would appear to be of a similar age to the main building. This leaves limited external space, but what is available is to the rear of the building. The wider locality is predominantly made up of residential properties.

Relevant Site History:
93/01959/COU - Change of use from joiners workshop to religious madrassa - Granted 21.09.1993.

93/03138/FUL - Installation of external escape stair – Granted 13.12.1993.

97/02274/FUL - Single storey extension to property for storing equipment – Granted 03.10.1997.

10/06318/FUL - Front side and rear extension to mosque – Refused 24.02.2011 (Detrimental to highway safety).

16/08777/FUL - Construction of double and part single storey extension - Withdrawn 03.01.2017.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Local Plan for Bradford:

The Core Strategy Development Plan Document was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is unallocated. Accordingly, the following adopted Core Strategy policies are applicable to this proposal.

Core Strategy Policies:

SC9 – Making Great Places
DS1 - Achieving Good Design
DS3 – Urban Character
DS4 – Streets and Movement
DS5 – Safe and Inclusive places

Parish Council:

Bradford Trident Community Council - No comments received.

Publicity and Number of Representations:

The application has been publicised via a site notice and individual neighbour notification letter. The publicity period expired 28 December 2017, two representations has been received, including one from a local Ward Councillor.

Summary of Representations Received:

The local Ward Councillor has wrote in support of the proposal citing the benefits to the local community and requesting referral to the Area Planning Panel if officers are minded to refuse the application.

The second representation objects to the proposal, based on the following concerns:
Overdevelopment of the site.
Harm to neighbouring amenity and visual amenity.
Lack of parking and resulting harm to pedestrian and highway safety.

Consultations:

Highways Development Control – The proposal leads to a significant increase in useable floor space and provides no off street parking. This will result in an increase in demand for on street parking detrimental to highway and pedestrian safety. Consequently, cannot support the proposal.

Drainage – No comments.

The Coal Authority – Subject to the imposition of conditions raise no objection to the proposal.

Summary of Main Issues:

1. Background and proposal.
2. Principle.
3. Residential Amenity.
4. Visual Amenity.
5. Highway Safety.

Appraisal:

1. Background and Proposal

The site has an approved use as a place of worship (D1), albeit of a limited small scale owing to the former use of the building as a joiner's workshop. The building has undergone previous extension, but a more comprehensive redevelopment of the site, which equated to an approximately 70% increase in floor space, was refused in 2010 on grounds of a highway safety and a lack of parking.

A recent application proposing a 96% increase in floor space was withdrawn when the same concerns were highlighted. The application under consideration now proposes an approximate increase in floor space of 76%, with the floor space increasing from 344 Sqm to 607Sqm. The extension takes the form of a part single, part two storey front extension, a two storey side extension and a two storey rear extension. The existing single storey sections and outbuildings will be removed to facilitate the development.

The main issues will now be considered:

2. Principle

The application site is not allocated for any specific land use in the Council's adopted RUDP. This allocation remains applicable until the adoption of Allocations and Area Action Plan development plan documents. Accordingly there would be no policies that would seek to resist the principle of extending the premises.

3. Residential Amenity

It is not envisaged that the proposal will represent a significant threat, beyond what is discussed below in respect of highway safety.

The proposals will result in a comprehensive redevelopment of the site, and as indicated above a significant level of extension and alteration to the building. The position of the existing building, ensure that the alterations to the front and side are unlikely to alter the relationship between the Mosque and neighbouring residential properties given the spacing distances retained.

To the rear the extension projects 4.6m and has a length of approximately 17m. This takes the form of three new rear gables. In order to prevent overlooking of the properties beyond the facing boundaries the first floor windows are shown as obscure glazed. This could be controlled by the imposition of a planning condition.

The increasing in massing only brings the building within close proximity to No 47 Hastings Street, which sits three metres beyond the northern boundary. This property does not share a direct boundary, and is separated by a footpath. The extension to the mosque projects approximately 3.5m beyond the main rear elevation of the property, this would not break a 25 degree angle taken from the nearest ground floor habitable room windows as this property has been extended. The proposed extension does not project beyond the extent of the rear extension on No 47 Hastings Street which will serve to limit the impact on the external amenity space. The proposal is thereby considered to comply with policy DS5 of the Core Strategy Development Plan Document in this regard.

4. Visual Amenity

The building currently offers little value in terms of its design and appearance, and any character has been eroded by the various extensions and alterations that have occurred. That said the building has a relatively inconspicuous presence within the street scene given its modest scale.

The proposed extensions and alterations will drastically alter the appearance and form of the building, and the result will more likely than not, equate to what will be seen as a new build. The design is seemingly more born out of functionality and the need for additional space, rather than anything more aspirational, but the result is not considered to be significantly harmful to the amenity of the locality, and in its favour the scheme will produce a more coherent building and some of the more unsightly additions will be removed.

The point raised in the representations regarding overdevelopment of the site is not without some merit, as what is proposed is a sizeable increase on what is a limited plot, but given what will be removed to facilitate the development, other than the lack of parking discussed below, the building should still sit relatively comfortably within the site and street scene. The proposal is therefore considered to satisfy the requirements of policies DS1 and DS3 of the Core Strategy Development Plan Document.

5. Highway Safety

The proposed development would provide 607 square metres of D1 floor space. As such the proposed building has significant potential to attract a large number of visitors at any one time. No off street parking is currently provided and none is proposed as part of this proposal.

The Council's adopted parking standards specify a maximum requirement of 1 space per 25 square metres for places of worship. This equates to a requirement for 14 off street car parking spaces for the current floor space, the 76% increase in floor space would result in the requirement for an additional 10 spaces. This equates to a shortfall of 24 spaces for a D1 use of the size proposed.

This represents a significant shortfall, with a likely result of additional on-street parking and the associated problems for highway safety of slow manoeuvring vehicles, blocked junction sight lines, etc. It is notable that some on street parking may be possible and clearly already occurs, but it is also noteworthy that the majority of the residential properties within the locality are reliant upon on street parking increasing the chance of conflict between users.

It is therefore considered, given the substantial increase in floor space and the significant shortfall in parking provision it is considered that this proposal will likely lead to conditions prejudicial to highway and pedestrian safety. The proposal is therefore considered to be contrary to the requirements of the NPPF and policies SC9, DS4, and TR2 of the Core Strategy Development Plan Document.

Community Safety Implications:

Highway safety concerns as noted above.

Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. The issues with regard thereto are noted above in relation to this application but do not raise any matters that would outweigh the material planning considerations.

Reasons for Refusal:

1. The proposed development fails to provide any off-street parking provision, which will result in an increase in on-street parking likely to lead to conditions prejudicial to highway and pedestrian safety. For this reason the proposed development is unacceptable when measured against The National Planning Policy Framework and policies TR2, SC9 and DS4 of the Core Strategy Development Plan Document.
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Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 21 February 2018

N

Summary Statement - Part Two

Miscellaneous Items

	<u>No. of Items</u>
Discontinuance Notices	(1)
Requests for Enforcement/Prosecution Action	(8)
Decisions made by the Secretary of State - Allowed	(1)
Decisions made by the Secretary of State - Dismissed	(5)

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

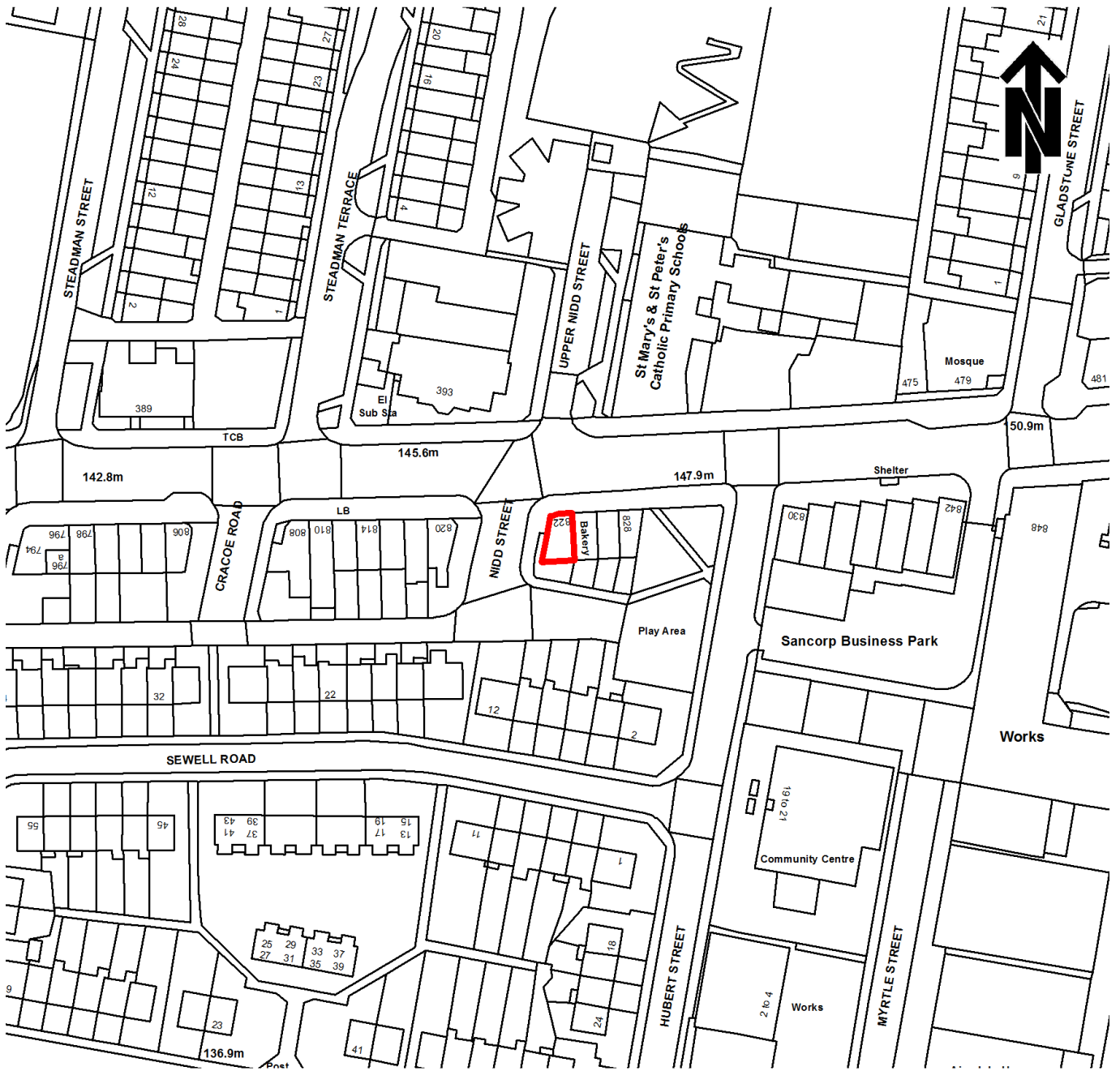
Report Contact: Mohammed Yousuf
Phone: 01274 434605

Email: mohammed.yousuf@bradford.gov.uk

Portfolio:
Regeneration, Planning and Transport

Improvement Committee Area:
Regeneration and Economy

17/00447/ENFADV



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822 Leeds Road
Bradford
BD3 9TY

<p style="text-align: center;">DISCONTINUANCE NOTICES AUTHORISED BY THE PLANNING MANAGER (ENFORCEMENT & TREES) FOR ADVERTISING SITES</p>

Date: 21 February 2018

Item Number: A

Ward: Bradford Moor

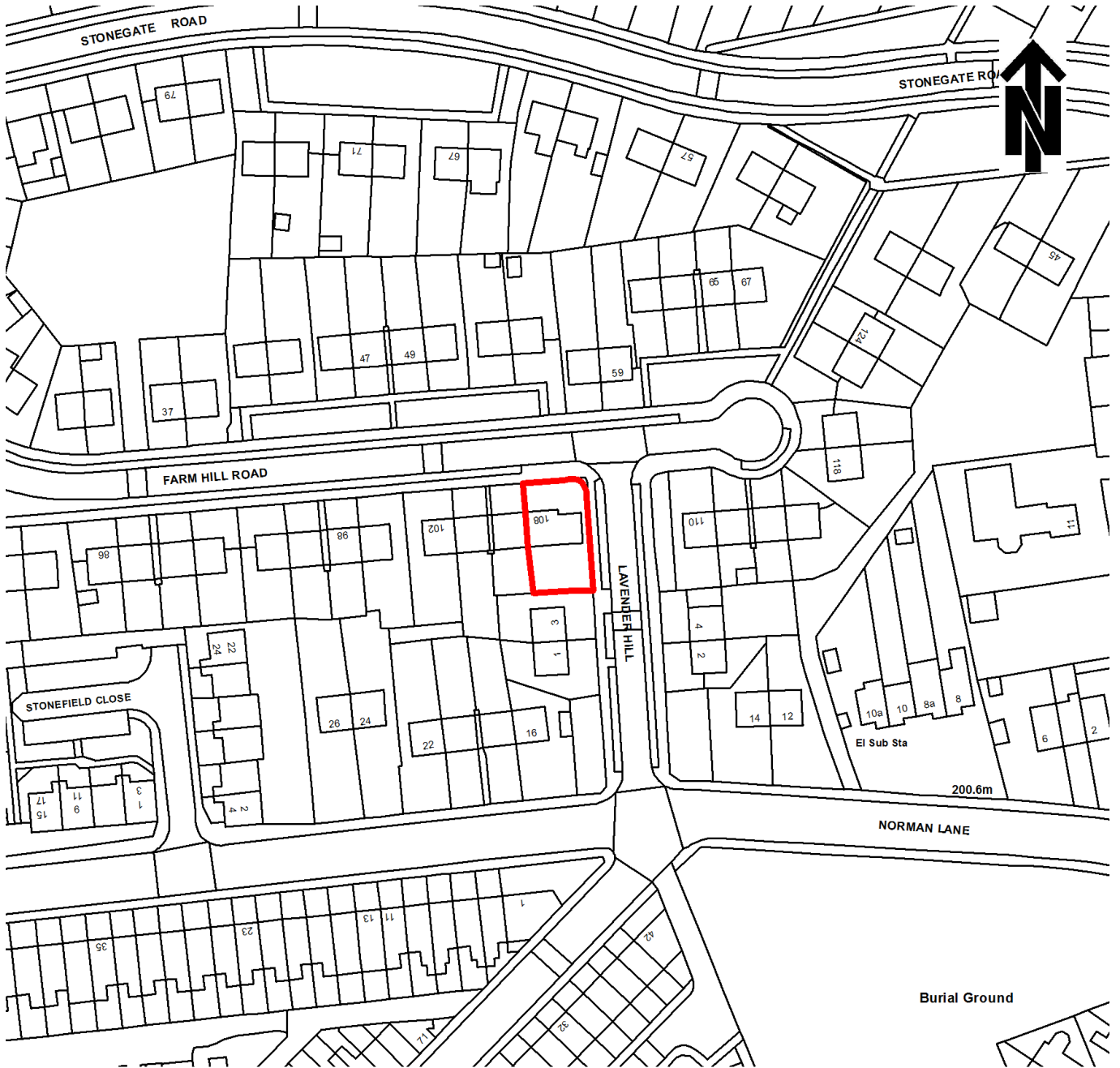
Enforcement Case Ref: 17/00447/ENFADV

Recommendation: THAT THE REPORT BE NOTED

Address:
822 Leeds Road Bradford West Yorkshire BD3 9TY

Date Discontinuance Action Authorised: 2 January 2018

17/00280/ENFCON



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**108 Farm Hill Road
Bradford
BD10 8BY**

21 February 2018

Item Number: B
Ward: ECCLESHILL
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
17/00280/ENFCON

Site Location:
108 Farm Hill Road, Bradford, BD10 8BY

Breach of Planning Control:
Breach of condition 2 planning permission 08/01940/FUL.

Circumstances:
Planning permission 08/01940/FUL for a two-storey side extension to the property was granted by the Council in May 2008.

Condition 2 of the planning permission required the two-storey side extension to be constructed using facing and roofing materials to match the existing dwelling. Facing material to match the existing dwelling has not been applied to the side extension and the external finish remains bare concrete block.

The owner has been requested to rectify the breach of planning control, however no action has been taken.

On 8 January 2018 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice (Breach of Condition). It is considered expedient to instigate Enforcement (Legal) Action as the breach of condition 2 of the planning permission is detrimental to visual amenity, contrary to Policies DS1 and DS3 of the Council's adopted Core Strategy Development Plan document, the Council's adopted Householder Supplementary Planning Document and the policies contained in the National Planning Policy Framework.

16/00027/ENFUNA



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**108 Toller Lane
Bradford
BD9 5DR**

21 February 2018

Item Number: C
Ward: TOLLER
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
16/00027/ENFUNA

Site Location:
108 Toller Lane, Bradford, BD9 5DR

Breach of Planning Control:
Unauthorised rear extension, storage container and clothing bank.

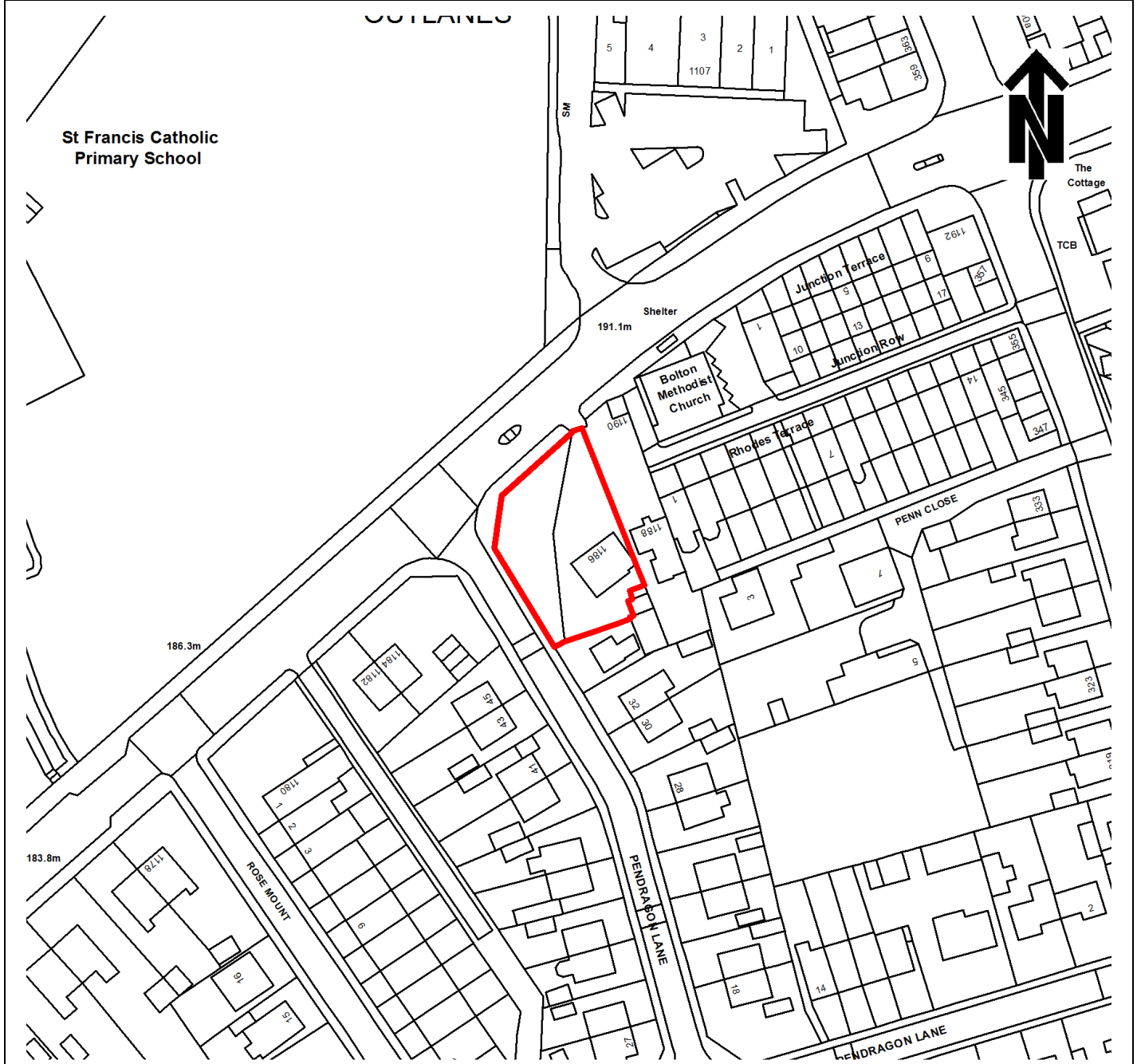
Circumstances:
In January 2016 the Local Planning Authority received an enquiry regarding development works at the property.

An inspection was made and it was noted that a single storey rear extension, metal storage container and clothing bank were in place at the property, for which the Local Planning Authority had no record of planning permission having been granted.

The owner/occupier of the property has been requested to rectify the breaches of planning control, however no action has been taken.

On 22 January 2018 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised rear extension, storage container and clothing bank are detrimental to visual amenity by virtue of their position, design and appearance, contrary to Policies DS1 and DS3 of the Council's adopted Core Strategy Development Plan document and the policies contained in the National Planning Policy Framework.

17/00825/ENFUNA



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**1186 Bolton Road
Bradford
BD2 4HT**

21 February 2018

Item Number: D
Ward: BOLTON AND UNDERCLIFFE
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
17/00825/ENFUNA

Site Location:
1186 Bolton Road, Bradford, BD2 4HT

Breach of Planning Control:
Unauthorised gates and fencing.

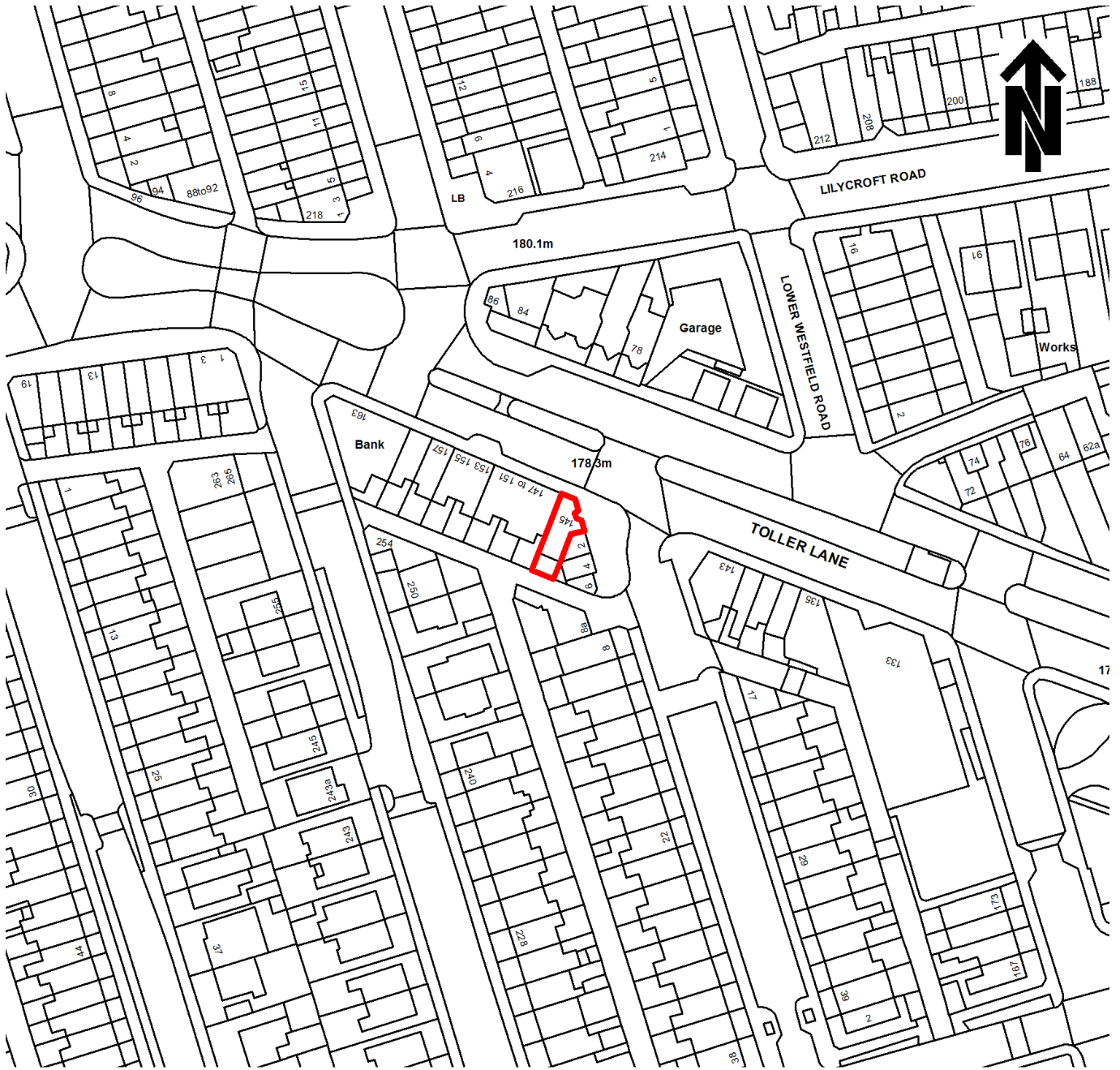
Circumstances:
In October 2017 the Local Planning Authority received an enquiry regarding the installation of gates at the property.

An inspection showed that solid gates and sections of metal fencing had been erected along the front boundary of the property, for which the Council had no record of planning permission having been granted.

The owner/occupier of the property has been requested to rectify the breach of planning control, however no action has been taken.

On 19 January 2018 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised gates and fencing are detrimental to visual amenity by virtue of their height, position and appearance, contrary to Policies DS1 and DS3 of the Council's adopted Core Strategy Development Plan Document and the policies contained in the National Planning Policy Framework.

17/00433/ENFUNA



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145 Toller Lane
Bradford
BD8 9HL

21 February 2018

Item Number: E
Ward: TOLLER
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
17/00433/ENFUNA

Site Location:
145 Toller Lane, Bradford, BD8 9HL

Breach of Planning Control:
Unauthorised extractor flue.

Circumstances:

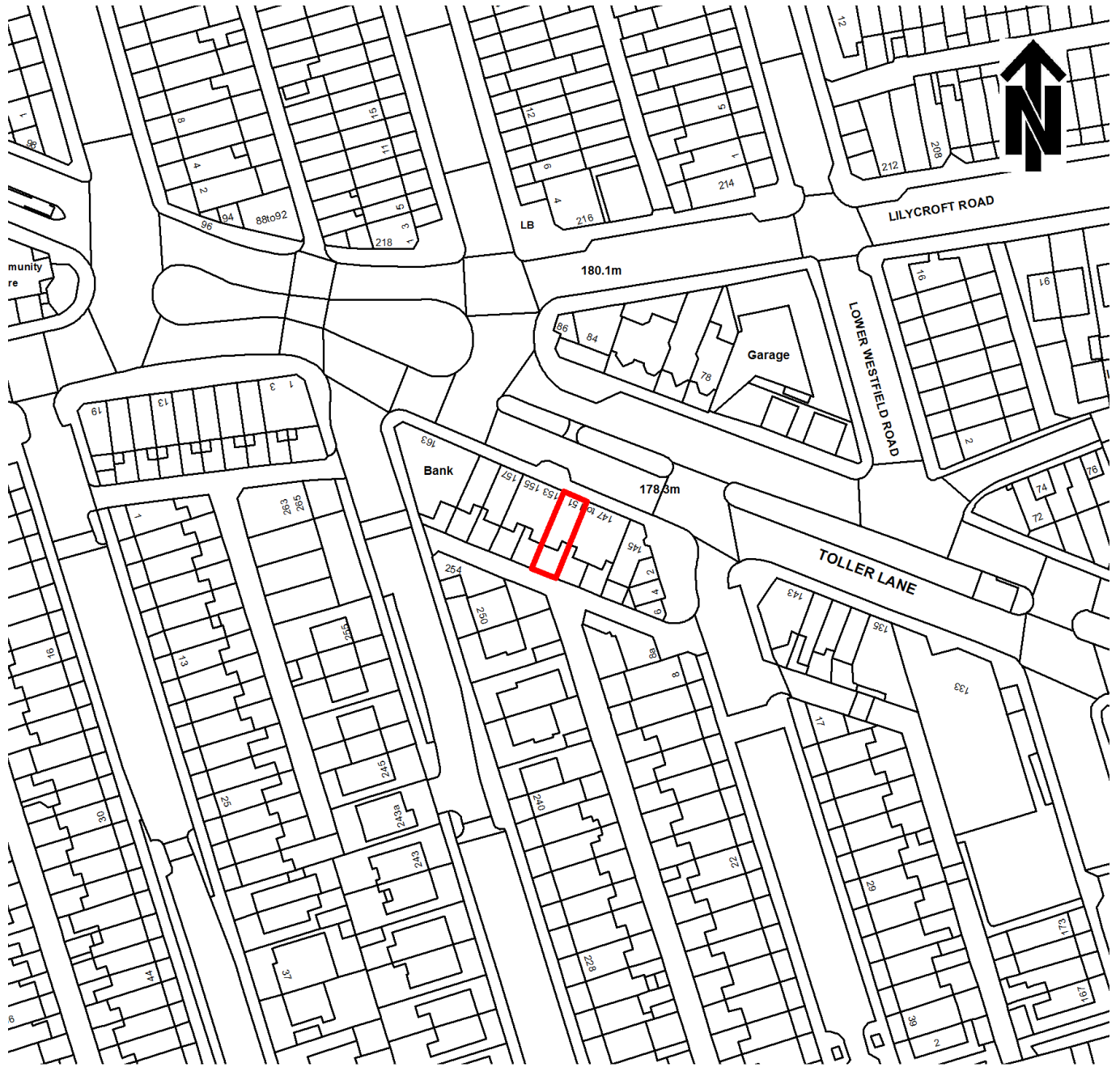
In May 2017 the Council received an enquiry regarding the installation of an extractor flue at the property.

An inspection was made and it was noted that an extractor flue had been installed to the rear elevation of the property, for which the Council had no record of planning permission having been granted.

The owner/occupier of the property has been requested to rectify the breach of planning control, however no action has been taken.

On 9 January 2018 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised extractor flue is detrimental to visual amenity by virtue of its position, design and appearance, contrary to Policies DS1 and DS3 of the Council's adopted Core Strategy Development Plan Document and the policies contained in the National Planning Policy Framework.

17/00421/ENFUNA



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**151 Toller Lane
Bradford
BD8 9HL**

21 February 2018

Item Number: F
Ward: TOLLER
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
17/00421/ENFUNA

Site Location:
151 Toller Lane, Bradford, BD8 9HL

Breach of Planning Control:
Unauthorised extractor flue.

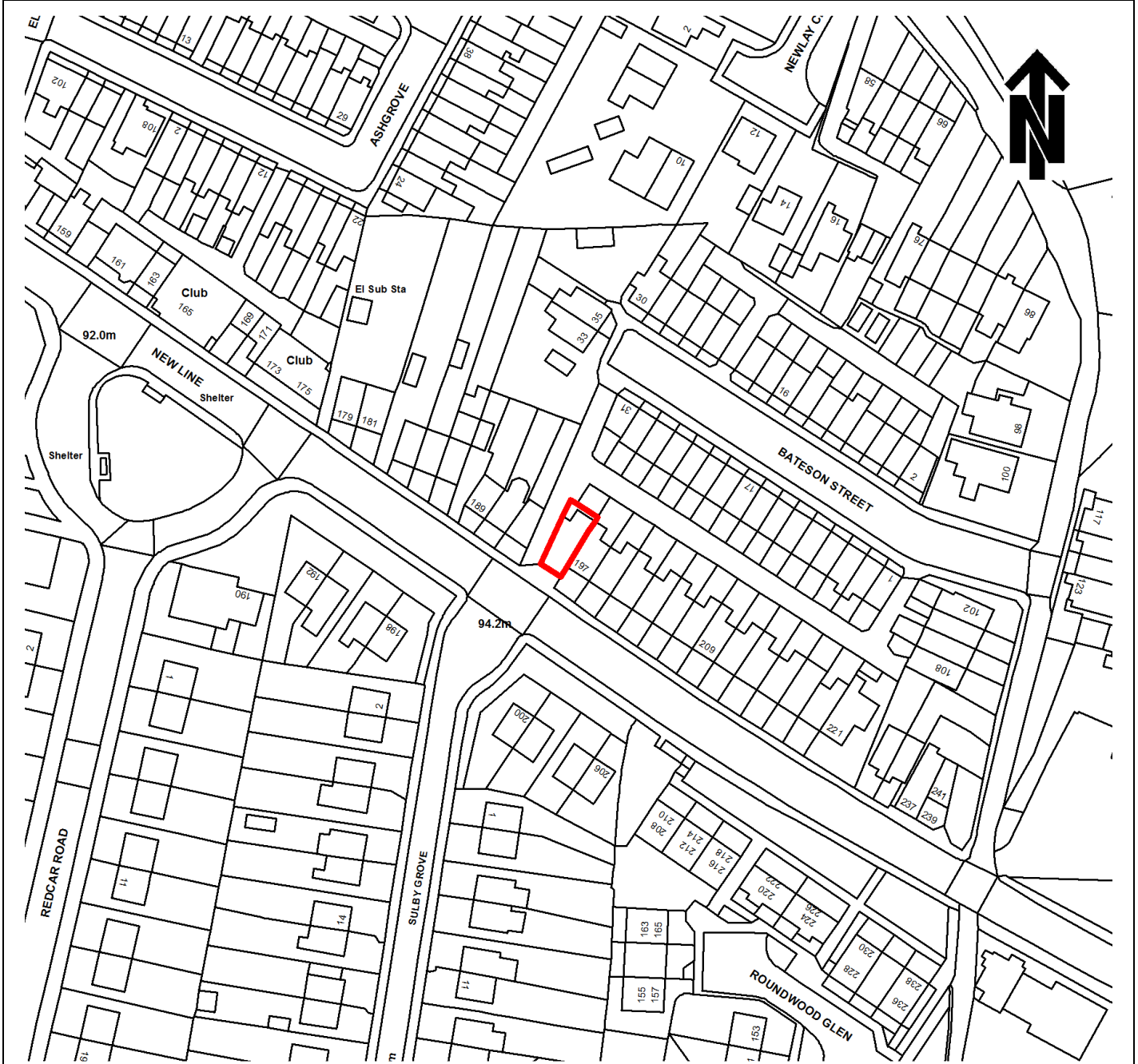
Circumstances:
In May 2017 the Council received an enquiry regarding the installation of an extractor flue at the property.

An inspection was made and it was noted that an extractor flue had been installed to the rear elevation of the property, for which the Council had no record of planning permission having been granted.

The owner/occupier of the property has been requested to rectify the breach of planning control, however no action has been taken.

On 9 January 2018 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised extractor flue is detrimental to visual amenity by virtue of its position, design and appearance, contrary to Policies DS1 and DS3 of the Council's adopted Core Strategy Development Plan Document and the policies contained in the National Planning Policy Framework.

16/00905/ENFAPP



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**195 New Line
Bradford
BD10 0BN**

21 February 2018

Item Number: G
Ward: IDLE AND THACKLEY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
16/00905/ENFAPP

Site Location:
195 New Line, Bradford, BD10 0BN

Breach of Planning Control:
Unauthorised condenser units.

Circumstances:
In September 2016 the Council received an enquiry regarding development works at the property.

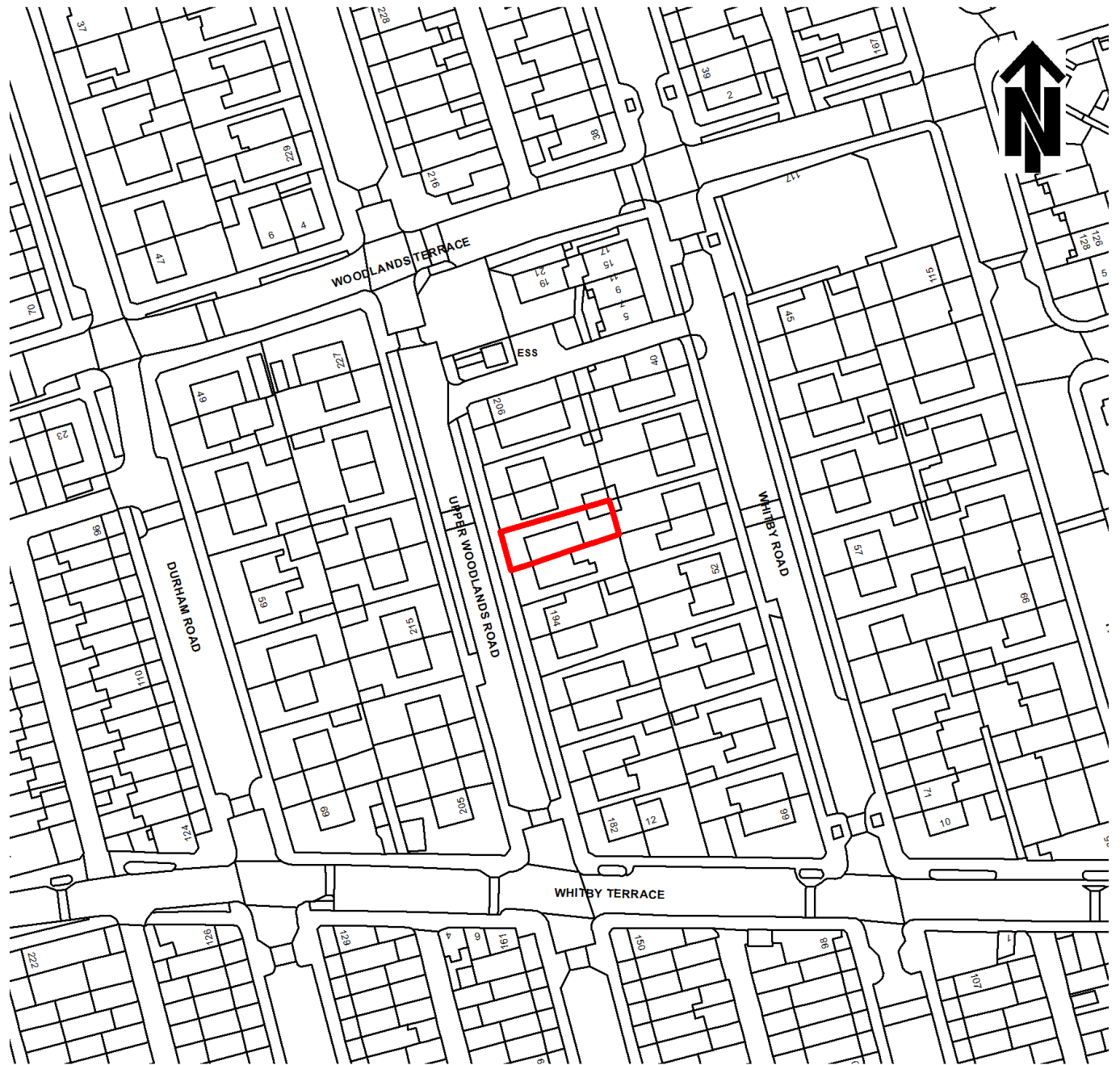
An inspection was made and it was noted that two condenser units had been installed to the side elevation of the property, for which the Council had no record of planning permission having been granted.

A retrospective planning application, reference 17/01266/FUL, was refused by the Council in May 2017. No appeal has been made against the Council's decision.

The owner/occupier of the property has been requested to rectify the breach of planning control, however no action has been taken.

On 22 January 2018 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised condenser units are detrimental to visual amenity by virtue of their position, design and appearance, contrary to Policies DS1 and DS3 of the Council's adopted Core Strategy Development Plan Document and the policies contained in the National Planning Policy Framework.

14/00569/ENFUNA



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**198 Upper Woodlands Road
Bradford
BD8 9JG**

21 February 2018

Item Number: H
Ward: TOLLER
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
14/00569/ENFUNA

Site Location:
198 Upper Woodlands Road, Bradford, BD8 9JG

Breach of Planning Control:
Unauthorised dormer windows.

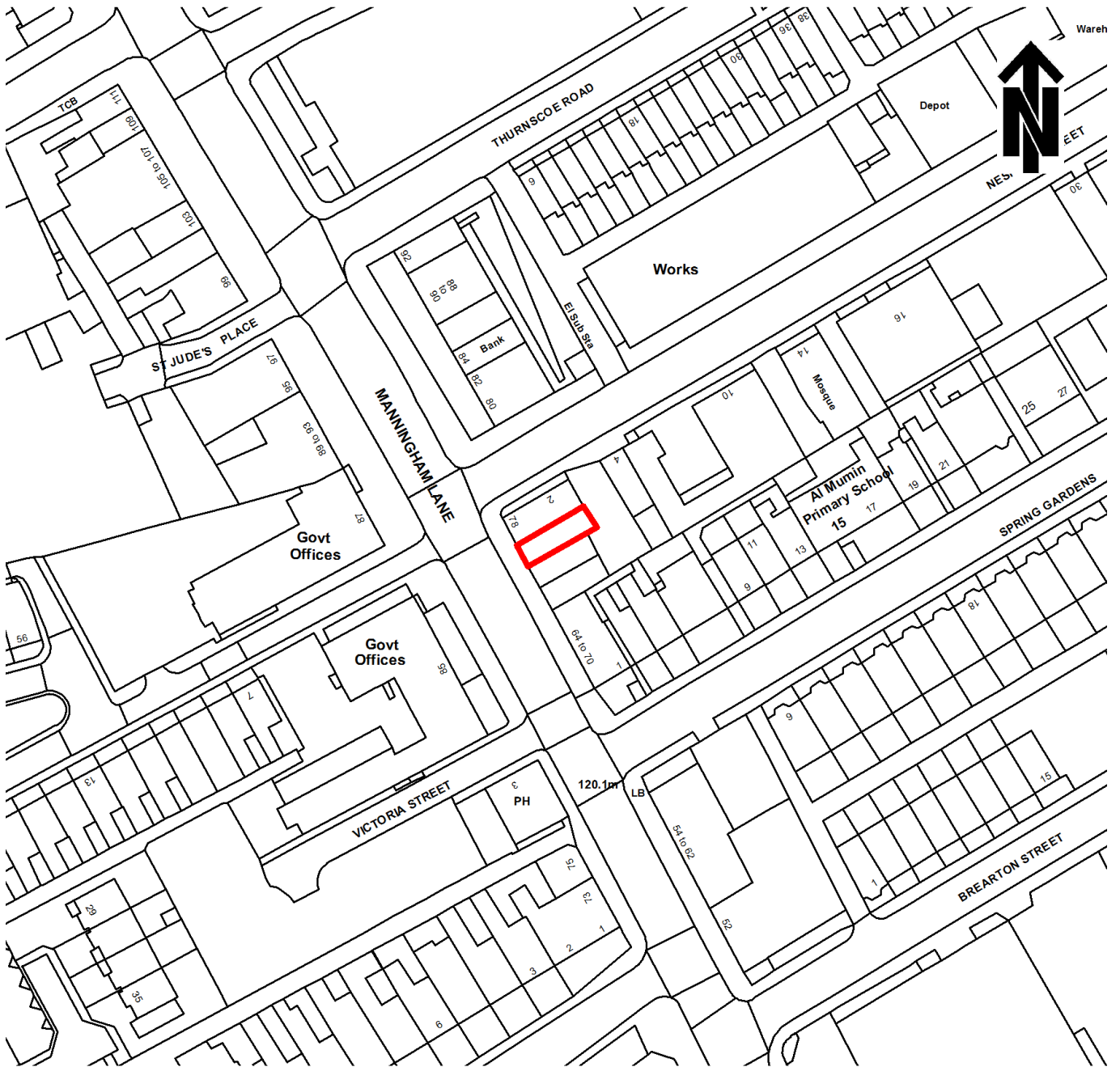
Circumstances:

Following an enquiry an inspection of the property was made in July 2015 and it was noted that front and rear dormer windows had been constructed at the property for which the Council had no record of planning permission having been granted.

The owner/occupier of the property has been requested to rectify the breach of planning control, however no action has been taken.

On 9 January 2018 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to take Enforcement (Legal) Action as the unauthorised dormer windows are detrimental to visual amenity by virtue of their design and appearance, contrary to Policies DS1 and DS3 of the Council's adopted Core Strategy Development Plan, the Council's adopted Householder Supplementary Planning Document and the policies contained in the National Planning Policy Framework.

17/00265/ENFUNA



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**76 Manningham Lane
Bradford
BD1 3EP**

21 February 2018

Item Number: I
Ward: MANNINGHAM
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
17/00265/ENFUNA

Site Location:
76 Manningham Lane, Bradford, BD1 3EP

Breach of Planning Control:
Unauthorised externally mounted roller shutter.

Circumstances:
In April 2017 it was noted that an externally mounted roller shutter had been installed to the front elevation of the property, for which the Council had no record of planning permission having been granted.

The owners of the property have been requested to rectify the breach of planning control, however no action has been taken

The unauthorised roller shutter remains in place and on 22 November 2017 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised roller shutter is detrimental to visual amenity by virtue of its design and appearance, contrary to Policies DS1, DS3 and SC9 of the Council's adopted adopted Core Strategy Development Plan Document, the Council's adopted Shopfront Design Guide, the Council's adopted A Shopkeepers Guide to Securing their Premises Supplementary Planning Document and the policies contained in the National Planning Policy Framework.

DECISIONS MADE BY THE SECRETARY OF STATE

Appeal Allowed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
J	Toller (ward 24)	97 Duchy Drive Bradford BD9 5LU Construction of front dormer window - Case No: 17/01990/HOU Appeal Ref: 17/00119/APPHOU

Appeal Dismissed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
K	Tong (ward 25)	11 Fieldhurst Court Bradford BD4 6DZ Appeal against Enforcement Notice - Case No: 15/00645/ENFUNA Appeal Ref: 17/00089/APPENF
L	Royds (ward 21)	139 St Helena Road Bradford BD6 1TB Appeal against Enforcement Notice - Case No: 17/00027/ENFCOU Appeal Ref: 17/00076/APPENF
M	City (ward 07)	Omar Food Store 54 St Margarets Road Bradford BD7 3AB Change of use of A1 retail shop to a mixed use as an A1 retail shop with the introduction of sales of takeaway roti and naan products baked on site - Case No: 17/00795/FUL Appeal Ref: 17/00121/APPFL2
N	Bradford Moor (ward 06)	Unit 1 900 Leeds Road Bradford BD3 8EZ Alterations for new vehicular access/egress from Leeds Road dedicated onto Diner 900 car park with 2400x43000 visibility splays - Case No: 17/02478/FUL Appeal Ref: 17/00106/APPFL2

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
O	Thornton And Allerton (ward 23)	8 Creskeld Way Bradford BD15 9BA Construction of ground floor extension and dormer window to front elevation - Case No: 17/03002/HOU Appeal Ref: 17/00118/APPHOU

Appeals Upheld

There are no Appeal Upheld Decisions to report this month

Appeals Upheld (Enforcements Only)

There are no Appeal Upheld Decisions to report this month

Appeals Withdrawn

There are no Appeal Withdrawn Decisions to report this month

Appeal Allowed in Part/Part Dismissed

There are no Appeal Allowed in Part/Part Dismissed Decisions to report this month

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