

Minutes of a meeting of the District Planning Panel held remotely on Thursday, 17 December 2020 at 10.00 am

Commenced 10.00 am
Concluded 12.20 pm

Present – Councillors

| LABOUR | CONSERVATIVE | LIBERAL DEMOCRAT AND INDEPENDENT GROUP |
|--|----------------|--|
| S Hussain (Chair) Amran Godwin Watson | Barker Riaz | R Ahmed |

Councillor S Hussain in the Chair

In attendance: Councillor Imran Khan (minute 5c)

1. ALTERNATE MEMBERS (Standing Order 34)

There were no alternate Members.

2. DISCLOSURES OF INTEREST

There were no declarations made for applications under consideration.

3. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals.

4. PUBLIC QUESTION TIME

No questions were received for matters within the remit of the Panel.

5. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

a) 11 Springfield Place, Manningham, Bradford Manningham

Householder application for the construction of a single storey annex to the rear of 11 Springfield Place, Manningham, Bradford - 20/04055/HOU

An overview of the application was presented showing details of the location and proximity to the host dwelling as well as details of the site in relation to

surrounding properties. Details were provided as to the nature of the application and its intended use. Eleven objections had been received but there were no representations made at the meeting by either objectors or the applicant.

Members raised the following questions for clarity in respect of the above application:

A Member asked what would happen if the use changed to that granted. It was advised by Officers that a change to another type of usage would require planning permission.

The question of whether adding conditions to the application could be made and Officers confirmed that the existing condition number three in the application allowed for this contingency.

Another member asked whether the structure was a separate dwelling and was advised that it was ancillary to the main property.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Place’s technical report (Document “A”)

Action: Strategic Director, Place

(b) 258 Thornton Road, Bradford

City

Full application for a first floor extension at 258 Thornton Road, Bradford - 20/04766/FUL.

Officers presented the application which was for a first floor extension to a two storey commercial property in a mixed use area. The presentation included detailed plans of the proposal including roof elevations and their position in relation to an adjoining building as well as a map of the location of the property.

An objector attended the meeting and raised concerns regarding window openings as he was not satisfied that he would be able to open his windows fully as they opened outwards. He also expressed his concern in relation to drainage and the omission of a chimney in the plan.

Planning Officers advised that windows would be able to open fully as the extension was below the height of the windows in the adjoining property. Drainage would be covered by building regulations and the chimney would come under the Party Wall Act.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Place’s technical report (Document “A”)

Action: Strategic Director, Place

(c) Land East Of 74 Airedale College Road, Bradford

Bowling and Barkerend

Construction of new dwelling on land east of 74 Airedale College Road, Bradford - 20/03280/FUL.

Officers presented details of the application which was for the construction of a residential dwelling that had previously been granted planning permission but had lapsed due to work not commencing. The presentation including site plans and information relating to the surrounding buildings and the nature and type of nearby structures and properties. Officers indicated that there were no significant differences in the current application to the previous lapsed application.

An objector attended the meeting and raised a number of issues in relation to the above planning application. Concerns raised included a previous breach of the Party Wall Act, resulting in an emergency injunction being taken out, the fact that the proposed property would be constructed in a private road which was already in a state of disrepair as it was the residents' responsibility to maintain. It was felt commercial delivery vehicles could cause further deterioration. Street lighting was minimal, the disturbance was detrimental to elderly residents, a grade 2 listed cemetery wall was at risk and possible infringements of a boundary wall were anticipated.

A Ward Councillor also attended the meeting to support the objector and raised the same concerns as well as the fact that the proposed site is sloping.

The applicant attended the meeting and stated that previous planning permission had been granted in 2015 but had lapsed leading to the current application being submitted. He further stated that no issues had been raised from the Highways Department and that the injunction had been removed on condition that the Party Wall Act was adhered to. He stated that the objector had been using the land and stated that no work had been carried out to rectify any existing structural issues to the objectors' property. He stated that he would comply with all regulations.

Members asked the following questions in relation to the above application:

An explanation was sought to explain the Party Wall Act in the context of the application being considered. Officers advised that it is a separate piece of legislation where a wall is used jointly but would not be a point to refuse permission on.

A Member expressed concern about further damage to the road and whether it would be repaired. Officers advised that heavy vehicle movements would be temporary and there is limited control under the planning process and would not be considered as a condition. It should be sorted by residents (unadopted road).

A member asked about the implications of the construction to the nearby

cemetery as its wall formed part of the boundary to the construction site and whether the cemetery's owners had been in contact or raised any concerns about possible damage. Officers advised that conservation issues had been addressed and that no communication had been received in relation to the cemetery from its owners.

Members asked whether a condition for the delivery and storage of materials could be included and if it was possible to stipulate times during which work could be carried out. Officers advised that the application was identical to the previous one and a change in the application would need to be identified in order to reach a different decision. They did advise also, that the issues for storage of materials and working hours could be addressed with a suitably worded planning condition.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Place's technical report (Document "A") and also subject to the additional conditions:

1. That no construction materials shall be brought onto the site until a plan showing a location within the site where they would be stored has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interest of highway safety and neighbour's amenities and to comply with Policies DS4 and TR2 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

2. That construction work shall only be carried out between the hours of 0730 and 1800 on Mondays to Fridays, 0730 and 1300 on Saturdays and at no time on Sundays, Bank or Public Holidays, unless specifically agreed otherwise in writing by the Local Planning Authority.

Reason: To protect the amenity of the occupants of nearby dwellings and to accord with Policy DS5 of the Core Strategy Development Plan Document.

Action: Strategic Director, Place

(d) Telecommunications Mast Gilstead Reservoir, Off Agincourt Drive, Ferncliffe, Bingley Bingley

Removal of an existing telecommunications mast, antennas, cabin and cabinets from the site and installation of new 20-metre high slimline monopole with 12 x MBNL antennas and associated equipment at top of mast, 1 x new 0.6m and 3 x 0.6m transmission dishes relocated from existing mast, 8 x ground based equipment cabinets and minor ancillary works - 20/03830/FUL

Site – existing telecommunications mast on land near Gilstead Waterworks Off Agincourt Drive, Warren Lane, Bingley, BD16 3NQ - 20/03830/FUL

The main points were clarified for the Panel as an additional summary in support

of the application which was recommended for approval.

The agent attended the meeting and presented further information including the fact that the new mast was an upgrade for 5G technology.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Place’s technical report (Document “A”)

Action: Strategic Director, Place

(e) 4 Farcliffe Road, Bradford

Toller

Application seeking retrospective planning permission for a first floor extension at 4 Farcliffe Road, Bradford - 20/03964/HOU.

Officers presented the application to the Panel that showed details of the structure, it being a conservatory which was erected on top of an existing part of a residential dwelling and within its existing structural footprint. The presentation also included photographs of the structure in situ as this was a retrospective application. Officers stated that there had been no objections received by residents occupying nearby residential properties, indeed they had received letters of support but these did not contain any points of planning merit.

The applicant attended the meeting and explained that there had been an error in not seeking planning permission prior to the addition as it did not increase the footprint of the property. He also stated that neighbours had been in support of the additional structure as well as support from Ward Councillors.

Members asked what changes would be needed to make the structure acceptable to Planning as it was recommended for refusal. Officers advised that the structure should have a different roof and be constructed using stone as it was unsympathetic in appearance. A brief discussion took place around deferral of a decision to make modifications but this could be appealed. The property was not listed and was not in a conservation area.

Members also commented that it would have been preferred if the application had been supported by Occupational Health.

Resolved –

That the application be approved for the following reasons:

That it is considered that the first floor extension is not over dominant or an incongruous structure of the host dwelling and so complies with the Council’s adopted Householder Supplementary Planning Document and policies DS1, DS3 and DS5 of the Core Strategy Development Plan Document.

Action: Strategic Director, Place

(f) Heather Lodge, Back Shaw Lane, Keighley Bingley Rural

Application for use of field for mobile glamping pods and shepherd huts. Land at Heather Lodge, Back Shaw Lane, Keighley - 20/01863/FUL

Officers presented the application which showed plans including the size of the area and proposed facilities that were submitted as being temporary. Photographs were also shown to the Panel of the site which already had some structures present. The application was recommended for refusal on the grounds that the site was in a green belt area, would intensify the use of cars to access the site via a public bridleway, the lack of information provided by the applicant in relation to an assessment of the proposal's impact on landscape character as well as no mitigation of those affects. Lastly the site is located immediately adjacent to Harden Moor and it's potential affects on this designated Local Wildlife Site were cited.

A written representation was circulated to Members prior to the meeting as the applicant was unable to attend the meeting. The Panel discussed the application and the concerns around the location and suitability of the proposal.

Resolved –

That the application be refused for the reasons set out in the Strategic Director, Place's technical report (Document "A").

Action: Strategic Director, Place

6. MISCELLANEOUS ITEMS

REQUEST FOR ENFORCEMENT/PROSECUTION ACTION

(a) 1 Toller Park, Bradford Heaton

Without planning permission, the construction of a first floor extension to form an additional floor - 18/00280/ENFAPP

On 20 November 2020 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action.

(b) 10 Dalcross Grove, Bradford Little Horton

Without planning permission, the construction of a front single storey extension, a dormer window to the front and rear and the hard surfacing of the front garden area of the land with non-porous material with no provision to direct runoff water within the curtilage of the dwelling house - 19/00295/ENFAPP

The Planning Manager (Enforcement and Trees) authorised enforcement action on 19 October 2020 requiring the demolition of the single storey extension and front dormer window. The removal of the horizontal cladding from the principal elevation on the rear dormer window and replacement of slate to match the roof of the host building and removal of the non-porous hard surfacing material from the front garden of the land.

(c) 142-144 Main Street, Bingley Bingley

Without planning permission, the construction of an extension to the rear of the property - 19/00822/ENFAPP

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 19 October 2020 requiring the demolition of the extension and removal of all materials from the land.

(d) 2 Idle Road, Bradford Bolton and Undercliffe

Unauthorised alterations to an outbuilding - 20/00603/ENFAPP

On 30 September 2020 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 outbuilding are detrimental to visual amenity, 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.

(e) 205 Bradford Road, Shipley Heaton

Without planning permission, the construction of a rear dormer window - 18/00528/ENFUNA

The Planning Manager (Enforcement and Trees) authorised enforcement action on 13 August 2020 requiring the demolition of the rear dormer window or the replacement of the white plastic cladding with slate to match the roof of the dwelling house.

(f) 25 Ashgrove, Great Horton, Bradford City

Without listed building consent, the insertion of 3 No uPVC first floor curved windows in the front elevation, the insertion of 3 No ground floor uPVC windows in the rectangular bay window in the front elevation and the removal of the coping detail from the chimney stack in the front elevation - 18/00357/ENFLBC

On 20 November 2020 the Planning Manager (Enforcement & Trees) authorised the issue of a Listed Building Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action.

(g) 32 Middlebrook Way, Bradford CLAYTON AND FAIRWEATHER GREEN

Without planning permission, the creation of a fence to the side of the property -

19/00078/ENFUNA

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 19 October 2020 requiring the concrete panel fence alongside Middlebrook Way to be reduced to 1.2 metres or less.

(h) 4 Ruffield Side, Bradford

Wyke

Without planning permission, the construction of a shed to the front of the property - 19/00203/ENFUNA

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 19 October 2020 requiring the demolition of the shed and removal of the materials from the land.

(i) 5 Ellercroft Avenue, Bradford

City

Without planning permission, construction of a two-storey side extension - 19/00916/ENFAPP

On 20 November 2020 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action

(j) 58 Moore Avenue, Bradford

Wibsey

Without planning permission, the construction of a porch to the front of the property - 19/00503/ENFUNA

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 12 August 2020 requiring the demolition of the porch, remove all arising materials from the land and make good any damage caused to the property as a result of compliance with the requirements of the notice.

(k) 6 Garibaldi Street, Bradford

Bradford Moor

Breach of condition 2 of planning permission 19/01326/HOU and breach of condition 2 of planning permission 19/03141/HOU - 18/01042/ENFUNA

On 30 September 2020 the Planning Manager (Enforcement & Trees) authorised the issue of two Breaches of Condition Notices. It is considered expedient to issue Breach of Condition Notices as the breach of condition 2 of each of the planning permissions is detrimental to visual amenity.

(l) 83 Barden Avenue, Bradford

Royds

Without planning permission, the construction an extension to the side of the property - 19/00082/ENFUNA

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 19 October 2020 requiring the demolition of the extension and removal of all resulting materials from the land.

(m) 86 Bolingbroke Street, Bradford

Little Horton

Unauthorised rear dormer window - 17/00199/ENFUNA

On 29 September 2020 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised rear dormer window is detrimental to visual amenity by virtue of its 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.

(n) Car Park, Clarges Street, Bradford

Little Horton

Without planning permission, the siting of two metal storage containers, that have been timber clad and are in use as café and hot food takeaway - 20/00667/ENFUNA

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 19 October 2020 requiring the removal of the timber canopy, roof, decking, cladding and storage containers from the land together with all means of fixing.

(o) Car Park, Lyon Street, Queensbury, Bradford

Queensbury

Without planning permission, the material change of use of land from curtilage, the siting of a storage container on the land and the construction of a boundary wall with a fence atop and attached gates - 20/00688/ENFUNA

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 5 August 2020 requiring the owners to cease the unauthorised use of the land, remove the storage container and demolish and remove the wall, fence and gates.

(p) Land Clough Street, Bradford

Bowling and Barkerend

Without planning permission, the construction of two three storey dwellings - 18/00161/ENFCON

The Planning Manager (Enforcement and Trees) authorised Enforcement action on the 5 August 2020 and the owner of the land will be required to demolish the dwellings and remove all materials from the land.

DECISIONS MADE BY THE SECRETARY OF STATE

APPEALS ALLOWED

(q) 9 Armidale Way, Bradford

Bolton And Undercliffe

Roof extension and rear dormer window - Case No: 20/02498/HOU

Appeal Ref: 20/00078/APPHOU

APPEALS DISMISSED

(r) 4 Woodvale Way, Bradford Great Horton

Construction of boundary wall, fence and gates to front (retrospective) - Case No: 20/00842/HOU

Appeal Ref: 20/00050/APPHOU

(s) Land At Bolton Road, Bradford Bolton And Undercliffe

Construction of one detached dwelling - Case No: 20/00221/FUL

Appeal Ref: 20/00055/APPFL2

(t) Woodcap, Glen Way, Eldwick, Bingley Bingley

Two dormer windows to the rear - Case No: 20/00696/HOU

Appeal Ref: 20/00060/APPHOU

APPEALS UPHELD

There are no Appeal Upheld Decisions to report this month.

Appeals Upheld (Enforcements Only)

There are no Appeal Upheld Decisions to report this month

Resolved –

That the decisions be noted.

Action: Strategic Director, Place

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the District Planning Panel.