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City of BRADFORD METROPOLITAN DISTRICT COUNCIL

Agenda for a meeting of the District Planning Panel to be held remotely on Thursday, 17 December 2020 at 10.00 am

Members of the Committee – Councillors

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

Alternates:

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT AND INDEPENDENT GROUP
A Ahmed Abid Hussain Jenkins Mukhtar	Sullivan Whitaker	Reid

Notes:

- Please note that, under the current circumstances only Members and Alternates on the Panel will receive paper copies of the agenda, however the agenda and reports can be viewed on the Councils agenda and minutes website five clear working days in advance of the meeting.

- **There will be a legal briefing for Members of the Committee at 0830 (Members are advised to login remotely from 0815. It is important that the briefing starts promptly and concludes at 0930 to enable interested parties to join the meeting in a timely manner.**

- The meeting will be held remotely, Members, officers and interested parties in advance of the meeting will be sent via email, instructions and a link on how to join the meeting remotely. **However any interested parties are strongly advised to submit their representations in writing, by the deadline set out below**, in the first instance in case technical issues are encountered on the day of the meeting. If interested parties are unable to make representations remotely due to a technical issue, then the Committee will refer to their written representation **(they will not be read out)**. **ANY REPRESENTATIONS SUBMITTED AFTER THE DEADLINE DATE SET OUT BELOW WILL NOT BE CONSIDERED.**

- A webcast of the meeting will be available to view live on the Council's website at https://bradford.public-i.tv/core/portal/home and later as a recording.

- Any **written** representations that interested parties may wish to make at the meeting itself in support of or objecting to an application or other business item should be made in writing to the Governance Officer by **midday on Tuesday 15**

December 2020. Please email your representations to the following officers: susan.booth2@bradford.gov.uk and fatima.butt@bradford.gov.uk.

- **PLEASE ENSURE THAT YOUR WRITTEN SUBMISSION IS OF A LENGTH, THAT IF READ OUT, WOULD TAKE NO LONGER THAN 5 MINUTES, AND ANY ACCOMPANYING PHOTOGRAPHS/PLANS SHOULD NOT EXCEED FOUR. MULTIPLE SUBMISSIONS WILL NOT BE ACCEPTED OR CIRCULATED TO THE MEMBERS OF THE COMMITTEE. ANY LENGTHY DOCUMENTS WILL BE REFERRED TO THE PLANNING OFFICER TO SUMMARISE AT THE MEETING.**

- Anyone wishing to **speak** to any of the applications at the meeting either as a Ward Councillor, applicant/agent or if you are in support or objecting to an application needs to email the above Governance Officers by **midday on Tuesday 15 December 2020**. **Please provide a telephone contact number**, together with the application details and explaining who will be speaking. You will then be advised on how you can participate in the remote meeting. Please note that any representations will be allowed 5 minutes only and this will have to be shared if there are one or more speakers.

- Approximately 15 minutes before the start time of the meeting the Governance Officer will set up the electronic conference arrangements initially in private and bring into the conference facility the Members and officers so that any issues can be raised before the start of the meeting. The officers presenting the reports at the meeting and other interested parties will have been advised by the Governance Officer of their participation and will be brought into the electronic meeting at the appropriate time.

- Members should be on their own when attending remotely and ensure that any confidential papers are not visible via the technology used.

From: **To:**

Parveen Akhtar
City Solicitor
Agenda Contact: Susan Booth/Fatima Butt
Phone: 07814 073884/01274 432227
E-Mail: susan.booth2@bradford.gov.uk/fatima.butt@bradford.gov.uk

A. PROCEDURAL ITEMS

1. ALTERNATE MEMBERS (Standing Order 34)

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

2. DISCLOSURES OF INTEREST

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

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

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

Notes:

(1) Members may remain in the meeting and take part fully in discussion and voting unless the interest is a disclosable pecuniary interest or an interest which the Member feels would call into question their compliance with the wider principles set out in the Code of Conduct. Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.

(2) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.

(3) Members are also welcome to disclose interests which are not disclosable pecuniary interests but which they consider should be made in the interest of clarity.

(4) Officers must disclose interests in accordance with Council Standing Order 44.

3. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

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

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

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

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

(Susan Booth 07814 073884/Fatima Butt 01274 432227)

4. PUBLIC QUESTION TIME

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

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

Questions must be received in writing by the City Solicitor, please email your representation to the following Officers: Susan Booth or Fatima Butt (susan.booth2@bradford.gov.uk , fatima.butt@bradford.gov.uk) by midday on Tuesday 15th December 2020

(Su Booth – 07814 073884/Fatima Butt - 01274 432227)

5. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL 1 - 40

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

The sites concerned are:

Item	Site	Ward
A	11 Springfield Place, Bradford – (Approve)	**Manningham**
B	258 Thornton Road Bradford – (Approve)	**City**
C	Land East Of 74 Airedale College Road Bradford – (Approve)	**Bowling And Barkerend**
D	Telecommunications Mast Gilstead Reservoir Off Agincourt Drive Ferncliffe Bingley – (Approve)	**Bingley**
E	4 Farcliffe Road Bradford – (Refuse)	**Toller**
F	Heather Lodge Back Shaw Lane Keighley – (Refuse)	**Bingley Rural**

(Mohammed Yousuf 01274 434605)

6. MISCELLANEOUS ITEMS 41 - 76

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

(a-p) Request for Enforcement/Prosecution Action

(q) Decisions made by the Secretary of State – Allowed

(r-t) 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

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City of BRADFORD METROPOLITAN DISTRICT COUNCIL

Report of the Strategic Director of Place to the meeting of the District Planning Panel to be held on 17 December 2020

Summary Statement - Part One

Applications recommended for Approval or Refusal

The sites concerned are:

Item	Site	Ward
A	11 Springfield Place Manningham Bradford BD1 3EZ - 20/04055/HOU [Approve]	**Manningham**
B	258 Thornton Road Bradford BD1 2LB - 20/04766/FUL [Approve]	**City**
C	Land East Of 74 Airedale College Road Bradford - 20/03280/FUL [Approve]	**Bowling And Barkerend**
D	Telecommunications Mast Gilstead Reservoir Off Agincourt Drive Ferncliffe Bingley BD16 3NQ - 20/03830/FUL [Approve]	**Bingley**
E	4 Farcliffe Road Bradford BD8 8QA - 20/03964/HOU [Refuse]	**Toller**
F	Heather Lodge Back Shaw Lane Keighley BD21 5QU - 20/01863/FUL [Refuse]	**Bingley Rural**

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

Report Contact: Mohammed Yousuf
Phone: 01274 434605

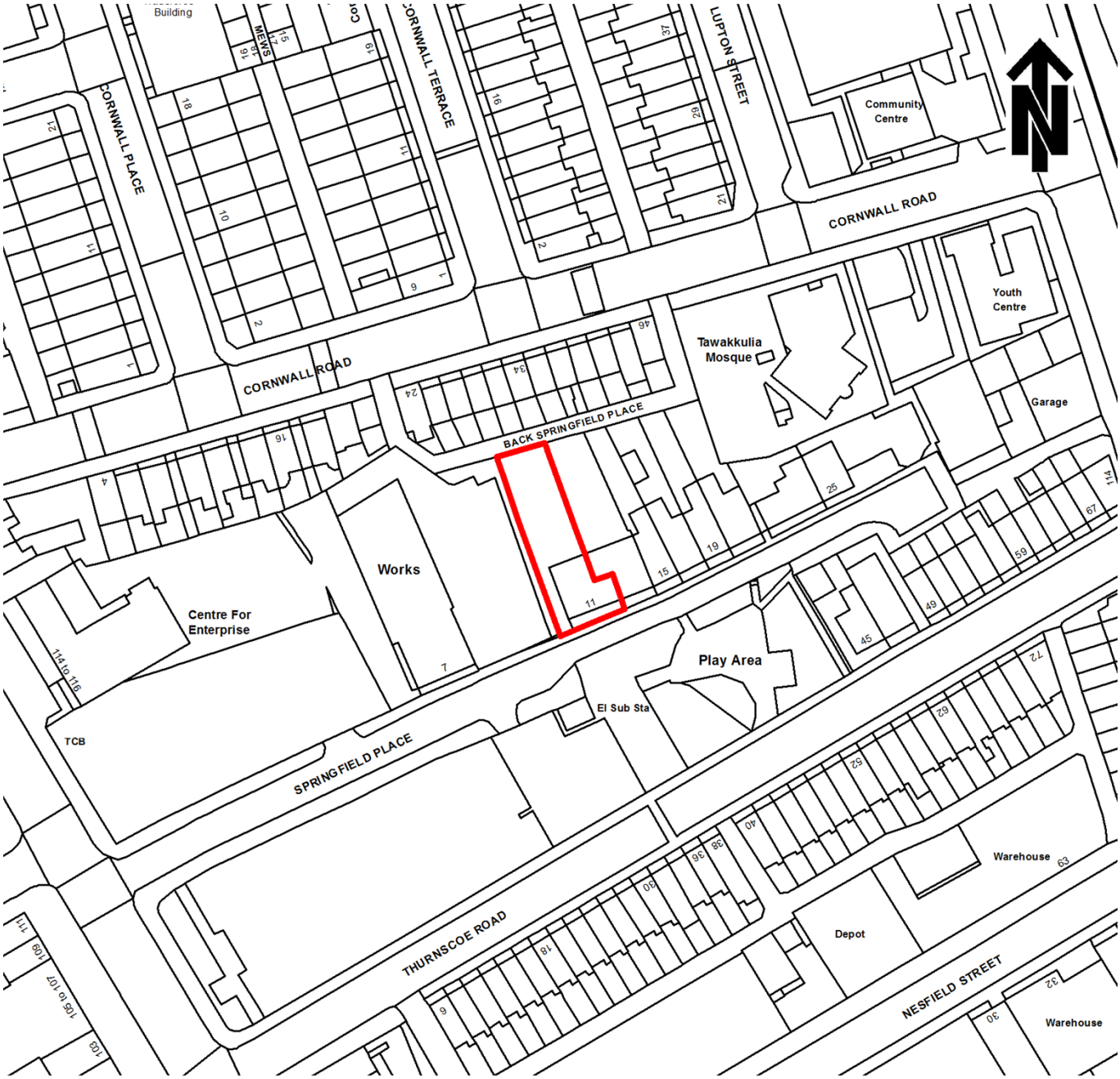
Email: mohammed.yousuf@bradford.gov.uk

Portfolio:
Regeneration, Planning & Transport

Overview & Scrutiny Committee Area:
Regeneration and Environment

20/04055/HOU

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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11 Springfield Place
Manningham
Bradford BD1 3EZ

17 December 2020

Item: **A**
Ward: **MANNINGHAM**
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
20/04055/HOU

Type of Application/Proposal and Address:
This is a householder application for the construction of a single storey annex to the rear of 11 Springfield Place, Manningham, Bradford, BD1 3EZ.

Applicant:
Mr Faik Rehman

Agent:
Mr Shuaib Khan

Site Description:
The application dwelling is an end of terrace double fronted stone built property, located within a mixed use area, but largely features residential terraced rows. Adjacent to the site is a car and maintenance centre and a children's play area directly opposite. A service road runs behind the site. The dwelling has a large garden to the rear, that has been concreted over and enclosed by a tall block wall, with black access gates to the front and rear.

Relevant Site History:
94/02744/FUL - GRANT 17.11.1994 - Construction of conservatory and veranda and double garage
10/04511/FUL - GRANT 03.11.2010 - Conversion of dwelling to form two self-contained flats and one bedsit room
11/05079/HOU - GRANT 04.01.2012 - Construction of dormers to front
12/00560/HOU - GRANT 04.04.2012 - Construction of dormer windows to front
20/02855/HOU - WITHDRAWN 02.09.2020 - Double storey annexe to rear of property

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. Accordingly, the above adopted Core Strategy and saved RUDP policies are applicable to this proposal.

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

Other Relevant Legislation
SPD08 Householder Supplementary Planning Document

Parish Council:
Not in a Parish.

Publicity and Number of Representations:
The application has been publicised with individual neighbour notification letters. The publicity period expired on 12 October 2020. The application has received 11 representations objecting to the proposal.

Summary of Representations Received:
All matters of representation are duly noted and have been taken into consideration by the planning officer. Where the representations relate to material planning considerations, these will be addressed in detail within the appraisal. The representations are summarised as follows:

- Eyesore.
- Loss of privacy.
- Decrease house values.
- Blocking of natural sun/day light into gardens and kitchens.
- Overshadowing.
- Sound pollution from works will be difficult to tolerate.
- Phone lines for multiple houses may be affected.
- Already a lack of space and privacy in the area.
- Noise and disturbance.
- Lack of parking- all nearby street already full.
- Access to the street will be made worse.
- Withdrawing last application to only make another without the objections. The neighbours thought the application was withdrawn.

- Development will be disturbing to the whole area and will be difficult to tolerate.
- Issues have not been resolved- don't see how this can be passed.
- Will they have a flat roof- most likely not.
- Above the single storey there will be an additional 1.5 metre roof blocking sunlight.
- Building construction will cause harmful and dangerous problems for the children to play in the community.

Consultations:
No consultations sought.

Summary of Main Issues:
1. Principle.
2. Visual amenity.
3. Residential amenity.
4. Highway safety.
5. Other Issues.

Appraisal:
1. Principle
The proposal is for a single storey annex. The proposal is for a domestic extension within the curtilage of a 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 subject to an assessment of the local impacts.

2. Visual amenity
The proposed single storey annex is to be sited at the bottom of the rear garden space of the host dwelling. The annex has a footprint of 6 metres by 9.99 metres, with a ridge height of 4.58 metres and eaves of 2.815 metres. Constructed in roofing and facing materials with white uPVC window fittings, the annex will complement the building materials of the host dwelling. Whilst the footprint of the annex is large, it is still considered of a size and design that is incidental to the enjoyment of the host dwelling. Factoring in the site context and the size of the plot, the annex is not considered to be over dominating or overbearing to the character and appearance of the host dwelling. Located within the private amenity space which is enclosed by high boundary walls, the proposed annex is not considered to have a significant visual impact on the present street scene. The proposal therefore satisfies policies DS1 and DS3 of the Core Strategy Development Plan Document and the Householder Supplementary Planning Document.

3. Residential amenity
Note is made of the representations received concerning overshadowing and loss of natural daylight reaching kitchens and garden space, however the proposal is not considered to harm the amenities of the adjoining No 13 Springfield Place. Similarly, there are no concerns for the amenities of the properties along Cornwall road that face onto the service road, Back Springfield Place, to the rear of the site.

Sited at the bottom of the host dwelling's private amenity space, the annex is set sufficient distance from the adjoining No 13 habitable room windows (15.5 metres and 18.8 metres respectively), therefore there are no concerns for overshadowing or overbearing impact on outlook. The annex is off set from the common boundary by approximately 3.36 metres and this is considered an acceptable separation distance as to not result in overshadowing of the private amenity space adjacent to the proposed development. There are windows proposed in the front elevation facing No 13, however taking into account the change in land levels between the two properties and the height of the boundary wall, there is no concern for overlooking or loss of privacy at close quarters. Windows are also proposed in the rear elevation, but these look out onto the boundary wall, and so there are no concerns for lack of privacy for the future occupants of the annex.

No's 30 and 32 Cornwall Street have habitable room windows in the rear elevation directly opposite the proposed annex along Back Springfield Place. The separation distance between the annex and windows is approximately 10 metres. This separation distance and modest ridge height is considered to be acceptable and would not result in an any significant overshadowing, overbearing impact on outlook or loss of natural daylight. There are no windows proposed in the side elevation, therefore there are no concerns for overlooking or loss of privacy.

The submitted plans also show sufficient separation distances of approximately 13.746 metres, 16.528 metres and 19.840 metres respectively from the habitable room windows of the annex to the habitable room windows of No's 36, 38 and 40 Cornwall Street. Notwithstanding, a condition is recommended that prevents any further windows being added to the annex without the prior written consent of the local planning authority to safeguard neighbour's amenity. The proposal is therefore considered to accord with policy DS5 of the Core Strategy Development Plan Document and the Householder Supplementary Planning Document.

4. Highway safety

Note is made of the representations received concerning parking and existing access issues within the locality, however the proposal is not considered to result in conditions prejudicial to highway safety. Access along the service road to the rear of the property will remain unchanged and the addition of an annex for the use of the occupants of No 11 Springfield Place is not considered to result in an over intensification in use of the shared access road. Parking provisions can still be facilitated within the curtilage from the front should they be required.

5. Other issues

There are several representations received that do not constitute material planning considerations and are addressed below:

- Eyesore

Response: Planning applications are considered on their planning merits only. Personal views and morals are subjective, therefore planning applications cannot be determined on these grounds. The visual impact of the proposed development is considered above.

- Decrease house values

Response: Property values are not a material planning consideration, and so refusal of planning permission on this basis is not justified.

- Sound pollution from works will be difficult to tolerate

Response: Any perceived noise and disturbance from the construction of the proposed annex would be temporary and would not be sufficient grounds to refuse the application

- Withdrawing last application to only make another without the objections. The neighbours thought the application was withdrawn

Response: Neighbours who objected to the previous planning application that was withdrawn were notified of its status in accordance with the Council's statutory publicity requirements. Similarly, neighbours were notified of the current pending application in accordance with the Council's publicity requirements.

- Building construction will cause harmful and dangerous problems for the children to play in the community

Response: The construction of the proposed annex is within the curtilage of the host dwelling and so will not prevent children playing safely within the community.

- Development will be disturbing to the whole area and will be difficult to tolerate.

Response: Planning applications are considered on their planning merits only. Personal views and morals are subjective, therefore planning applications cannot be determined on these grounds.

- Issues have not been resolved- don't see how this can be passed

Response: The previous application for a two storey annex was withdrawn. The current application is for a single storey annex and is considered acceptable in planning terms.

- Will they have a flat roof - most likely not

Response: The design of the proposed development has been assessed against planning policy guidelines and is not considered harmful to visual amenity or residential amenity.

- Above the single storey there will be an additional 1.5 metre roof blocking sunlight

Response: The proposed building would have a pitched roof.

- Phone lines for multiple houses may be affected

Response: Any issues with the development affecting telephone lines would be covered in detail by building regulations.

Community Safety Implications:

There are no apparent community safety implications.

Equality Act 2010, Section 149:

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

Reason for Granting Planning Permission:
Representations have raised concerns relating to the impact of the development. Those representations have been fully considered however the proposal is not considered harmful to visual amenity, residential amenity or highway safety. As such, the proposal accords with the relevant policies of the Core Strategy Development Plan Document and Householder Supplementary Planning 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: -

Plan Type	Plan Reference	Date Received
Location Plan	20-025-02	26.10.2020
Proposed Plans and Elevations	20-025-01 REV B	26.10.2020

   Reason: For the avoidance of doubt as to the terms of this permission.

3. The detached annex hereby permitted shall only be occupied in connection with and incidental to the occupation of the existing dwelling and shall at no time be severed and occupied as a separate independent dwelling unit.

   Reason: To prevent the undesirable establishment of a separate independent unit, in the interests of amenity and Highway safety 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 to match the existing building as is specified on the submitted application.

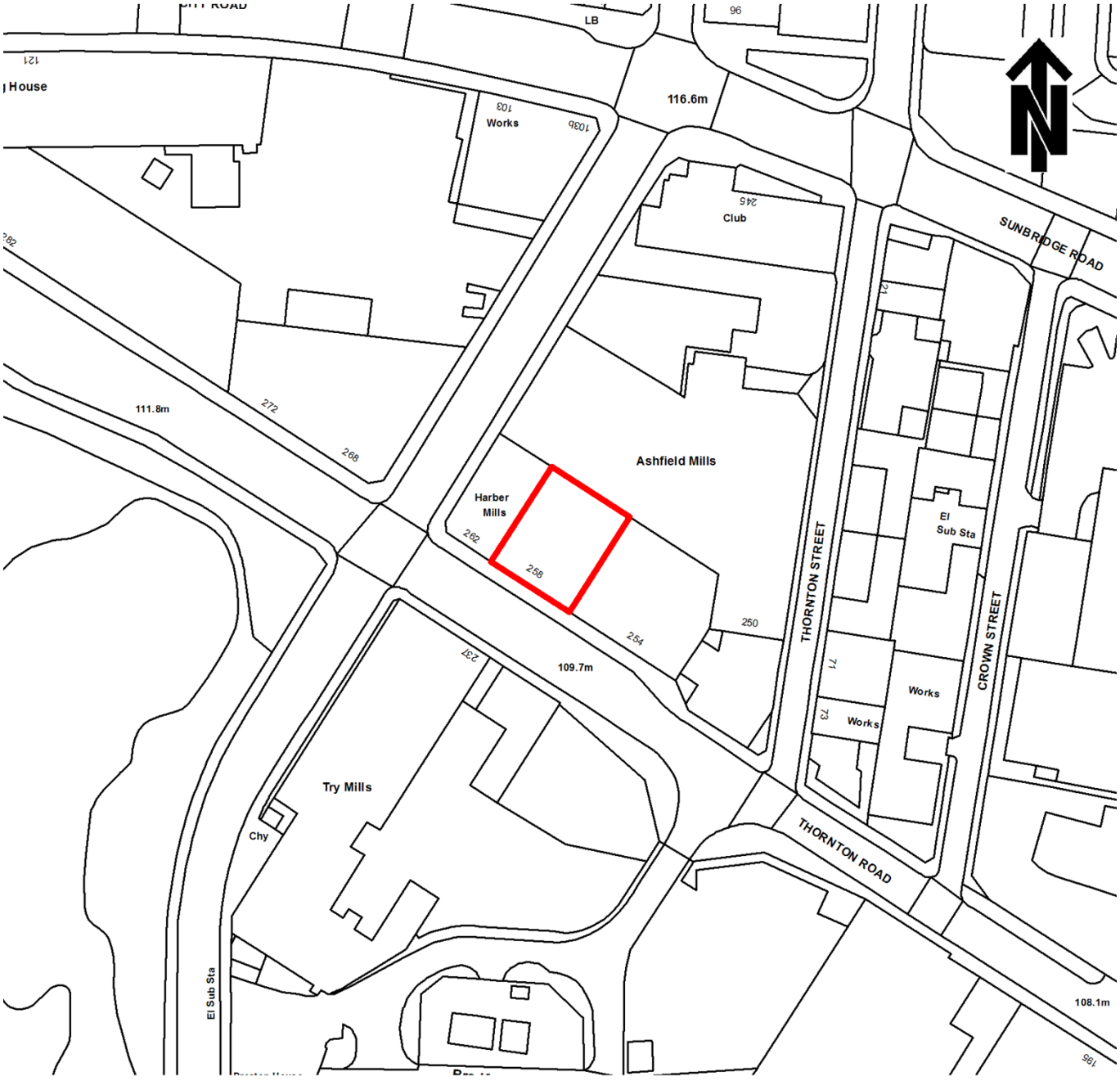
   Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies DS1 and DS3 of the Core Strategy Development Plan Document.

5. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no alterations comprising the addition of further windows, including dormer windows, or other openings shall subsequently be formed in the detached annex hereby permitted without the express 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.

20/04766/FUL

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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258 Thornton Road
Bradford
BD1 2LB

17 December 2020

Item: **B**
Ward: **CITY**
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
20/04766/FUL

Type of Application/Proposal and Address:
This is a full application for a first floor extension at 258 Thornton Road, Bradford, BD1 2LB.

Applicant:
Azhar Yousuf

Agent:
Mr Eatzaz Hassan

Site Description:
The application site is a two storey commercial property, sited between a mill and another commercial property along Thornton Road and the junction of Preston Street. The surrounding area is mixed use.

Relevant Site History:
12/03212/FUL - Re-instatement of two storey fire damaged section with new shopfront – Granted 28.09.2012

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. Accordingly, the above adopted Core Strategy and saved RUDP policies are applicable to this proposal.

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

Parish Council:
Not in a parish.

Publicity and Number of Representations:
The application has been publicised by individual neighbour notification letters. The publicity period expired on 17 November 2020. One representation has been received objecting to the proposal.

Summary of Representations Received:
- Proposed roof will extend against the side of 262 Thornton Road covering two side windows. This is totally unacceptable to me, not only restricting light but also from a ventilation aspect.

Consultations:
Drainage- No comments.

Summary of Main Issues:
1. Background and principle of development.
2. Visual amenity.
3. Amenities of occupiers of adjacent land.
4. Highway safety.

Appraisal:
1. Background and principle of development
The proposal is for a first floor extension. The application site is not subject to any allocation within the RUDP that would seek to resist this development. Although, it is noted that Thornton Road is identified as a gateway road and so a high standard of design is required. The proposal is therefore acceptable in principle, subject to an assessment of the local impacts

2. Visual amenity

The first floor extension is to be constructed above the existing loading bay with the existing roller shutters to remain in situ. The roofing materials will match those of the existing roof and will feature a gable similar to what is currently seen on the building at ground floor level, with a continuation of the ridge line. The extension is to be constructed in zinc cladding facing materials in a dark grey finish, with matching aluminium framed windows. Whilst the facing materials of the extension do not match the sandstone bricks of the original building, the contrast of materials is considered a modern design approach that complements and enhances the character and appearance of the original building within the context of the street scene. The overall roof form to the building will be altered, however it will have such limited visibility from the front of the building and from any wider street scene setting, and so there are no concerns for visual amenity despite the irregular design. The proposal therefore accords with policies DS1 and DS3 of the Core Strategy Development Plan Document.

3. Amenities of occupiers of adjacent land

Although the representation received concerns amenity, the proposal is not considered harmful to amenity of adjacent occupants. A sectional drawing shows that the proposed ridge of the roof is set below the side elevation windows in the adjacent 262 Thornton Road Harber Mills. For this reason, there is no perceived harm in terms of blocking of light or ventilation.

4. Highway safety

The proposal will have no impact on highway safety.

Community Safety Implications:

There are no apparent community safety implications.

Equality Act 2010, Section 149:

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

Reason for Granting Planning Permission:

The proposal is not considered harmful to amenity or safety, thereby accords with the relevant policies of the Core Strategy Development Plan Document and the requirements of 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: -

Plan Type	Plan Reference	Date Received
Location Plan	20-070-P-01	21.10.2020
Existing/Proposed Plans and Elevations	20-070-P-02-B1	11.11.2020

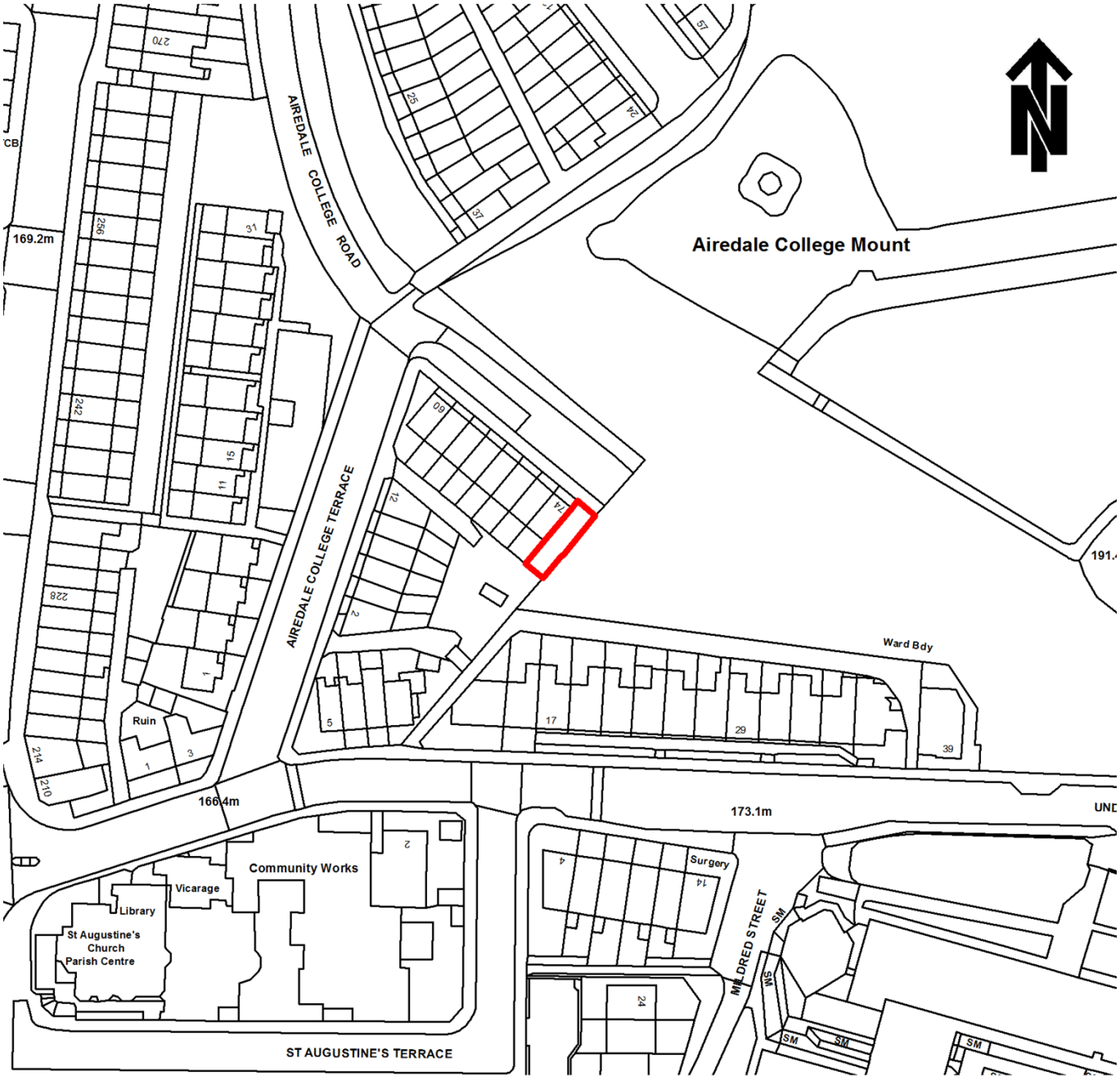
Reason: For the avoidance of doubt as to the terms of this permission.

3. The development hereby permitted shall be constructed using external facing and roofing materials as specified on the hereby approved drawing number 20-070-P-02-B; dated 11 Nov 2020.

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.

20/03280/FUL

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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Land East Of
74 Airedale College Road
Bradford

17 December 2020

Item: C
Ward: BOWLING AND BARKEREND
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
20/03280/FUL

Type of Application/Proposal and Address:
Construction of new dwelling on land east of 74 Airedale College Road, Bradford.

Applicant:
Mr Ramzan

Agent:
Jwad Ashraf of Hudds Designs

Site Description:
Airedale College Road is a short residential terrace in an established residential locality. Set adjacent to Undercliffe cemetery, the street scene has a uniform appearance and layout with each property having a small front yard facing a wide unmade highway. To the rear each property has a larger enclosed garden, which can be accessed by an unadopted access road. Level changes result in the properties appearing two storeys to the front and three to the rear. No 74 at the end of the terrace abuts Undercliffe Cemetery and has the advantage of a side garden which forms the development site subject of this application.

Relevant Site History:
20/01617/CLE - To establish lawful commencement of works relating to application
15/00473/FUL - Refused 3 July 2020.
18/02362/CLE - Reconstruction of end terraced house - Refused 1 August 2018.
15/00473/FUL - Reconstruction of end terraced house - Granted 21 June 2015.
15/00473/SUB01 - Submission of details required by conditions 2 and 3 of application
15/00473/FUL - Refused 1 August 2018.

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:
Core Strategy Development Plan Document

Core Strategy Policies
DS1 – Achieving good design
DS3 – Urban character
DS4 - Streets and movement
DS5 - Safe and Inclusive Places
EN3 – Historic environment
H05 – Density of housing schemes
H06 - Maximising the use of previously developed land
H08 - Housing mix
H09 – Housing quality
SC9 - Making Great Places
TR2 – Parking policy

Parish Council:
Not applicable.

Publicity and Number of Representations:
Advertised by neighbour notification letters. Expiry date 22 September 2020.
Seven objections received, including one from a Ward Councillor.

Summary of Representations Received:
1. The access road is unadopted and requires further repair. Heavy goods vehicles will cause further damage.
2. Footpath and drainage system is inadequate for the road and in a bad state of repair. Granting the application would cause further strain.
3. The road has only one streetlight, which would cause a health and safety concern for further movement of people.
4. Limited parking. Each house has two allocated spaces. The application has insufficient parking to the front and rear.
5. Work undertaken contrary to the Party Wall Act, causing structural damage to an adjacent property. The concerns of Undercliffe cemetery were not taken into account.

Ward Councillor:
1. Unadopted cul-de-sac which is currently in a bad state of repair which would be damage further with ongoing work / heavy load / deliveries.
2. Proposed property is based on a steep hill and adjacent to property which has structural damage.
3. Proposed property is adjacent to grade 2 Cemetery wall which could be damaged.

4. With one street light on the road visibility on a night is very limited. Major construction works would be potentially dangerous, especially over winter months.
5. No parking is available at land adjacent to number 74. If proposed application is allowed this would cause further stress on limited parking bays.

Consultations:
Highways - The development would not have any adverse implications for highway safety.
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.
Police Architectural Liaison Officer (ALO) - No comments to make.

Summary of Main Issues:
1. Principle of the development.
2. Visual amenity.
3. Neighbouring amenity.
4. Highway safety.
5. Consideration of representations.

Appraisal:
1. Principle of the development
The proposal is for the addition of a new terrace dwelling at the end of Airedale College Road. The site, which is currently undeveloped, is unallocated for any particular planning use, although a dwelling may have once occupied the plot at some time in the past.

There is an urgent need for the Council to provide appropriate housing land. In relation to housing land supply, the National Planning Policy Framework (NPPF) indicates that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years-worth of housing against the Council's housing targets. Current updating of the Council's Strategic Housing Land Availability Assessment anticipates that the five-year housing land supply position will remain below the level required by the NPPF. In light of this shortfall of housing land, relative to the requirements of the NPPF, there is an urgent need to increase the supply of housing land in the district. The scheme would make a contribution to that need, albeit not a large one.

The NPPF also states that housing applications should be considered in the context of the presumption in favour of sustainable development and local planning authorities should encourage the effective use of land by re-using land that has previously been developed. The history of the site is unclear, but the site is unallocated and set it in an established residential area where a new dwelling would represent a sustainable approach to development close to existing infrastructure such as shops, other facilities and public transport. These factors weigh significantly in favour of the scheme and the principle of residential development is therefore considered to be acceptable.

In terms of density, the site covers 76 square meters (sq m). One house results in a density of approximately 131 dwellings per hectare (dph), which is well above the 30-50 dph normally sought on residential sites.

2. Visual Amenity

The development plot abuts Undercliffe Cemetery Conservation Area adjacent to where the highway terminates. The topography of Undercliffe Cemetery means the area alongside Airedale College Road is not developed and has become an area of semi-wild shrubs and self-seeded trees. These factors afford the site some screening from the conservation area, and prevent the site being open to significant wider view from the conservation area, or, from forming part of any important vistas. Situated at the end of the row, the site is also relatively inconspicuous within the street scene, where the proposed dwelling will be seen solely in the context of the terrace row. The use of stone as a facing material to the principle and rear elevation is acceptable in this context. In addition to the above the design of the proposed dwelling reflects the character, form and appearance of the existing properties, including the proposed front and rear dormer windows, which both comply with planning policy.

On this basis, the development will form a matching addition to the existing terrace that will not appear overly obtrusive in the wider street scene.

3. Residential Amenity

The proposed dwelling replicates the existing pattern of development and as such does not adversely affect neighbouring amenity, in terms of overlooking or overshadowing. The site adjoins number 74 with no further residential properties to the far side, front or rear. To the front windows will overlook the highway and, to the rear, an area of unmaintained land and a free-standing garage. The proposal will therefore not harm neighbouring amenity through the establishment of a physically dominating building and it therefore accords with planning policy in the adopted Core Strategy.

4. Highway Safety

Airedale College Road is a wide unmade, unadopted highway currently serving only the existing short terrace of eight dwellings. The addition of a further four-bed terraced dwelling is not anticipated to generate a significant increase in vehicular activity or demand for parking. Whilst the status and maintenance of the highway has been raised as a concern within the representations received, this is beyond the remit of this application and the Council's Highways Engineer is satisfied that Airedale College Road represents an acceptable arrangement for access and parking for the new dwelling that will not result in conditions prejudicial to highway safety or undue stress on existing parking arrangements.

5. Consideration of representations

Objection: Heavy goods vehicles will cause further damage to the road
Response: The potential number of heavy goods vehicles required for the construction of the dwelling, such as delivery of materials, is not considered will be large and vehicle movements will take place over a temporary period.

Objection: Footpath and drainage system is inadequate for the road and in a bad state of repair. Granting the application would cause further strain.
Response: One dwelling is not considered will create significant additional use of the footpath and, subject to conditions, the Council's drainage engineer raises no objection to the proposal.

Objection: The road has only one streetlight, which would cause a health and safety concern for further movement of people
Response: The provision of street lights is not a matter for this application.

Objection: Work has been undertaken contrary to the Party Wall Act, causing structural damage to an adjacent property. The concerns of Undercliffe cemetery were not taken into account.
Response: Compliance with the Party Wall Act is not a planning matter and the "concerns of Undercliffe cemetery" have not been specified.

Objection: The proposed property is based on a steep hill and adjacent to property which has structural damage.
Response: The siting of the property is considered acceptable, though alleged structural damage is not a planning matter in this case.

Objection: The proposed property is adjacent to grade 2 Cemetery wall which could be damaged.
Response: This is not a planning matter in this case, but a private matter between the parties concerned.

Community Safety Implications:
There are no implications for community safety arising from the proposal.

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:
As previously stated, the proposal represents a sustainable form of development that will relate satisfactorily to the character of the locality and will not have a significantly adverse effect on neighbouring amenity or highway safety. Although in planning terms the Core Strategy has superseded the Replacement Unitary Development Plan, there have been no significant changes in terms of policy content and, as such this proposal accords with the requirements of the NPPF and policies DS1, DS3, DS5, EN3, HO5, HO6, HO8, HO9, SC9 and TR2 of the adopted Core Strategy.

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: -

Plan Type	Plan Reference	Date Received
Proposed Floor Plans	201	05.08.2020
Proposed Elevations	202	05.08.2020

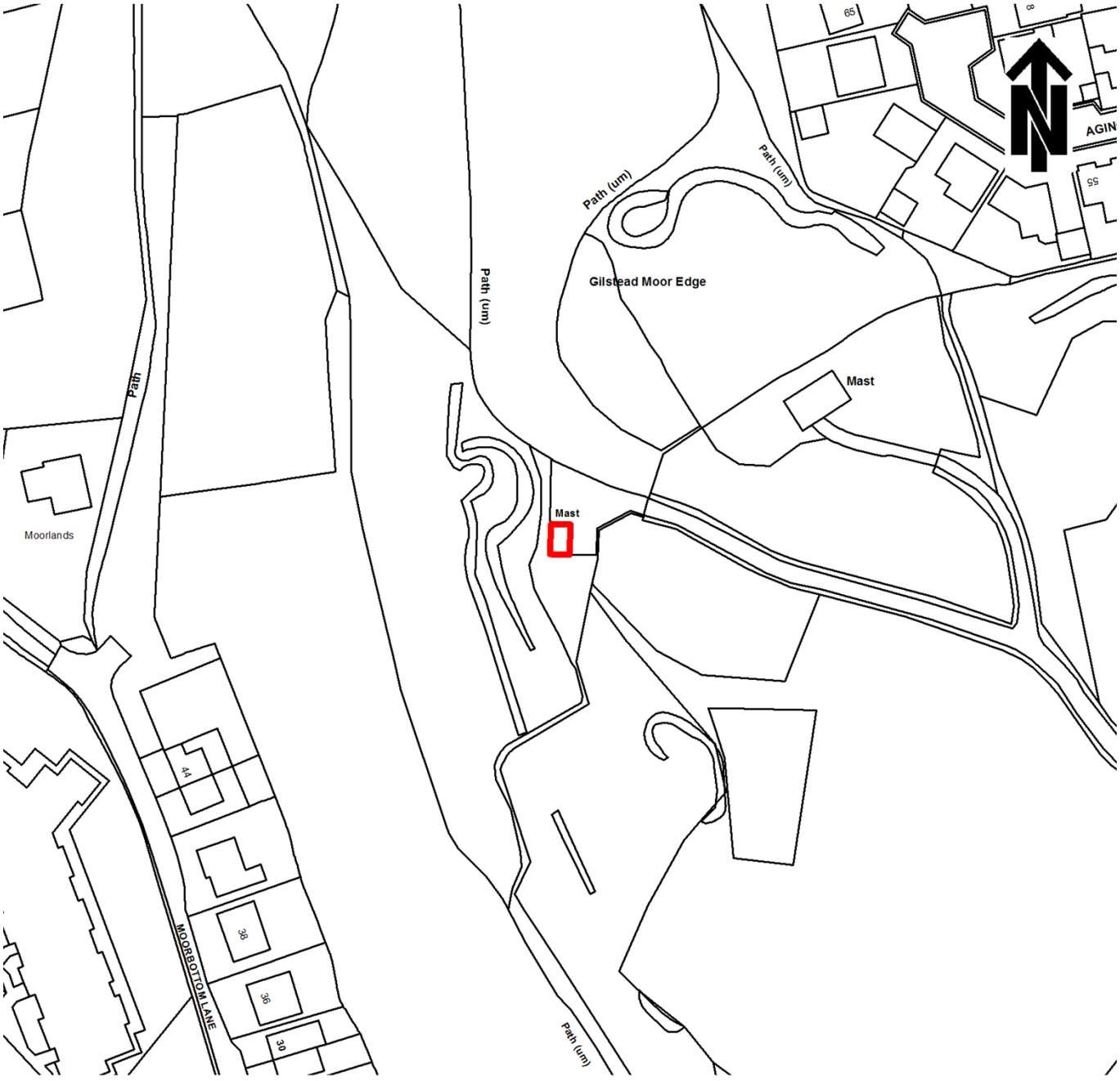
   Reason: For the avoidance of doubt as to the terms of this permission.

3. No development above damp course level shall take place until arrangements have been 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 DS1 and DS3 of the Core Strategy Development Plan Document.

20/03830/FUL

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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Telecommunications Mast
Gilstead Reservoir
Off Agincourt Drive
Ferncliffe Bingley BD16 3NQ

17 December 2020

Item: **D**
Ward: **BINGLEY**
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
20/03830/FUL

Type of Application/Proposal and Address:
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.

Site – existing telecommunications mast on land near Gilstead Waterworks Off Agincourt Drive, Warren Lane, Bingley, BD16 3NQ.

Applicant:
Mr Matthew Waugh on behalf of Cellnex (for MBNL)

Agent:
None

Site Description:
Gilstead waterworks consist of a series of large covered water storage tanks to the west of Warren Lane. A gated access leads off Agincourt Drive and runs alongside the waterworks to an area of open moorland that has been left over between the residential estates to the north and south. This moorland is a steeply sloping escarpment characterised by rocky outcrops and scattered trees. It is cross-crossed by a network of paths and there are extensive views across Bingley towards Bradford. One footpath access leads into the site from Tulyar Court.

The existing telecommunications mast has an overall height of 16.5 metres. It stands within a fenced compound that also accommodates ancillary equipment cabinets on an area of level ground located well within the open moorland. Trees on the slope which falls away to the south partially screen it, but the top of the mast is seen from various points within Bingley town centre. A second, older mast stands to the on land about 55 metres to the north.

Relevant Site History:
02/04366/FUL - Erection of a 25m monopole tower with nine antennae, two transmission dishes and two equipment cabins within compound area. Granted by Area Planning Panel on 20 June 2003.

This permission was never implemented.

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.

Core Strategy Policies
EC1 - Creating a successful and competitive Bradford District economy
TR5 - Strategic Transport Delivery
DS2 - Working with the Landscape
EN4 - Landscape Character

Parish Council:
Bingley Town Council - Recommends approval.

Publicity and Number of Representations:
14 objection comments have been received.

Summary of Representations Received:
Object on the basis of the increased proposed height which detrimentally impacts the view and the amount of light nearby properties receive.
The design and materials used are not in keeping with the surrounding area and will impact the conservation of the moorland.
It will be an eyesore in the countryside and will be prominently visible/ blocks views of the horizon.
Several objections are based on health concerns and lack of scientific evidence to prove otherwise.
No consideration for wildlife. Rabbits, badgers and bats could be in vicinity.

Consultations:
Bingley Town Council - Recommends approval.
Biodiversity - This development lies within the Bradford MDC Ecological Habitat network. It is adjacent to woodland and close to heathland. The change of impact of the new structures to the surrounding habitats and protected species (given the limited evidence so far about impact from all types of wireless radiation to species) is not envisaged to significantly change. No changes to noise, lighting or dust are predicted impact is not envisaged to significantly change. No changes to noise lighting or dust are predicted.

Summary of Main Issues:
Economic benefits and support to telecommunications development in planning guidance.
Background – previous permission.
Impact on visual amenity.
Nature conservation.
Other issues – consideration of health impacts.

Appraisal:
National planning policy gives strong support to telecommunications development which is seen as crucial to future economic development. The National Planning Policy Framework Paragraph 112 says advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being and that planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.

Core Strategy Policy TR5 Strategic Transport Delivery identifies the importance of the delivery of mobile and telecommunications infrastructure, to ensure that residents and users of future developments are able to fully utilise a modern communications network to reduce the need to travel. The important role of 5G networks in this is acknowledged.

There is therefore a strong policy and economic presumption to support this and other telecommunications proposals.

The application is submitted on behalf of telecommunications code system operators EE Ltd and Hutchison 3G UK Ltd, in conjunction with Mobile Broadband Network Limited (MBNL).

This application proposes to replace the existing mast structure so the site can accommodate 5G communications technology. The replacement monopole would occupy the same compound. The existing mast on the site is 16.5 metres high. This will be removed and a 20-metre high slimline monopole will replace it. 12 x MBNL antennas and associated equipment will be placed at the top of the mast, and 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 would be carried out.

In 2003, Shipley Area Planning Panel gave permission for a 25-metre high monopole to be erected at the same site but this was never implemented.

It is acknowledged that the top part of the existing mast is visible from various points within the centre of Bingley, but it is not widely visible from the north, east or west. Such vantage points, including those to the south are generally at a distance and the visual effects are mitigated by the scattered tree cover on the slopes of the escarpment.

The new structure would be 3.5 metre higher than the existing mast. This increase in height would not result in a significant increase in prominence. It is appreciated that the paths are used by the public for walking and so the mast would be visible in the public domain. However, the scattered tree cover within the open moorland means that the existing structure does not unduly dominate the surroundings or the enjoyment of the moor. The increased height would not be unduly oppressive and harm to the character of the landscape would be limited by the scattered tree cover and the topography.

In addition, to address the concerns regarding impact on the landscape, the agent has agreed that the new monopole could be installed in an Olive Green RAL6003 colour which is often used where a mast is painted in a rural setting. This represents a significant opportunity to enhance the appearance compared with the existing bare galvanised metal mast. A positive condition that the monopole be in the agreed colour is suggested at the end of this report.

It is considered that the proposal is acceptable with regard to Policy DS2 of the Core Strategy and Policy EN4 which seeks to protect the District's landscapes.

With regard to concerns by residents about harm to amenity, there is significant separation from any residential properties from which the monopole would be visible. The nearest house on Moorbottom Lane is 82 metres away to the south and the nearest to the north on Agincourt Drive is 101 metres away. Other streets are in excess of 120 metres away. There therefore is more than sufficient distance to avoid any adverse impact to residential amenity by way of overshadowing or creating an oppressive outlook from these nearest homes.

Objectors are concerned that wildlife including badgers and bats could be within the area, but the site is a fenced compound and this compound and the existing mast structure would not sustain any notable habitat. The existing mast, for example, would not sustain bat roosts. Any disturbances to wildlife during the construction project would be short lived.

The new monopole is not envisaged to have any significant effects on wildlife in the area compared with the long established mast. No changes to noise lighting or dust are predicted.

Although objector comments regarding feared health impacts of mobile telecommunications technology are noted, such considerations are unproven and so are not material planning considerations. Also, this monopole would be sited within a quite extensive open moorland area and would be a significant distance from the nearest residential dwellings (82 metres - 101 metres away) such that perceptions of harm seem overstated.

The applicant has submitted an ICNRP which certifies that the proposal is designed to be in full compliance with the requirements of the radio frequency guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP) for public exposure. This ICNIRP declaration takes into account the cumulative effect of the emissions from the proposed installation and all radio base stations at, or near, the proposed location. They include a significant precautionary factor.

National planning policy is that provided an application is certified as ICNIRP compliant, local planning authorities should not seek to set different guidelines through the refusal of planning permission on health grounds. There are no exceptional circumstances in this case and therefore no need to consider health effects and related concerns such as the perception of risk further.

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. The issues with regard thereto are noted above in relation to this application but do not raise any matters that would outweigh the material planning considerations.

Reason for Granting Planning Permission:
The proposals seek to remove the existing monopole installation and install a new higher monopole to support the new generation rollout in the area. Although higher than the existing; the new monopole will not have an appreciable impact on the character of the area or its surroundings and impact on landscape is modest. Such impacts would, in any case, be outweighed by the economic benefits arising from the proposal. The proposal is considered to accord with relevant Core Strategy Policies and the NPPF.

Conditions of Approval:

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

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

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

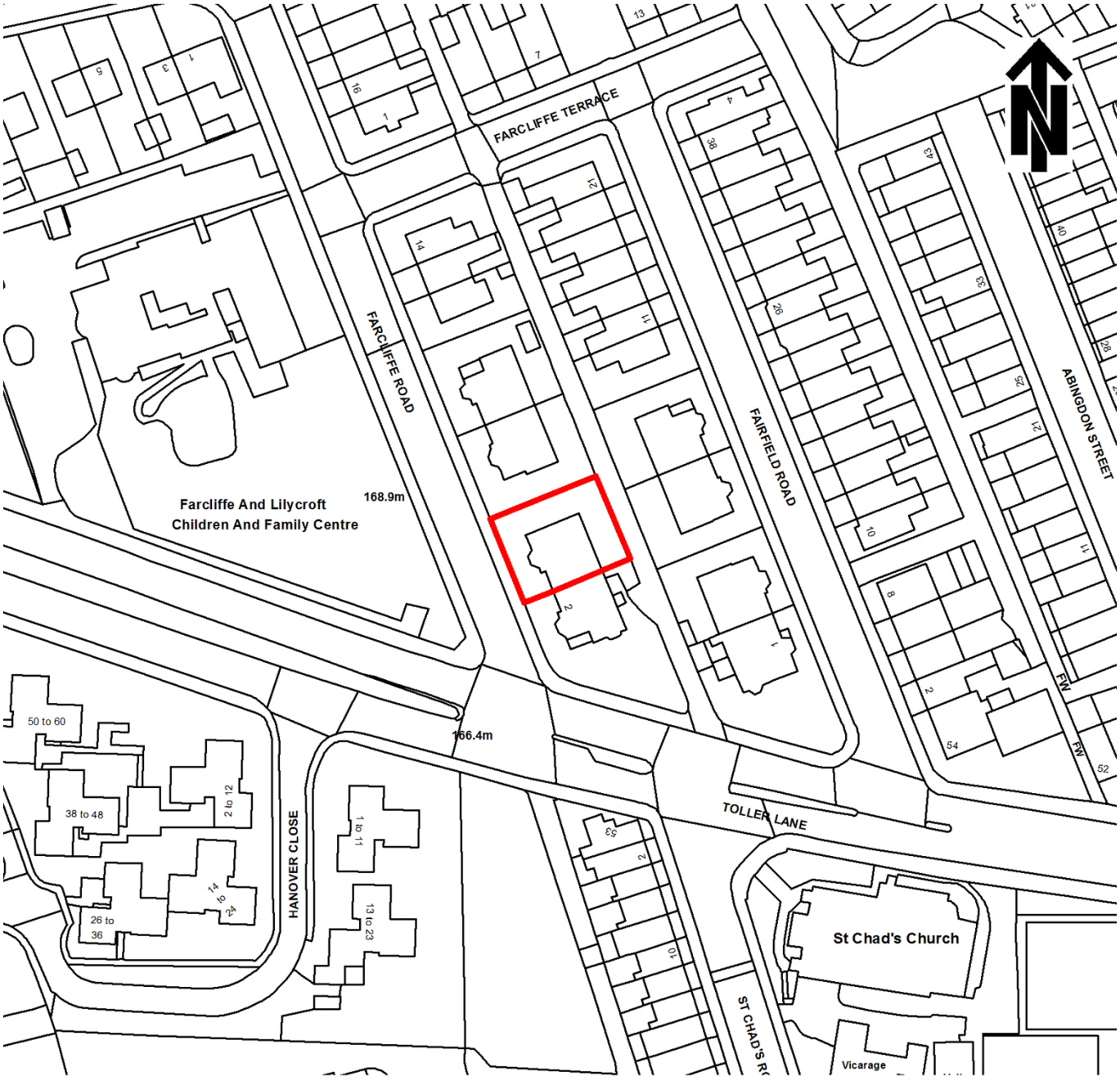
96532-00-004-ML002	Location Plan
96532-06-000-MD002	Existing Site Plan
96532-06-002-MD002	Existing Elevation
96532-06-103-MD002	Proposed Site Plan
96532-06-153-MD002	Proposed Elevation

3. The monopole hereby approved shall be finished in an Olive Green RAL6003 colour.

   Reason: In the interests of visual amenity and the character of the landscape surroundings and to accord with Policies DS2 and EN4 of the Core Strategy Development Plan Document.

20/03964/HOU

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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4 Farcliffe Road
Bradford
BD8 8QA

17 December 2020

Item: **E**
Ward: **TOLLER**
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
20/03964/HOU

Type of Application/Proposal and Address:
This is a householder application seeking retrospective planning permission for a first floor extension at 4 Farcliffe Road, Bradford, BD8 8QA.

Applicant:
Mr Altaf Hussain

Agent:
Mr Jonathan Holmes

Site Description:
The application dwelling is a three storey stone built semi-detached property, located close to the junction of Toller Lane and Farcliffe Road. The surrounding area is residential in nature, featuring semi-detached and terraced properties. Adjacent to the site, is a Children's and Family Centre.

Relevant Site History:
No relevant site history.

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. Accordingly, the above adopted Core Strategy and saved RUDP policies are applicable to this proposal.

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

Other Relevant Policies
Householder Supplementary Planning Document

Parish Council:
Not in a Parish.

Publicity and Number of Representations:
The application has been advertised by individual neighbour notification letters. The publicity period expired on 12 October 2020. The application has received 16 representations from the general public in support of the application and two supporting representations from ward Councillors.

Summary of Representations Received:
The comments of support largely do not contain any planning merit points and are summarised below as:

- SUPPORT!
- I fully support this application.
- No objections.
- We fully support this application.
- I support this application.
- 4 representations received did not contain any comment or comments reason, but supports the planning application.
- Fully supported by me and my family as this makes the area look better.
- I support this application as this makes the area look nicer.

- Councillor Hussain: Fully support the application in its entirety and would like planning officers to take into consideration the needs of the family. I personally feel as a local authority we need to at times move slightly away from policy and look at individual needs and see how best we can accommodate people who are trying to make changes to their own dwellings in order to improve their livelihoods.

- Councillor Shaheen: Support this application - applicant has a growing family and therefore this space would help the families living circumstances. Also, extension helps with the applicant's wife's everyday life and support quality of life due to ill health and limited mobility.

Consultations:
Occupational Therapy Adaptations Team – Occupational Therapy Department have not assessed anyone residing at this property.

Summary of Main Issues:
1. Principle.
2. Visual amenity.
3. Residential amenity.
4. Highway safety.
5. Other Issues.

Appraisal:
1. Principle
The proposal is seeking retrospective planning permission to retain a first floor extension that is subject to an ongoing enforcement investigation. The site is not located within a conservation area (Article 2 (3) land), nor is it a listed building.

2. Visual amenity
The first floor extension is constructed in dark grey uPVC and glazing with a slight lean to roof and so on this basis, is more appropriately described as a first floor conservatory. The extension finishes in line with the front wall of the principle elevation, measuring approximately 2.585 metres in width, 4.643 metres in depth with a ridge height of 6 metres from ground floor level.

The overall scale and massing of the extension is not considered harmful to visual amenity; however, the design is. The extension is not constructed in materials to match those of the host dwelling and whilst conservatories are generally acceptable visually, they are acceptable on the rear of the dwelling and at ground floor level. In this case, the conservatory is at first floor level on the principle elevation of the property and is significantly visible from the street scene. The slight lean to pitched roof does not correspond with the pitched gable roof form of the original dwelling, therefore does not comply with design principles. Whilst the grey uPVC construction materials do not match the facing and roofing materials of the original dwelling, it is considered the colour finish is more muted and provides a less stark and contrasting appearance had the extension been constructed in white uPVC. Notwithstanding this, the design and overall appearance of the extension does not complement or enhance the character and appearance of the host dwelling and given the prominent sitting on the dwelling, is considered an over dominant and incongruous structure to the detriment of visual amenity. The proposal is therefore contrary to policies DS1 and DS3 of the Core Strategy Development Plan Document and the Householder Supplementary Planning Document.

3. Residential amenity
The first floor extension is not considered harmful to the amenities of the adjoining 2 Farcliffe Road given its siting on the dwelling away from habitable room windows and private amenity space. Equally, there are no concerns for the adjacent 6 Farcliffe Road, as there are no habitable room windows in the side elevation that could be affected. The development is therefore considered to accord with policy DS5 of the Core Strategy Development Plan Document and the Householder Supplementary Planning Document.

4. Highway safety

The proposal does not include changes to existing arrangements at the property; therefore, there are no adverse impacts on highway safety.

5. Other issues

The planning officer acknowledges the doctor's letter of support and those comments of the Ward Councillors and is mindful of the benefits that this extension brings to the occupants of 4 Farcliffe Road, however the Council's Occupational Therapy team have not assessed anyone residing at the property. Taking this into account, the public benefit of the development works carried out does not surpass the significant level of resulting harm to the detriment of visual amenity.

Community Safety Implications:

There are no apparent community safety implications.

Equality Act 2010, Section 149:

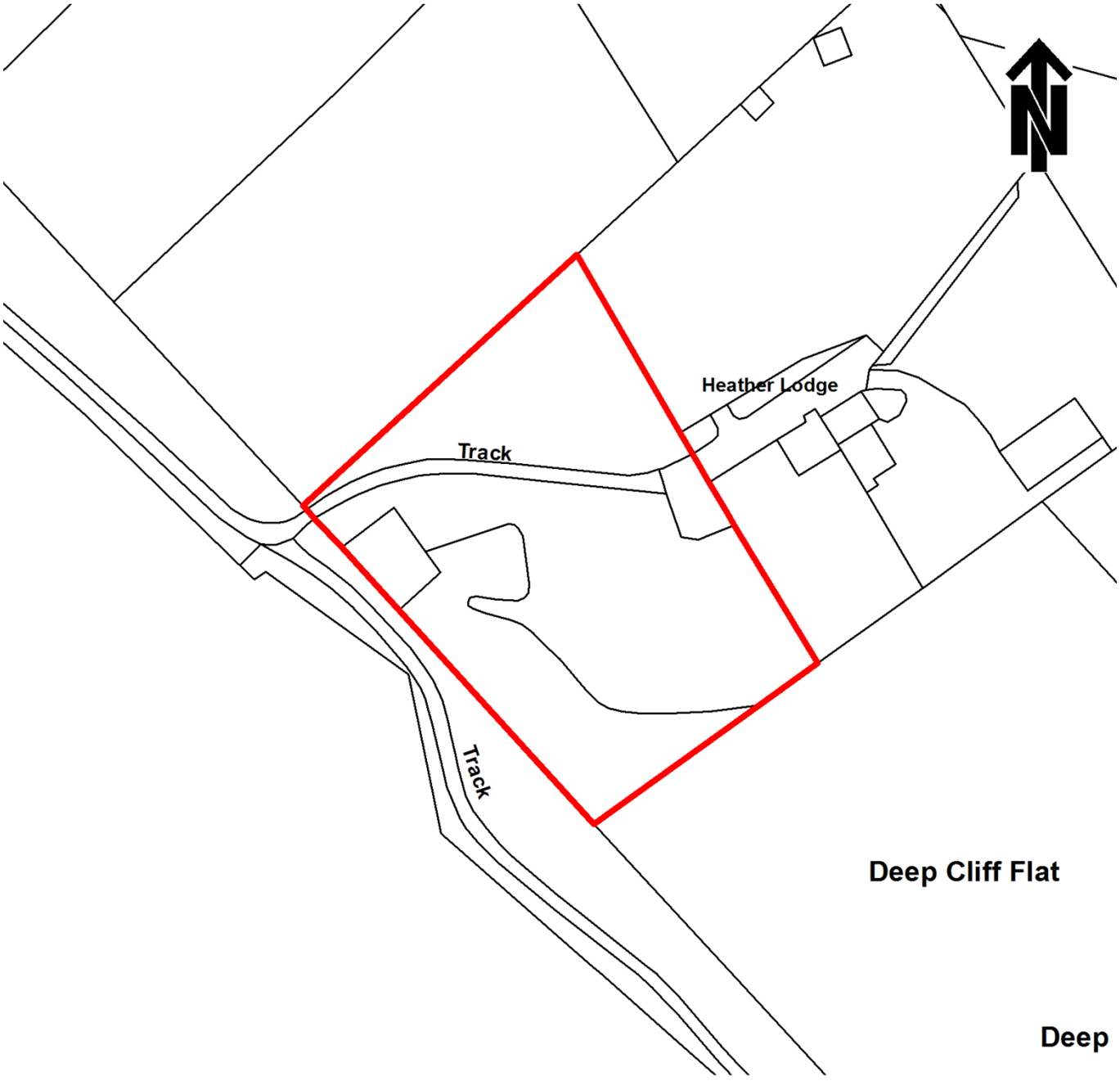
In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto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

Reasons for Refusal:

The first floor extension, by reason of its design, construction materials and prominent siting on the dwelling, is considered an over dominant and incongruous structure to the detriment of the character and appearance of the host dwelling and that of the wider street scene setting. As such, the development is contrary to policies DS1 and DS3 of the Core Strategy Development Plan Document and guidance of the adopted Householder Supplementary Planning Document.

20/01863/FUL

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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Heather Lodge
Back Shaw Lane
Keighley BD21 5QU

17 December 2020

Item: **F**
Ward: **BINGLEY RURAL**
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
20/01863/FUL

Type of Application/Proposal and Address:
Use of field for mobile glamping pods and shepherd huts. Land at Heather Lodge, Back Shaw Lane, Keighley, BD21 5QU.

Applicant:
Mr & Mrs Dowse

Agent:
Mr Lee Adams, LARK Architects.

Site Description:
Heather Lodge is an isolated property in a remote location in upland countryside between Keighley and Harden. The area is part of the Green Belt. Heather Lodge is a traditional farm house and there is an adjoining stone barn. However, the application relates to a small pasture field to the east which is enclosed by dry stone walls and which rises up towards the south west where the field is adjoined by Harden Moor. Harden Moor is open public access moorland and is a Local Wildlife Site (LWS).

Relevant Site History:
08/04191/FUL - Extension of dwelling into adjoining barn - GRANT 12.09.2008.
12/00367/HOU - Extension of dwelling into adjoining barn - GRANT 30.03.2012.
13/04965/FUL - Agricultural building - GRANT 06.06.2014.
19/02275/FUL - Use of field for mobile glamping pods and shepherd huts - Application withdrawn.

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
DS1 - Achieving good design
DS2 - Working with the Landscape
DS4 - Streets and Movement
DS5 - Safe and Inclusive Places
EN2 - Biodiversity and Geodiveristy
EN4 - Landscape
SC7 - Green Belt
SC9 - Making Great Places
TR2 - Parking Policy
EN8 - Environmental Protection Policy

Publicity and Number of Representations:
Publicised by neighbour notification letters, site notice and in the local press with an overall expiry date for comments of 13.08.2020.

25 comments received in connection with the application. 21 in support, 3 objections and 1 general comment.

Summary of Representations Received:
Comments in Support
Can think of no better use of this field, would be an attraction for people to visit the area.
Proposal could be managed by the applicants effectively and would boost the local economy, encouraging tourism.
The proposal would allow access to the area for walkers and mountain bikers, especially at a time where holidays in the UK are being encouraged.

Comments in Objection
The proposal will generate additional traffic increasing safety risks.
The proposal would generate issues with noise and disturbance.
The proposal would harm local wildlife and biodiversity.

Consultations:
Harden Village Council objects to this application as the site lies next to Harden Moor which is a Local Wildlife Site designated for its variety of habitat, notably upland heath and ancient and semi-ancient woodland.

The Village Council is concerned that the application contains no details of:-

a) Predicted levels of use in terms of numbers of people, additional vehicles and on-site parking.
b) Whether the site would be in use all year round or seasonally.
c) Waste disposal and how tipping of waste or litter from the pods and huts onto the moor is to be controlled.
d) How the increased risk of wildfire on the moor (from barbecues/camp fires etc.) is to be managed.

Additionally, the huts would have no water or electricity and the single toilet/shower block is inadequate for the potential number of users.

The access track is in a very poor state and would need to be upgraded to cope with an increase in traffic. It is frequently used by horse riders and walkers and there is potential for conflict with increased number of motor vehicles.

If consent is granted any approval should be conditioned in such a way as to prevent further intensification of use and to prevent the pods being replaced with lodges and more permanent structures, leading in time to residential use.

Summary of Main Issues:
Background and principle of development.
Green Belt.
Landscape Character.
Impact on Wildlife.
Amenities of occupiers of adjacent land.
Highway safety.
Other planning matters.

Appraisal:
Background
A previous application for a similar camp site was withdrawn. In the course of that application, Officers approached the agent about the lack of background information about the project which was deemed necessary given the status of the land as Green Belt, potential conflicts with landscape and nature conservation objectives and due to the substandard access to the site.

This resubmitted proposal has been amended to reduce the scale of the development. Instead of 5 pods and 2 huts, the proposal is now for 2 pods and 2 huts. A small parking area with 4 car spaces is now included and a building is shown proposed for use as a shared cooking facility. A wc/shower block is shown on plan but is described as a “Temporary” building. The plans suggest this would be a small metal structure like a small container.

Although the amount of accommodation has been reduced, there continues to be a lack of information about the proposals. As Harden Village Council has pointed out, it is impossible to determine the predicted numbers of people and additional vehicles that might be expected to use the site at any time. This is important given the poor access. There is no indication as regards whether the site would be in use all year round, or only seasonally. How waste or litter is to be controlled is not addressed, and the Village Council expresses concerns about how an increased risk of wildfire spreading to the moor from barbecues/camp fires etc would be managed.

Most of these questions were raised previously, but the applicant has not provided answers. The questions are deemed important given the location of the site in Green Belt countryside, which has poor access and is adjacent to Harden Moor which is of significant local nature conservation interest.

No supporting statements have been included that might, for example, demonstrate how the proposals are part of a business plan for the farm. Although a number of support comments have been received from third parties saying that the proposals would help boost tourism, the applicant has not presented any evidence about how this proposal might help diversify an existing farm enterprise or bring benefits to the local economy. There is therefore no evidence that might be used to justify or outweigh some obvious conflicts with normal planning policies.

It is also apparent from aerial photos that 2 wooden camping pods are already place in the field but there is no history of planning permission for these. It is not clear whether these existing pods are part of this application, or whether the proposed pods and huts are additional to these existing facilities.

Green Belt
The site lies within the designated Green Belt where there is a presumption against inappropriate development. Certain forms of development including the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor recreation can be regarded as an exception to Green Belt restrictions as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

Due to the lack of supporting information it is unclear whether the facilities could be regarded as “appropriate” facilities for outdoor recreation. The proposed pods, huts and ancillary buildings and the car park would intrude into the open field and so all would affect openness. The pods and shepherd’s huts are stated to be "mobile" but in reality they are likely to be permanently in situ given that a toilet block is proposed to serve them. The proposals must be regarded as inappropriate development which should be rejected unless there are very special circumstances sufficient to outweigh harm by virtue of inappropriateness, and any other harm.

It can sometimes be appropriate to give weight to tourism schemes in the Green Belt that may help individual farms to diversify, or which would bring benefits to the rural economy. Such factors can be given weight as “very special circumstances”. However, in this case, no supporting information has been presented to justify the proposal and convince the Local Planning Authority that there are very special circumstances sufficient to outweigh the harm which the pods, huts, cooking building and shower block would cause to the openness of the Green Belt.

The development of this open field and the associated paraphernalia would result in unacceptable sprawl and in the absence of any very special circumstances is regarded as inappropriate development harmful, by definition, to the green belt.

Landscape Character
The site lies within Wilsden Landscape Character Area and is set against a sensitive upland moorland, which is sparsely developed. There are clusters of dwellings further down Shaw Lane but otherwise this landscape is very open. The proposed scatter of huts and pods would not relate well to the pattern of development in this location and the structures would appear intrusive and the intensification of the use of the site with parked cars etc will have a detrimental impact on landscape character.

No information has been provided with the application to say how the impact on the landscape and scenery might be mitigated – for example through careful tree planting. The proposed intensification of use and especially the clutter of pods, huts and ancillary buildings in the open field are likely to appear intrusive and incongruous in these open surroundings contrary to Policy EN4 of the Core Strategy which seeks to protect the District’s landscapes.

Impact on Wildlife
The site is adjacent to Harden Moor which is a Local Wildlife Site (LWS) designated for its variety of habitat, notably it is upland heath and linked to ancient and semi-ancient woodland at Deepcliffe Woods. Advice from the Biodiversity Officer is that the Moor includes notable invertebrate species and the upland heath is a priority UK habitat. The Council’s Biodiversity Officer also advises that Local Wildlife Sites are of great significance for nature conservation and together with Sites of Special Scientific Interest provide wildlife refuges, acting as corridors and buffer zones to link and protect nationally and internationally designated sites. Local sites improve ecological coherence and connectivity and contribute to a climate resilient landscape. With no statutory status, their only form of protection is through good planning policy and decisions.

Harden Village Council has raised relevant points regarding potential harmful effects of the proposed camp site on Harden Moor and no consideration seems to have been given in the proposals to impacts the proposed development might have during construction and subsequent operation of the camp site. There are likely to be increases in traffic, litter, pollution and disturbance of habitats caused by the use of the field for camping. The threats to Harden Moor identified by the Village Council, especially from litter, waste dumping and spread of fire from barbecues and camp fires might be resolved by effective management, but the lack of information does not give confidence that such threats have been recognised and would be actioned by the applicant.

Potential impact of the proposal is difficult to predict precisely because there are no details about predicted numbers of people, additional vehicles and times of year, but the Council's Biodiversity Officer fears that the use will almost certainly result in an increase in recreational use of the adjoining moor. There will also be an increase in vehicular use of the access track which lies within the moor boundary and is currently a public bridleway.

A Preliminary Ecological Appraisal should have been carried out for the proposal, with particular focus on the possible effects on the Harden Moor LWS, its habitats and protected species. In the absence of such an assessment and the formulation of landscaping and other proposals that might be needed to control and manage the adverse effects on Harden Moor, the proposal has to be regarded as likely to have an adverse impact on the biodiversity o the adjacent moorland contrary to Policy EN2 of the Core Strategy.

Highway Safety
The access to the site on foot and by vehicles is via Shaw Lane and Back Shaw Lane which narrows to a public bridleway some distance before the site. The access to Heather Lodge itself is also via this bridleway. Beyond the site the bridleway leads to the junction near The Guide public house and this is blocked by a barrier to prevent cars using it.

Whilst no assessment of the additional vehicular movements has been provided, the number of pods and huts gives potential for at least 4 groups to be at the site at any time. The site is isolated from public transport and users will rely on the private car for transport. The additional use of the bridleway which is narrow will result in an increase in potential conflicts between vehicles, horse riders and walkers which would have implications for highway safety.

Other Issues – rural economy
Those supporting the application have said it wold create an attraction for people to visit the area and would boost the local economy, encouraging tourism and allowing access to the area for walkers and mountain bikers, at a time when holidays in the UK are being encouraged.

Paragraph 83 of the NPPF also urges support for a prosperous rural economy, saying planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; and should support the development and diversification of agricultural and other land-based rural businesses;

However, there is a lack of background information about how these proposals would support the development and diversification of any existing land-based rural business. Also, whilst the NPPF lends support to sustainable rural tourism and leisure developments which respect the character of the countryside, the potential adverse impacts of this proposal on the Green Belt, landscape character, safety of other users of the bridleway access and the adjoining Local Wildlife Site have all been identified above. Those concerns are repeated in comments from Harden Village Council.

The comments of support are noted but the likely adverse impacts are considered to outweigh any tourism benefit. The applicant/agent have not responded to the concerns set out by Officers and the Village Council. They have not demonstrated how these effects on the countryside can be mitigated or justified so the economic arguments can be given little weight.

Community Safety Implications:
None identified.

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 quality 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 Refusing Planning Permission:
The development of this open field and the associated paraphernalia would result in unacceptable sprawl and in the absence of any very special circumstances is inappropriate development in the green belt. In addition, the proposal would intensify the use of the unmade access to the detriment of other users and would also be harmful to the landscape qualities of the area and the proposals fail to consider the adverse impact on the Harden Moor Local Wildlife Site.

Reasons for Refusal:
1. The site is in the Green Belt and the applicant has not provided evidence that these facilities would be appropriate facilities for outdoor recreation that would preserve the openness of the Green Belt and not conflict with the purposes of including land within it. Nor has any evidence been provided that the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. The proposals are contrary to Policy GB1 of the RUDP, Policy SC7 of the Core Strategy and the objectives of the NPPF in respect of Green Belt.

2. The proposal will result in the intensification of the use of an access by cars which is a public bridleway that is substandard in terms of width and surfacing. This would lead to conflicts between vehicles, horse riders and walkers to the detriment of highway safety. The proposal is therefore contrary to policy DS4 of the Core Strategy Development Plan Document.

3. The site is an open field that lies within the Wilsden Landscape Character Area. No assessment of the proposal's impact on landscape character has been provided, nor have any mitigation measures included in the submission that might screen and mitigate the effects of the development on the landscape. The proposed development and intensification of use will have a detrimental impact on the character of the landscape contrary to policies DS2 and EN4 of the Core Strategy Development Plan Document.

4. The site is located immediately adjacent to Harden Moor which is a Local Wildlife Site (LWS) designated for its variety of habitat, notably upland heath and ancient and semi-ancient woodland. Upland heath is a priority UK habitat. The application does not consider effects of the use on the adjoining site and is not accompanied by a Preliminary Ecological Assessment to assess direct and indirect impacts. The development will result in an increase in recreational use of the moor and additional pressure on the habitat contrary to policy EN2 of the Core Strategy Development Plan Document.

City of BRADFORD METROPOLITAN DISTRICT COUNCIL

Report of the Strategic Director of Place to the meeting of the District Planning Panel to be held on 17 December 2020

Summary Statement - Part Two

Miscellaneous Items

	No. of Items
Requests for Enforcement/Prosecution Action	**(16)**
Decisions made by the Secretary of State - Allowed	**(1)**
Decisions made by the Secretary of State - Dismissed	**(3)**

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

Report Contact: Mohammed Yousuf
Phone: 01274 434605

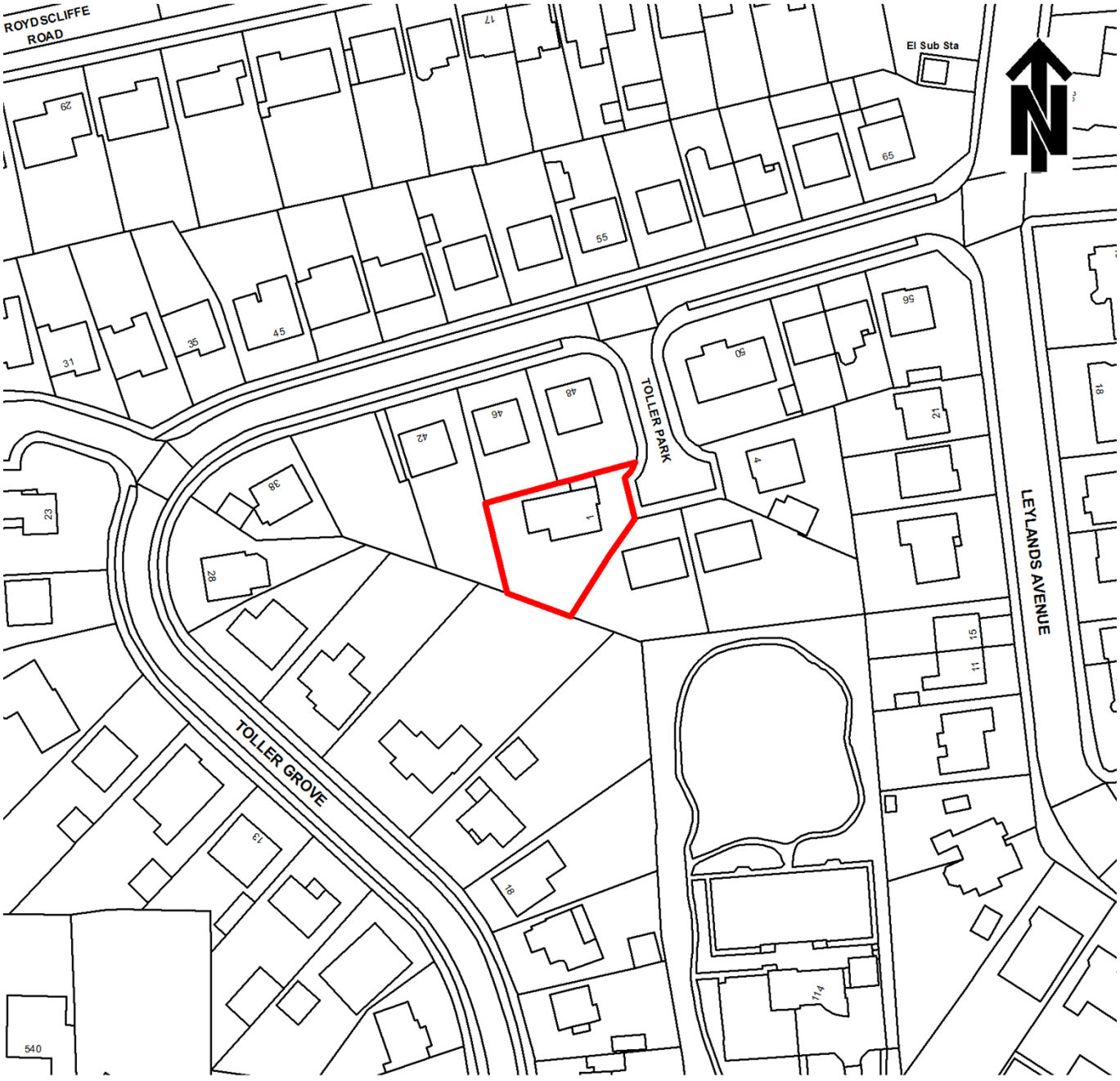
Email: mohammed.yousuf@bradford.gov.uk

Portfolio:
Regeneration, Planning & Transport

Overview & Scrutiny Committee Area:
Regeneration and Environment

18/00280/ENFAPP

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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1 Toller Park
Bradford
BD9 5NR

17 December 2020

Item: **A**
Ward: **HEATON**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
18/00280/ENFAPP

Site Location:
1 Toller Park Bradford BD9 5NR

Breach of Planning Control:
Without planning permission, the construction of a first floor extension to form an additional floor.

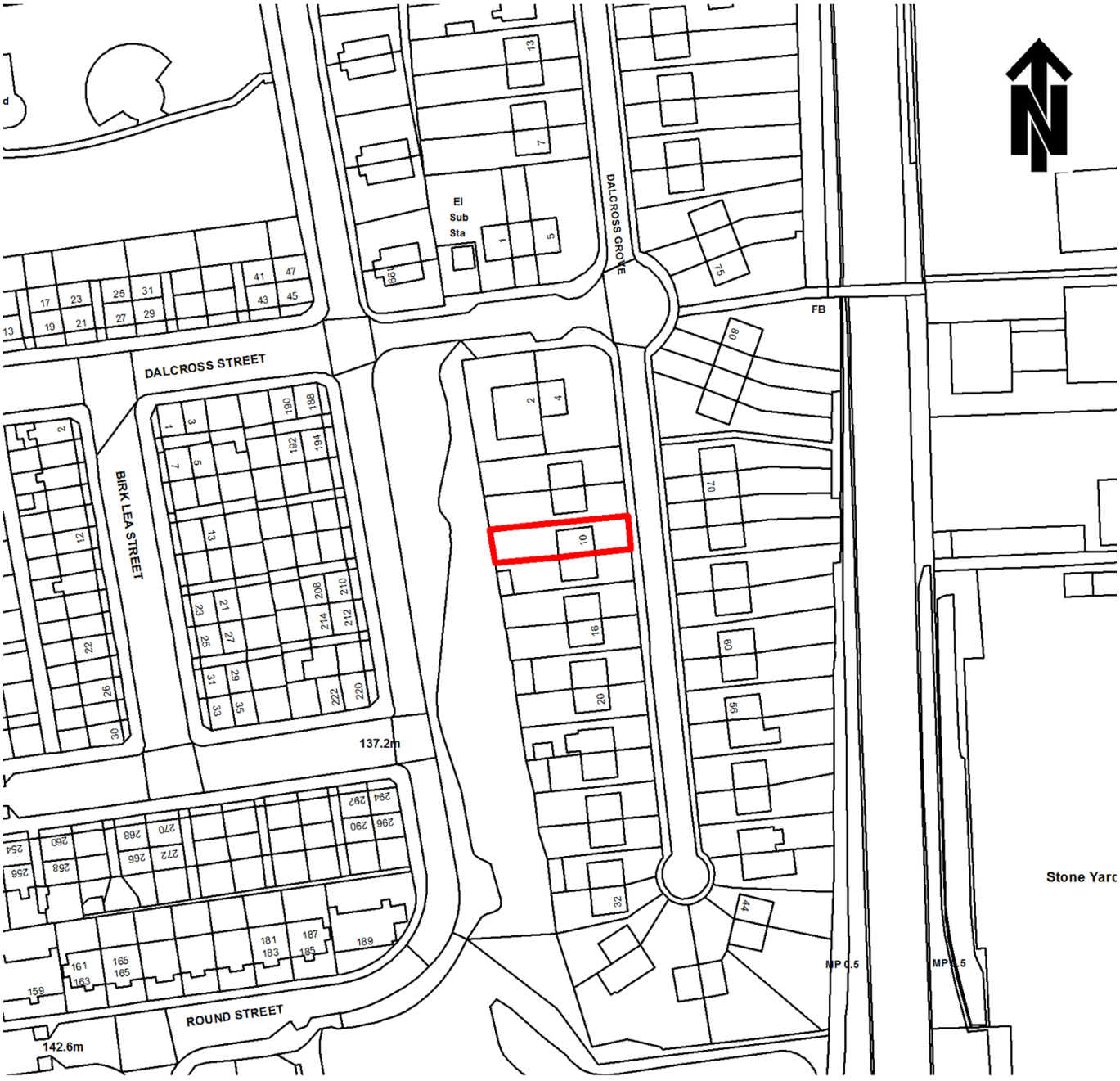
Circumstances:
Following an enquiry, a site visit carried out revealed that a first floor extension had not been constructed in accordance with approval 18/02059/HOU.

The property owner has been given opportunity to remedy the alleged breach of planning control and a retrospective planning application 18/04434/HOU has been submitted and approved. A site visit showed that the development has not been constructed in accordance with the approved plans in respect of windows on the north and south elevations and a Juliet balcony on the west (rear) elevation.

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.

19/00295/ENFAPP

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



10 Dalcross Grove
Bradford
BD5 7SB

17 December 2020

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

Enforcement Reference:
19/00295/ENFAPP

Site Location:
10 Dalcross Grove Bradford BD5 7SB

Breach of Planning Control:
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.

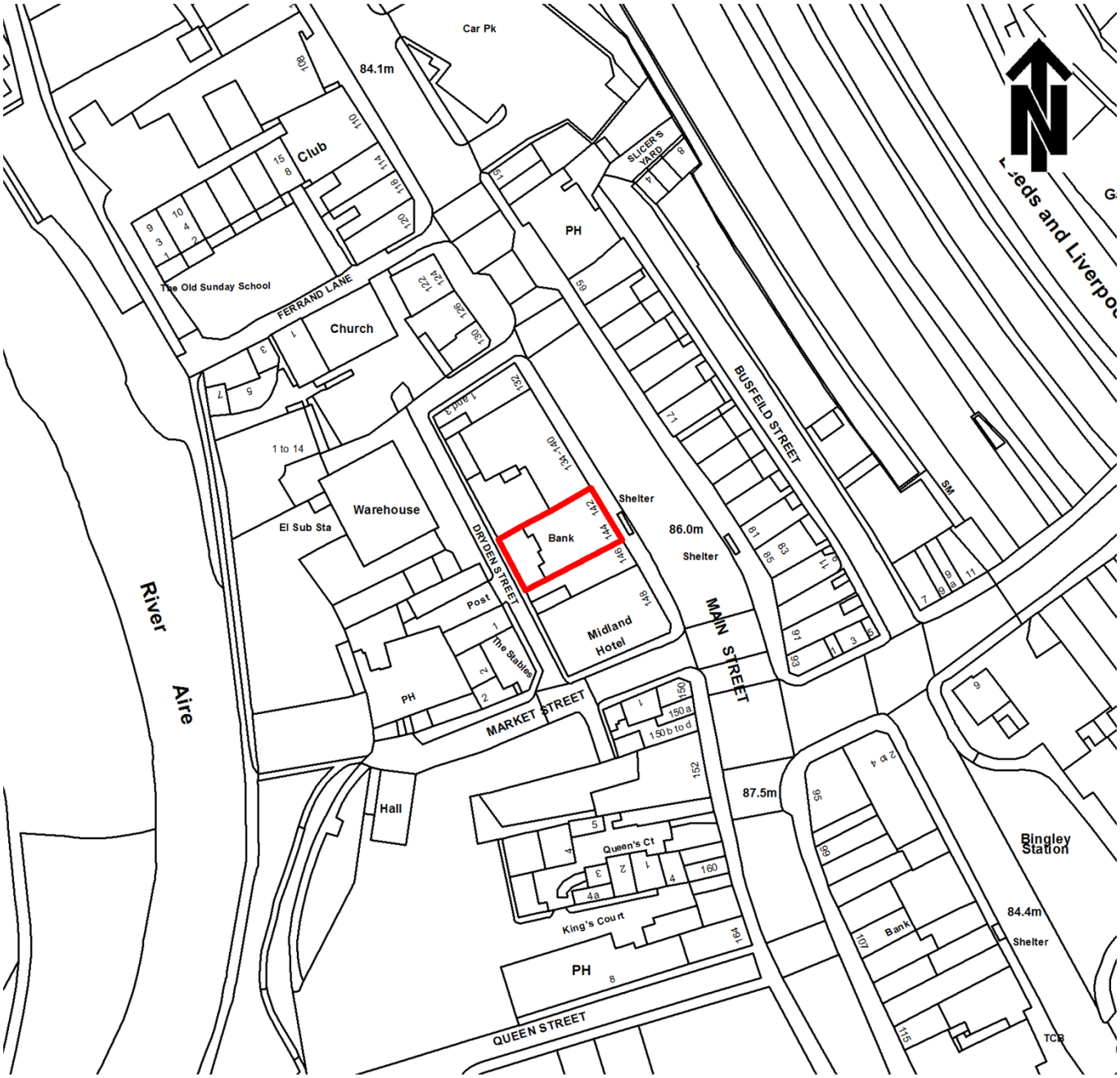
Circumstances:
Following a complaint received in this office in April 2019, a site visit revealed the above breaches of planning control. On 20 March 2020 a retrospective planning application was received and on 15 May 2020 planning permission was refused. No appeal to The Planning Inspectorate was submitted and the matter remains unresolved.

It is considered expedient to issue an Enforcement Notice as the dormer windows represent an unwelcome and strident feature in the street scene due to their excessive size and use of horizontal hung cladding. The front extension by reason of its depth and width, and poor quality materials disrupts the uniform appearance of the street scene. The sealed hardstanding to the front of the building on the land fails to provide surface water drainage provision within the curtilage of the dwelling house and allows surface water runoff onto the adjacent public highway.

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.

19/00822/ENFAPP

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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142 - 144 Main Street
Bingley
BD16 2HN

17 December 2020

Item: **C**
Ward: **BINGLEY**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
19/00822/ENFAPP

Site Location:
142 - 144 Main Street Bingley BD16 2HN

Breach of Planning Control:
Without planning permission, the construction of an extension to the rear of the property.

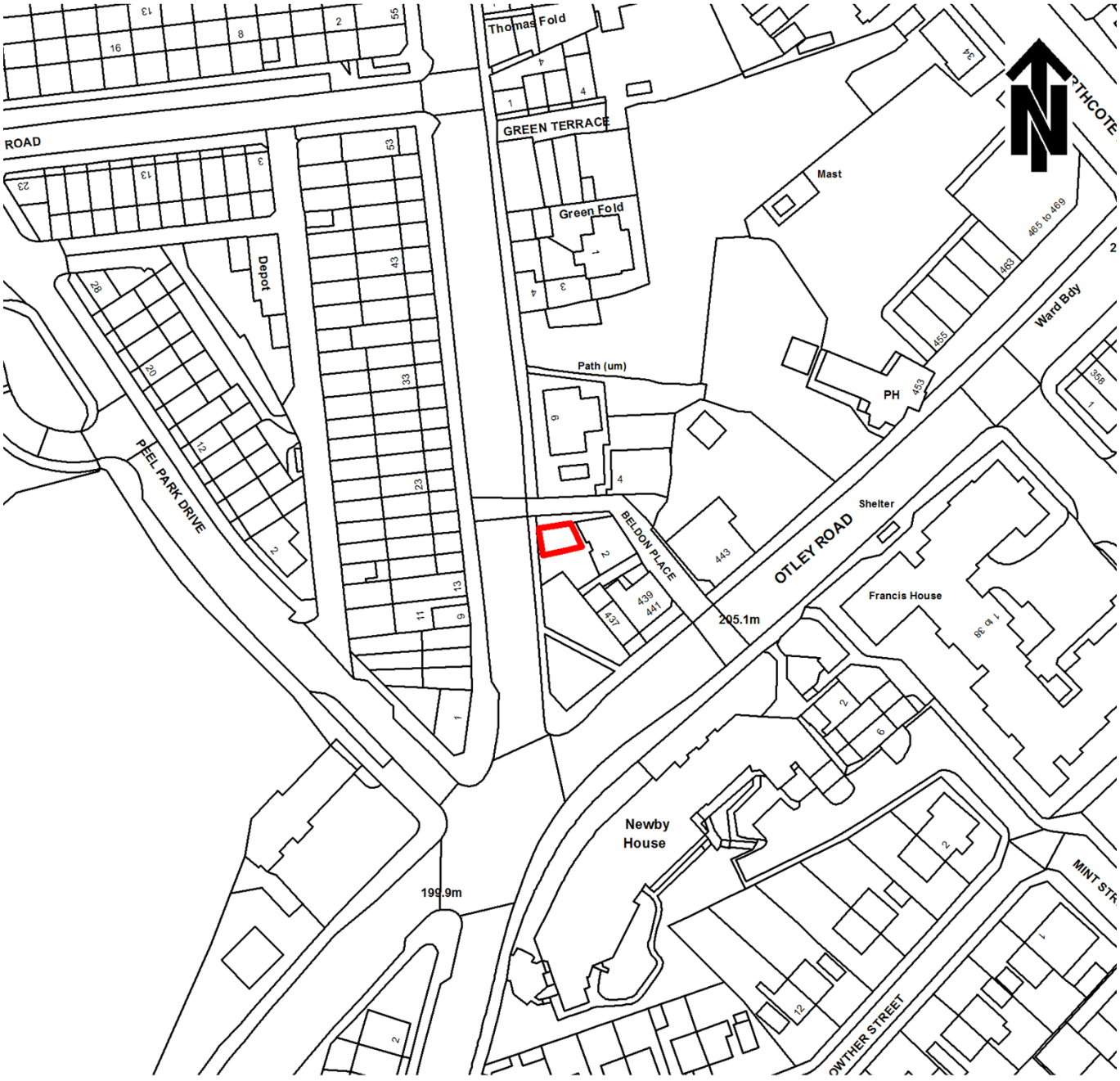
Circumstances:
A site visit revealed the above breach of planning control and despite requests from the Local Planning Authority the owner of the property has taken no action to rectify the matter.

It is considered expedient to issue an enforcement notice because the extension appears as a strident and incongruous feature in the street scene due to the use of block and render. The negative impact of the extension is further exacerbated by its height, massing and roof. The development fails to preserve or enhance the character of the Bingley Conservation Area in which it is situated.

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.

20/00603/ENFAPP

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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2 Idle Road
Bradford
BD2 4QB

17 December 2020

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

Enforcement Reference:
20/00603/ENFAPP

Site Location:
2 Idle Road Bradford BD2 4QB

Breach of Planning Control:
Unauthorised alterations to an outbuilding

Circumstances:
In September 2019 planning permission reference 19/02671/FUL was granted by the Council for alterations to an outbuilding in the front garden area of the property for use as a Class A1 shop.

Inspections have shown that the alterations to the outbuilding have not been carried out in accordance with the planning permission.

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

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.

18/00528/ENFUNA

City of BRADFORD METROPOLITAN DISTRICT COUNCIL

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205 Bradford Road
Shipley
BD18 3AA

17 December 2020

Item: **E**
Ward: **HEATON**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
18/00528/ENFUNA

Site Location:
205 Bradford Road Shipley BD18 3AA

Breach of Planning Control:
Without planning permission, the construction of a rear dormer window.

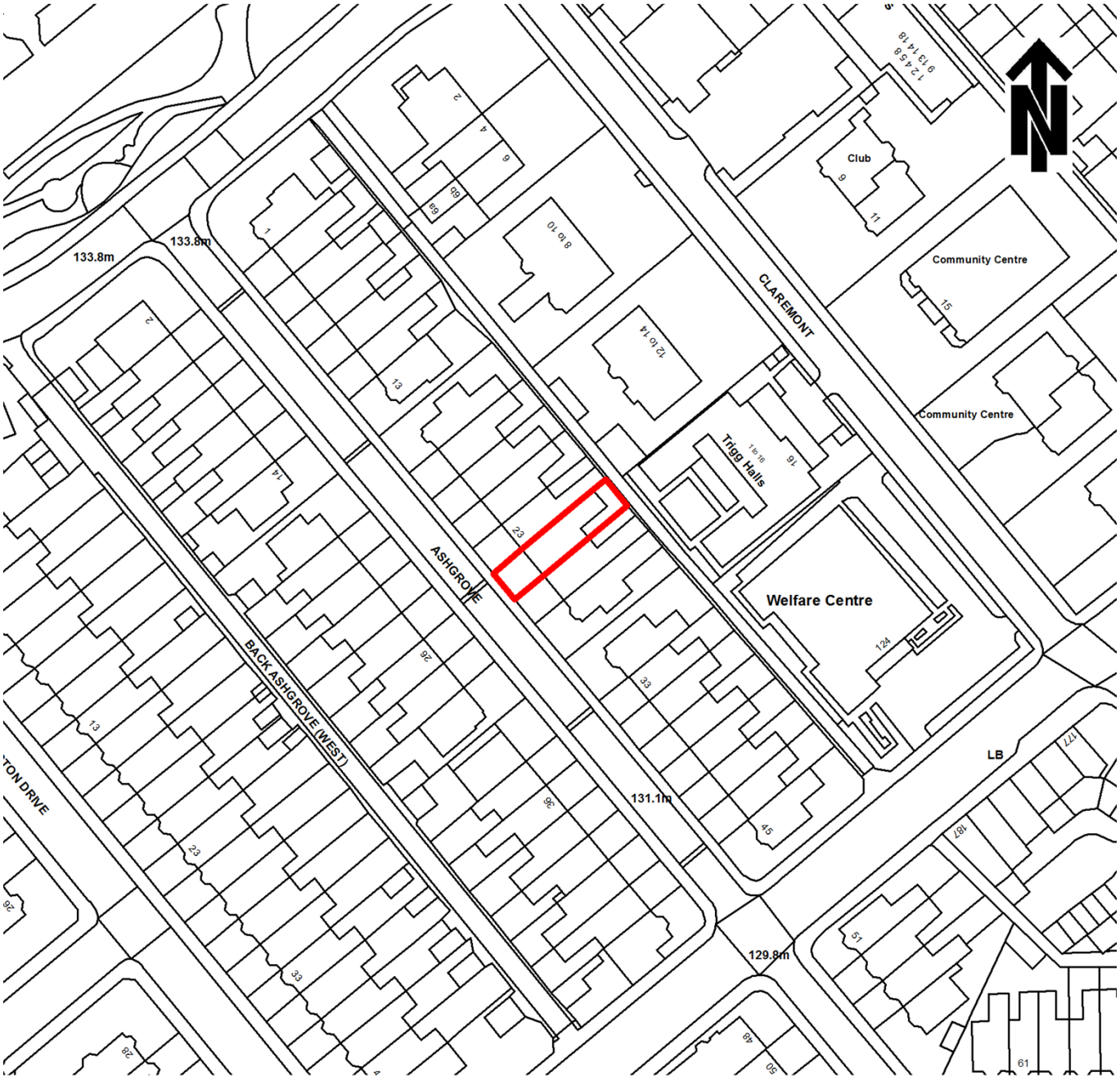
Circumstances:
Following a complaint received in this office in June 2018, a site visit revealed the above breach of planning control. Despite requests from the Local Planning Authority, the owner of the property has taken no action to rectify the matter.

It is considered expedient to issue an Enforcement Notice as the rear dormer window represents an unwelcome and strident feature on the host building due to the use of white plastic cladding, its excessive scale and fenestration which has a horizontal emphasis.

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.

18/00357/ENFLBC

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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25 Ashgrove
Great Horton
Bradford BD7 1BN

17 December 2020

Item: **F**
Ward: **CITY**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
18/00357/ENFLBC

Site Location:
25 Ashgrove Great Horton Bradford BD7 1BN

Breach of Planning Control:
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.

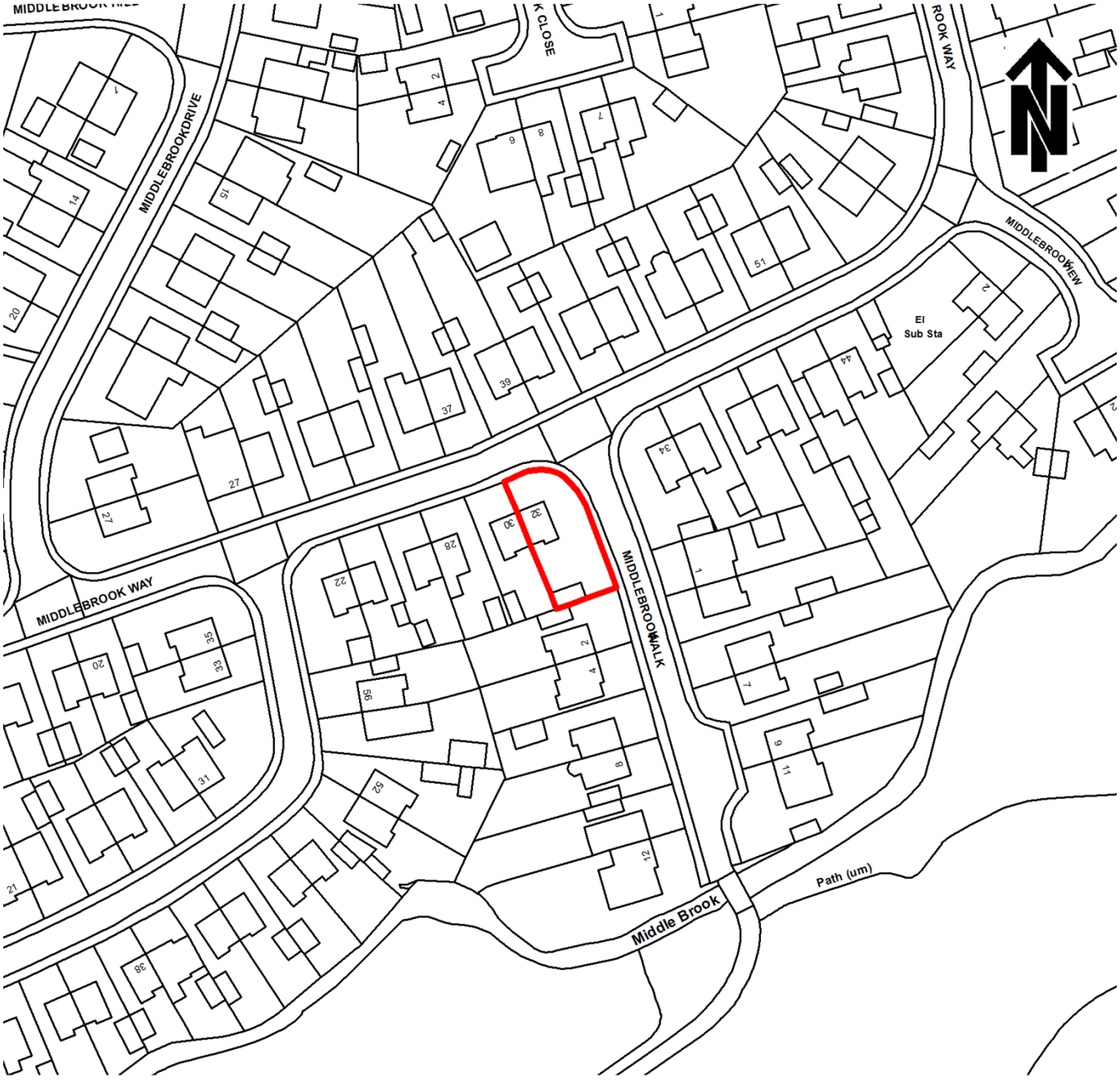
Circumstances:
Following an enquiry, a site visit carried out revealed that timber windows had been replaced with uPVC windows in the ground and first floor of the front elevation of this Grade II Listed Building. Coping Detail has also been removed from the front chimney stack on the front roof plane.

The property owner has been given opportunity to remedy the breach of planning control but no action has been taken.

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.

19/00078/ENFUNA

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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32 Middlebrook Way
Bradford
BD8 0EP

17 December 2020

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

Enforcement Reference:
19/00078/ENFUNA

Site Location:
32 Middlebrook Way Bradford BD8 0EP

Breach of Planning Control:
Without planning permission, the creation of a fence to the side of the property.

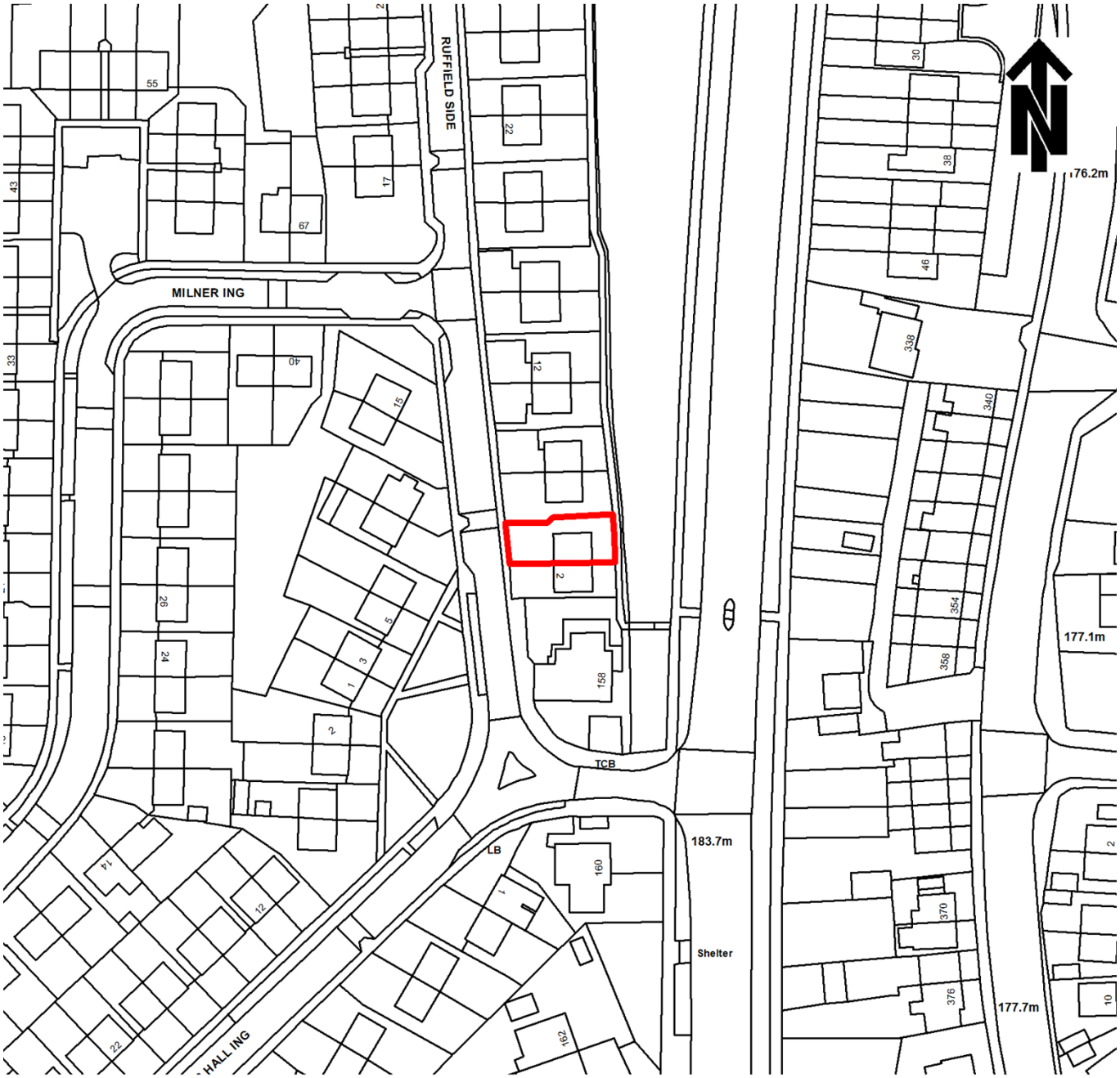
Circumstances:
Following a complaint received in this office in January 2019, a site visit revealed the above breach of planning control. Despite a grant of planning permission showing the height of the fence reduced to 1.2 metres, the owner of the property has taken no action to rectify the matter.

It is considered expedient to issue an Enforcement Notice as the concrete fence, by reason of its height, position and appearance represents an unwelcome and strident feature visually incongruous with the prevailing character of the locality.

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.

19/00203/ENFUNA

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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4 Ruffield Side
Bradford
BD12 8DP

17 December 2020

Item: **H**
Ward: **WYKE**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
19/00203/ENFUNA

Site Location:
4 Ruffield Side Bradford BD12 8DP

Breach of Planning Control:
Without planning permission, the construction of a shed to the front of the property.

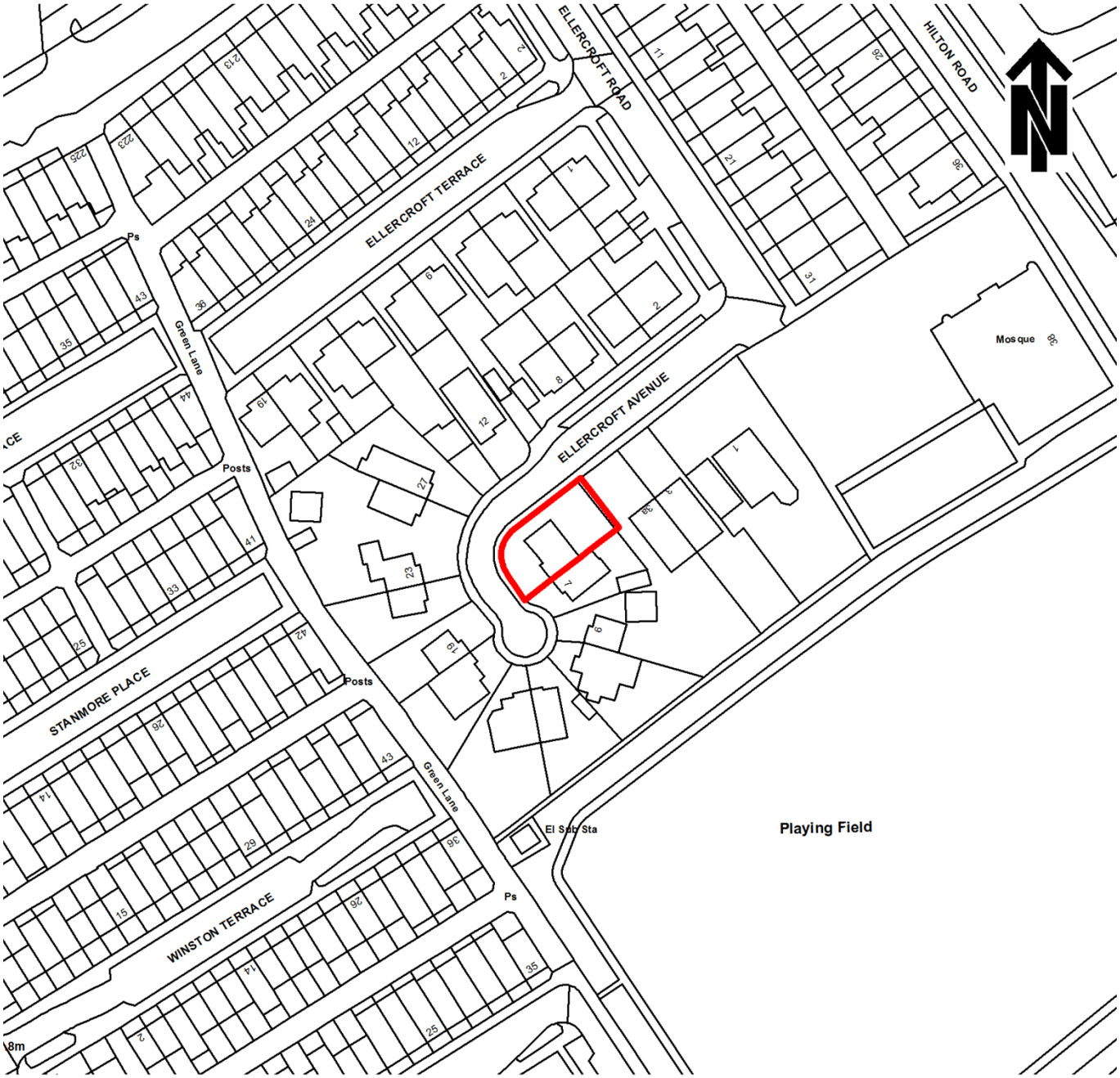
Circumstances:
Following a complaint received in this office in March 2019, a site visit revealed the above breach of planning control. Despite requests from the Local Planning Authority, the occupier of the property has taken no action to rectify the matter.

It is considered expedient to issue an Enforcement Notice because the shed constructed to the front of the property disrupts the uniform appearance of the street scene to the detriment of the local area.

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.

19/00916/ENFAPP

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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5 Ellercroft Avenue
Bradford
BD7 2EG

17 December 2020

Item: **I**
Ward: **CITY**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
19/00916/ENFAPP

Site Location:
5 Ellercroft Avenue Bradford BD7 2EG

Breach of Planning Control:
Without planning permission, construction of a two-storey side extension

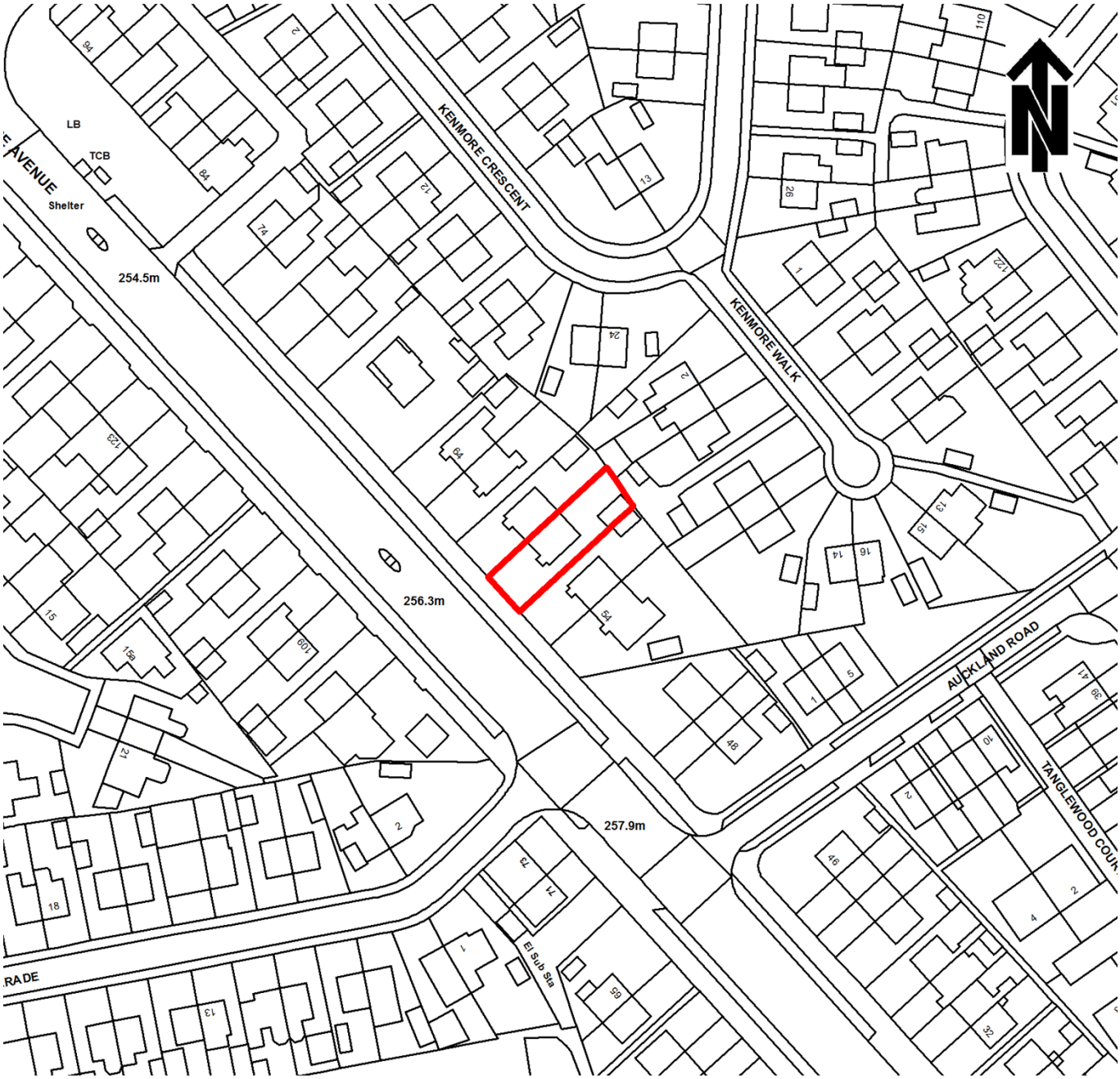
Circumstances:
Following an enquiry, a site visit carried out revealed that a two storey extension had not been constructed in accordance with approval 16/0100/HOU.

The property owner has been given opportunity to remedy the breach of planning control and a retrospective planning application 20/03502/HOU has been submitted and refused on 24/09/20. A site visit carried showed that the structure remains on site.

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.

19/00503/ENFUNA

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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58 Moore Avenue
Bradford
BD6 3HU

17 December 2020

Item: **J**
Ward: **WIBSEY**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
19/00503/ENFUNA

Site Location:
58 Moore Avenue Bradford BD6 3HU

Breach of Planning Control:
Without planning permission, the construction of a porch to the front of the property.

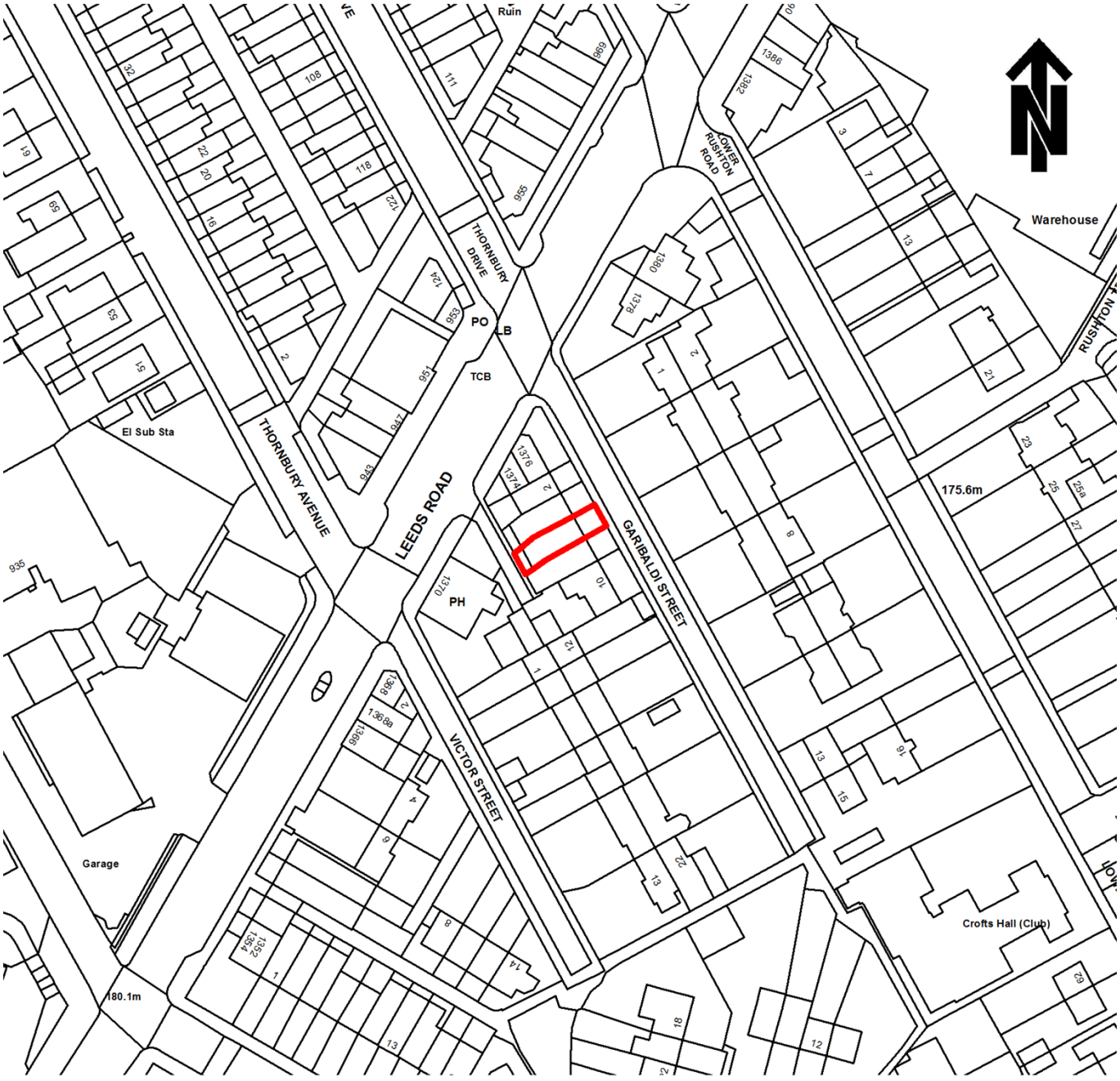
Circumstances:
Following a complaint received in this office, a site visit carried out revealed that the above breach of planning control. Despite requests from the Local Planning Authority, the owner of the property has taken no action to rectify the matter.

It is considered expedient to issue an Enforcement Notice as the porch by reason of its depth, width and ornate design represents a dominant and strident feature that is harmful to the appearance of the parent building and street scene.

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.

18/01042/ENFUNA

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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6 Garibaldi Street
Bradford
BD3 8NF

17 December 2020

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

Enforcement Reference:
18/01042/ENFUNA

Site Location:
6 Garibaldi Street Bradford BD3 8NF

Breach of Planning Control:
Breach of condition 2 of planning permission 19/01326/HOU and breach of condition 2 of planning permission 19/03141/HOU

Circumstances:
In June 2019 retrospective planning permission reference 19/01326/HOU was granted for a front dormer window at the property.

In September 2019 retrospective planning permission reference 19/03141/HOU was granted for a first floor rear extension at the property.

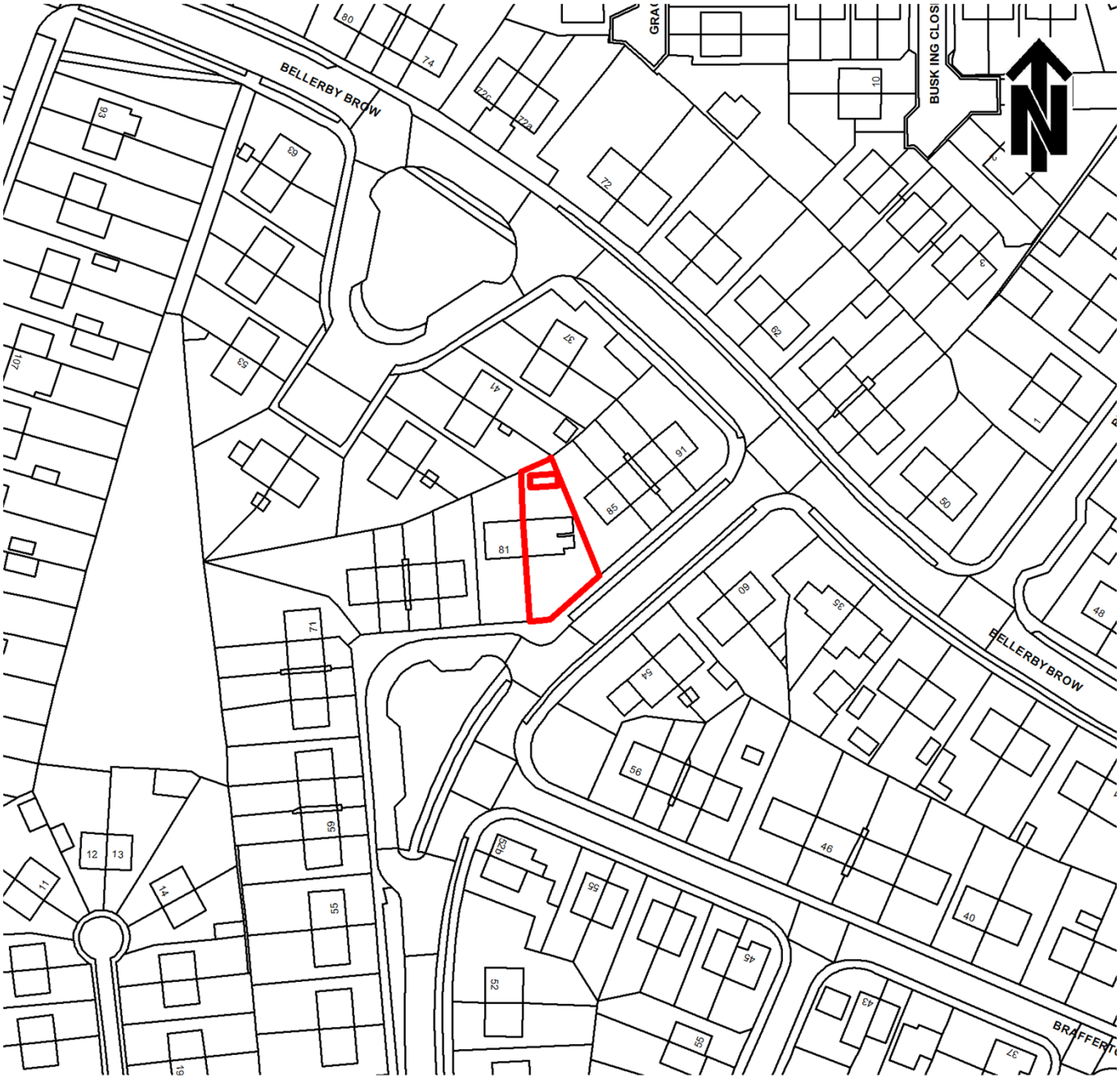
Condition 2 of each of the permissions required works to be carried out to comply with the terms of the planning permissions in respect of the approved external materials.

Condition 2 of each of the planning permissions has not been complied with to date.

On 30 September 2020 the Planning Manager (Enforcement & Trees) authorised the issue of two Breach 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.

19/00082/ENFUNA

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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83 Barden Avenue
Bradford
BD6 3LB

17 December 2020

Item: **L**
Ward: **ROYDS**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
19/00082/ENFUNA

Site Location:
83 Barden Avenue Bradford BD6 3LB

Breach of Planning Control:
Without planning permission, the construction an extension to the side of the property.

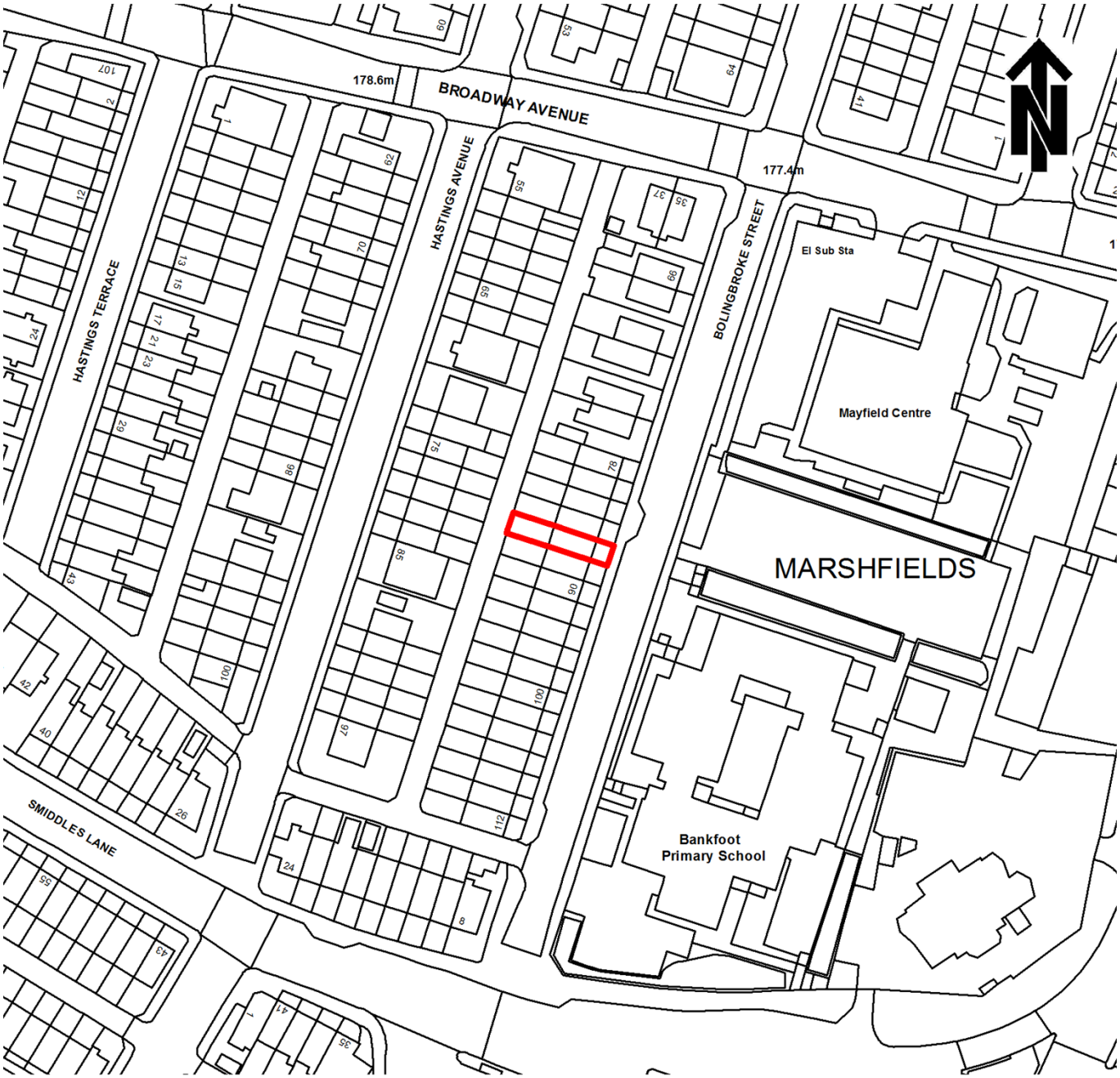
Circumstances:
Following a complaint received in this office in February 2019, a site visit revealed the above breach of planning control. Despite a request from the Local Planning Authority, the owner of the property has taken no action to rectify the matter.

It is considered expedient to issue an Enforcement Notice as the side extension has been constructed using a poor quality material that does not match the parent building. Due to the prominent position of the extension it introduces a strident feature that fails to enhance and is detrimental to the appearance of the parent building and street scene.

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.

17/00199/ENFUNA

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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86 Bolingbroke Street
Bradford
BD5 9NR

17 December 2020

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

Enforcement Reference:
17/00199/ENFUNA

Site Location:
86 Bolingbroke Street Bradford BD5 9NR

Breach of Planning Control:
Unauthorised rear dormer window

Circumstances:
In March 2017 the Council received an enquiry regarding development works at the property.

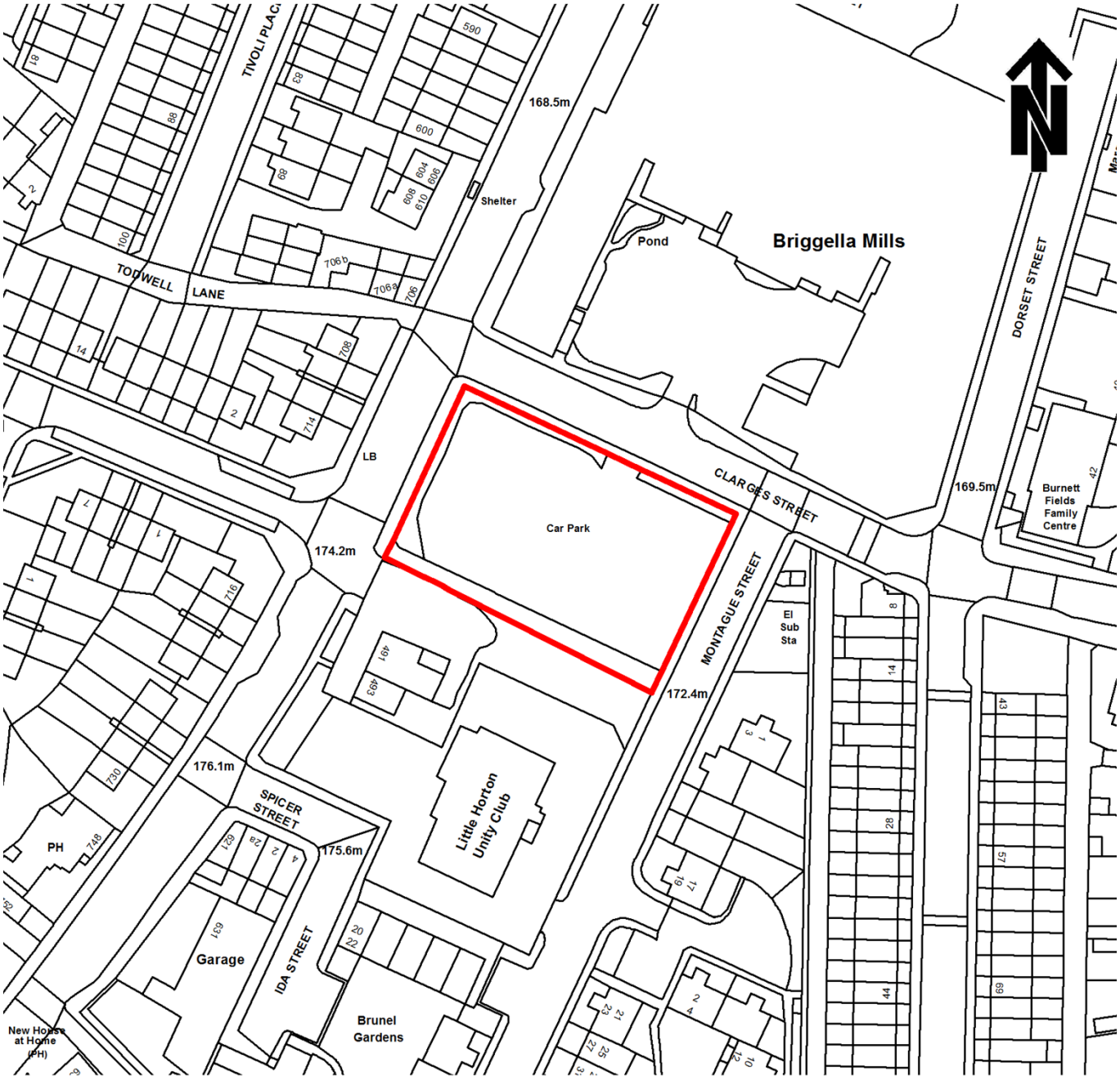
An inspection showed that a rear dormer window had been constructed, for which the Council had no record of planning permission having been granted.

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

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.

20/00667/ENFUNA

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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Car Park
Clarges Street
Bradford

17 December 2020

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

Enforcement Reference:
20/00667/ENFUNA

Site Location:
Car Park Clarges Street Bradford

Breach of Planning Control:
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.

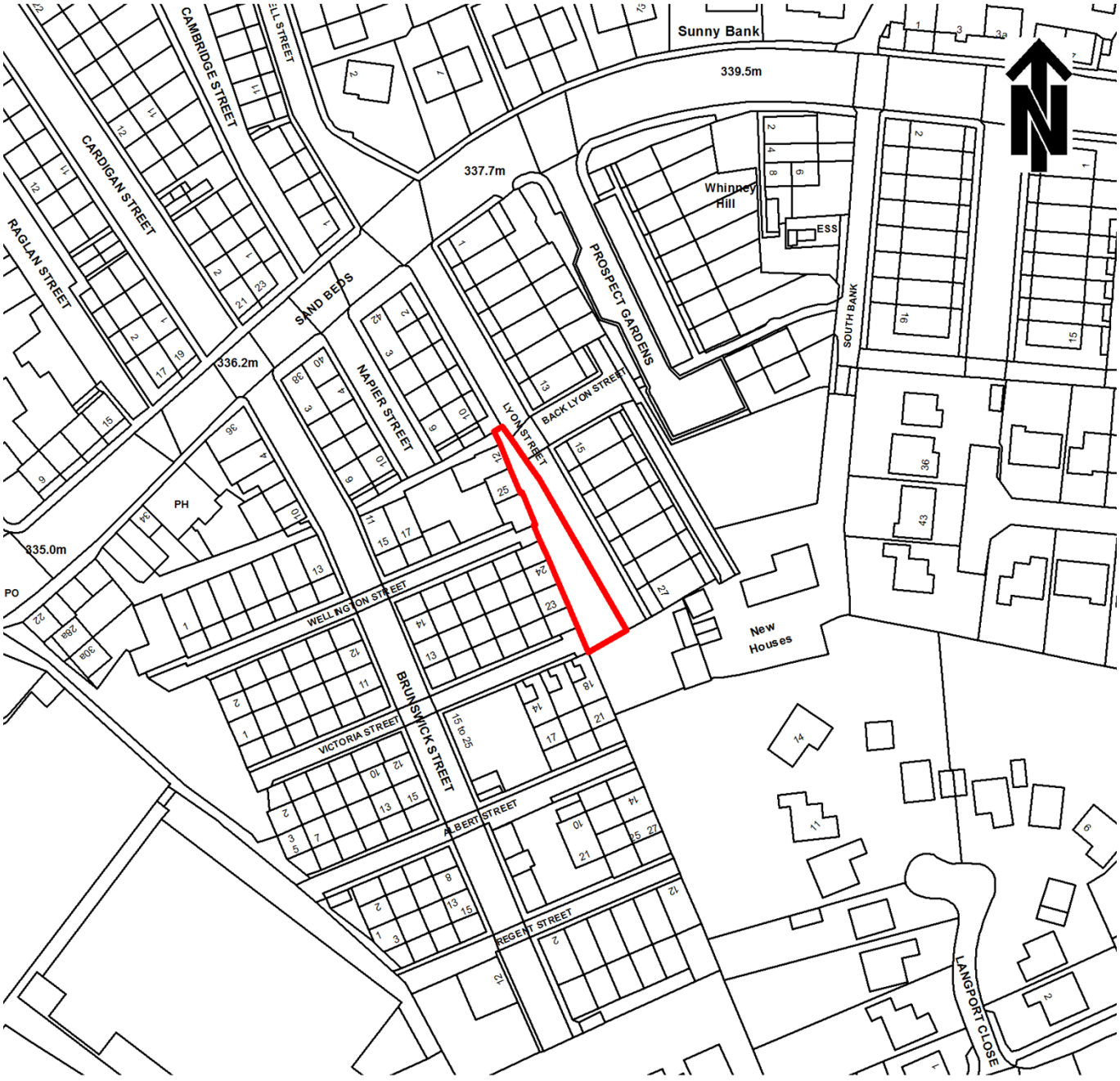
Circumstances:
Following complaints received in this office, a site visit revealed the above breach of planning control. Despite requests from the Local Planning Authority, the owner of the land has taken no action to rectify the matter.

It is considered expedient to issue an Enforcement Notice the unauthorised hot food takeaway and café introduce an unacceptable degree of disturbance to residents living in close proximity. This is due to increased vehicle and customer activity occurring during unsociable hours of operation. Furthermore, the projection of the shutter boxes, the solid appearance of the roller shutters and hoarding above the eaves and roof slope of the containers results in a significant dominant and incongruous appearance that is readily apparent in public view.

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.

20/00688/ENFUNA

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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Car Park Lyon Street
Queensbury
Bradford

17 December 2020

Item: **O**
Ward: **QUEENSBURY**
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
20/00688/ENFUNA

Site Location:
Car Park Lyon Street Queensbury Bradford

Breach of Planning Control:
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.

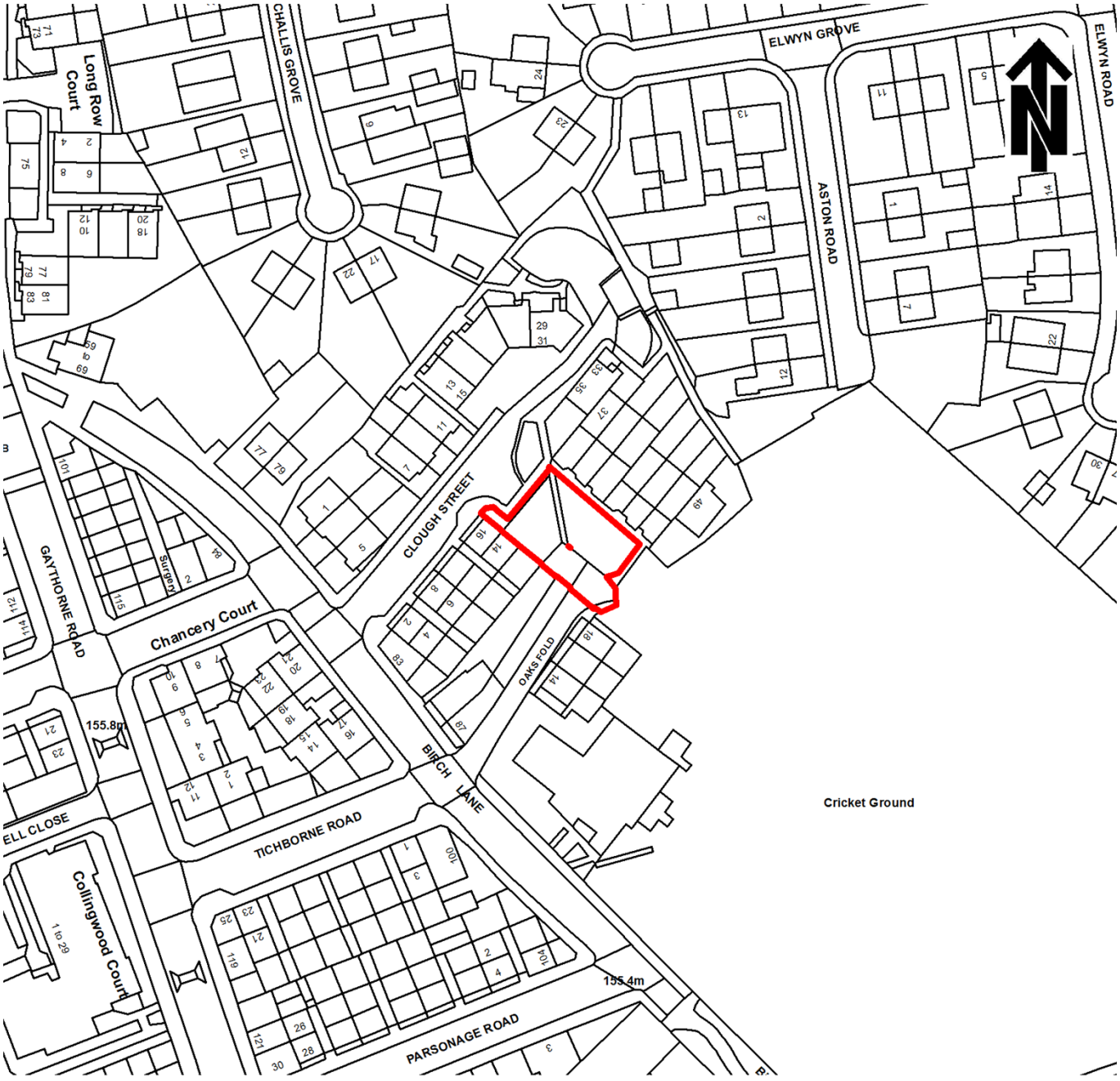
Circumstances:
Following complaints received in this office, a site visit revealed the above breaches of planning control. Despite requests from the Local Planning Authority, the owner of the property has taken no action to rectify the matter.

It is considered expedient to issue an Enforcement Notice as the material change of use of the land involving the construction of a perimeter wall/fence and gates and the siting of a storage container on the land is detrimental to visual and residential amenity.

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.

18/00161/ENFCON

City of BRADFORD METROPOLITAN DISTRICT COUNCIL



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Land Clough Street Bradford

17 December 2020

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

Enforcement Reference:
18/00161/ENFCON

Site Location:
Land at Grid Ref 416404 431258 Clough Street Bradford

Breach of Planning Control:
Without planning permission, the construction of two three storey dwellings.

Circumstances:
The unauthorised dwellings on the land have been constructed on a site where it is probable that historic mining has taken place at a shallow depth beneath the site. It has not been demonstrated to the Council's satisfaction that the site is safe and suitable for development.

Paragraph 178 of the National Planning Policy Framework provides (inter alia) that planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards and former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation). In the absence of such an assessment of the risks and the scope for remediation to mitigate any such harm to the development it is not possible for the Council to conclude that the land is safe for the use of the dwellings.

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

Appeal Allowed

ITEM No.	WARD	LOCATION
Q	Bolton And Undercliffe (ward 04)	9 Armidale Way Bradford BD2 1EN Roof extension and rear dormer window - Case No: 20/02498/HOU Appeal Ref: 20/00078/APPHOU

Appeal Dismissed

ITEM No.	WARD	LOCATION
R	Great Horton (ward 11)	4 Woodvale Way Bradford BD7 2SJ Construction of boundary wall, fence and gates to front (retrospective) - Case No: 20/00842/HOU Appeal Ref: 20/00050/APPHOU
S	Bolton And Undercliffe (ward 04)	Land At Bolton Road Bradford Construction of one detached dwelling - Case No: 20/00221/FUL Appeal Ref: 20/00055/APPFL2
T	Bingley (ward 02)	Woodcap Glen Way Eldwick Bingley BD16 3HF 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

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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