

Minutes of a meeting of the Area Planning Panel (Bradford) held on Wednesday, 27 October 2021 in the Council Chamber - City Hall, Bradford

Commenced 10.00 am
Concluded 12.40 pm

Present – Councillors

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT
Amran Engel Cunningham S Khan	Riaz Glentworth	Stubbs

Apologies: Councillor Kyle Green

Councillor Engel in the Chair

46. DISCLOSURES OF INTEREST

In the interests of transparency the following declarations of interest were received:

The Chair declared that the property in Item A was in her Ward but had not had any discussions in relation to it.

Cllr Cunningham declared that the property in Item G was in his Ward but had not had any discussions in relation to it.

Cllr Riaz declared that he was acquainted with the applicant for item B

Cllr Stubbs declared that items B and C were in his Ward and had been contacted by neighbours for direction

Action: City Solicitor

47. MINUTES

That the minutes of the meeting held on 25 August 2021 be signed as a correct record.

Action: City Solicitor

48. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals.

49. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

A. 4 Leaventhorpe Avenue, Bradford Clayton and Fairweather Green

This is a householder planning application for a hip to gable extension with front and rear dormer windows plus single storey rear extension (partly retrospective).

Officers presented the application and gave an overview of the property's planning history as previous applications had been refused on the grounds of impact and loss of visual amenity. The presentation included photographs to show Members the new application which had been amended to overcome the harm to the neighbouring property. The property itself was a semi-detached bungalow occupying a setback and elevated position from the highway and had already undergone alteration and extension previously. The application had received 16 objections and 18 supporting comments. It had been re-publicised following a change in the description of the proposal and the publicity period was due to end after the date of the meeting. Members would also receive notification of any additional comments if submitted after the meeting.

There were no questions from Members in relation to this application.

Resolved –

That the decision be delegated to Officers to grant planning permission on expiry of the consultation period.

Action: Strategic Director, Place

B. 43 Acre Drive, Bradford Eccleshill

Application for a single storey side and rear extension, hip to gable extension with front and rear dormer windows.

The property was a semi-detached bungalow situated in a cul-de-sac and was similar in scale and design as other properties in the vicinity. The application had been publicised by use of neighbourhood letters and revised plans were submitted following discussions with the Agent to address issues raised. the Planning Department had received 29 expressions of objection and 6 in support. Members were provided with a report which gave details of these.

Officers presented the details of the scale of the extensions along with illustrations and dimensions to allow Members to visualise the plan. Members also viewed photos showing the property in relation to its immediate neighbours indicating where and how the extensions would look.

Members were then given the opportunity to ask questions directed to

Planning Officers, the details of which and the responses given are as below:

- In relation to the side extension, were there any concerns about it changing the character of the street? Officers responded that it would change the character of the street but was in line with usual policies and was set back. Further clarification was provided to describe a 'wrap around' type extension and that permission was only needed as the plan was for an extension to the property both side and rear and would be joined as one. Separate side and rear extensions were allowed under permitted development rights but one that effectively 'wrapped around' the property needed planning permission
- A member asked whether the objections received had been addressed and was advised that all planning issues had been addressed
- Further clarity was sought around permitted development rights as objections would not be valid if application was allowed under permitted development rights. Officers advised that representations had been considered and the extension would change the slope and be at odds but a pragmatic approach had been taken as there was potential to extend parts of the building without the need for planning permission
- A Member asked whether efforts had been made to ensure that those who had made representations understood what permitted development rights were and was advised that all representations submitted had been addressed and the application was acceptable
- A member commented that the purpose was to look at planning policy and to make a policy based decision

A small number of objectors were present at the meeting and addressed the Panel with their concerns about the impact of granting permission.

Officers stated the following in response:

- Some extensions can be built without planning permission and every application was assessed on its merits so no precedent would be set if the application under consideration was granted
- Property values were not a planning matter

Members again had the opportunity to ask questions and the height of the property was raised at it could impact on neighbouring properties. Officers advised that as there were no habitable windows there was no resulting harm so could not refuse.

Another Member stated that not enough attention was paid potentially and sympathised with residents and consideration should be given on the impact on the street scene and area. Why was it not more of a concern? Officers advised that design was subjective and it would alter the property dramatically but had to be considered in policy terms. Officers conceded that the design could be seen have a negative impact but it would difficult to defend a refusal of planning permission on appeal.

A Member stated that objectors needed to be clear on what permitted development rights were and what its meaning was in terms of what was permitted and what wasn't. Officers explained that the Town and Country Planning Act 2015 granted planning permission without the need to go to the Local Authority. Some aspects of the application fell outside permitted rights but a good deal can be done without permission. This was a material consideration as most of the development would fall under permitted development and again explained what was permitted and whether there was substantial harm by what fell outside, views on design were subjective.

The applicant and local Councillor acting as the applicant's Ward Councillor also attended the meeting and addressed the Panel and stated that the applicant had followed the rules on planning and needed the extra space, that the applicant had been transparent and had submitted a policy friendly development application.

A member commented that he could not support the application as the alterations were too dramatic and was detrimental to the street scene.

Resolved –

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

Action: Strategic Director, Place

C. 66 Leafield Avenue, Bradford

Eccleshill

Householder application for the construction of first floor rear extension, single storey side extension, front and rear dormer windows, hip to gable roof conversion and removal of a chimney stack. Officers presented the application which was to Members including illustrations which had received a total of 24 representations, 23 of which were objections.

Members then had the opportunity to ask Planning Officers questions regarding the application.

A Member asked the following question:

Were the works part of a previous application or had the applicant 'jumped the gun?' Officers advised that any works already carried out would be at the applicant's risk but work carried out came under permitted development rights. Anything else would be subject to enforcement. Quality was not a planning matter and came under building regulations.

The applicant was also present and addressed the committee. There was a brief discussion about wall angles and clarification around non-habitable

windows and the scrutiny that went along with them, as they were not considered as overbearing in the application under consideration.

Resolved –

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

Action: Strategic Director, Place

D. 81 Hollybank Road, Bradford

Great Horton

The application relates to a large detached residential property which has previously undergone various extension works and would not extend the existing footprint of the property overall as the proposed work would be to replace an existing conservatory with a single storey extension plus a shed to the rear of the property. The application received no representations.

Members did not have any questions or comments for Officers and there were no other parties in attendance in connection with the application.

Resolved –

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

Action: Strategic Director, Place

E. Land East of 5 Hugill Street, Bradford

Thornton and Allerton

The proposed site for development was a long thin area with existing residential properties on either side and was a full planning application for the demolition of existing garages and construction of a detached dwelling.

Officers provided photos showing the development site and its proximity and relationship with neighbouring properties. The application had been publicised using notification letters and had received ten letters of objection. The application was proposed by Officers to be allowed subject to conditions contained in the technical report. The application had been previously dismissed on appeal but the current full application had been changed sufficiently that it satisfied Planning Officers as suitable for planning approval subject to the conditions in the technical report provided.

Members asked the following questions relating to impact on the neighbouring properties as some balconies were situated adjacent to the site and the potential for extension to the property in the future. Officers advised that the application’s conditions included the removal of the usual permitted development rights and would require planning permission for any extensions

to the development in the future.

Resolved –

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

Action: Strategic Director, Place

F. St Marks Old Vicarage, Park Bottom, Bradford Royds

Full application proposing the construction of a detached bungalow on land to the side of St Marks Old Vicarage. The site was situated in a cluster of modern style properties and would sit in the garden of the existing Vicarage building. The report presented included details of past planning applications both for the vicarage itself and for a number of refused applications that had been previously submitted for detached dwellings on the same piece of ground. The application had attracted a number of negative representations, an objection from a Ward Councillor as well as being the subject of a petition containing 87 signatures. The report provided to Members contained the details of the representations received as well as details of consultations undertaken and how these would address the issues raised.

A Member asked the following question following the presentation of the application by Planning Officers:

With regard to the representations made, were officers satisfied that the information received was accurate? Officers advised that as scale drawings had been received they were satisfied with the accuracy of the information provided.

Several objectors attended the meeting and addressed the Panel stating that there would be a negative impact on the other dwellings, the access issues had not been addressed both for capacity and rights. Concerns were also raised regarding the potential to extend the property in the future under permitted development rights, loss of light and the concerns raised regarding safety as the site was in a high risk area due to historic mining works.

Officers responded that previously refused applications were not relevant as the application submitted was the only one to be considered. Permitted development rights had been removed in the conditions (condition 10) in the report. A full report regarding risk due to previous mining works would be required and remedial work would have to be carried out prior to occupation.

Access to the property was a private matter as the road leading up to the proposed development was not a public highway.

Officers also addressed the concern raised in relation to windows at the property occupying number four by its proposed position.

Members again, had the opportunity to ask questions in relation to the points raised by the objectors' representations.

Who was responsible for the access road and was it a planning consideration? Whilst Officers did not have definitive information they indicated that it was likely the residents who were responsible for access and matters relating to it.

A comment was made that that it was difficult to visualise. Officers stated that the development was a single storey and whilst it was not exactly the same, it was not considered to be harmful to visual amenity.

A Member asked whether the materials used would form part of the approval and was advised that samples would need to be submitted for inspection as per condition 2.

The size of the development was queried as it appeared to be very small but was considered to be appropriate. Again the issue of future extension was raised and Officers advised that any future work would need planning permission.

The access was raised again and Officers advised that these were not a planning issue and that planning permission could be granted without certainty of access.

A Ward Councillor also attended the meeting and addressed the Panel which reflected the representations and concerns previously raised about the impact on the environment and existing residents and the ownership of the access road. Officers again stated that the concerns regarding previous coal mining had been addressed by conditions, ownership of the access road was not a planning consideration and any extensions planned in the future would need planning permission.

The applicant attended the meeting and addressed the Panel stating that they would comply with the conditions including the report on mining and had no issue with permitted development rights being removed.

Resolved -

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

Action: Strategic Director, Place

G. 1 Brisbane Avenue, Bradford

Bolton and Undercliffe

Application for the construction of a two storey side extension, raising of the roof and loft conversion with front and rear dormers. Officers presented the application to a detached dwelling and gave an overview of the application to allow Members to consider their decision. The applicant attended the

meeting but did not address the Panel as he decided not to proceed at the present time.

Resolved –

That the decision be delegated to Officers to refuse planning permission for the reasons set out in the Strategic Director, Place’s technical report (Document “E”) unless a formal request to withdraw the application is received within 7 days of the meeting.

Action: Strategic Director, Place

(Mohammed Yousuf – 01274 434605)

50. MISCELLANEOUS ITEMS

The Panel was asked to consider other matters which were set out in **Document “F”** relating to miscellaneous items:

Discontinuance Notices

Requests for Enforcement/Prosecution Action

Decisions made by the Secretary of State - Allowed

Decisions made by the Secretary of State - Dismissed

Decisions made by the Secretary of State - Varied and Upheld

Resolved –

That the requests for Enforcement/Prosecution Action and the decisions made by the Secretary of State as set out in Document “F” be noted.

(Mohammed Yousuf – 01274 434605)

Chair

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

THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER