

## Minutes of a meeting of the Area Planning Panel (Bradford) held on Tuesday, 10 September 2019 at 10.00 am in the Banqueting Hall - City Hall, Bradford

Commenced 10.10 am  
Concluded 11.40 am

### Present – Councillors

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT
S Hussain Wainwright Amran	Sullivan Whitaker	R Ahmed

### Councillor Shabir Hussain in the Chair

Apologies: Councillor Watson

Observers: Councillor Choudhry 16(e), Councillor Kamran Hussain 16 (e and f) and  
Councillor Shaheen 16 (f)

### 12. DISCLOSURES OF INTEREST

Councillors Wainwright, Amran, Whitaker and Shabbir disclosed an interest in relation to 516 Thornton Road, Bradford (Minute 16 (f)) as they were on the Panel when the item was first considered in April 2019.

**Action: City Solicitor**

### 13. MINUTES

**Resolved-**

**That the minutes of the meeting held on 11 July 2019 be signed as a correct record.**

### 14. INSPECTION OF REPORTS AND BACKGROUND PAPERS

**Resolved-**

**That the minutes of the meeting held on 11 July 2019 be signed as a correct record.**

**15. PUBLIC QUESTION TIME**

There were no questions submitted by the public.

**16. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL**

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

**(a) 204 Moore Avenue, Bradford**

**Great Horton**

A householder planning application for the construction of two storey side extension with garage, and front and rear dormer windows at 204 Moore Avenue, Bradford - 19/02743/HOU.

The Strategic Director, Place gave a presentation setting out the proposals and reported that the application related to the left hand half of a two storey semi-detached house that faced towards Moore Avenue. The dwelling was set behind a 2m high hedge and had a driveway up the side of the house. Number 204 and its other half, 202, were on the corner of Moore Avenue and Poplar Road.

It was reported that the house was set in a good sized plot with garden to the front, rear and side. A garage formerly stood on the land to side of the house. Planning permission had previously been granted for a two storey side extension but this had not been constructed. The proposal was to erect a two storey side extension and install dormer windows to the front and rear roof slopes.

The applicant attended the meeting and spoke in support of his application.

It was reported that four representations had been received including one from a Ward Councillor. Summary of the representations included visual amenity, residential amenity, impact on highway safety and other matters.

Members were informed that the proposal was acceptable in principle and would have no significant adverse impact on nearby residents. The size and design of the proposed development complied with the relevant policies and guidance contained in Core Strategy Policies.

**Resolved –**

**That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Place’s technical report.**

***Action: Strategic Director, Place***

**(b) 246-250 Manningham Lane, Bradford**

**Manningham**

Change of use of upper floors from vacant offices to five flats (Class C3) and associated works at 246-250 Manningham Lane, Bradford. Initially the proposal was to create six flats however; amended plans were received on 6 August 2019 that reduced the number from six to five - 19/02633/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He informed Members that the application was before them due to the applicant being related to a serving Councillor. He added that whilst his report stated there were no off street parking spaces provided as part of the application, plans submitted by the applicant showed there were some off street parking spaces available, but as they were outside the red line boundary of the application site, they could not be conditioned as part of this application.

The applicant's agent was in attendance at the meeting and stated that the application was before the Panel in the interest of transparency only and had been recommended for approval.

**Resolved –**

**That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Place's technical report.**

***Action: Strategic Director, Place***

**(c) 5 Elmwood Place, Fagley Road, Bradford**

**Eccleshill**

Outline planning application for a residential development consisting of a detached dwelling with all matters reserved on land to the rear of 5 Elmwood Place, Fagley Road, Bradford - 19/02133/OUT.

The Strategic Director, Place gave a presentation setting out the proposals. He reported that 5 Elmwood Place was a stone built, end terrace property which had an extensive garden running north-east of the plot where it adjoined with Whitehead Grove a small residential cul de-sac. It was from Whitehead Grove that access to the site was proposed. The site itself was fairly level and was currently overgrown with vegetation. The site was not located in a conservation area and there were no protected trees on the plot.

It was reported that the site made effective use of this sustainably located site for housing purposes and appeared capable of achieving a safe and satisfactory means of access for one new dwelling. Subject to full details to be submitted in the reserved matters application, the proposal accorded with the objectives of the National Planning Policy Framework and relevant Policies in the Core Strategy Development Plan.

**Resolved –**

**That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Place's technical report.**

***Action: Strategic Director, Place***

**(d) 5 Grouse Moor Lane, Queensbury, Bradford Queensbury**

This was a householder application for a single storey rear extension at 5 Grouse Moor Lane, Queensbury, Bradford - 19/02628/HOU

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He informed Members that the application was before them due to the applicant being an employee of the Council's Planning Department. He provided a summary of the application and recommended it for approval.

**Resolved –**

**That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Place's technical report.**

***Action: Strategic Director, Place***

**(e) 2 Idle Road, Bradford Bolton & Undercliffe**

Change of use from store to bakery and shop (A1) and extension to front at 2 Idle Road, Bradford - 19/02671/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He informed Members that the site had no off street parking and his main concern was highway safety; residential properties in the vicinity relied wholly on off street parking; parking on the unmade Beldon Place would obstruct access to dwellings and may result in vehicles reversing onto Idle Road, close to a busy signalised junction, which would likely lead to highway safety issues. He also raised concerns about the lack of information in relation to the means of access, deliveries and ventilation or extraction. The application was then recommended for refusal.

A Ward Councillor spoke in support of the application and stated that:

- There was ample parking available for the proposal on Idle Road.
- The proposal would not have a negative impact on the area.
- Customers of the proposed bakery and shop would be from the local area.
- The proposed opening hours (8am-8pm) were reasonable and would not be harmful to the area.
- As a Ward Councillor, he knew the area well and recommended that the application be approved.

Another Councillor spoke in support of the application and stated that:

- He agreed with the points made by the Ward Councillor.
- No baking would take place on the site therefore the issue relating to ventilation or extraction was irrelevant.
- There would be three microwaves on site to warm food up.
- There were ample car parking spaces on Idle Road.
- He did not consider the proposal would lead to vehicles obstructing Beldon Place.
- Products would be delivered to the site through the front door the night before they were due to be sold.
- The concept of the store was a bakery but the applicant would not be making the products himself on the premises.

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

- The Panel could only consider the submitted plans within the application before them which were for a bakery and shop.
- If all produce was to be delivered to the site, his concerns regarding the unsuitability for car parking near the site would increase as he considered delivery vehicles were likely to park and block access on Beldon Place, if car parking was not available on Idle Road, and those vehicles would then likely reverse onto Idle Road.
- There were approximately four or five shops in the vicinity of the site on Idle Road.
- On balance, he would still not support the application on highway safety grounds if the 'bakery' element was removed from the change of use.
- The site was approximately 40 metres away from the junction on Otley Road.

The applicant was in attendance at the meeting and in response to questions from the Chair, confirmed that no baking would take place on the site; that all produce would be delivered to the store and if he ran out of produce he would not be arranging for additional deliveries to be made to the premises.

Members made the following comments:

- The site was an unsuitable location for the proposal.
- The reason for refusal relating to ventilation or extraction systems was considered not to apply as the applicant had confirmed that baking would not take place on the site.
- The proposal could lead to delivery vehicles reversing onto Idle Road and causing danger to public safety.
- The proposal was for a small shop and there were many like it across the Bradford district.
- The proposal was not considered detrimental to highways safety.

**Resolved –**

**That the application be approved for the following reason:**

**That the creation of a shop is not considered to generate additional traffic movements, parking and delivery requirements, which will exacerbate highway safety issues.**

**And that the application be subject to the following conditions:**

- (i) **The use of the premises shall be restricted to the hours from 08:00 to 20:00.**

**Reason: In the interests of the amenities of neighbouring residents and to accord with Policy DS5 of the Core Strategy Development Plan Document.**

- (ii) **The development hereby permitted shall be constructed using external facing and roofing materials to match the existing building as is specified on the submitted application.**

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

**Footnote: This permission relates only to those external alterations shown on the approved plans. Any other external changes including fume extraction, shutters and signage will require further planning and advertisement consent.**

***Action: Strategic Director, Place***

(f) **516 Thornton Road, Bradford**

**Toller**

Full application for installation of three rear extract flues to rear (Retrospective) at 516 Thornton Road, Bradford - 19/02979/FUL.

The Strategic Director, Place gave a presentation setting out the proposals and setting out the plans detailing the layout. He reported that the application site was located at the corner of Thornton Road and Girlington Road, backing onto Back Kensington Street. The building was a substantial stone built former public house, in use by "Bradford Catering" as a restaurant and takeaway.

He explained that the application was retrospective following an investigation by the planning enforcement team. Three large flues had been installed on the rear elevation of the building facing Back Kensington Street. Whilst it was accepted that adequate extraction facilities must be installed to ensure that smells and grease from cooking were properly dealt with, the impact of the development on the surrounding area must be considered.

This was a resubmission of a similar application which was withdrawn on 8 April

2019 following consideration by this panel. The scheme was substantially the same as previously, as this was a retrospective application however the applicant had submitted a revised design and access statement. This statement puts forward justification for retention of the flues in their current form as well as proposed changes to the colour.

It was reported that the additional information and proposed alterations to the colour scheme had been considered. However the flues were still considered to be an over dominant, unattractive and incongruous feature with an overly industrial appearance exacerbated by their number and prominent siting. The proposed colour scheme would do little to mitigate their impact. The justification put forward was not considered to be convincing or outweigh the harm.

As such the development was considered to be a harmful feature in the street scene and contrary to Core Strategy policies DS1 and DS3.

Members were informed that additional information had been received from the applicant yesterday via an email from the Ward Councillor in the form of two letters, one from M&M Metal Fabrications and one from Fastduct Cleaning services which both stated that covering the ducts would be a fire hazard and impossible for the duct cleaning to be undertaken.

The Planning Officer reported that there were devices that could be placed internally to reduce fire risk, smaller businesses had been installing them in Bradford.

Members expressed concern as to why the applicant had not contacted the Planning Office earlier to discuss the matter with them to obtain further advice.

Ward Councillors and an Agent spoke in support of the application, it was stated that the applicant was not aware that the flues were going to be installed externally and that it was difficult for the applicant to afford to move the flues now; the report made reference to covering the flues but the companies that had been consulted had stated that it would be against health and safety; other business in the ward had similar flues which had been approved; no objections had been received from local residents.

The Planning Officer reported that similar applications had been refused for the same reasons and the applicants then installed the flues inside.

In response to a Members question it was reported that the application was withdrawn in April 2019 so that the applicant could discuss the options suggested by the Planning Officers and consider the best way forward. The applicant had not been in contact with the Planning Office or provided any additional information until yesterday.

The Ward Councillors stated that the application was withdrawn by the applicant

to see if outstanding issues could be rectified; the applicant had approached two companies who confirmed encasing the flues would result in a fire hazard; the architect had been involved and had been emailing officers in planning; other similar businesses had been granted permission; the only issue was how it looked outside, there was no danger or a hazard to anyone.

It was reported that both the Environmental Health and Building Control disagreed with the advice given by the two companies approached by the applicant.

The Planning Officer emphasised that there had been no contact from the applicant and the architect.

The Chair stressed to the applicants that they should have made contact with the Planning Officers on the way forward instead of submitting additional information a day before the Panel met.

It was stressed by the Chair that no complaints had been received from local residents and wished the applicants had considered joining the flues together such as the ones installed at other businesses and felt it was important to support local businesses.

Members stated that local businesses should be supported but they needed to work with officers to resolve issues.

**Resolved –**

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

***Action: Strategic Director, Place***

## **17. MISCELLANEOUS ITEMS**

The Strategic Director, Place presented **Document "F"** and the Panel noted the following.

### **REQUESTS FOR ENFORCEMENT/PROSECUTION ACTION**

**(a) 41 - 43 Stony Lane, Bradford Eccleshill**

White cladding material installed to the front elevation of the property, for which planning permission had not been granted - 16/00257/ENFUNA

The Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice on 22 July 2019.

**(b) 45 Stony Lane, Bradford Eccleshill**

Unauthorised raised timber decking, canopy structure, outbuilding and gates - 18/00721/ENFUNA

The Planning Manager (Enforcement & Trees) authorised the issue of an

Enforcement Notice on 31 July 2019.

**Resolved –**

**That the decisions be noted.**

**Action:        *Strategic Director, Place***

Chair

**Note: These minutes are subject to approval as a correct record at the next meeting of the Area Planning Panel (Bradford).**

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