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City of BRADFORD METROPOLITAN DISTRICT COUNCIL

Agenda for a meeting of the Area Planning Panel (Bradford) to be held on Tuesday, 18 February 2020 at 10.00 am in the Banqueting Hall - City Hall, Bradford

Members of the Committee – Councillors

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT AND INDEPENDENT GROUP
S Hussain Wainwright Amran Watson	Sullivan Whitaker	R Ahmed

Alternates:

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT AND INDEPENDENT GROUP
Azam Duffy Arshad Hussain Lal	Ellis Pollard	Reid

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 the Banqueting Hall 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:

Parveen Akhtar
City Solicitor
Agenda Contact: Tracey Sugden
Phone: 01274 434287
E-Mail: tracey.sugden@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. MINUTES

Recommended –

That the minutes of the meeting held on 19 December 2019 be signed as a correct record.

(Tracey Sugden – 01274 434287)

4. 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.

(Tracey Sugden - 01274 434287)

5. 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 Friday 14 February 2020.

(Tracey Sugden - 01274 432457)

B. BUSINESS ITEMS

6. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL 1 - 36

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

The sites concerned are:

(a) 2 Frensham Drive, Bradford (Approve) **Great Horton**
(b) Land East of 43 Brunswick Road, Bradford (Approve) **Idle and Thackley**
(c) Land South of Boothroyd Road, Bradford (Approve) **Idle and Thackley**
(d) 144 Poplar Grove, Bradford (Refuse) **Great Horton**

(Mohammed Yousuf – 01274 434605)

7. MISCELLANEOUS ITEMS 37 - 72

The Panel is asked to consider other matters which are set out in **Document "L"** relating to miscellaneous items:

(a)-(o) Requests for Enforcement/Prosecution Action
(p)-(t) Decisions made by the Secretary of State – Allowed
(u)-(ae) 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

City of BRADFORD METROPOLITAN DISTRICT COUNCIL

Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 18 February 2020

K

Summary Statement - Part One

Applications recommended for Approval or Refusal

The sites concerned are:

Item	Site	Ward
1.	2 Frensham Drive Bradford BD7 4AR - 19/05198/HOU [Approve]	**Great Horton**
2.	Land East Of 43 Brunswick Road Bradford BD10 9BD - 19/04986/FUL [Approve]	**Idle And Thackley**
3.	Land South Of Booth Royd Bradford - 19/03936/FUL [Approve]	**Idle And Thackley**
4.	144 Poplar Grove Bradford BD7 4JT - 19/04251/FUL [Refuse]	**Great Horton**

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

Report Contact: Mohammed Yousuf
Phone: 01274 434605

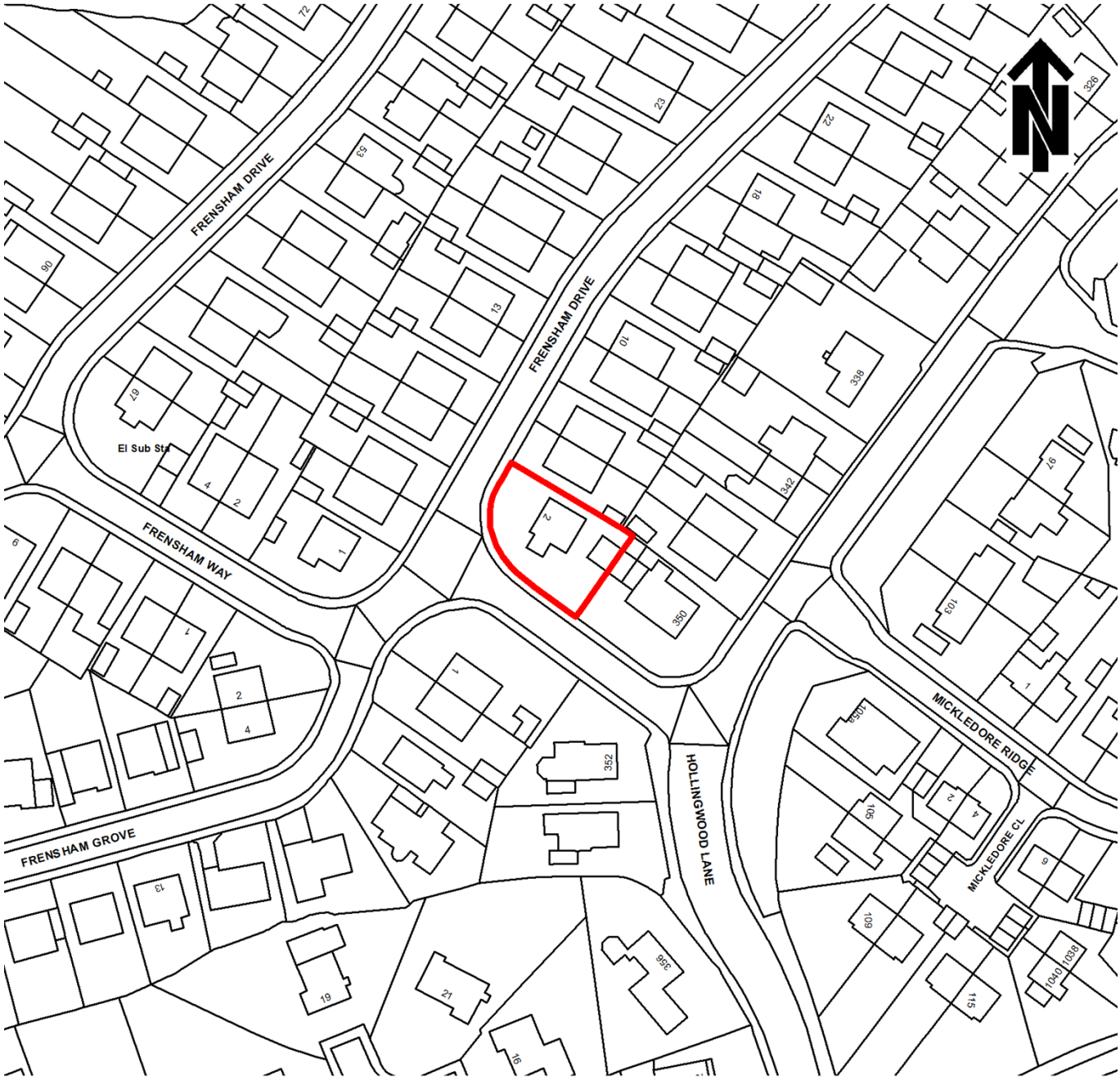
Email: mohammed.yousuf@bradford.gov.uk

Portfolio:
Regeneration, Planning & Transport

Overview & Scrutiny Committee Area:
Regeneration and Environment

19/05198/HOU

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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2 Frensham Drive
Bradford
BD7 4AR

18 February 2020

Item: **A**
Ward: **GREAT HORTON**
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
19/05198/HOU

Type of Application/Proposal and Address:
This is a householder application requesting permission for a side extension, an increase to the roof ridge height, the addition of front and rear dormer windows, inclusion of a porch and balcony at 2 Frensham Drive.

Applicant:
Cllr N Azam

Agent:
Paul Manogue

Site Description:
2 Frensham Drive is a bungalow located on a corner plot close to the entrance of the road. The buildings in the surrounding area are largely semi-detached, of single storey and constructed in brick. This has its own individual style, faced in stone and detached.

Relevant Site History:
05/02298/FUL - Construction of conservatory to side of dwelling – Granted.

The National Planning Policy Framework (NPPF):
The NPPF is a material planning consideration on any development proposal. The NPPF 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 NPPF suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Local Plan for Bradford:
The Core Strategy for Bradford 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 in the RUDP.

Core Strategy Policies
DS1 – Achieving Good Design
DS3 – Urban Character
DS5 – Safe and Inclusive Places

Other Policies
Householder Supplementary Planning Document

Parish Council:
Not in a Parish.

Publicity and Number of Representations:
The application was advertised by individual neighbour notification letters.

Summary of Representations Received:
No representations have been received.

Consultations:
No consultations sought.

Summary of Main Issues:
1. Background and principle of development.
2. Impact on visual amenity.
3. Impact on residential amenity.
4. Highway safety.

Appraisal:
1. Background and Principle of Development
The proposal is for an extension and other alteration that take place within the curtilage of an existing dwelling-house that is neither a listed building nor within a conservation area and so is not statutorily protected from such works. The principle of development is therefore acceptable.

2. Impact on Visual Amenity
The proposal looks to add a side extension to the existing property with a porch to the front, making changes to the roof with an increase in the ridge height and addition of front and rear dormer windows with a balcony area.

Dealt with separately, the extension proposed is under two thirds the size of the original property and its integrated design is not considered to raise any concerns. It replaces an existing conservatory, of which the loss is not considered to be contentious. The porch addition although tall, is of a limited size covering a floor area below 2 sq metres. Centrally located, this addition is considered to be of a proportionate size to the main building and introduces an interesting design feature to the principle elevation.

The changes to the roof with an approximate 1.5 metre increase in ridge height will be noticeable and will alter the existing roof pitch. Visually the changes to the roof, still appear proportionate to the main house and are not considered to be adverse as the drop in levels towards number 4 would result in a similar relationship to other properties within this street. Dormer windows are seen in the street scene, and the proposed additions at 2.6 metres in width and set sufficiently into the roof, retain an appropriate distance to the roof edges and between each other which is not considered to raise any significant issues.

The changes to the window layout regularise the view of the principle elevation with other openings having a fenestration that relates sufficiently to the character of the existing property and the wider area. The addition of render is similar to that of the property located directly behind at 350 and other properties within the street. Retaining sufficient relationship with the host building, this proposed stone colour render will not appear incongruous.

The overall design is considered to be visually acceptable and relates sufficiently to the character of the host dwelling and do not pose harm to the wider street scene. The proposal follows guidance given in the Council's Householder Supplementary Planning Document and is considered to accord Policies DS1 and DS3 of the Core Strategy Development Plan Document.

3. Residential Amenity

The additions build into the existing roof space and add an extension to the side elevation on the south west of the site. Considering the size and position of the additions the proposal is not considered to be overbearing or raise any significant negative issues with light. The removal of a window on the elevation closest to the neighbour at number 4 reduces the amount of overlooking to neighbours and new openings retain both 7 metres to the rear boundary and 17 metres between habitable room windows.

The balcony proposed on the rear will result in some overlooking towards number 350 however, considering a group of outbuildings directly to the rear of the site, views will be interrupted and the distance to these neighbour's most useable outdoor space will be greater than the 7 metres as advised in the Council's Householder Supplementary Planning Document. The balcony will not overlook habitable room windows and screening at 1.7 metres to the north side of the balcony will prevent overlooking towards number 4 which should be conditioned to remain in the interests of residential amenity.

The proposal is considered to have an acceptable impact on residential amenity and retains sufficient outdoor space for the occupiers of the host property to undertake basic domestic task. The proposal is considered to follow design guidance given in the Householder Supplementary Planning Document and accords with Policy DS5 of the Core Strategy Development Planning Document.

4. Highway Safety
The proposal does not make changes to the proposed access and parking areas and is not considered to raise any highway safety concerns.

Community Safety Implications:
The proposal has no 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 proposed development is not considered to result in significant harm to visual amenity, residential amenity or highway safety. It is considered to accord with the design guidance in the Council's Householder Supplementary Planning Document and Policy's DS1, DS3 and DS5 of the Core Strategy Development Plan Document.

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. The development hereby approved shall only be carried out in accordance with the approved plans listed below:-

   Site and Location Plan received on 17 December 2019
   Existing and Proposed Plans and Elevations received on 30 January 2020

   Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted.

3. The 1.7 metre screen to the proposed balcony as shown on approved drawing 19-146-01B shall be constructed prior to the first use of the balcony and shall thereafter be retained.

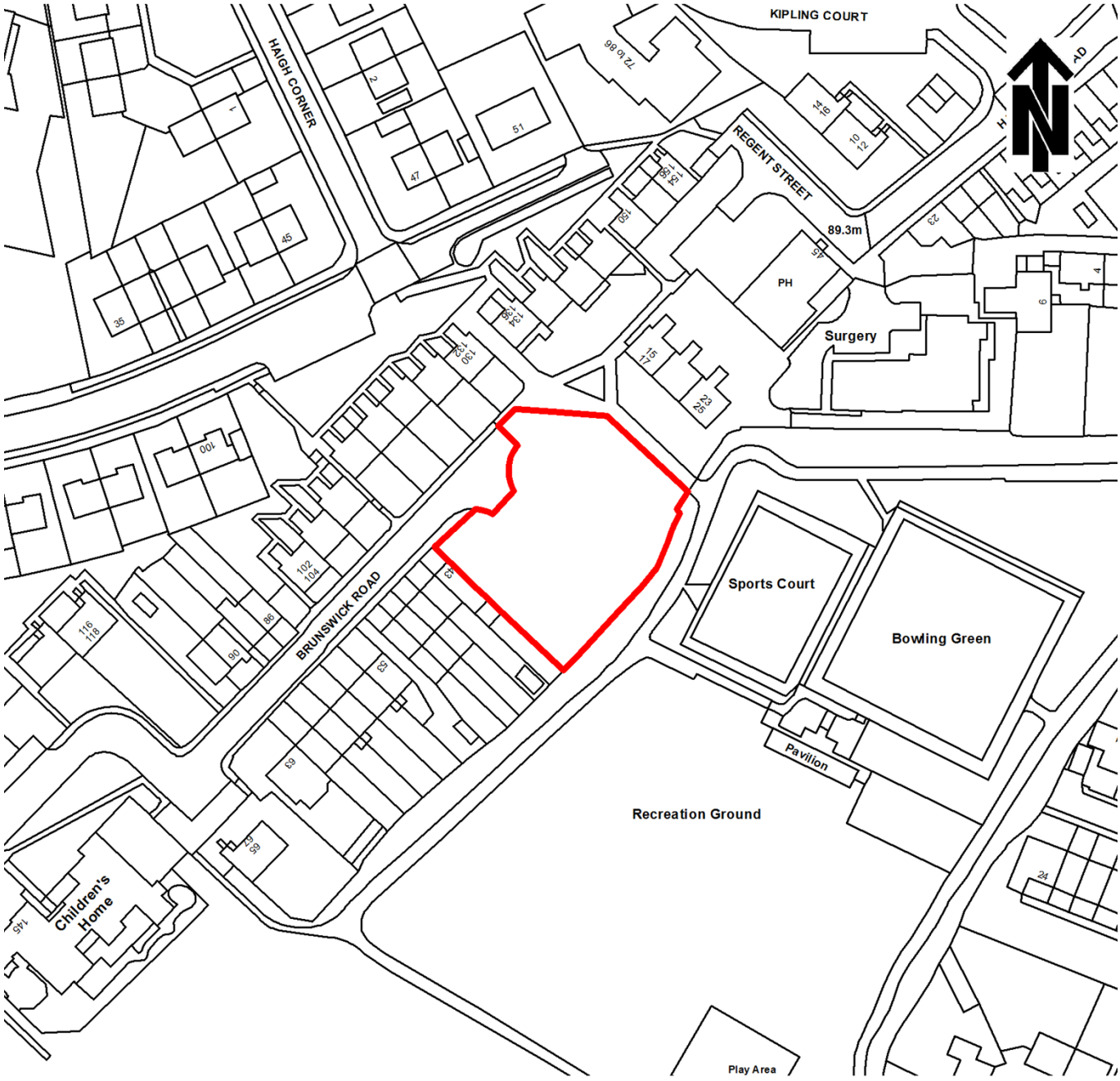
   Reason: In order to prevent significant harm to the amenities of adjacent residential properties and to accord with Policy DS5 of the Core Strategy Development Plan Document.

4. The development hereby permitted shall be constructed using external facing and roofing materials as specified on the hereby approved drawing number 19-146-01B.

   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.

19/04986/FUL

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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Land East Of
43 Brunswick Road
Bradford
BD10 9BD

18 February 2020

Item: **B**
Ward: **IDLE AND THACKLEY**
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
19/04986/FUL

Type of Application/Proposal and Address:
This is a full planning application to change the use of a development on land east of 43 Brunswick Road, Bradford from the previously approved 10 C3 residential apartments to form a C2 residential institution (five apartments and 1 six bed house) and the installation of roof lights to the rear elevation.

Applicant:
Mr Abdul Khan Ghafoor

Agent:
Mr Michael Chow, Jade3 Architecture

Site Description:
This is an area of land at the end of Brunswick Road on which the previously approved residential development is now under construction. Prior to construction works beginning the site was open land with no vehicular access. Vehicular access is now available from Brunswick Road. The surrounding area is mainly residential with older terraced properties and more modern brick built sheltered housing making up the wider street scene. The Greengates Recreation Ground is to the east and a public footpath running along the northern boundary of the site which links OId Park Road to the recreation ground. The surrounding land slopes to the north.

Relevant Site History:
17/05824/MAF - Construction of residential development to form 8 flats and 2 studio flats including parking – Granted 27.07.2018.

16/08570/FUL - Construction of residential development to form 8 flats and 2 studios including parking – Refused 17.03.2017.

15/01698/FUL - Ten residential units consisting of eight 2 bedroom apartments with dedicated parking and two 1 bedroom apartments with dormer windows to front and rear – Refused 05.11.2015.

14/00110/MAF - Twelve residential units consisting of 8 two bedroom apartments and 4 one bedroom apartments with dedicated parking and communal garden space- Withdrawn 13.05.2014.

11/00402/FUL - Construction of three residential dwellings – Granted 26.04.2011.

The National Planning Policy Framework (NPPF):
The NPPF is a material planning consideration on any development proposal. The NPPF 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 NPPF 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 (DPD) 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. 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
TR2 Parking Policy

Parish Council:
The site is not in a Parish.

Publicity and Number of Representations:
The application was advertised with a site notice and neighbour notification letters. The publicity period expired on 7 January 2020. Eighteen objections have been received to date.

Summary of Representations Received:

- The site agent has claimed that the proposed planning permission has already been acquired.
- The building under construction already blocks light to and overlooks neighbouring properties.
- Residents were of the view that the buildings would face onto Brunswick Road.
- The proposed development will mean that emergency services cannot gain access to properties immediately to the rear of the site. There are numerous elderly people in the surrounding sheltered accommodation.
- There is an existing purpose built home at the top of the road. Why couldn't this be utilised instead of building a new one.
- Proposal will exacerbate existing parking issues.
- The builders do not follow health and safety regulations.
- Trees accommodating bats have been removed.
- Questions in regards to the nature of the care facility that is proposed and whether there is any danger for local people.
- The building should be used for elderly people.
- Building work has already started.
- The views and rights of local residents have not been taken into account in approving previous applications.
- The builders have taken over the turning head in the street with no action from highways enforcement.
- The value of neighbouring properties will depreciate.
- The road has been damaged by wagons travelling over it.

Consultations:

Highways Development Control – Following receipt of revised drawings no objections are received subject to conditions relating to the provision of vehicular access, car parking and off-street highways works i.e the provision of a footway on Brunswick Road.

West Yorkshire Police – No objections but provide advice on security measures to be incorporated into the development.

Environmental Health (Air Quality) – Site is in a residential area with no current concerns in regards to air quality.

Environmental Health (Nuisance) – No objections but provide general advice on construction methods.

Summary of Main Issues:

1. Background.
2. Principle of the Development.
3. Highways Implications.
4. Residential Amenity.
5. Visual Amenity.
6. Other Issues Raised in Representations.

Appraisal:

1. Background

This is the latest in a series of planning applications on this site. Planning permission has been granted in 2011 for three residential units which following a series of applications was altered in a 2018 approval to provide 10 flats within the development. Construction works have started on this latest approval.

The current application seeks to change the use of the building from the authorised C3 residential use to a C2 residential institution. The internal layout of the proposal has been updated so that one block will remain as approved with 5 apartments and will accommodated residents whose requirements are less demanding. Residents of these units would receive training to help them become more independent. The second block is to be converted to a 6 bed house with staff facilities and a communal shared kitchen. This block will accommodate residents that have learning disabilities and with low level mental health issues.

It is expected that residents would be between 16 and 25 years of age with mild to moderate learning difficulties and who may have some physical disabilities. It is not anticipated that residents would have any severe behavioural issues. Support staff do not stay or sleep on the premises but 1-2 staff members will cover the night shift. Visits from family and friends would be by appointment only.

Externally save for the insertion of roof lights the buildings remain the same. It is in this context that this planning application is to be considered.

2. Principle of the Development

The site is unallocated on the RUDP and given the previous approvals for residential use the proposed C2 use is also considered to be acceptable in principle subject to the local impact of the development.

3. Highways Implications

It is acknowledged that Brunswick Road is narrow and already experiences a high demand for on-street parking from local people. However, the proposed development provides sufficient car parking spaces within the site, in line with parking standards set out in the Council's Core Strategy, to cater for all users of this site. The application also proposes to continue the existing footpath on Brunswick Road into the site. Subject to conditions the proposal is therefore not considered to be harmful to highway safety.

4. Residential Amenity

The application does not propose to increase the external dimensions of the proposed building beyond those already approved. Externally the only changes are the incorporation of roof lights within the roof slope. Consequently, the proposal is not considered to result in any greater overlooking, overshadowing or loss of outlook to the neighbouring properties than that already approved. Previous applications have demonstrated that buildings of this scale can be accommodated on this site without causing harm to neighbour's amenities.

The main change with this application is the change in the use from a normal C3 residential dwelling to a C2 residential institution within which people with mental and physical disabilities will receive care. These uses are generally relatively low key uses and are uses which can operate within residential areas without affecting the amenities of neighbouring residents. Given that the proposal provides sufficient off-street parking to cater for its staff, users and visitors the proposal is unlikely to result in any significant harm to neighbour's amenities which would warrant a refusal of planning permission.

5. Visual Amenity

Externally the proposed buildings are the same as previously approved and so do not raise any additional visual amenity issues. The position of the proposed building and the associated car parking is identical to that previously approved and so no additional harm to the protected trees is anticipated. Subject to conditions the proposal is not considered to be harmful to visual amenity.

6. Other Issues Raised in Representations

- The site agent has claimed that the proposed planning permission has already been acquired.

  Response – Planning permission has not been acquired for the C2 use proposed in this application.

- The building under construction already blocks light to and overlooks neighbouring properties.
  Response – The building proposed in this application is identical to that previously approved and so no additional harm to amenity is likely to occur.

- Residents were of the view that the buildings would face onto Brunswick Road.

  Response – Previous applications have proposed buildings in the orientation shown here. Facing buildings onto Brunswick Road would have significant implications for the protected trees on the site.

- The proposed development will mean that emergency services cannot gain access to properties immediately to the rear of the site. There are numerous elderly people in the surrounding sheltered accommodation.

  Response – The highways officers have not raised any objections to the scheme in this regard.

- There is an existing vacant purpose built home at the top of the road. Why couldn't this be utilised instead of building a new one.

  Response – The planning authority is required to consider the all planning applications and have no influence over the vacancy of similar facilities nearby. The proximity of the site to a similar vacant facility nearby is not a factor on which this planning application can be refused. This is especially the case where the proposal does not present any significant planning implications which would warrant a refusal of planning permission.

- The builders do not follow health and safety regulations.

  Response – This is not a material planning consideration on which planning permission can be refused.

- Trees accommodating bats have been removed.

  Response – A number of trees were authorised for removal as part of the previous planning permission. Bats are protected species and works that affect their wellbeing or their habitats are offences. Any approval of the application should include a footnote advising of the protected status of bats.

- Questions in regards to the nature of the care facility that is proposed and whether there is any danger for local people.
- The building should be used for elderly people.

  Response – The application includes a document which sets out the nature of the proposed use and this has been made public since the early stages of this planning application. More details of the nature of the proposed use are described in the 'background' section above. The planning authority is required to consider applications submitted to it and is not in a position to dictate the type of people who would use the facility.

- Building work has already started.

  Response – Planning permission has previously been granted for residential development and it is understood that the building works have commenced in accordance with that approval.

- The views and rights of local residents have not been taken into account in approving previous applications.

  Response – All applications on this site have been publicised and determined in accordance with local and national planning policy.

- The builders have taken over the turning head in the street with no action from highways enforcement.
- The road has been damaged by wagons travelling over it.

  Response – These are not issues on which planning permission can be refused. The Highways authority or the Police may have authority to address these issues.

- The value of neighbouring properties will depreciate.

  Response – The effect of development on property values is not a material planning consideration.

Community Safety Implications:
The proposed development 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.

Reason for Granting Planning Permission:
In light of the previous approvals on this site the proposed C2 use is considered to be compatible with this predominantly residential area without affecting the amenities of neighbouring properties, highway safety or visual amenity. The proposal would have no greater impact on protected trees than that previously granted planning permission. As a consequence, the proposed development is considered to comply with policies SC9, DS1, DS3, DS4, DS5, TR2 and EN5 of 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. The development hereby approved shall only be carried out in accordance with the approved plans listed below:-

   Existing Floor Plans referenced 02 received 2 December 2019
   Existing Elevations referenced 04 received 2 December 2019
   Proposed Elevations referenced 09 received 2 December 2019
   Proposed Site Plan referenced 100 B received 28 January 2020
   Existing Floor Plans referenced 102 received 2 December 2019
   Existing Floor Plans referenced 103 received 2 December 2019
   Existing Floor Plans referenced 105 received 2 December 2019
   Proposed Floor Plans referenced 106 received 2 December 2019
   Proposed Floor Plans referenced 107 received 2 December 2019
   Proposed Elevations referenced 108 received 2 December 2019
   Proposed Elevations referenced 110 received 2 December 2019
   Proposed Elevations referenced 111 received 2 December 2019

   Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted.

3. The proposed development shall be constructed in Marshalls Cromwell pitched face weathered stone and SVK Montana roof slates as approved in application referenced 17/05824/SUB03.

   Reason: In the interests of visual amenity and to comply with Policies DS1 and DS3 of the Core Strategy Development Plan Document.

4. Prior to first use of the development hereby permitted, at least one of the proposed car parking spaces shall be provided with access to at least one fully operation 3 pin socket on a dedicated 16 Amp circuit, capable of providing a 'trickle' charge to an Electric Vehicle (EV). The Charging point should be provided via outdoor, weatherproof sockets within easy access of the parking areas. The EV charging points shall be clearly marked with their purpose and shall be retained thereafter.

   Reason: To facilitate the uptake and use of low emission vehicles by future occupants and reduce the emission impact of traffic arising from the development in line with Policy EN8 of the Core Strategy Development Plan Document, the West Yorkshire Low Emission Strategy and the National Planning Policy Framework.

5. Before any part of the development hereby permitted is brought into use, the off-street car parking facility 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.

   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.

6. The tree protection measures approved as part of application referenced 17/05824/SUB03 and shown on the approved plan shall remain in place, shall not be moved, removed or altered for the duration of the development without the written consent of the Local Planning Authority. There shall also be no excavations, engineering or landscaping work, service runs, or installations, and no materials will be stored within any construction exclusion zones or tree protection areas without the written consent of the Local Planning Authority.

   Reason: To ensure that trees are adequately protected prior to development activity on the site which would otherwise unacceptably harm trees to the detriment of public visual amenity and to accord with EN5 of the Core Strategy.

7. Notwithstanding any details shown on the approved plans, full details of the proposed bin storage enclosure shall be submitted to and approved in writing by the Local Planning Authority. The enclosure shall then be provided in accordance with the approved details prior to the first occupation of the dwellings hereby permitted and retained thereafter.

   Reason: In the interest of visual amenity and highway safety and to comply with policies DS3 and DS5 of the Core Strategy Development Plan Document.

8. Before first occupation of the development hereby approved the boundary treatments detailed on the approved plans shall be provided in full and retained thereafter.

   Reason: In the interest of visual amenity and to secure the rear of the approved development in line with the requirements of policies DS1, DS3 and DS5 of the Core Strategy Development Plan Document.

9. 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 plans and completed to a constructional specification approved in writing by the Local Planning Authority.

   Reason: To ensure that a suitable form of access is made available to serve the development 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.

10. Before the new residential institution is brought into use off-site highway improvements hereby approved, which includes:

   - Conversion of verge to footway on Brunswick Road, along the site frontage and which are shown indicatively on drawing referenced 100-B shall be implemented on site in accordance with a specification to be submitted to and approved in writing by the Local Planning Authority.

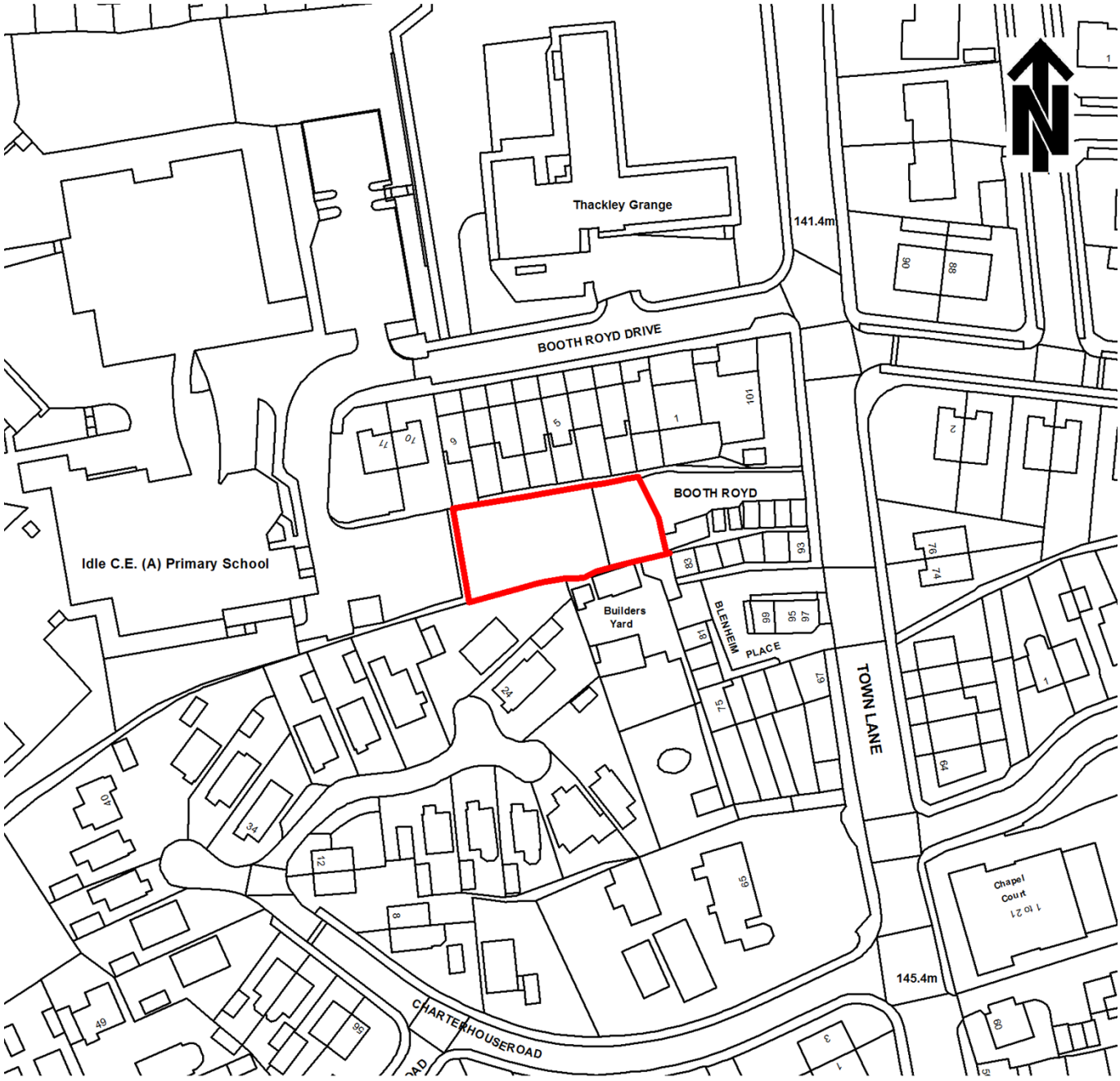
   Reason: In the interests of pedestrian and highway safety and to accord with Policy DS4 of the Core Strategy Development Plan Document.

Informative: All species of bat and their roosts are protected under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2010. The applicant and contractors should be aware that all bats and any structures used by them are protected by law, and that works likely to disturb bats or their resting places (even if undertaken at a time of year when the bats are absent) require a licence from Natural England. Should a bat be encountered during development, work should cease immediately and advice should be sought from Natural England (tel Batline 0345 1300 228). Bats should preferably not be handled (and not without gloves) but should be left in place, gently covered, until advice is obtained. Particular care and vigilance should be taken when roof tiles or slates are removed (remove by hand and check underside for bats before stacking, particularly the ones over the gable ends and ridge tiles.) Fascias, barge boards and external cladding may also provide roost opportunities for bats and should be disturbed with care. As a further precaution, undertaking roof work during the months of March to May, or September to November will avoid the main hibernation and breeding seasons when bats are most sensitive to disturbance.

Informative: The area to the north end of Brunswick Road proposed for use as two parking spaces and vegetation is recorded as highway and a stopping up order would need to be applied for under Section 247 of the Town and Country Planning Act 1990 in order to extinguish this highway. Please contact the Highways Department on 01274 431000 to discuss further.

19/03936/FUL

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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Land South Of Booth Royd Bradford

18 February 2020

Item: C
Ward: IDLE AND THACKLEY
Recommendation:
TO GRANT PLANNING PERMISSION
APPLICATION WITH THREE PETITIONS

Application Number:
19/03936/FUL

Type of Application/Proposal and Address:
Full planning application for the construction of a new detached dwelling with covered parking and turning area on land to the south of Booth Royd Drive, Bradford.

Applicant:
Ms M Cochrane

Agent:
Mr John Cotterill

Site Description:
The application site is a rectangular shaped piece of open space which is to the south of the residential properties of Booth Royd. There are several good quality trees standing along the southern and western boundary of the site. To the south of the application site are two trees protected under tree preservation order TPO 0850. To the south of the site is the boundary of Idle and The Green Conservation Area. There is one listed building, 1 Booth Royd (Grade II), located within the immediate vicinity of the site. This is situated a short distance to the northeast of the application site and there are some visual linkages between the two. Set at a greater distance away are Blenheim Place, 71-77 Town Lane (Grade II). The surrounding area is constructed from natural stone and slate roof and the nearest properties to the application site is a terraced row of two storey dwellings. The surrounding area consists of a mix of terraced and detached properties. Vehicular access is from Booth Royd to the east which connects with Town Lane.

Relevant Site History:
02/00440/OUT - Proposal: Construction of two residential dwellings – Withdrawn 25 April 2002.

02/04318/OUT - Proposal: Construction of two new houses - Withdrawn 23 October 2003.

03/01838/OUT - Demolish existing block of eight garages and construction of four one and two bedroom flats with four integral parking spaces - Refused 22 September 2003 and subsequent appeal (APP/W4705/A/03/113189) was dismissed.

17/02962/HOU - Proposal: Installation boundary walling and gates – Granted 7 July 2017.

17/00792/LBC - Proposal: Install boundary walling and gates, various internal alterations – Granted 7 July 2017.

The National Planning Policy Framework (NPPF):
The NPPF is a material planning consideration on any development proposal. The NPPF 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 NPPF 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
SC5 Location of Development
SC9 Making of great places
EN2 Biodiversity and Geodiversity
EN3 Historic Environment
EN5 Trees and Woodland
DS1 Achieving Good Design
DS3 Urban Character
DS4 Streets and Movement
DS5 Safe and Inclusive Places
HO5 Density of Housing Schemes
HO6 Maximising the use of previously developed land
HO8 Housing mix
HO9 Housing Quality
P1 Presumption in favour of sustainable development
TR2 Parking Policy

Parish Council:
Not in a Parish.

Publicity and Number of Representations:
All immediate neighbours were informed by letter and a site notice was displayed in the vicinity of the site. The publicity period expired on 21 October 2019. A total of 14 objections and 5 supporting comments have been received. Three separate petitions objecting the proposal have also been received. The petition received on 3 October 2019 has 40 signatures, the one received on 7 October 2019 has 181 signatures and the final petition received on 8 October 2019 has 21 signatures.

Summary of Representations Received:
Objection comments are as follows:

Visual Amenity and character and form of the area
- Overdevelopment of the site.
- The house will not fit in with the style of building of existing terrace, due to size and location.
- Will harm the conservation area and terraced row of grade II listed buildings.
- The scheme does not show the boundary fence of 2 Booth Royd.

Highway Safety
- Track not wide enough to accommodate additional traffic.
- Visibility issues.
- Insufficient turning area.
- Additional traffic will impact safety of children walking to school.

Other issues
- Overlooking and overshadowing to 4, 5, 6 and 7 Booth Royd.
- Disruption from builders.
- Will increase flooding.
- Will have detrimental impact on wildlife and ecology.
- Permission has been previously refused and dismissed at appeal.
- The reasons in appeal decision APP/W4705/A/03/113189 still apply.

Supporting comments are as follows
- Design is in keeping with the area.
- The scheme retains existing trees.
- It will visually enhance the area.
- Will contribute to local wildlife.
- Will meeting the housing shortage in Bradford.
- The scheme does not encroach on Green Belt.
- The scheme is suitable for disabled access.
- No overlooking.

Consultations:
Conservation - No objections subject to conditions.
Highways Development Control - No objections subject to conditions.
Biodiversity – No objections subject to informative.
Tree Officer – No objections subject to conditions.
Drainage - No development shall take place until details of the proposed means of disposal of surface and foul water have been submitted to and approved by the local planning authority.

Summary of Main Issues:
1. Background and principle of development.
2. Impact on heritage assets.
3. Visual amenity and character and form of the area.
4. Impact on trees.
5. Amenities of occupiers of adjacent land.
6. Highway safety.
7. Drainage.
8. Nature conservation interests.

Appraisal:

1. Background and Principle of Development

Objectors raise concerns that permission has been previously refused and dismissed at appeal. They also raise that the reasons in appeal decision APP/W4705/A/03/113189 still apply.

It is noted that an outline application (03/01838/OUT) was refused and subsequent appeal (APP/W4705/A/03/113189) was dismissed to demolish an existing block of eight garages and construct four one and two bedroom flats with four integral parking spaces. It is acknowledge that the scheme was refused due to its impact on trees and highway safety due to the intensification of the site. It should be noted and that the policy context in which the previous application is no longer in force and the current proposal will be assessed against current policies and material considerations. Further to this it should be noted that each application should be assessed upon its own merits.

The application site is an unallocated site in the RUDP and is within a wholly residential setting. The development achieves a housing density of around 69 dwellings per hectare which is in compliance with the requirements of Policy HO5 of the Core Strategy DPD which seeks to ensure that land is used efficiently. The principle of residential development in this location is therefore considered to be acceptable subject to its local impact.

2. Impact on Heritage Assets

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall 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.

Paragraph 192 c) of the NPPF states that in determining applications local planning authorities should take account of “the desirability of new development making a positive contribution to local character and distinctiveness”.

Paragraph 195 of the NPPF states that “Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Paragraph 196 of the NPPF goes on to state that “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset this harm should be weighed against the public benefits of the proposal including, where appropriate, securing optimum viable use.” It is important to note that the ‘less than substantial harm’ is still harm.

Objectors raise concerns that the proposal will harm the conservation area and terraced row of grade II listed buildings.

The Council’s conservation officer advises that the site is adjacent to the boundary of the Idle & The Green Conservation Area which is immediately to the south of the site. The very tall trees within this site contribute positively to the setting of the adjacent conservation area. They also advise that there is one listed building, 1 Booth Royd (Grade II), located within the immediate vicinity of the site and there are some visual linkages between them. There are also further grade II listed buildings at 71-77 Town Lane that are set significant distance away and are separated by the existing built form and consequently any impacts on them is very limited.

The application proposes a single dwelling which retains the existing trees and green back drop and thus would not significantly impact upon the setting of the nearby conservation area or listed building. The proposed development has a traditional form with a more contemporary approach to its fenestration, use of timber cladding and incorporation of a green roof to the single storey element. The main materials within the building are natural stone and slate which are reflective of the surrounding area. The proposed development is considered to be appropriately designed and its contemporary approach is not considered to be harmful to visual amenity. Subject to conditions to secure the use of high quality materials, flush or slightly recessed pointing, recessed windows and the retention of the existing stone boundary wall the proposal is not considered to be harmful to the setting of the nearby listed building or the adjacent conservation area. in line with the requirements of Policy EN3 of the Core Strategy DPD, the NPPF and statutory obligations set out in sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3. Visual Amenity and Character and Form of the Area

Objectors raise concerns that scheme is overdevelopment of the site and the house will not fit in with the style of building of the existing terrace, due to its size and location.

The application proposes the construction of a five bedroom two storey dwelling with single storey single element to the west and the construction of detached open double garage.

The main dwelling measures 8.8 metres in width, 10 metres depth, 5 metres height to eaves and 8.2 metres height to ridge. The single storey element measures 8.8 metres width, 10 metres depth, 2.5 metres height to eaves and 3.3 metres height to ridge. The detached double garage measures 6 metres in width, 6 metres in depth, 2.2 metres height to eaves and 4.6 metres height to ridge.

The surrounding area is constructed from a natural stone and slate roof. The external walls of the development are to be constructed from natural stone and European larch vertical timber cladding. The external roof of the main dwelling is to be constructed from natural grey slate and the single storey element is to have a living green roof. The external materials are to be constructed from natural material that is considered to be in keeping with the character and form of the surrounding. Although the nearest properties to the application site is a terraced row of two storey dwellings the surrounding area does consist of mixtures of terraced and detached properties the construction of a detached dwelling is considered to be in keeping with the character and form of the area.

The scheme is considered not to be overdevelopment of the site given that the building of a similar footprint to the existing built form and the amount of space remaining around the proposed building. The scheme also proposes parking to the front and rear garden which is a relationship that is a common characteristic within the surrounding area. Although the proposal provides a modern contemporary design the proposed dwelling is of a similar height and design to the existing terraced row, in terms of its, size, scale, design and fenestration layout.

Having had regard to the above, the proposed scheme is therefore considered to be acceptable in terms of its impact upon visual amenity and the character and form of the surrounding area and therefore accords with Policies DS3, DS4 and EN3 of the Core Strategy DPD and the NPPF.

4. Impact on Trees

Objectors raise concerns in relation to the proposals impact and loss of trees on site.

There are two protected trees on this site which are identified as T10 and T11 on the submitted Trees Constraints Plan. Although the site is adjacent to conservation area the site is not located within the conservation area. All other trees within the application site are not afforded protection under either tree preservation order or conservation area designation and could be removed at any time. Further, to this the impact on trees is still a material consideration. The scheme proposes no removal of any of the trees on the application site. Concerns were initially raised in relation to the impact of the development on the root protection area of those protected trees. Further information and plans were submitted and the tree officer no longer raises objections subject to the imposition of conditions.

Having had regard to the above, the proposal therefore accords with policy EN5 of the Core Strategy DPD and the NPPF.

5. Amenities of Occupiers of Adjacent Land

The key considerations in respect to residential amenity are considered to be the potential of the proposal to result in overlooking of neighbouring properties, overshadowing of properties and whether oppression (i.e over-dominance and loss of outlook) would occur from the size, scale and massing of the development.

Objectors have raise concerns about the noise and disruption from construction and associated vehicles. However, given the scale of the development is for one dwelling it is considered that the proposal would cause not significant adverse harm to residential amenity through noise disturbance. Further to this, if noise disturbance does raise from the development it can be controlled through statutory nuisance controls found within environmental health legislation.

Objectors also raise concerns that the proposal will cause overlooking and overshadowing to 4, 5, 6 and 7 Booth Royd.

The application is supported by plans showing sun and daylight analysis that demonstrates that the proposal clears the 25 degree angles from neighbouring properties and site section that shows that the proposed dwelling would be no higher than the terraced properties of Booth Royd. Given this the proposal is not considered to have a significant adverse effect in terms of overshadowing and oppression to the nearest properties on the terraced row of Booth Royd.

The scheme has submitted an overlooking assessment plan. The proposed dwelling is located 13.21 metres from the nearest neighbouring dwelling of 5 Booth Royd. The scheme proposes four openings at ground floor level and two windows at first floor level on the north elevation that faces towards the terrace properties of Booth Royd (5 Booth Royd). The ground floor windows due to the combination of their separation distance and screening from the existing and retained trees and stone walls are considered not to cause significant adverse effect of overlooking to the terraced properties on Booth Royd. Further to this, the first floor windows are to be fitted with obscure glazing and it is recommended to impose a condition that they are to obscure glazed for the lifetime of the development and permitted development rights are removed for any further openings on that elevation to prevent any future overlooking issues.

Further to this the overlooking assessment plan, demonstrates that the first floor window on the west elevation is positioned such that any views would be at an obtuse angle and have a separation distance of 21 metres to 9 Booth Royd. Given this it is considered that overlooking from first floor windows on the west elevation is not considered to have significant adverse effect of overlooking on the rest of the terraced properties on Booth Royd.

Due to the combination of the orientation of the site, the size, scale and siting of the proposed scheme and distance away from the neighbouring properties, the proposal is considered not to cause any significant adverse effects of overlooking, overshadowing or oppression.

Having had regard to the above, the proposed dwelling is considered acceptable in terms of its impact on residential amenity and therefore accords with Policy DS5 of the Core Strategy DPD and the NPPF.

6. Highway Safety

Objectors raise concerns in relation to highway safety, visibility splays and turning area and parking.

The site is located at the end of Booth Royd, which is a private cul-de-sac off Town Lane. The initial section of Booth Royd provides vehicular access to a number of garages flanking its south side. It also affords pedestrian access to the front of a terrace of two storey properties to the north of the site which have vehicular access to the rear off Booth Royd Drive. The development provides two covered parking spaces and a turning area to enable vehicles to leave the site in a forward motion. The site is also situated in an accessible location for travel by non-car modes. Booth Royd is relatively wide at its junction with Town Lane being 5.7m which allows two way traffic movements.

There is a zebra crossing facility located close to Booth Royd but visibility when emerging from Booth Royd onto Town Lane is in excess of 50m compared with 43m required by local and national guidance. And there are no recorded injury accidents on Town Lane over the past 5 years within 100m of Booth Royd.

It is noted that an outline application (03/01838/OUT) was refused and subsequent appeal (APP/W4705/A/03/113189) was dismissed to demolish an existing block of eight garages and construct four one and two bedroom flats with four integral parking spaces. It is acknowledge that the scheme was refused due to its impact on trees and highway safety due to the intensification of the site.

The Council's highways officer has raised no objections to the proposal subject the imposition of a condition to secure off-street car parking and turning facilities within the site. The highways officer considers, that the access and provision of parking and turning area within the site would adequately cater for vehicles and pedestrians generated by the development. Moreover, a single detached dwelling would not generate traffic levels to the extent that the safety of road users and pedestrians would be harmed in the locality. The highways officer accepts that there would be some impact during construction particularly when materials are being delivered by Heavy Goods Vehicles but this would only be for a short duration. Should it be considered necessary conditions limiting the hours of construction could be imposed to minimise the effects of disruption and disturbance caused by daily construction activities.

Having had regard to the above, it is not considered that the any significant highway safety implications would result from the proposed scheme and therefore accords with Policies DS5 and TR2 of the Core Strategy DPD.

7. Drainage

Objectors raise concerns that the proposal will increase flooding. The application is located within flood zone 1 which has low risk of flooding. The Council's drainage officer has raised no objections to the proposal subject to a condition which secures details of the proposed means of disposal of foul and surface water. Having had regard to the above, the proposed scheme is considered acceptable in terms of drainage subject to the imposition of the aforementioned conditions.

8. Nature Conservation Interests

Objectors raise concerns that the proposal will have a detrimental impact on wildlife and ecology

The application site is not a protected site for nature conservation or is known to support, or be in close proximity to any site supporting protected species or any other species of conservation interest. The Biodiversity team were consulted on the application who raised no objections on the proposal subject to an informative. As such it is considered that the proposed would not harm any acknowledged nature conservation interests and therefore accord with the requirements of the Habitats Regulations 2010, and EN2 of the Core Strategy DPD and the NPPF.

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.

Reason for Granting Planning Permission:

Having had regard to the development plan, all other relevant local and national policy, consultation responses and all other material planning considerations, it is considered that the proposed development would not have a detrimental effect on the principle of development, impact on heritage assets, visual amenity and character and form of the area, impact on trees, impact on amenities of occupiers of adjacent land, highway safety and drainage. The application is therefore to be in accordance with EN2, EN3, EN5, DS1, DS3, DS4, DS5, HO5, HO6, HO8, HO9, P1, SC5, SC9 and TR2 of the Core Strategy DPD, the NPPF and the statutory obligation placed upon local planning authorities in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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. The development hereby approved shall only be carried out in accordance with the approved plans listed below:-

   Location Plan 01 received by the Council 17 September 2019
   Proposed Floors Plans 02 received by the Council 17 September 2019
   Elevations and Perspective Views 03 received by the Council 17 September 2019
   Building Sections 04 received by the Council 17 September 2019
   Proposed Site Plan 05 Rev C received by the Council 21 November 2019
   Covered Parking 06 received by the Council 17 September 2019
   Site Section and Daylight Angles 08 Rev B received by the Council 20 November 2019
   Booth Royd Flood Map received by the Council 14 October 2019
   Surface Water Map received by the Council 14 October 2019
   Overlooking Assessment Plan 07 Rev A received by the Council 14 October 2019
   Tree Constraint Plan received by the Council 14 October 2019

   Reason: For the avoidance of doubt as to the terms under which this planning permission has been granted since amended plans have been received.

3. Before development above damp proof course commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all external 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 EN3, DS1 and DS3 of the Core Strategy Development Plan Document.

4. Notwithstanding details contained in the supporting information, the drainage works for the development shall not commence until full details and calculations of the proposed means of disposal of surface water drainage have been submitted to and approved by the local planning authority. These details shall be based on drainage principles that promote water efficiency and water quality improvements through the use of Sustainable Urban Drainage System (SUDS) and green infrastructure to reduce the development's effect on the water environment. Consideration should be given to discharge surface water to soakaway, infiltration system and watercourse in that priority order. Only in the event of such techniques proving impracticable will disposal of surface water to an alternative outlet be considered. In the event of infiltration drainage techniques proving unviable the maximum pass forward flow of surface water from the development shall be restricted to a rate to be agreed with the Lead Local Flood Authority. The development shall thereafter only proceed in strict accordance with the approved drainage details.

   Reason: In the interests of the amenity of future occupiers, pollution prevention and the effective management of flood risk and to accord with Policies DS5, EN7 and EN8 of the Core Strategy Development Plan Document.

5. The pointing to the external walls of the building shall be flush with or slightly recessed from the face of the stone. "Ribbon" or "strap" pointing shall not be used.

   Reason: To ensure the use of visually appropriate pointing details to accord with Policies EN3, DS1 and DS3 of the Core Strategy Development Plan Document.

6. The frames to all new and replacement windows hereby permitted shall be recessed into the reveals by approximately 100-125mm, and shall be retained in this form thereafter.

   Reason: In the interests of visual amenity and the character of the heritage asset and to accord with Policies EN3, DS1 and DS3 of the Core Strategy Development Plan Document.

7. The existing wall(s) along the north and east boundaries of the site as shown on Proposed Site plan 05 Rev C received by the Council 21st November 2019 shall be retained during and after completion of the development and those parts of the boundary wall that are damaged or removed shall be made good using materials of similar appearance, and to a similar coursing to the remaining wall, prior to the first occupation of the development hereby permitted.

   Reason: In the interests of visual amenity and privacy and to accord with Policies DS2, DS3 and DS5 of the Core Strategy Development Plan Document.

8. Before any works towards construction of the development commence on site, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site to base course level in accordance with the approved plans as outlined condition 2 and completed to a constructional specification approved in writing by the Local Planning Authority.

   Reason: To ensure that a suitable form of access is made available to serve the development 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. The development shall not begin until tree protection fencing and other tree protection measures have been installed around trees to be retained on or adjoining the site. These measures shall be in strict accordance with an Arboricultural Method Statement prepared in accordance with recommendations in BS5837:2012, details of which shall be submitted to and approved in writing by the Local Planning Authority before any demolition, site preparation or ground works are begun, and before any materials or machinery are brought on to the site. Details will include ground protection measures to be utilised with respect to the hardstanding to the south of the dwelling that is within the RPA of T10 and T11 as identified on the Tree Constraints Plan during construction.

   Reason: To ensure that trees are adequately protected prior to development activity beginning on the site in the interests of amenity and to accord with Policy EN5 of the Core Strategy Development Plan Document.

10. The Local Planning Authority shall be informed when the tree protection fencing and other tree protection measures have been installed at the site and shall have given its written confirmation that the measures are acceptable before development proceeds.

    Reason: To ensure that trees are adequately protected prior to development activity beginning on the site in the interests of amenity and to accord with Policy EN5 of the Core Strategy Development Plan Document.

11. The agreed tree protection measures, shall remain in place, and shall not be moved, removed or altered for the duration of the development without the prior written consent of the Local Planning Authority. There shall be no excavations or alteration of ground levels within the tree protection areas/construction exclusion zones created on the site, and no engineering or landscaping works, service runs, or installations shall take place and no materials shall be stored within them without the prior written consent of the Local Planning Authority.

    Reason: To ensure that trees are adequately protected for the duration of development activity on the site, in the interests of amenity and to accord with Policy EN5 of the Core Strategy Development Plan Document.

12. 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 at first floor level the north elevation of the development hereby permitted dwelling without the prior written permission of the Local Planning Authority.

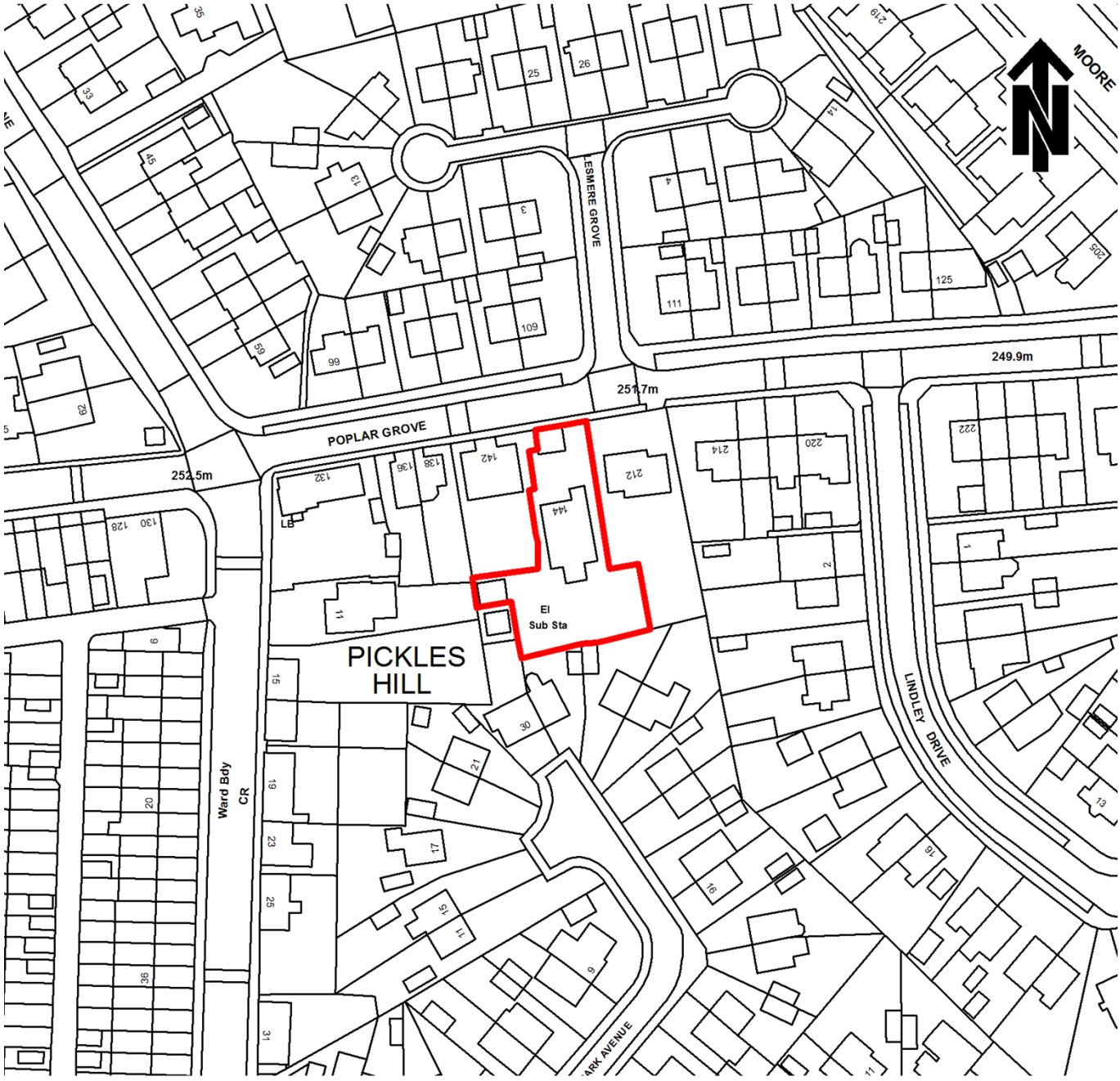
    Reason: To safeguard the privacy and amenity of occupiers of neighbouring properties and to accord with Policy DS5 of the Core Strategy Development Plan Document.

13. The windows in the north elevation of the proposed development hereby permitted shall be glazed in obscure glass and be top opening only prior to the first occupation of the extension and thereafter retained.

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

19/04251/FUL

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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144 Poplar Grove
Bradford
BD7 4JT

18 February 2020

Item: **D**
Ward: **GREAT HORTON**
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
19/04251/FUL

Type of Application/Proposal and Address:
This is a full planning application for the demolition of the existing single storey dwelling and the construction of a two storey detached dwelling in its place at 144 Poplar Grove, Bradford.

Applicant:
Mrs Rebecca Greenwood

Agent:
Mr Eatzaz Hassan - Faum Architecture

Site Description:
The application plot comprises a bungalow set in a large sized plot on the south side of Poplar Grove. The site is surrounded by residential dwellings of varying sizes and architectural designs. To the front of the site is a detached garage which has its back facing onto the highway. The bungalow is set back from the road further than the dwellings to either side.

The rear boundary backs onto the properties on Beldon Park Avenue. The side and rear boundaries are relatively well established with tree planting of various species and sizes.

Relevant Site History:
None.

The National Planning Policy Framework (NPPF):
The NPPF is a material planning consideration on any development proposal. The NPPF 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 NPPF 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
Policy DS1: Achieving Good Design
Policy DS3: Urban Character
Policy DS4: Streets and Movement
Policy DS5: Safe and Inclusive Places
Policy HO5: Density of Housing Schemes
Policy HO8: Housing Mix
Policy EN8: Environmental Protection

Parish Council:
The site is not in a Parish.

Publicity and Number of Representations:
The application was publicised by neighbour notification letters and site notices posted on Poplar Grove and Beldon Park Avenue on 26 November 2019 with an expiry date of the 17 December 2019. Two supporting comments and one objection have been received.

Summary of Representations Received:
Two letters received supporting of the application:
- The development would improve the appearance of the site.
- The development would not affect the neighbour at 142 Poplar Grove.

One letter received objecting to the application:
- The dwelling would overlook the neighbours to the rear.

Consultations:
Drainage: No objection subject to a condition relating to the drainage of the site.

Environmental Protection (Land Contamination): Records indicate that an historic landfill site, Land at Moore Avenue (BMDC Landfill Site Reference: 13sw22) is situated approximately 194 Metre(s) from the site. No objection subject to conditions related to unexpected contamination during construction works.

Coal Authority: Object to the proposal in the absence of adequate information to address the impact of coal mining legacy on the proposed development. The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

Summary of Main Issues:

1. Principle of Development.
2. Design.
3. Residential amenity.
4. Highway safety.
5. Coal/unstable land.

Appraisal:

1. Principle of Development

The application seeks permission to demolish the existing bungalow and garage on the site and erect a two storey dwelling within the site.

As the proposal is for residential development it is necessary to consider paragraph 11 of the NPPF which states that there is a presumption in favour of sustainable development. The existing bungalow is not of a high architectural value and does not make a high contribution to the visual amenity of the locality.

Poplar Grove comprises a mixture of house types, the dwelling to the west is a two storey detached dwelling, to the east is a detached bungalow. To the front of the site is a detached stone built garage. The plot is of a good size measuring roughly 44m deep and around 13.5m wide increasing to 27m wide. The proposed would fill the width of the site with a gap of 1.2m to the western boundary and 1.4m to the eastern boundary.

The proposal is for a replacement dwelling and as such there is no net increase in residential dwellings and as such no wider benefit would accrue from development, such as an increase in the housing land supply of the District. The principle of the development is however considered to be acceptable subject to its local impact.

2. Design

Core Strategy policy DS1 states the planning “decisions should contribute to achieving good design and high quality places.” This is consistent with the NPPF paragraph 124 “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

The proposal is for a large dwelling that would nearly fill the width of the plot when viewed from Poplar Grove. The dwelling is designed in a way which does not reflect the vernacular of the area but has a distinct character. However, when viewed from Poplar Grove the proposed dwelling would appear as an incongruous addition in the street scene. The large amount of glazing and the projecting first floor bay is a detrimental design feature since it dominates the principle elevation of the dwelling in a location where such design features or not present. Similarly, the double height bay window to the right of the front elevation is a nondescript element that does not make a strong contribution of the appearance of the dwelling.

The depth of the house results in a dwelling of substantial size. This means that it would be significantly larger than the surrounding houses. The plans show the depth of the house as 19m. This means that it fills a large proportion of the plot and this means that the two side walls that run along a large proportion of the boundary with the gardens to either side. The house is positioned back from the road's edge and the front elevation aligns with the rear wall of 142 Poplar Grove. It is acknowledged that Poplar Grove is made up of a number of different building designs and style. However, what is proposed here, in terms of its size, position and design is unacceptable in design terms since it dominates the site and is not reflective of good design.

3. Residential Amenity

Criterion F of Core Strategy policy DS5 states that development should "not harm the amenity of existing or prospective users and residents."

The size of the proposed dwelling and its position within the site means that both side walls of the dwelling run along the boundary of the dwellings to either side. The front elevation of the proposed house is set in line with the rear elevation of 142 Poplar Grove, which is the dwelling to the west of the site. This means that a 19m long side wall at a height of 6m to the eaves at 1.2m from the side of 142 would occupy the entirety of the side boundary of the rear garden. Moreover, this elevation has windows that would face directly into the rear garden of the adjacent property.

Similarly, the relationship with 212 Polar Grove means that the side wall of the proposed dwelling would be set 1.4m from the boundary and would see a large flank wall facing towards the rear garden area of the dwelling.

At present the bungalow on the site is set back in the site and the two side walls run along the boundary with the houses to either side. However, as a bungalow its impact is greatly reduced since the side windows are at ground floor level and face towards the boundary treatment which screens the bungalow from views into the garden area of the dwellings to either side. The size and position of the boundary vegetation means that some removal of the trees is unavoidable. Moreover the first floor windows of the proposed dwelling are above the height of any of the existing boundary vegetation.

The dwelling proposed would result in a significant reduction in the amenity for the residents to either side of the development plot. The introduction of first floor windows at less than 1.5m from the boundary of the site means that overlooking both perceived and experienced would be unacceptably detrimental to the amenity of the residents to either side on Poplar Grove.

4. Highway Safety

The development provides off street parking to the front for four cars (two x tandem parking spaces). This is adequate for the scale and size of the development. It is noted that there is no space to manoeuvre within the site and this will mean that cars have to either reverse into or out of the site, but this is a relatively common situation along Poplar Grove. It is noted that traffic does not travel and excessive speeds along the highway due to the traffic calming speed bumps that occupy the length of Poplar Grove. The parking arrangements are, therefore, considered to be acceptable.

5. Coal/Unstable Land

Policy EN8(B) states:
"Proposals for development of land which may be contaminated or unstable must incorporate appropriate investigation into the quality of the land. Where there is evidence of contamination or instability, remedial measures must be identified to ensure that the development will not pose a risk to human health, public safety and the environment. Investigation of land quality must be carried out in accordance with the principles of best practice".

The Coal Authority has identified that the application site lies in a High Risk Area where there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. The site is specifically in an area of thick coal outcrops and probable unrecorded coal mining at shallow depth.

The application has been accompanied by a Coal Mining Risk Assessment Report (Mugen Geo Ltd November 2019) in support of the planning application. However, The Coal Authority does not consider that this adequately addresses the impact of coal mining legacy on the proposed development. This means that on the basis of the information submitted permission cannot be granted.

The submitted report identifies the potential for the application site to be underlain by probable unrecorded coal mine workings at shallow depth but fails to make conclusive recommendations as to whether or not further intrusive site investigations are required to assess the risk further. Before permission is granted a Coal Mining Risk Assessment needs to be completed which includes all relevant information at the desk based stage.

Since the Coal Mining Risk Assessment Report, as submitted, does not provide sufficient information to determine whether or not issues of land instability can be satisfactorily overcome, the application cannot be granted. An updated Coal Mining Risk Assessment Report which provides conclusive recommendations needs to be submitted to the local planning authority. If the potential risk to the proposed development and application site in general cannot be discounted at the desk based stage, then the report author should recommend an appropriate scheme of intrusive site investigations.

This being the case the lack of information regarding the coal mining risk constitutes a reason to refuse planning permission. It is not considered that this can be addressed by way of a planning condition since it is not known whether the site can be developed, a planning condition cannot be added to a planning permission if it precludes the implementation of the permission.

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 proposed dwelling would, be reason of its size, massing, design and appearance have an unacceptably detrimental impact on the visual amenity and street scene of Poplar Grove and, therefore, fails to comply with Core Strategy Development Plan Document policies DS1 and DS3.

2. The proposed dwelling would, by reason of its size, massing and siting would have an unacceptably negative impact on the amenity and living conditions of the residents at 212 and 142 Poplar Grove due to overlooking, overshadowing and overbearing of their rear private amenity spaces. The proposal therefore fails to comply with Core Strategy Development Plan Document policies DS1, DS3 and DS5.

3. The Coal Mining Risk Assessment Report submitted with the application fails to demonstrate that the site can be safely developed. The proposal therefore fails to comply with Core Strategy Development Plan Document policy EN8.

City of BRADFORD METROPOLITAN DISTRICT COUNCIL

Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 18 February 2020

L

Summary Statement - Part Two

Miscellaneous Items

	No. of Items
Requests for Enforcement/Prosecution Action	**(15)**
Decisions made by the Secretary of State - Allowed	**(5)**
Decisions made by the Secretary of State - Dismissed	**(11)**

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

Report Contact: Mohammed Yousuf
Phone: 01274 434605

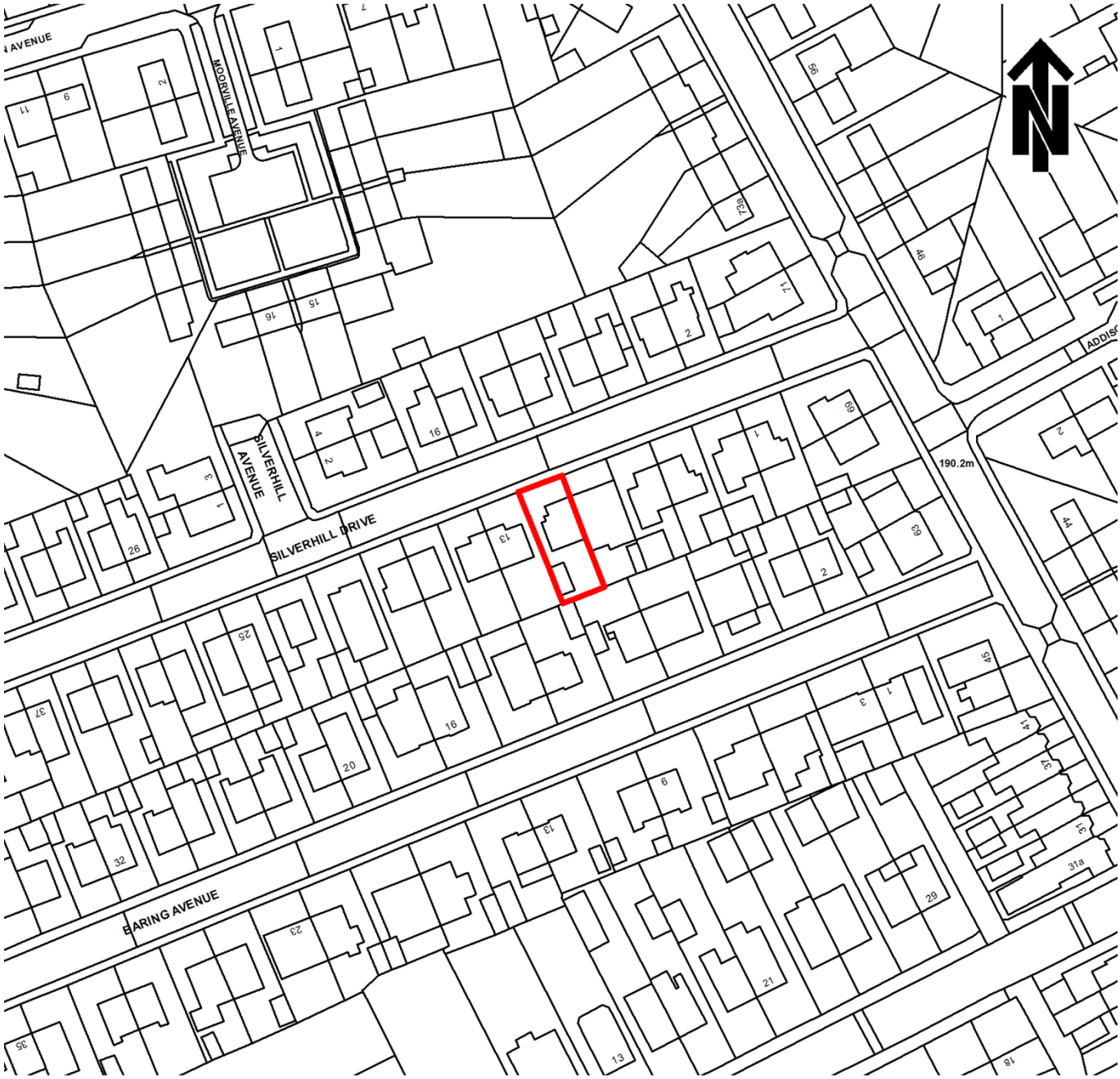
Email: mohammed.yousuf@bradford.gov.uk

Portfolio:
Regeneration, Planning & Transport

Overview & Scrutiny Committee Area:
Regeneration and Environment

18/00333/ENFUNA

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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11 Silverhill Drive
Bradford
BD3 7LF

18 February 2020

Item Number: **A**
Ward: **BRADFORD MOOR**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
18/00333/ENFUNA

Site Location:
11 Silverhill Drive Bradford BD3 7LF

Breach of Planning Control:
Unauthorised front dormer window

Circumstances:
In April 2018 the Council received an enquiry regarding the construction of a dormer window at the property.

An inspection showed that a front dormer window had been constructed, which did not accord with planning permission 17/04935/HOU granted by the Council in October 2017.

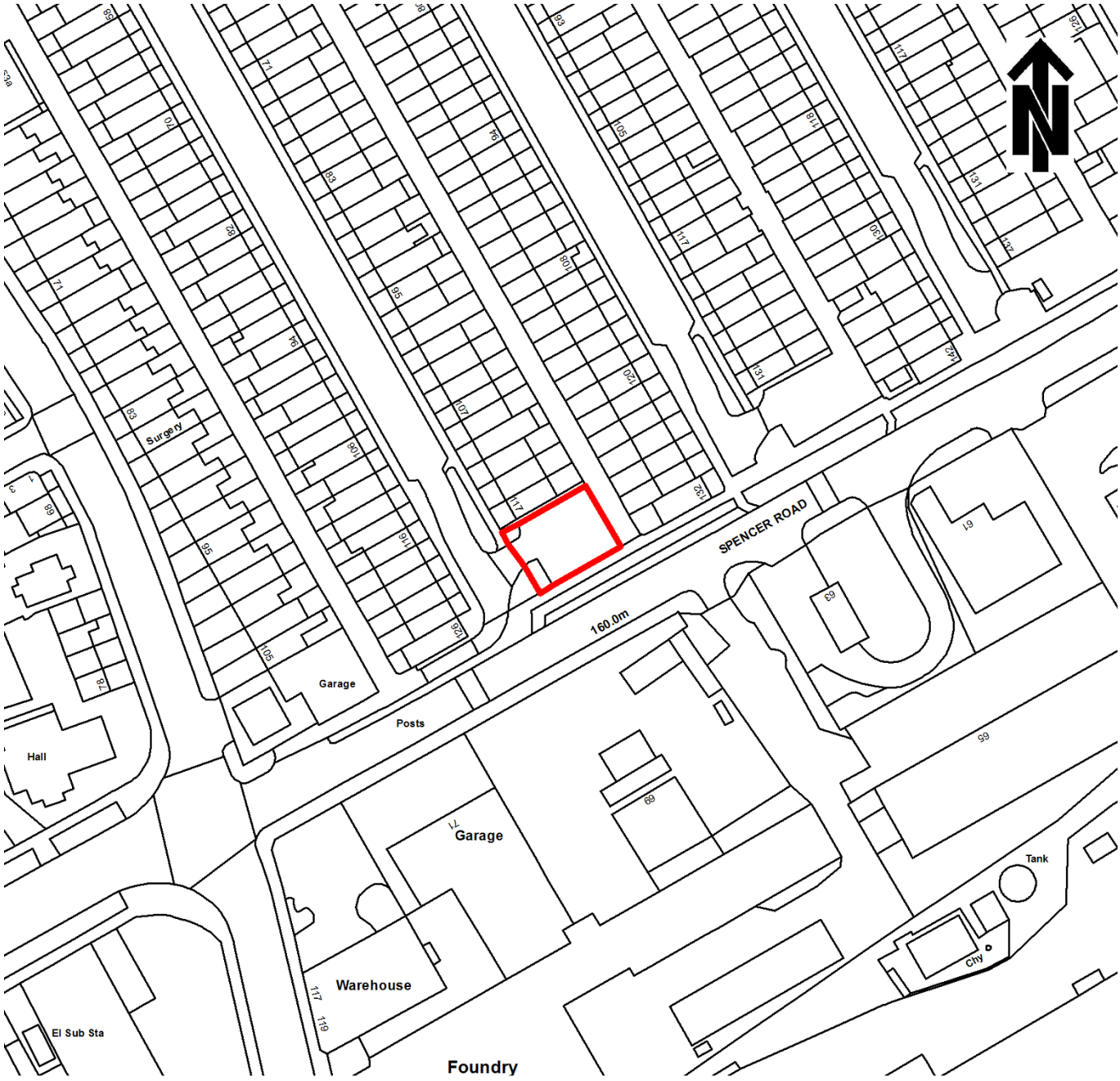
A retrospective planning application for the front dormer window as built, reference 18/02630/HOU, was refused by the Council in August 2018. No appeal has been made against the Council's decision.

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

On 6 November 2019 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised front dormer window is detrimental to visual amenity by virtue of its design, appearance and size, 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 principles of the National Planning Policy Framework.

17/00885/ENFAPP

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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117 Cumberland Road
Bradford
BD7 2JP

18 February 2020

Item Number: **B**
Ward: **GREAT HORTON**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
17/00885/ENFAPP

Site Location:
117 Cumberland Road Bradford BD7 2JP

Breach of Planning Control:
Without planning permission, the construction of 4 No dormers on the rear roof plane and the construction of 4 No dormers on the front roof plane of the property and the installation of 2 No externally mounted roller shutters, shutter boxes and guide rails to the front elevation of the property.

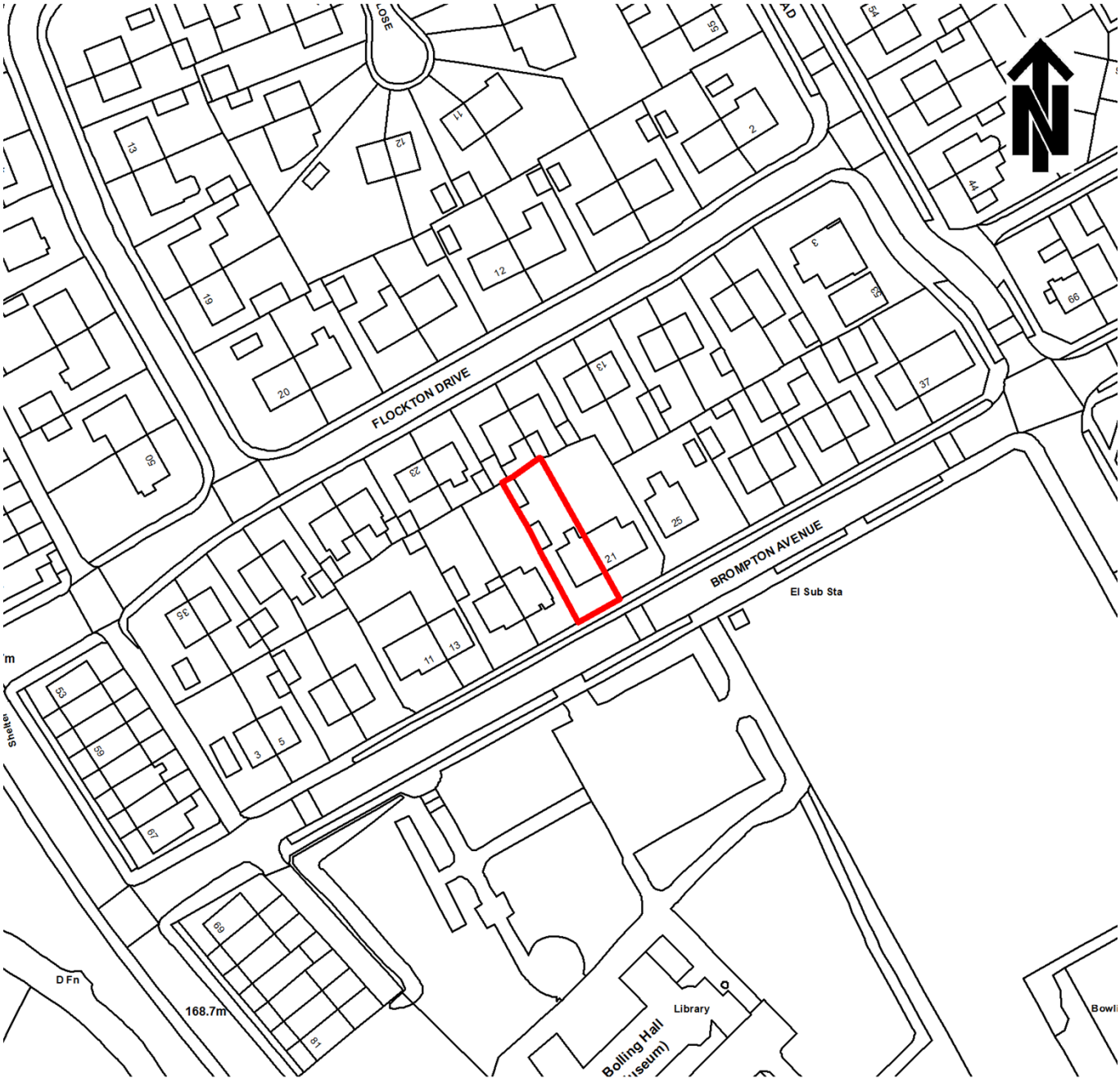
Circumstances:
Following an enquiry, a site visit carried out revealed that the development had not been constructed in accordance with approved planning permission 15/04702/FUL. The property owner subsequently submitted and was granted a new planning permission reference 19/00453/FUL.

The property owner has been given opportunity to remedy the alleged breaches of planning control but has not done so.

On 8 October 2019 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action.

18/00052/ENFUNA

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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19 Brompton Avenue
Bradford
BD4 7LP

18 February 2020

Item Number: **C**
Ward: **BOWLING AND BARKEREN**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
18/00052/ENFUNA

Site Location:
19 Brompton Avenue Bradford BD4 7LP

Breach of Planning Control:
Breach of condition 3 of planning permission 18/05194/HOU

Circumstances:
In April 2019 planning permission reference 18/05194/HOU was granted for development works at the property, which included the construction of a rear dormer window.

Condition 3 of the planning permission requires all non-glazed sections of the rear dormer window to be clad with vertically hung slates of similar colour and finish to the existing roof slates.

The non-glazed section of the front wall of the rear dormer window is not clad with vertically hung slates, in breach of condition 3 of planning permission 18/05194/HOU.

On 14 January 2020 the Planning Manager (Enforcement & Trees) authorised the issue of a Breach of Condition Notice. It is considered expedient to issue a Breach of Condition Notice as the breach of condition 3 of the planning permission is detrimental to visual amenity.

15/00962/ENFUNA

City of BRADFORD METROPOLITAN DISTRICT COUNCIL

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2 Oakroyd Villas
North Avenue
Bradford BD8 7AD

18 February 2020

Item Number: **D**
Ward: **MANNINGHAM**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
15/00962/ENFUNA

Site Location:
2 Oakroyd Villas North Avenue Bradford BD8 7AD

Breach of Planning Control:
Breach of condition 3 of planning permission 13/00727/HOU

Circumstances:
In April 2013 planning permission reference 13/00727/HOU was granted for the construction of a garage/store building on land within the curtilage of the property.

Condition 3 of the planning permission requires the garage/store building to be used solely as a domestic garage and store in association with the host dwelling and for no other use whatsoever.

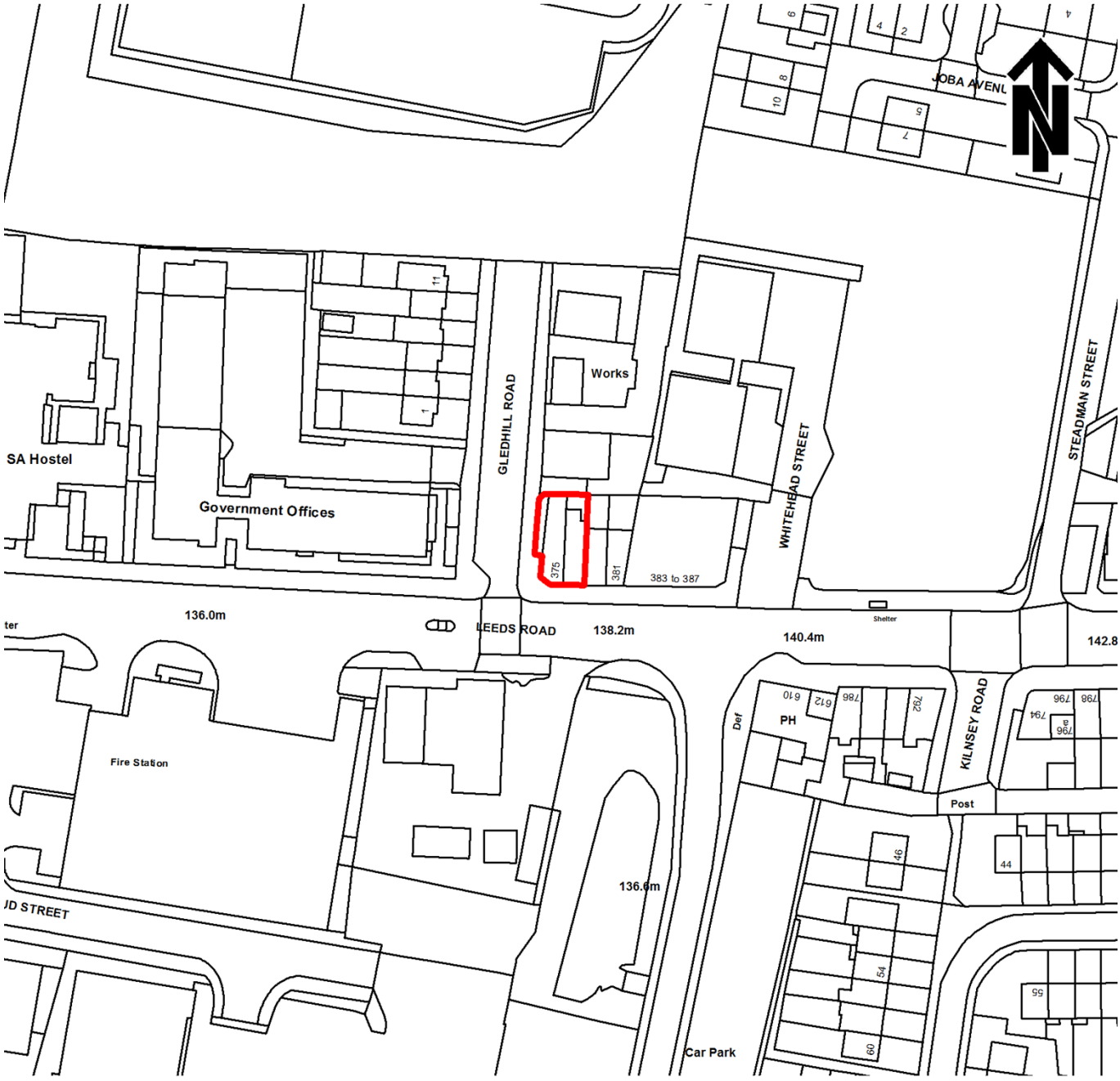
Planning application references 16/04800/FUL and 17/03388/HOU to use the garage/store building for residential purposes were refused by the Council in August 2016 and August 2017 respectively. No appeals were made against the Council's decisions.

The first floor of the garage/store building has been converted into two separate residential units in breach of condition 3 of planning permission 13/00727/HOU.

On 25 November 2019 the Planning Manager (Enforcement & Trees) authorised the issue of a Breach of Condition Notice. It is considered expedient to issue a Breach of Condition Notice as the breach of condition 3 of the planning permission is detrimental to residential amenity and highway safety.

17/00129/ENFUNA

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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375 - 377 Leeds Road
Bradford
BD3 9LY

18 February 2020

Item Number: **E**
Ward: **BOWLING AND BARKEREND**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
17/00129/ENFUNA

Site Location:
375 - 377 Leeds Road Bradford BD3 9LY

Breach of Planning Control:
Unauthorised alterations to external appearance of property

Circumstances:
In February 2017 the Council received an enquiry regarding alterations to the shop property.

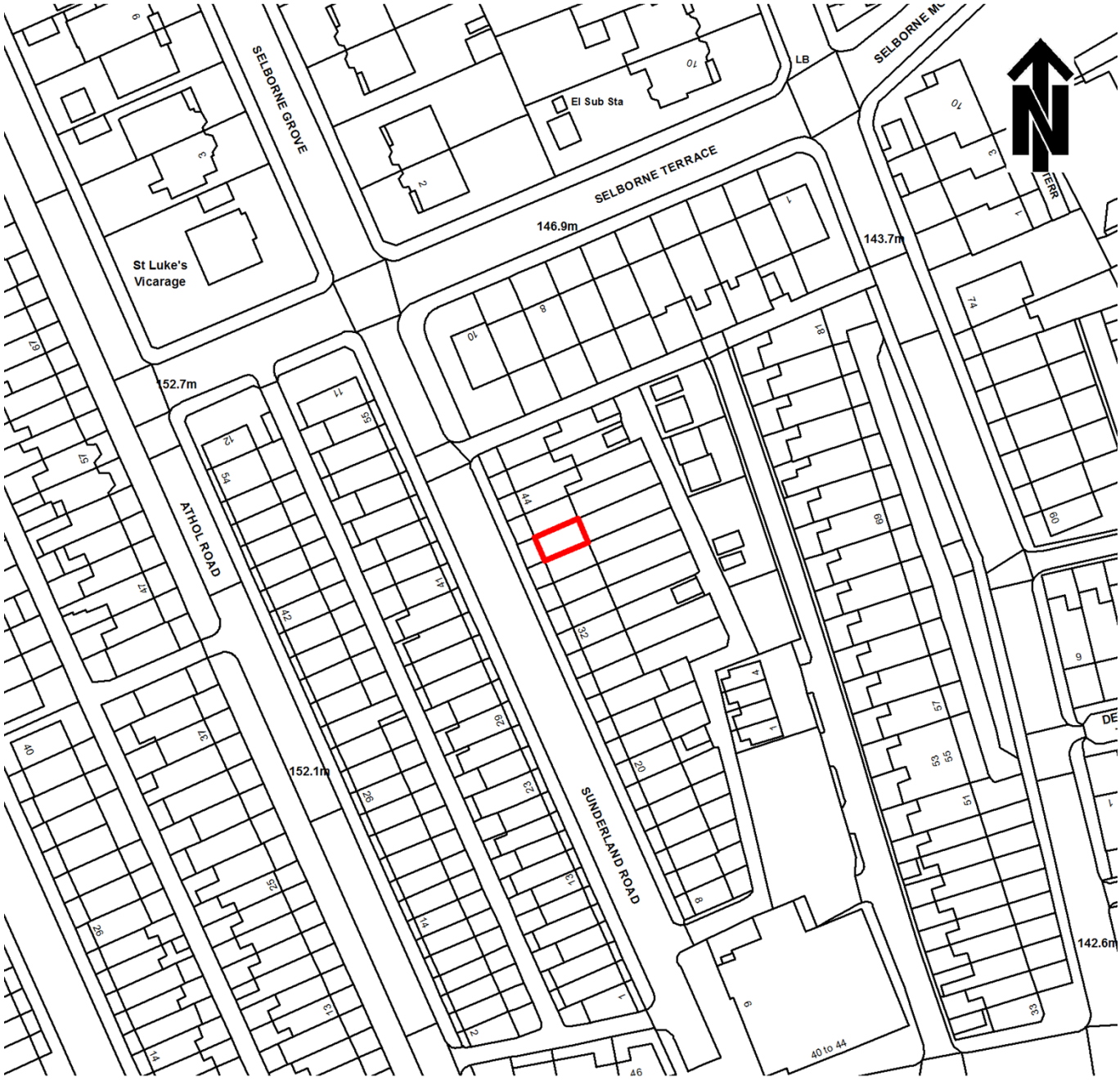
Following challenge letters to the occupier, two retrospective planning applications for the alterations (references 17/02093/FUL and 17/05984/FUL) were refused by the Council. No appeals were made against the Council's decisions.

Planning permission reference 18/01624/FUL for a revised scheme for alterations to the external appearance of the property was granted by the Council in August 2018, however the planning permission has not been implemented.

No action has been taken to rectify the breach of planning control and on 26 November 2019 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised alterations to the external appearance of the property 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 document and the principles of the National Planning Policy Framework.

18/00416/ENFCON

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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40 Sunderland Road
Bradford
BD9 4QJ

18 February 2020

Item Number: **F**
Ward: **MANNINGHAM**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
18/00416/ENFCON

Site Location:
40 Sunderland Road Bradford BD9 4QJ

Breach of Planning Control:
Without planning permission the construction of a dormer window on the front and rear roof planes of the property.

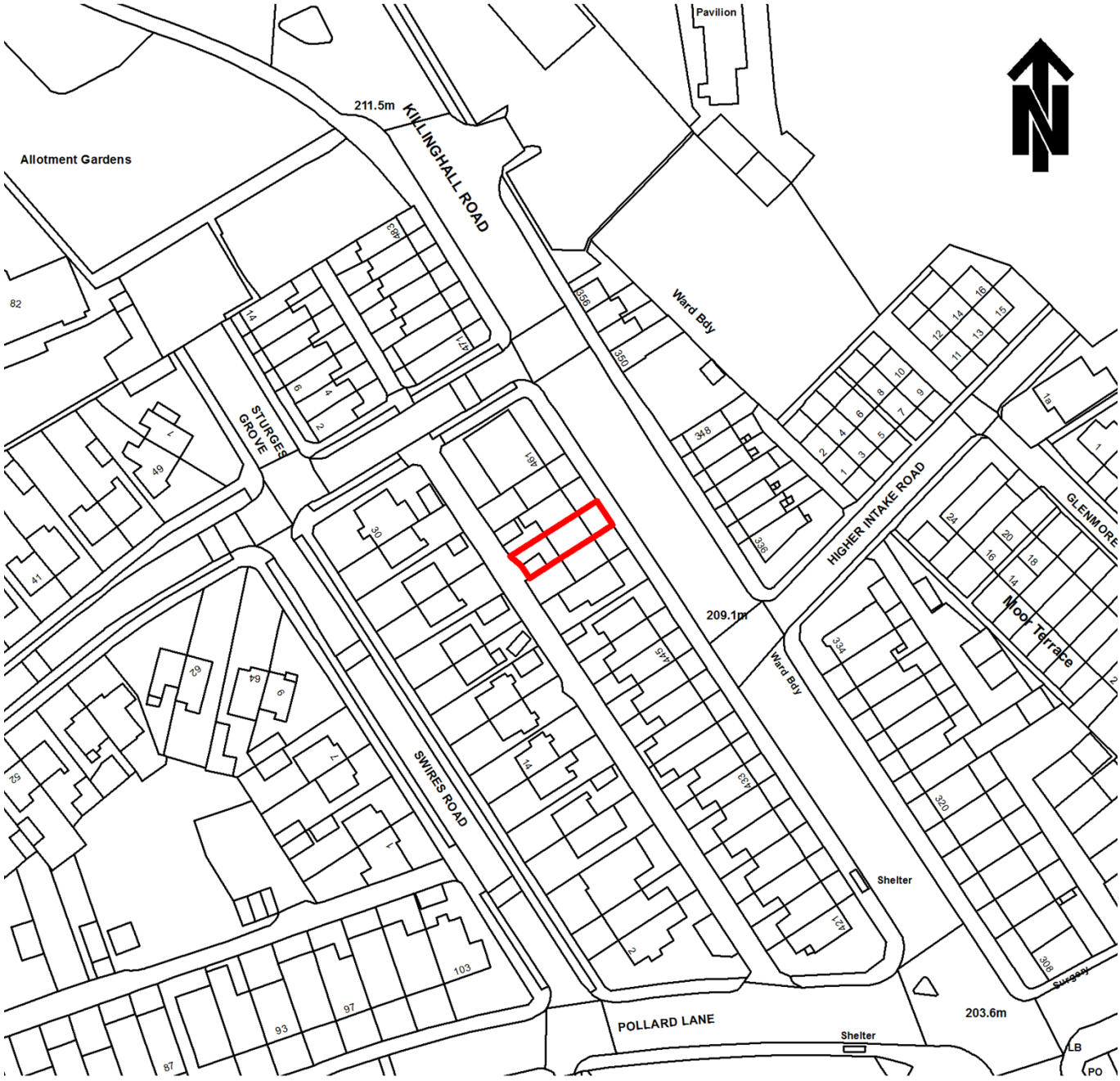
Circumstances:
Following a complaint received in this office in May 2018, a site visit revealed the above breach of planning control. Despite requests from the Local Planning Authority, the owner of the property has taken no action to rectify the matter.

It is considered expedient to issue an Enforcement Notice as the dormer windows by reason of their excessive size and inappropriate design detracts from the appearance of the host dwelling and the wider character of the North Park Conservation Area.

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 25 June 2019 requiring the owners of the property to demolish the front and rear dormer window and remove all materials from the land or demolish the front dormer window and remove the white upvc cladding from the rear dormer window and replace with slate to match the roof of the host building.

19/00145/ENFAPP

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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455 Killinghall Road
Bradford
BD2 4SD

18 February 2020

Item Number: **G**
Ward: **BOWLING AND BARKEREND**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
19/00145/ENFAPP

Site Location:
455 Killinghall Road Bradford BD2 4SD

Breach of Planning Control:
Unauthorised front and rear dormer windows

Circumstances:
In February 2019 the Council received an enquiry regarding development works at the property.

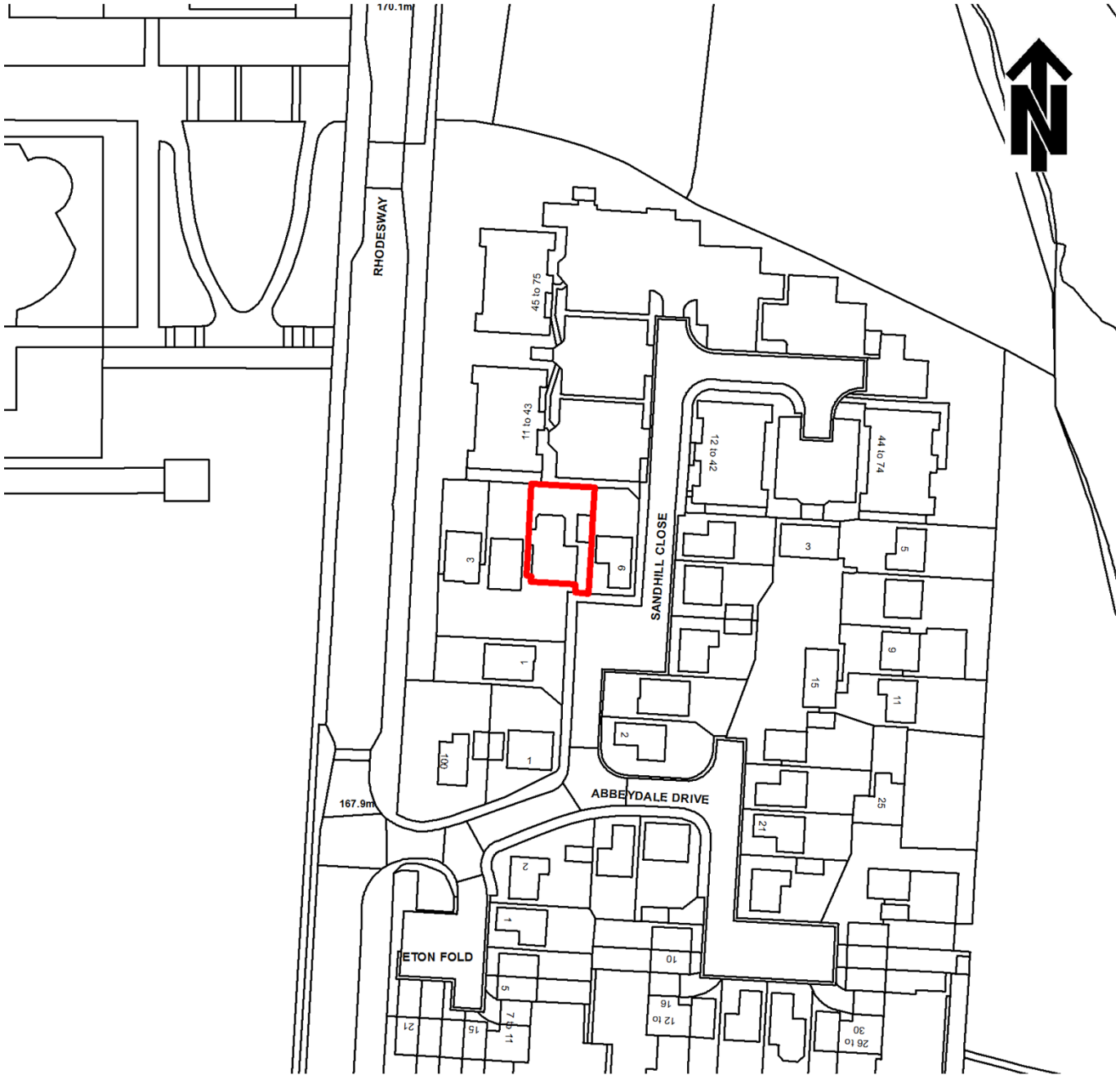
An inspection showed that front and rear dormer windows had been constructed, which do not accord with planning permission 18/00224/HOU granted by the Council in March 2018.

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

On 13 January 2020 the Planning Manager (Enforcement & Trees) authorised the issue of Enforcement Notices. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised front and rear 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 Document, the Council's adopted Householder Supplementary Planning Document and the principles of the National Planning Policy Framework.

18/00223/ENFUNA

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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7 Sandhill Close
Bradford
BD8 0DZ

18 February 2020

Item Number: **H**
Ward: **CLAYTON AND FAIRWEATHER GREEN**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
18/00223/ENFUNA

Site Location:
7 Sandhill Close Bradford BD8 0DZ

Breach of Planning Control:
Without planning permission, the formation of a hardstanding at the front of the property without provision to direct run-off water to a permeable or porous area or surface within the curtilage of the dwelling house.

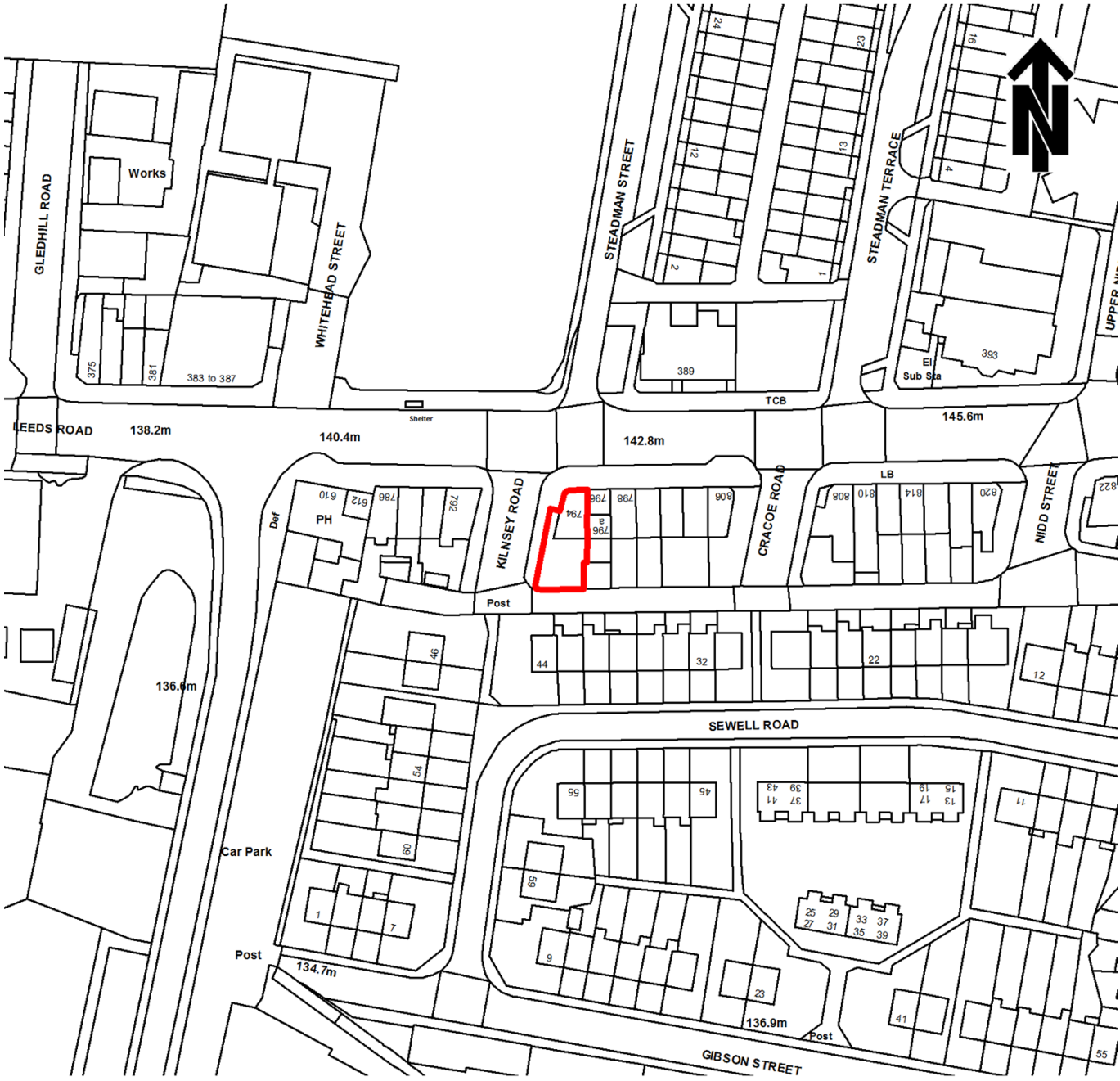
Circumstances:
Following an enquiry, a site visit carried out revealed that a hardstanding has been laid without any provision to direct run-off water.

The property owner has been given opportunity to remedy the alleged breach of planning control but to date the breach has not been resolved.

On 8 October 2019 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action.

19/00926/ENFADV

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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794 Leeds Road
Bradford
BD3 9TY

18 February 2020

Item Number: **I**
Ward: **BRADFORD MOOR)**
Recommendation:
THAT THE REPORT BE NOTED

DISCONTINUANCE ACTION AUTHORISED BY THE PLANNING MANAGER (ENFORCEMENT & TREES)

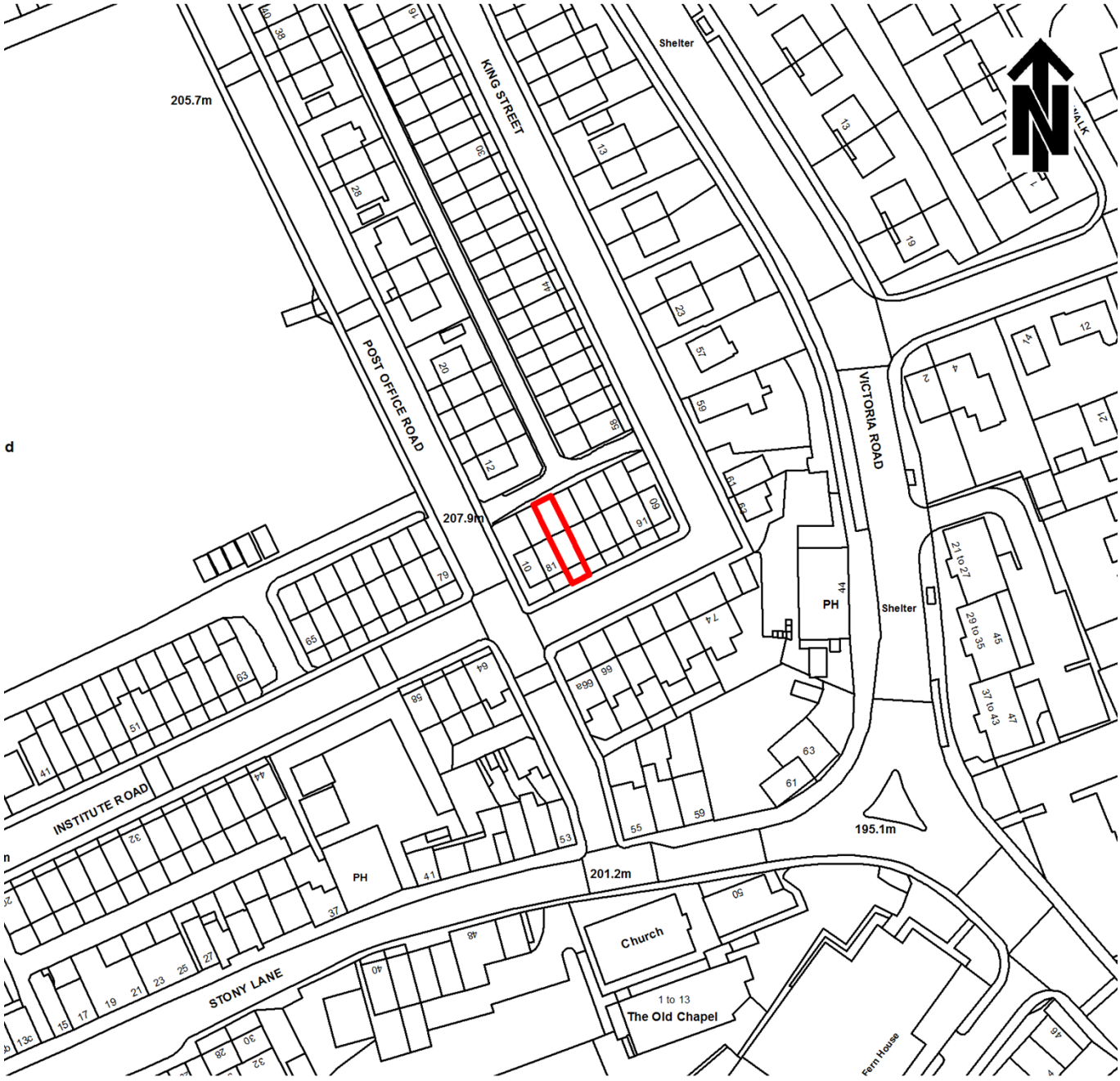
Enforcement Reference:
19/00926/ENFADV

Site Location:
794 Leeds Road Bradford BD3 9TY

Date Discontinuance Action Authorised:
16 December 2019

17/00116/ENFUNA

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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83 Institute Road
Bradford
BD2 2HP

18 February 2020

Item Number: **J**
Ward: **ECCLESHILL**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
17/00116/ENFUNA

Site Location:
83 Institute Road Bradford BD2 2HP

Breach of Planning Control:
Breach of conditions 2 and 3 of planning permission 18/04124/HOU

Circumstances:
In November 2018 planning permission reference 18/04124/HOU was granted for the construction of a front dormer window at the property.

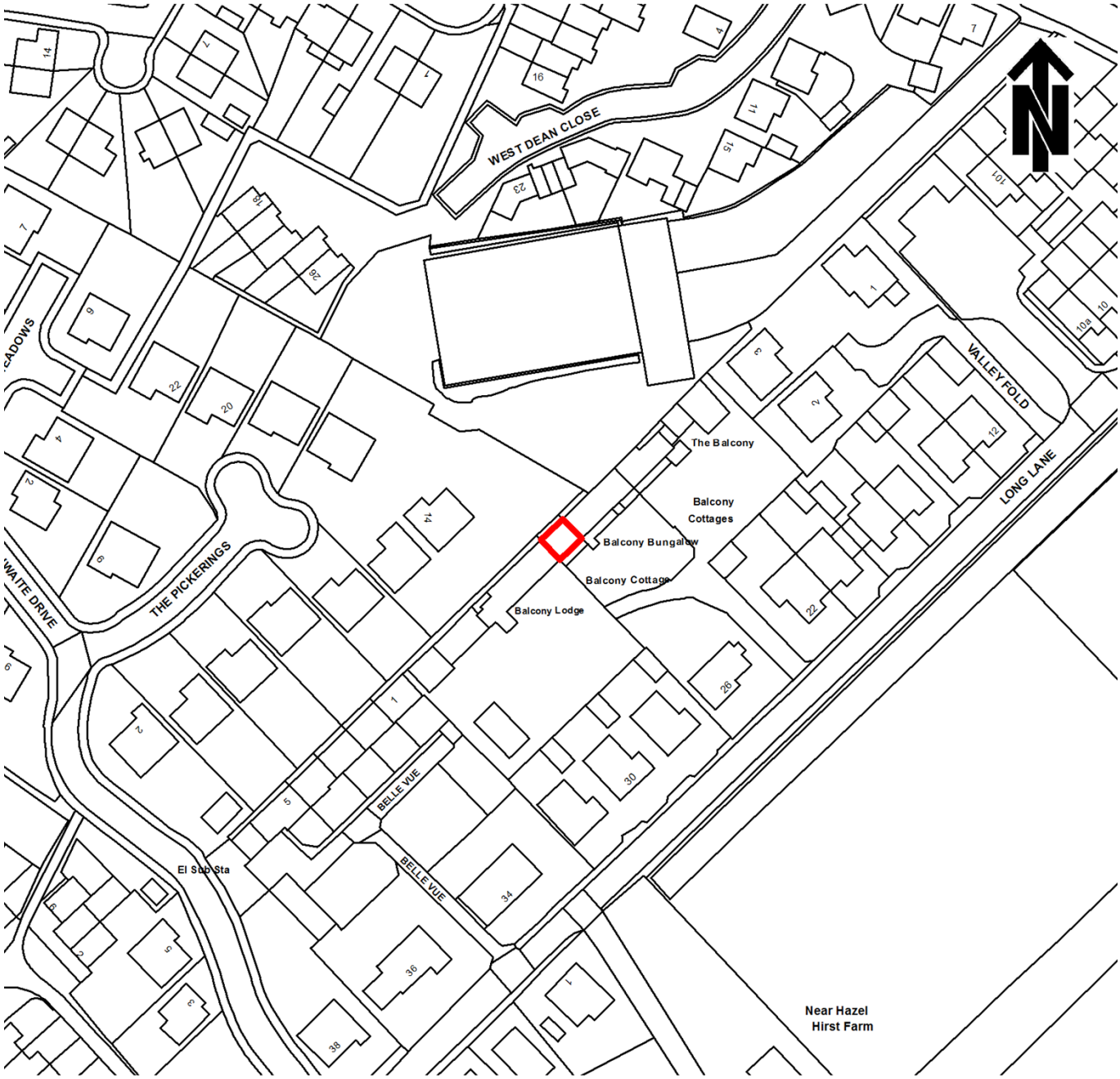
Conditions 2 and 3 of the planning permission require the front wall of the dormer window to be fully glazed and the side walls to be clad with vertically hung slates to match the material used on the roof of the property.

The front wall of the dormer window is not fully glazed and grey cladding material has been used on the front and side walls, in breach of conditions 2 and 3 of planning permission 18/04124/HOU.

On 19 December 2019 the Head of Development Services authorised the issue of a Breach of Condition Notice. It is considered expedient to issue a Breach of Condition Notice as the breach of conditions 2 and 3 of the planning permission is detrimental to visual amenity.

18/00722/ENFUNA

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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Balcony Cottage
Long Lane
Queensbury
Bradford BD13 2LN

18 February 2020

Item Number: **K**
Ward: **QUEENSBURY**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
18/00722/ENFUNA

Site Location:
Balcony Cottage Long Lane Queensbury Bradford BD13 2LN

Breach of Planning Control:
Without planning permission the construction of a balcony to the front of the building.

Circumstances:
In response to a complaint received in this office, a site visit was carried out at the above property when it was noted that a balcony had been constructed to the front of the premises. A letter was sent to the owner of the premises regarding the breach of planning control. To date the owner of the property has taken no action to rectify the matter.

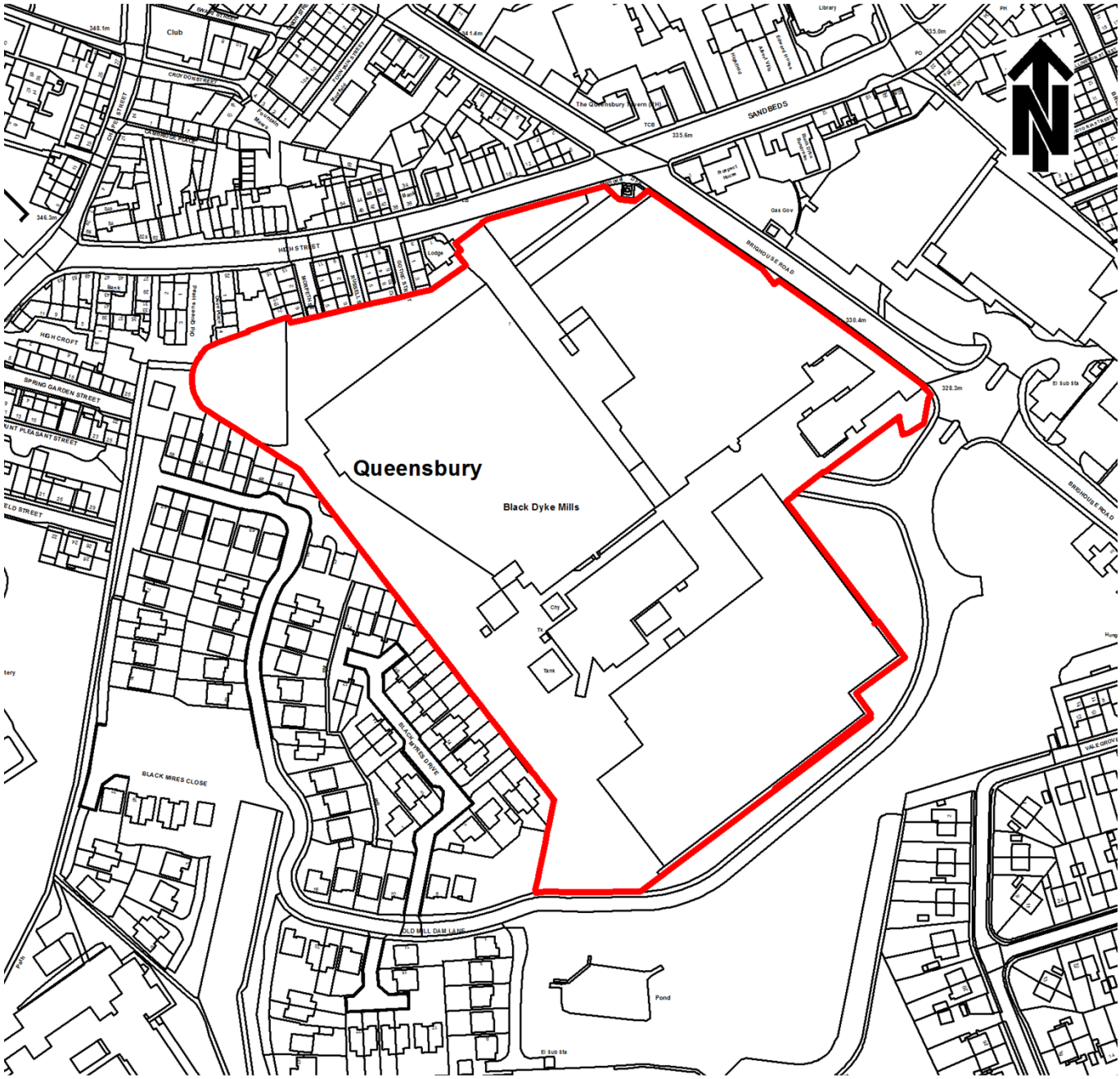
It is considered expedient to take enforcement action because the balcony introduces discordant feature in the street scene by reason of its prominent and elevated position and its forward projection directly to the front of the house. Additionally it adds to the visual clutter of minor modern developments to the detriment of the character of the present street scene and parent building.

The balcony due to its elevated position introduces overlooking to the garden spaces of neighbouring properties at close quarters. The balcony is detrimental to the amenity and privacy of existing and future residents.

The Planning Manager (Enforcement and Trees) authorised enforcement action on 3 December 2019.

16/01053/ENFADV

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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Black Dyke Mills
High Street
Queensbury
Bradford

18 February 2020

Item Number: **L**
Ward: **QUEENSBURY**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
16/01053/ENFADV

Site Location:
Black Dyke Mills High Street Queensbury Bradford

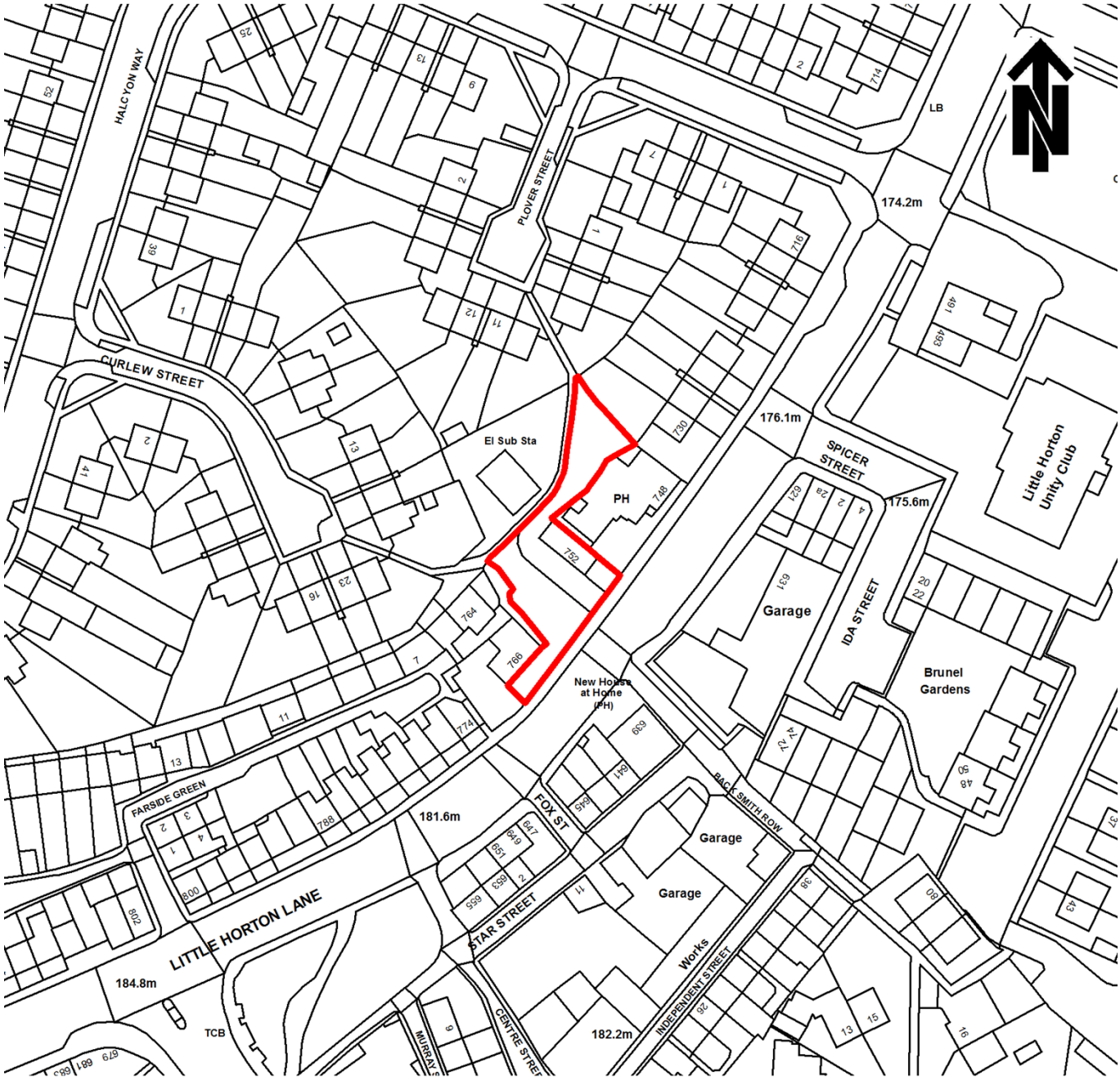
Breach of Planning Control:
Installation of Advertisement Signs on grade II Listed Building

Circumstances:
Complaints have been received about the number advertisement signs which are being displayed on and within the curtilage of Black Dyke Mills, a Grade II Listed Building. Despite letters to the various businesses and to the owner of the premises no positive action has been taken to remove the unauthorised advertisement signs.

The various unauthorised advertisement signs create a visual clutter which is detrimental to the amenity of the wider street scene, compromises the visual setting of the listed monument, causes substantial harm to the appearance of the listed building and degrade the visual quality of the Conservation Area contrary to Local and National Policies. The Area Planning Manager (Enforcement and Trees) authorised Enforcement Action on 14 October 2019.

19/00382/ENFUNA

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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Land Adjacent
752 Little Horton Lane
Bradford
BD5 9BL

18 February 2020

Item Number: **M**
Ward: **LITTLE HORTON**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
19/00382/ENFUNA

Site Location:
Land Adjacent 752 Little Horton Lane Bradford BD5 9BL

Breach of Planning Control:
Unauthorised food trailer with attached roller shutter and raised platform

Circumstances:
In May 2019 the Council received enquiries regarding development works on the land.

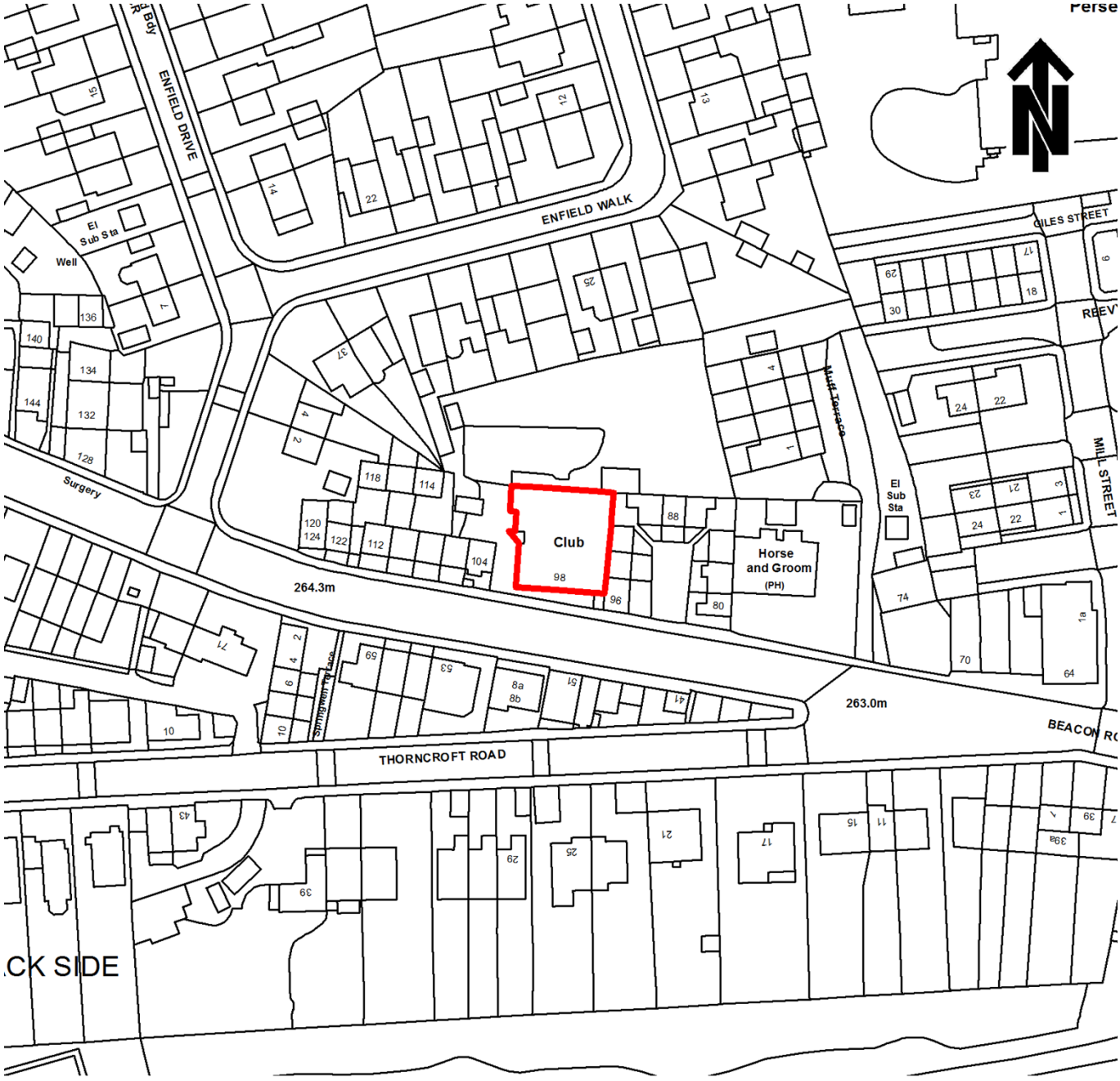
An inspection showed that a food trailer had been sited on the land with an attached externally mounted roller shutter and raised platform, for which the Council had no record of planning permission having been granted.

A retrospective planning application for the siting of the food trailer and associated works, reference 19/03098/FUL, was refused by the Council in September 2019. No appeal has been made against the Council's decision.

The unauthorised food trailer, attached roller shutter and raised platform remain in place on the land and on 17 December 2019 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised food trailer, attached roller shutter and raised platform 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 document and the principles of the National Planning Policy Framework.

18/00530/ENFCOU

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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Slackside Working Mens Club
98 Beacon Road
Bradford
BD6 3EU

18 February 2020

Item Number: **N**
Ward: **WIBSEY**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
18/00530/ENFCOU

Site Location:
Slackside Working Mens Club 98 Beacon Road Bradford BD6 3EU

Breach of Planning Control:
Without planning permission the change of use of land to vehicle storage.

Circumstances:
In response to complaints received in this office, the site was monitored for several months and it was observed that the land is being used for the storage of vehicles. To date the owner/occupiers of the land have taken no action to rectify the matter.

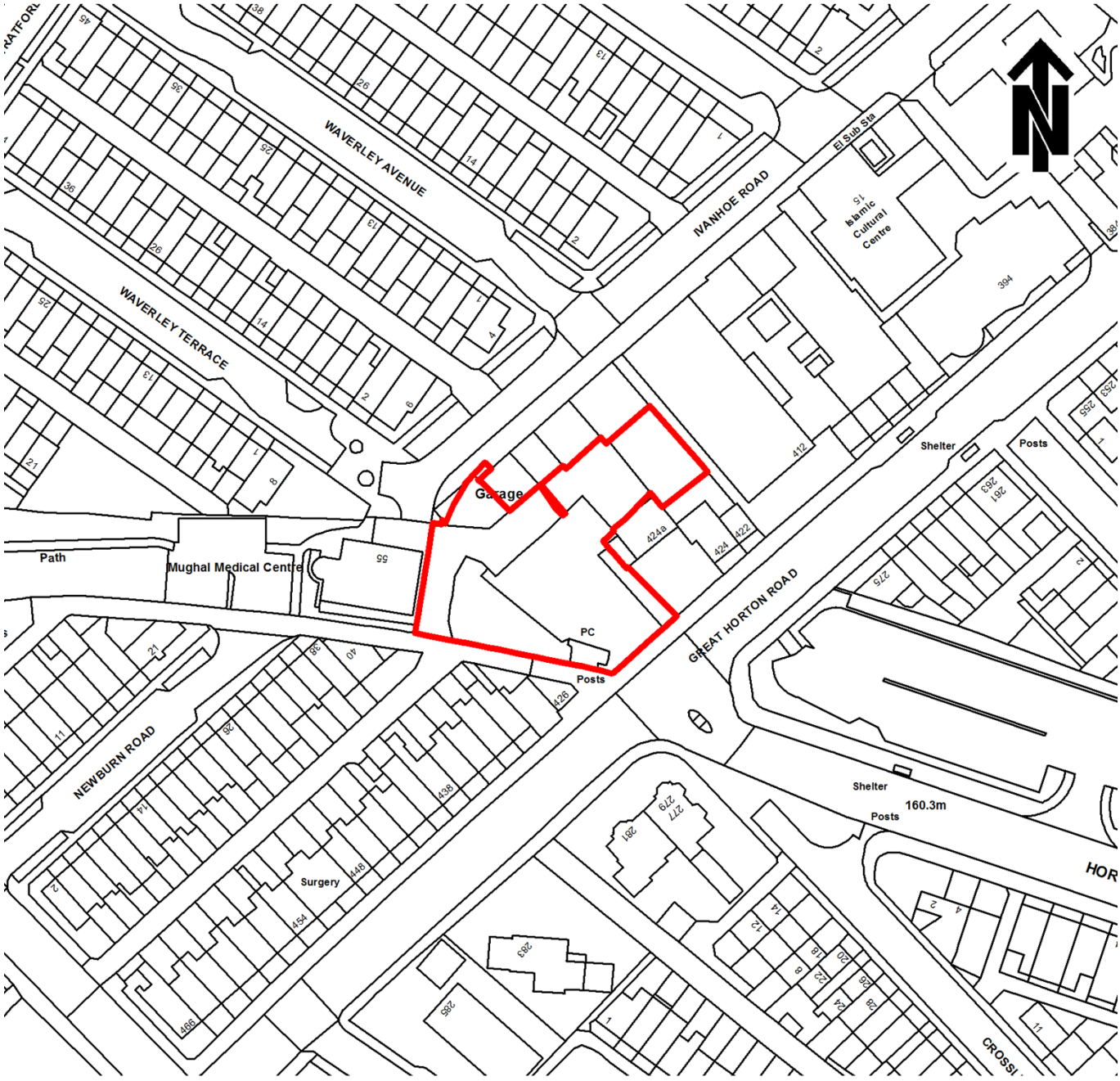
It is considered expedient to take enforcement action because the access to the land is substandard in terms of width and results in vehicles having to reverse onto or wait on Beacon Road a busy classified road and is detrimental to the safe and free flow of traffic on the highway.

The car storage use has increased vehicle movements from the land and the access to the land is long and substandard in width. The slowing and turning manoeuvres of vehicles entering and leaving the site via a right-hand turn results in vehicles standing upon the highway leading to conflict and interference with other vehicles on a busy classified road to the detriment of the free flow of traffic.

The Planning Manager (Enforcement and Trees) authorised enforcement action on 10 December 2019.

19/00757/ENFCOU

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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Yard At
424 Great Horton Road
Bradford
BD7 3HS

18 February 2020

Item Number: **O**
Ward: **CITY**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
19/00757/ENFCOU

Site Location:
Yard At 424 Great Horton Road Bradford BD7 3HS

Breach of Planning Control:
Unauthorised siting of eight metal storage containers

Circumstances:
In September 2019 the Council received enquiries regarding the siting of containers on the land.

An inspection showed that eight metal storage containers had been sited on the land, for which the Council has no record of planning permission having been granted.

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

On 17 December 2019 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised metal storage containers are detrimental to visual amenity, forming incongruous features on the land and in the street scene, contrary to policies DS1 and DS3 of the Council's adopted Core Strategy Development Plan document and the principles of the National Planning Policy Framework.

DECISIONS MADE BY THE SECRETARY OF STATE

Appeal Allowed

ITEM No.	WARD	LOCATION
P	Little Horton (ward 18)	1A Marshfield Street Bradford BD5 9NB Replacement of cladding on front and rear dormers to match existing roof - Case No: 19/02299/HOU Appeal Ref: 19/00113/APPHOU
Q	City (ward 07)	38 Manningham Lane Bradford BD1 3EA Change of use form A3 (restaurant/cafe) to Sui Generis (banqueting facilities) Retrospective - Case No: 19/00934/FUL Appeal Ref: 19/00068/APPFL2
R	Bolton And Undercliffe (ward 04)	507 Otley Road Bradford BD2 4QL Appeal against Enforcement Notice - Case No: 17/00030/ENFUNA Appeal Ref: 19/00059/APPENF
S	Tong (ward 25)	73 St Margarets Avenue Bradford BD4 9BE Garage, conservatory and front porch - Case No: 18/03042/CLE Appeal Ref: 18/00152/APPCLE
T	Manningham (ward 19)	Clifton Snooker Lounge Ltd Clifton Mill Clifton Street Manningham Bradford BD8 7DA Retrospective change of use from vacant commercial B1 use to form D2 assembly and leisure use for snooker lounge - Case No: 18/05344/FUL Appeal Ref: 19/00031/APPFL2

Appeal Dismissed

ITEM No.	WARD	LOCATION
U	City (ward 07)	20 Summerville Road Bradford BD7 1PX Change of use from shop (A1) to restaurant/cafe (A3) (retrospective) - Case No: 19/00007/FUL Appeal Ref: 19/00074/APPFL2
V	City (ward 07)	20 Summerville Road Bradford BD7 1PX Appeal against Enforcement Notice - Case No: 18/00514/ENFCOU Appeal Ref: 19/00090/APPENF
W	City (ward 07)	31 North Parade Bradford BD1 3JL Appeal against Enforcement Notice - Case No: 17/00510/ENFUNA Appeal Ref: 19/00064/APPENF
X	City (ward 07)	38 Manningham Lane Bradford BD1 3EA Appeal against Enforcement Notice - Case No: 15/00157/ENFCOU Appeal Ref: 19/00055/APPENF
Y	Bradford Moor (ward 06)	61 Maidstone Street Bradford BD3 8AP Appeal against Enforcement Notice - Case No: 18/00009/ENFAPP Appeal Ref: 19/00099/APPENF
Z	Bradford Moor (ward 06)	63 - 65 Maidstone Street Bradford BD3 8AP Appeal against Enforcement Notice - Case No: 18/00097/ENFAPP Appeal Ref: 19/00098/APPENF

ITEM No.	WARD	LOCATION
AA	Clayton And Fairweather Green (ward 08)	Bradford Kitchens And Bathrooms 603 Thornton Road Bradford BD8 0BL Temporary (5 years) planning permission for a tyre repair centre (retrospective) - Case No: 19/03040/FUL Appeal Ref: 19/00125/APPFL2
AB	Wyke (ward 30)	Knowle Farm Knowle Lane Wyke Bradford BD12 9BG Retrospective change of use of land to residential garden that incorporates a gravel drive and turning area and for a retrospective outbuilding to be used for domestic purposes in association with the dwelling house of Knowle Farm Knowle Lane Wyke Bradford - Case No: 19/02599/FUL Appeal Ref: 19/00111/APPFL2
AC	Wibsey (ward 27)	Land East Of 12 Horsley Street Bradford Appeal against Enforcement Notice - Case No: 18/00326/ENFCOU Appeal Ref: 19/00057/APPENF
AD	Manningham (ward 19)	Upper Ground Floor Clifton Mill Clifton Street Manningham Bradford BD8 7DA Appeal against Enforcement Notice - Case No: 17/00939/ENFCOU Appeal Ref: 19/00009/APPENF
AE	Manningham (ward 19)	Upper Ground Floor Clifton Mill Clifton Street Manningham Bradford BD8 7DA Appeal against Enforcement Notice - Case No: 17/00939/ENFCOU Appeal Ref: 19/00045/APPENF

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 Appeals Allowed in Part/Part Dismissed to report this month

Notice Upheld

There are no Notice Upheld to report this month

Notice Varied and Upheld

There are no Notice Varied and Upheld to report this month

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