

Agenda for a meeting of the Area Planning Panel (Bradford) to be held on Wednesday, 27 July 2022 at 10.00 am in the Banqueting Hall - City Hall, Bradford

Members of the Committee – Councillors

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT
Engel Cunningham S Khan S Hussain	Glentworth Ali	Stubbs

Alternates:

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT
Lal Dodds Arshad Hussain Thornton	K Green Coates	R Ahmed

Notes:

- This agenda can be made available in Braille, large print or tape format on request by contacting the Agenda contact shown below.
- The taking of photographs, filming and sound recording of the meeting is allowed except if Councillors vote to exclude the public to discuss confidential matters covered by Schedule 12A of the Local Government Act 1972. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted. Anyone attending the meeting who wishes to record or film the meeting's proceedings is advised to liaise with the Agenda Contact who will provide guidance and ensure that any necessary arrangements are in place. Those present who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
- If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.
- **A legal briefing for all Members will take place at 0930 in the Banqueting Hall on the day of the meeting.**
- Applicants, objectors, Ward Councillors and other interested persons are advised that the Committee may visit any of the sites that appear on this Agenda during the day of the meeting, without prior notification. The Committee will then reconvene in the meeting room after any visits in order to determine the matters concerned.
- At the discretion of the Chair, representatives of both the applicant(s) and objector(s) may be allowed to speak on a particular application for a maximum of five minutes in total.

From:

Bryn Roberts
Interim City Solicitor
Agenda Contact: Su Booth
Phone: 07814 073884
E-Mail: susan.booth2@bradford.gov.uk

To:

A. PROCEDURAL ITEMS

1. ALTERNATE MEMBERS (Standing Order 34)

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

2. DISCLOSURES OF INTEREST

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

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

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

Notes:

- (1) *Members must consider their interests, and act according to the following:*

Type of Interest

You must:

Disclosable Pecuniary Interests

Disclose the interest; not participate in the discussion or vote; and leave the meeting unless you have a dispensation.

Other Registrable Interests (Directly Related)

Disclose the interest; speak on the item only if the public are also allowed to speak but otherwise not participate in the discussion or vote; and leave the meeting unless you have a dispensation.

OR

Non-Registrable Interests (Directly Related)

Other Registrable Interests (Affects)

Disclose the interest; remain in the meeting participate and vote unless the matter affects the financial interest or well-being

OR

Non-Registrable Interests (Affects)

(a) to a greater extent than it affects the financial interests of a majority of inhabitants of the affected ward, and (b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest;

in which case speak on the item only if the public are also allowed to speak but otherwise not do not participate in the discussion or vote; and leave the meeting unless you have a dispensation.

- (2) *Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (3) *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.*
- (4) *Officers must disclose interests in accordance with Council Standing Order 44.*

3. MINUTES

Recommended –

That the minutes of the meeting held on 27 April 2022 be signed as a correct record.

(Su Booth – 07814 073884)

4. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

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

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

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

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

(Su Booth 07814 073884)

5. PUBLIC QUESTION TIME

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

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

Questions must be received in writing by the City Solicitor in Room 112, City Hall, Bradford, by midday on Monday 25 July

2022.

(Su Booth – 07814 073884)

B. BUSINESS ITEMS

6. MEETING DATES FOR REMAINDER OF 2022-2023

Members are requested to confirm that they agree with the changes proposed by the Chair for the following meetings.

Change:

14 September to either 7th or 28th September

23 November to 30th November

March – to be agreed

7. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL 1 - 34

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

<u>Item</u>	<u>Site</u>	<u>Ward</u>
A	9 Wharfedale Rise Bradford BD9 6AU - 22/02018/HOU [Approve]	Toller
B	The Horse And Farrier Farriers Croft Bradford BD2 1ET - 22/02004/FUL [Approve]	Bolton And Undercliffe
C	Woodlands CE Primary School Mill Carr Hill Road Oakenshaw Bradford BD12 7EZ - 21/01760/FUL [Approve]	Tong
D	18 Ryelands Grove Bradford BD9 6HJ - 22/01444/HOU [Refuse]	Heaton

(Mohammed Yousuf – 01274 434605)

8. MISCELLANEOUS ITEMS 35 - 94

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

- N
- A-AA Requests for Enforcement/Prosecution Action
 - AB-AC Decisions made by the Secretary of State - Allowed
 - AD-AT 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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Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 27 July 2022

A

Summary Statement - Part One

Applications recommended for Approval or Refusal

The sites concerned are:

<u>Item</u>	<u>Site</u>	<u>Ward</u>
A	9 Wharfedale Rise Bradford BD9 6AU - 22/02018/HOU [Approve]	Toller
B	The Horse And Farrier Farriers Croft Bradford BD2 1ET - 22/02004/FUL [Approve]	Bolton And Undercliffe
C	Woodlands CE Primary School Mill Carr Hill Road Oakenshaw Bradford BD12 7EZ - 21/01760/FUL [Approve]	Tong
D	18 Ryelands Grove Bradford BD9 6HJ - 22/01444/HOU [Refuse]	Heaton

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

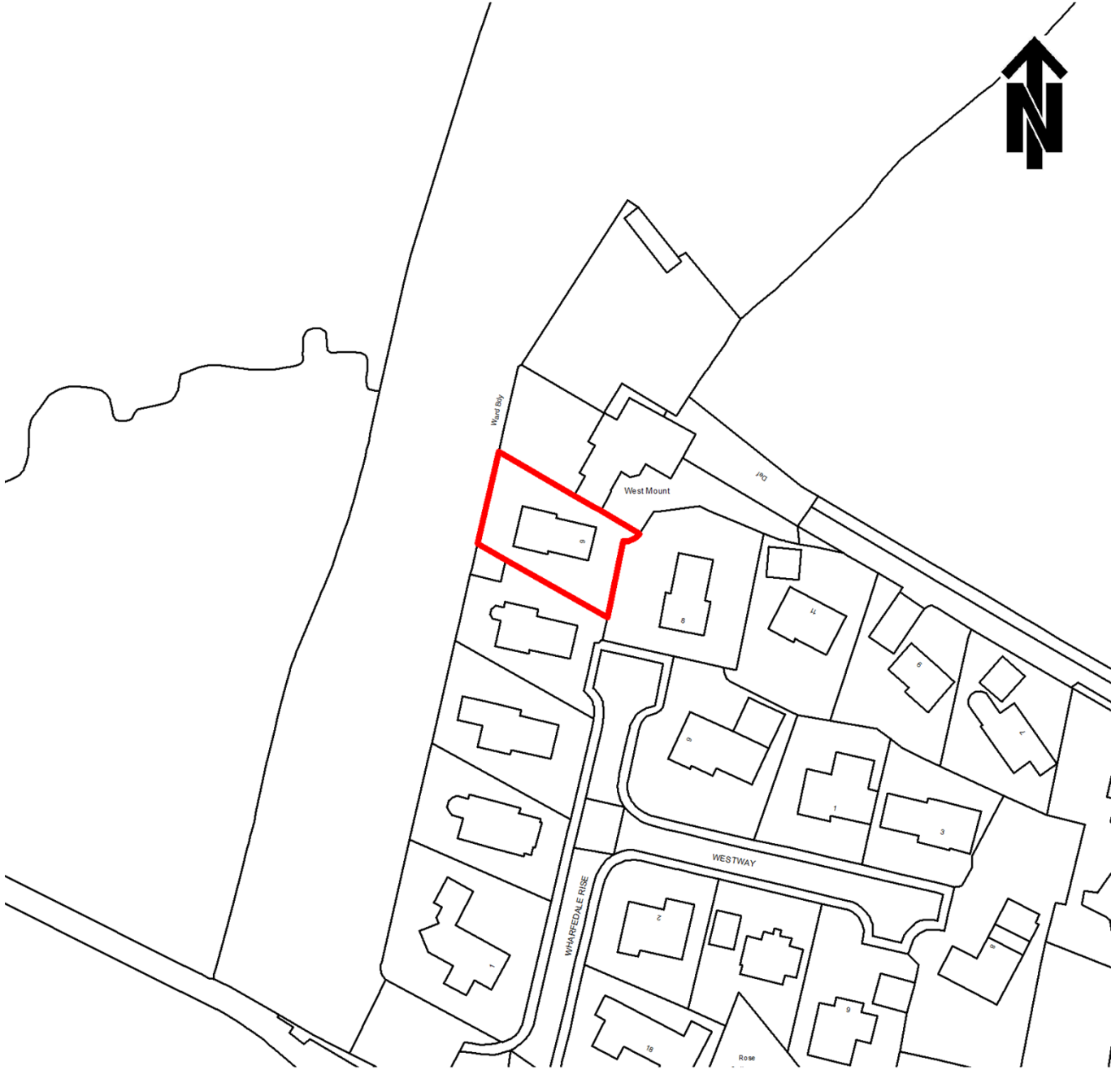
Report Contact: Mohammed Yousuf
Phone: 01274 434605

Email: mohammed.yousuf@bradford.gov.uk

Portfolio:
Regeneration, Planning & Transport

Overview & Scrutiny Committee Area:
Regeneration and Environment

22/02018/HOU



1:1,250

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**9 Wharfedale Rise
Bradford
BD9 6AU**

27 July 2022

Item: A
Ward: TOLLER
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
22/02018/HOU

Type of Application/Proposal and Address:

Householder planning application for infill extensions to front of the property over two floors, with alterations to the roof design at 9 Wharfedale Rise Bradford BD9 6AU.

Applicant:

Mr Zakar Hussain

Agent:

Mr Eatzaz Hassan of FAUM Architecture

Site Description:

9 Wharfedale Rise is a detached house at the end of a residential cul-de-sac. It is constructed predominantly in stone with a concrete tiled roof. The house features some very steeply pitched gabled roofs. The apexes were previously clad with wood, which has now been removed. To the rear is a large box-dormer clad in dark grey materials. To the front an integral double garage projects off the gable and above the garage is a large balcony accessed from the first floor level. Prominent railings are around the balcony. The house is accessed from a driveway to the front and the main living areas are placed towards the rear of the site. An enclosed private garden is at the rear.

Relevant Site History:

08/07439/FUL - Construction of first floor extension above existing garage - Granted.

The National Planning Policy Framework (NPPF):

The NPPF is a material planning consideration on any proposal and confirms the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF says that local planning authorities should approach decisions on proposals in a positive and creative way to secure developments that will improve the economic, social and environmental conditions of the area. It requires that decision-makers at every level should seek to approve applications for sustainable development that accord with the statutory development plan.

Local Plan for Bradford:

The Core Strategy Development Plan Document (DPD) was adopted in 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP) remain applicable until adoption of Allocations and Area Action Plan DPDs. The site is not allocated for any specific land-use in the RUDP. Accordingly, the following adopted Core Strategy DPD and saved RUDP policies are applicable to this proposal.

Core Strategy Policies

DS1 – Achieving Good Design
DS3 – Urban Character
DS4 – Streets and Movement
DS5 – Safe and Inclusive Places
TR2 – Parking Policy
EN5 – Trees and Woodlands

Other Relevant Legislation

Bradford Council's Householder Supplementary Planning Document.

Parish Council:

The application is not in a Town or Parish Council area.

Publicity and Number of Representations:

No representations have been received.

Summary of Representations Received:

None were received.

Consultations:

No consultations were sought.

Summary of Main Issues:

Background and Principle of Development
Design, Scale & Appearance
Impact on Neighbouring Occupants
Highway Safety
Trees
Other Planning Matters

Appraisal:

Background and Principle of Development

The proposal seeks planning permission for extensions to side and front parts of this property, widening the existing garage with alterations to create additional living accommodation above.

The property is not listed and is not within a conservation area. The changes proposed are to take place within the property's curtilage and are consistent with the site's existing residential use. The development is considered to be acceptable in principle, subject to an assessment of design and local impacts.

The application form states that the applicant is a relative of an elected member and so, for reasons of probity, a decision needs to be made in open session by the Area Planning Panel.

Design, Scale & Appearance

The proposal is for a fairly substantial re-modelling of the house, seeking to extend the garage at the front, with extensions to either side projecting out by approximately 1 metre. These will be in line with the side walls of the main part of the house at the rear. The proposals also seek to replace the prominent balcony at first floor level, with an upwards extension and associated alterations to the existing roof.

The extension, at the first floor, will build upwards on the new side walls, creating additional first floor accommodation under a new roof form which will increase the height of the eaves by 1.9 metres, but retains the existing ridge at the same height. The new roof would be similar to the design of extensions seen on a neighbouring house, giving consistency with existing positive patterns of development in the area.

Also, the property is not very prominent - being hidden at the end of this residential cul-de-sac - but the extensions being proposed are regarded as being very beneficial. They will make the building much more regular and cohesive in appearance. The extensions will be constructed in materials which will match and complement the rest of the house. The arrangement of window and door openings is logical and similar to the current arrangement.

Although the proposals will quite significantly alter the existing appearance of the house, the new design responds positively to both the character of the existing building and the neighbourhood. The extensions and alterations are considered to be positive design improvements that will benefit the character of the area in full accordance with policies DS1 and DS3 of the Core Strategy Development Plan Document.

Impact on Neighbouring Occupants

The extensions will increase the height of the roof above the garage to correspond with the existing ridge height seen on other parts of the building. The side walls will move approximately a metre either side - closer towards neighbours.

However, there will be no impact on neighbours given the detached nature of the house and the fact that the site steps up towards the end of the cul-de-sac. The extensions will be constructed on a similar building alignment to the neighbouring house at West Mount.

The location of the proposed extensions, the changes in land level and the orientation of the site means that there will be no significant increases in overshadowing towards any neighbour. The additions are well away from the neighbour's private outdoor spaces and although the outlook will be altered to any side facing windows in number 7, the distance retained either side of the boundary is considered to be sufficient enough to not to raise any adverse impacts on the neighbours or appear overbearing.

There are no habitable room windows in the neighbour at West Mount, however there do appear to be habitable room windows in the side of the neighbour at number 7 which is directly South of this property and which face onto the application site. However, these windows are screened by a number of low level trees and hedges running along this boundary which are to remain. Although the proposals will introduce 1 new habitable room window in close proximity of this property, there is already a degree of shared overlooking from the large open balcony.

When balancing the current situation with the one that is proposed, although the separation distance of approximately 10 metres between side walls is close, the proposal offers a potential for a reduction in overlooking considering that a vast proportion of the new extension will be new wall. This small window has been positioned so that it will not present direct overlooking between habitable rooms, with mutual views only achievable at an oblique angle. Providing a condition is applied to ensure that no new openings are created in the side elevations of the extension in the future, the impact of this proposal on overlooking and potential future overlooking can be managed and is acceptable.

The private garden space of this property and neighbours is to the rear, are well away from any proposed windows. No overlooking of private garden areas will occur as a result of this development.

Overall the proposal is considered to present an acceptable relationship with neighbours and will not raise any new or significant issues for neighbouring occupants. Although there is some deviation from the guidance given in the Council's Householder Supplementary Planning Document, on this occasion, given existing relationship between neighbours, this is considered to be acceptable and raises no conflicts with the policy aims of DS5 of the Core Strategy Development Plan Document.

Highway Safety

The proposal makes no changes to the existing access arrangements on site, and will maintain and increase the size of an existing garage. Increasing the size of the off-street parking areas will make this area more useable and the limited increase to the building's footprint will not significantly increase parking demand. The site is considered to benefit from a good amount of off-street parking for the size of this property and raises no new highway safety issues. The proposal is therefore acceptable and accords with policies DS4 and TR2 of the Core Strategy Development Plan Document.

Trees

There are no statutorily protected trees on site. There will be some benefit to retaining the garden trees around the plot boundaries to provide natural screening between homes. The proposal does not seek permission for any trees to be removed and given the limited extension to the footprint of this building, the additions are not considered to pose a significant risk to trees. As no trees are sought for loss and the ones on site are not statutorily protected, there are not considered to be any conflicts with policy EN5 of the Core Strategy Development Plan Document.

Other Planning Matters

No other planning matters raised.

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.

Recommendation:

That planning permission is to be Granted.

Reason for Granting Planning Permission:

On balance of the issues raised, the proposal does not raise any significant or adverse issues for the built environment, neighbouring occupants, highway safety or trees and is considered to be acceptable. Although there is some deviation from the guidance given in the Council's Householder Supplementary Planning Document, the proposal is not considered to conflict with any of the policy objectives listed under DS1, DS3, DS4, DS5, TR2 and EN5 of the Core Strategy Development Plan Document.

Conditions of Approval:

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

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

2. The development hereby permitted shall be constructed using external facing and roofing materials to match the existing building as is specified on the submitted plans.

Reason: To ensure the use of appropriate materials in the interests of the built environment and to accord with policies DS1 and DS3 of the Core Strategy Development Plan Document.

3. The development shall accord with the plans listed below:

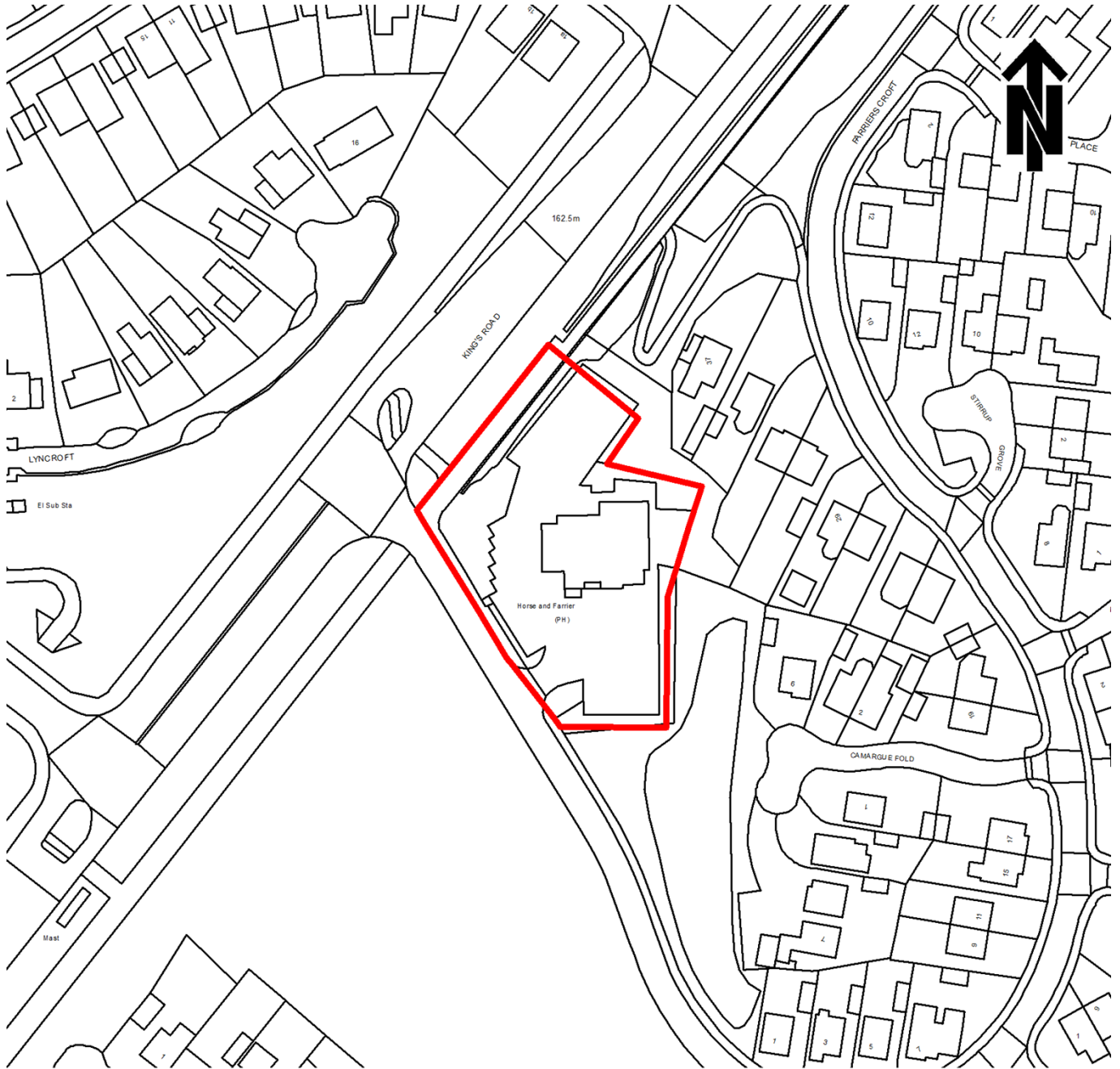
Location Plan 21-151-P-01
Existing and Proposed Plans 21-151-P-02 Rev A
Existing and Proposed Elevations 21-151-P-03 Rev A

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

4. 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 side elevations or roof planes of the extensions hereby permitted.

Reason: To safeguard the privacy and amenity of occupiers of neighbouring properties, in the interests of the character and appearance of this property and the wider area, and to accord with policies DS1, DS3 and DS5 of the Core Strategy Development Plan Document.

22/02004/FUL



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**The Horse And Farrier
Farriers Croft
Bradford BD2 1ET**

27 July 2022

Item: B
Ward: BOLTON AND UNDERCLIFFE
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
22/02004/FUL

Type of Application/Proposal and Address:

Full application for the change of use from a public house (sui generis) and 3-bed flat to a mixed use of community centre/place of worship (sui generis) plus addition of windows, doors and roof lights.

Applicant:

Mr S Rahman

Agent:

Mr Alan Priest of Design Studio North

Site Description:

The "Horse and Farrier" is a disused public house, situated at the junction of King's Road and Farriers Croft. Partially pitched roofed and partially flat roofed, the pub is built of brick, with the main entrance facing towards Farriers Croft. A flight of steps leads from the surrounding car park up to the entrance. Vehicular access to the car park is from Farriers Croft, with a pedestrian access set closer to King's Road in the boundary embankment. King's Road is separated from the site by grassed verges and trees, with a wide pavement running parallel to the road. The road itself is hatched, with a traffic island near the site. A narrower pavement runs alongside Farriers Croft, which currently does not have any traffic controls, such as yellow lines. North east, east and south east of the site are dwellings, separated from the site by trees and greenery.

Relevant Site History:

No relevant planning history.

The National Planning Policy Framework (NPPF):

The NPPF is a material planning consideration on any proposal and confirms the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF says that local planning authorities should approach decisions on proposals in a positive and creative way to secure developments that will improve the economic, social and environmental conditions of the area. It requires that decision-makers at every level should seek to approve applications for sustainable development that accord with the statutory development plan.

Local Plan for Bradford:

The Core Strategy Development Plan Document (DPD) was adopted in 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP) remain applicable until adoption of Allocations and Area Action Plan DPDs. The site is not allocated for any specific land-use in the RUDP. Accordingly, the following adopted Core Strategy DPD and saved RUDP policies are applicable to this proposal.

Core Strategy Policies

DS1 – Achieving good design
DS3 – Urban character
DS4 - Streets and movement
DS5 - Safe and Inclusive Places
SC9 - Making Great Places

Saved RUDP Policies

TM10 – National and local Cycle Network

Parish Council:

Not applicable.

Publicity and Number of Representations:

In line with established procedures, the application was publicised with neighbour notification letters, which expired on 16 June 2022. A total of 952 representations have been received, comprising 540 in favour of the application, 408 objecting to it and 4 making comments neither for nor against.

Summary of Representations Received:

In support:

1. The mosque will help local community and provide a local service.
2. Building will be used rather than derelict.
3. No noisier than a pub.
4. Mixed uses will ensure community gets the maximum use from the building.
5. Good for integration.
6. Supporting young generation to stay off the street and learn to educate themselves.
7. Excellent parking and local public transport links.
8. Job creation.
9. Mosques do charity work.
10. No mosques in the area.
11. More vigilance so less antisocial behaviour.
12. Near to other local facilities such as gyms.
13. Will help cohesion between different cultures and benefit integration between older and younger generations.
14. Benefit for men's mental health.

Objections:

1. Roads and parking at full stretch.
2. Parking.
3. Congestion will affect emergency vehicle access.

4. Access.
5. Noise including call to prayer, fireworks at weddings and holy festivals such as Ramadan and effect on a nearby home for the elderly.
6. The building should be used for houses, or services that are lacking, such as a youth facility or a use for the whole community.
7. Existing schools and nurseries may be affected by the proposed classes.
8. Call to prayer will be disruptive.
9. Lack of notification.
10. Commencement of work before permission has been given.
11. Number of existing mosques.
12. Blockage of drives.
13. Devaluation of property.
14. Request for ashes disposal via a holding well before being released into running water.
15. Request to carry out funerals on a 24-hour basis.
16. Hours of use will be disruptive.
17. No restrictions on hours of use.
18. Traffic will add to air pollution and affect health of residents.
19. The building has not been derelict or disused for years as claimed.
20. Current issue of littering.

General comments:

1. Request no broadcast noise.
2. Limit on the number of seats and closure of them at 9pm.
3. Smoking should be limited to a specified area.
4. More cycle parking is needed to promote cycling and reduce pollution.

Consultations:

Highways - The current unacceptability of the application can be improved with changes.
Biodiversity - No comments received.

Summary of Main Issues:

Principle of the use
Highway safety
Neighbouring amenity
Visual amenity
Consideration of representations

Appraisal:

Principle of the use

This application relates to a change of use from a public house and 3-bed flat to a mixed use of community centre and place of worship, with the addition of windows, doors and roof lights. The National Planning Policy Framework (NPPF - 2021) encourages local authorities to plan positively for the provision and use of community facilities, such as places of worship, "...to enhance the sustainability of communities and residential environments" (section 93 (a)).

Many of the representations refer to a "need" for a mosque in the area and to that extent the proposal does enhance the sustainability of the local community, offsetting the loss of the public house, which itself is a community facility. Sustainability is also served by bringing a disused building back into use, which in turn provides better surveillance and discourages antisocial behaviour. The site is also close to a public transport route, the national and the local cycling route. A proportion of future users will also arrive and leave on foot.

Two full time jobs will be created and, given all these factors, the proposal is acceptable in principle.

Highway safety

As a result of amendments to the building the gross floor area (GFA) will increase from 393.5sqm to 482sqm. The existing use includes ground floor storage and a first floor flat. In contrast, the proposal opens up all three floors to community use, increasing the capacity of the building for people.

The Councils parking standard for a place of worship is 1 space per 25sqm, which gives a requirement for 19-20 parking spaces (based on the full building GFA). For community centres, the parking standard is 1 space per 22sqm GFA, which would give a requirement for 21-22 parking spaces.

Forty-one parking spaces are proposed, which is approximately twice the requirement and hence acceptable in terms of parking provision.

In terms of numbers of people, it is noted that the 100 prayer mats of the prayer room could be matched by a further 100 prayer mats in the adjacent function room, which is a similar size. This would give a potential 200 attendees. Allowing for car sharing, and walking, it is considered reasonable to assume that 1 in 4 attendees would travel by car, giving a requirement of 50 parking spaces. Whilst this marginally exceeds the number of spaces on site, the overspill (9 vehicles) can be accommodated on the adjacent street (Farriers Croft) which is not currently subject to any highway restrictions. It is not considered that this number of vehicles will cause congestion, adversely affect site access or block access for emergency vehicles, or current residents. That said, parking on Farriers Croft close to the site access or junction of Farriers Croft with Kings Road, or on Kings Road itself could obstruct visibility and the free flow of traffic, to the detriment of highway safety. It is proposed, therefore, to promote a Traffic Regulation Order in order to create waiting restrictions within the vicinity of the site.

The application proposes two cycle stands for four cycles, which is considered sufficient provision, though the benefits of cycling and its contribution to pollution prevention are acknowledged.

Neighbouring amenity

The two main elements likely to affect the amenity of neighbouring properties are noise and traffic. Some degree of noise will have arisen previously from the building's use as a public house and noise generated within the mosque, particularly during the day when ambient noise levels are higher, is not considered likely to have an adverse effect.

External noise, created by, for example, loudspeakers used for calls to prayer, can, if applicable, be controlled by environmental protection legislation, if such noise becomes a statutory nuisance. Celebratory fireworks, whilst generating some noise, are unlikely to cause a detriment over such long and sustained periods as to merit refusal of planning permission. In this context, an objection received on 11 July, does raise concern over noise at around 1-00am.

Noise from the comings and goings of vehicles is not likely to be disruptive during the day. At quieter times, the generated degree of noise caused by doors banging, radios playing and so on, is unlikely to be high.

Pollution from traffic and any effects arising from it will not be significantly greater than that generated by use of the site for a pub and will not have a significantly greater effect on existing air pollution or the health of residents.

With regard to parking provision, there will, at worst, be a marginal overspill of vehicles on to the public highway. It is not considered that this will cause a detriment to neighbouring amenity by blockage of residential drives.

No overlooking concerns arise with regard to the provision of new windows in the building, as these are either at ground level or in the roof.

Visual amenity

The main visual changes are the insertion of windows in the front elevation and roof of the building. These changes are in keeping with the character, scale and design of the building and will cause no detriment to visual amenity or the amenity of the wider street scene.

Consideration of representations

A number of representations have been received for the application, both supporting and objecting to it. Some of the points raised - as summarised above - have been considered in the body of this report. The potential social benefits of the development, such as better cohesion between different cultures and a positive effect on mental health, are acknowledged.

Several objections point out that work has begun on the site before planning permission has been given. Some works, such as refurbishment, may not need planning permission, but even if permission is required, there is provision under current planning legislation to make a retrospective application.

There is some dispute about how long the pub has been closed. The design and access statement says it has been vacant for "several years", but a number of representations say it was in use up to the end of 2021. However, whatever length of time the pub has been vacant, this has no effect on consideration of this planning application.

Alternative uses for the building, devaluation of property and the potential effect on existing facilities, such as schools, are not planning matters in this instance. Nor are disposal of ashes or a request to carry out funerals on a 24-hour basis, or the current number of mosques.

Litter is a material consideration of little weight in this case, since a mosque is, in itself, not a litter generating use.

Limiting the number of seats - assuming these are internal - and restricting their use is considered both unreasonable and unenforceable in this case. Similarly, a condition limiting the hours of use of the building is considered unreasonable and potentially unenforceable. Smoking is not considered an ancillary use to a mosque (in the same way it would be for a pub), so it is not necessary to limit it to a specified area.

Community Safety Implications:

There are no community safety implications 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:

The proposal is acceptable in principle, as it will bring a disused building back into use to provide a community facility and will be located near a public transport route. Sufficient off street parking can be provided to serve the mosque, though any overspill can be accommodated on the street. Pollution from the traffic is likely to be at a similar level to that generated by a public house. A Traffic Regulation Order (TRO) will be required to control vehicle movements at the junction of Farriers Croft and King's Road. Whilst the mosque will generate some noise, this will be similar to that generated by a pub. Should noise become a statutory nuisance, its effects can be addressed through Environmental Health legislation. There are no overlooking or overshadowing concerns generated by the development and the proposal therefore complies with policies.

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. Before the use hereby approved commences, the off street car parking spaces hereby approved shall be laid out, hard surfaced, sealed, marked into bays and drained within the curtilage of the site in accordance with the approved plan numbered 537-001-1000 Rev B. The car park shall be kept available for use whilst ever the use subsists.

Reason: In the interests of highway safety and to accord with policy DS4 of the adopted Core Strategy.

3. No works shall begin on the development hereby approved until a drawing indicating the extent and full details of a Traffic Regulation Order for parking restrictions at the site access on Farriers Croft and at the junction of Farriers Croft and Kings Road has been submitted to and approved in writing by the Local Planning Authority.

No part of the development hereby approved shall be brought into use until the measures have been fully implemented in accordance with the approved details.

Reason: In the interests of highway safety and to accord with the requirements of the National Planning Policy Framework

Reason for pre-commencement: To have certainty that on-street parking will not cause significant cause significant harm to highway safety.

Informative: In order to carry out the works within the highway, which consists of the promotion of a new Traffic Regulation Order, it is necessary to obtain separate Highway Authority approval of the specification and construction details and it may be necessary to enter an agreement under Section 278 of the Highways Act 1980. The applicant is advised to make early contact with Highways (email: Highway.Development@bradford.gov.uk) prior to submission of an application to discharge conditions. It should be noted that the developer/applicant would need to meet the Council's costs in this process.

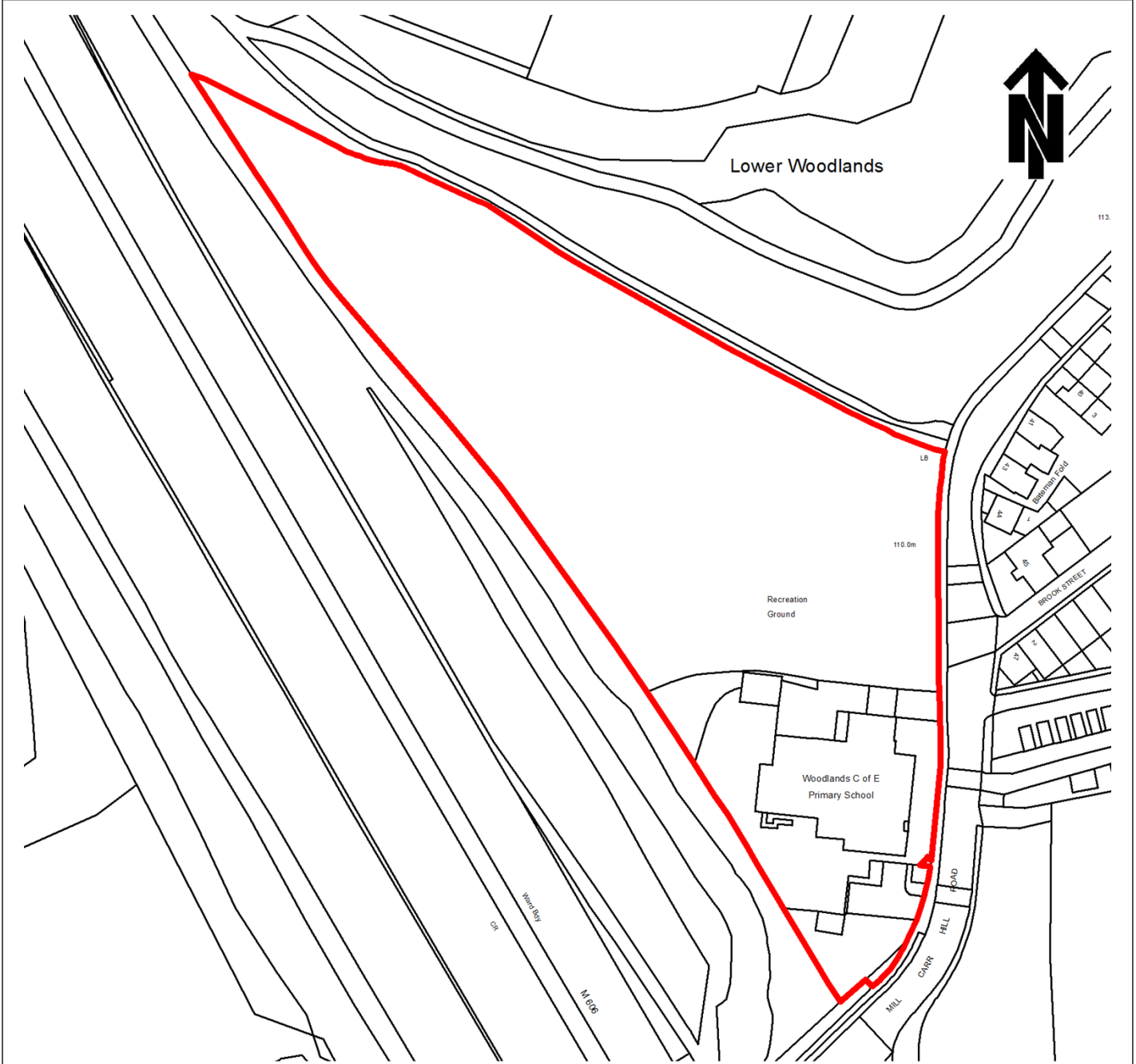
It should be noted that where a new traffic regulation order is required as part of the highway works the process of promoting the order can be a lengthy process and can take between 6 - 12 months to deliver.

Informative: In dealing with this planning application the Local Planning Authority adopted a positive and proactive manner. The Council offers a pre-application service for minor and major applications and applicants are encouraged to undertake this. Proposals are assessed against the National Planning Policy Framework, Local Plan for Bradford policies and Supplementary Planning Documents, which have been subject to proactive publicity and consultation prior to their adoption and are referred to in the reason for approval or reason(s) for refusal. The Local Planning Authority has sought solutions to problems arising by liaising with consultees, considering other representations received and liaising with the applicant/agent as necessary. Where appropriate, changes to the proposal were sought when the statutory determination timescale allowed.

21/01760/FUL



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

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Woodlands CE Primary School
Mill Carr Hill Road
Oakenshaw Bradford BD12 7EZ

27 July 2022

Item: C
Ward: TONG
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
21/01760/FUL

Type of Application/Proposal and Address:

Full planning application for the construction of a new car park for school staff, electric vehicle charging and drop-off for pupils, revised site access, improved outdoor play provision and enhanced scheme of soft landscaping at Woodlands Church of England Primary School, Bradford, BD12 7EZ.

Applicant:

Woodlands Church of England Primary School

Agent:

Mr Andrew Healey

Site Description:

The application relates to an open area to the north of Woodlands CE Primary School. The site is flanked by a stone wall to Mill Carr Hill Road to the east, and the M606 motorway is to the west. At present the land is used as a recreation space. The site is characterised by a small section of hard standing to the eastern edge, with a swing set and a small set of goal posts in the centre. The remainder of the site is open green space, with trees bounding the edges. There are a number of residential dwellings located on the other side of Mill Carr Hill Road.

Relevant Site History:

No applications relevant to this land.

The following applications are of relevance as background and explain why this planning application has been submitted.

16/06146/MAO - Provision of a school car park for Woodlands Primary School on land to south of Woodlands C of E Primary School. Granted 20.07.2018

20/01010/MAR - Reserved matters application requesting consideration of access, appearance, landscaping, layout and scale of school car park (pursuant to outline approval (16/06146/MAO). This application was withdrawn on 13.01.2021

The above proposal for car park on land to the south of the school was linked to an application within Kirklees MDC for re-development of former waste water treatment works following demolition of existing structures to provide employment uses classes B1(C), B2 and B8 and residential use class C3 on Land off Cliff Hollins Lane).

The National Planning Policy Framework (NPPF):

The NPPF is a material planning consideration on any proposal and confirms the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF says that local planning authorities should approach decisions on proposals in a positive and creative way to secure developments that will improve the economic, social and environmental conditions of the area. It requires that decision-makers at every level should seek to approve applications for sustainable development that accord with the statutory development plan.

Local Plan for Bradford:

The Core Strategy Development Plan Document (DPD) was adopted in 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP) remain applicable until adoption of Allocations and Area Action Plan DPDs. The site is not allocated for any specific land-use in the RUDP. Accordingly, the following adopted Core Strategy DPD and saved RUDP policies are applicable to this proposal.

Core Strategy Policies

DS1 Achieving Good Design
DS2 Working with the Landscape
DS3 Urban Character
DS4 Streets and Movement
DS5 Safe and Inclusive Places
TR2 Parking Policy
EN1 Open Space, Sports and Recreational
EN5 Trees and Woodlands
EN7 Flood Risk
EN8 Environmental Protection Policy

Saved RUDP Policies

OS3 Protection of Playing Fields (RUDP)

Other Relevant Legislation

Bradford District Playing Pitch Strategy and Action Plan
SPD03 Landscape Character Supplementary Planning Document

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application has been publicised with individual neighbour notification letters. The publicity period expired on 16 May 2021.

The application was re-advertised to neighbours following receipt of revised plans and due to the length of time the application has been valid. The publicity period expired on 7 June 2022.

The application has received a total of 83 representations: 2 general comments, 20 in support and 61 objections.

Summary of Representations Received:

General:

- Safer for children at school drop off/collection.

Support:

- Safer for parents, pupils and staff.
- Safer for local residents and community.
- Current site is hardly used and in state of disrepair.
- Land does not belong to the village- privately owned and leased by Bradford Council.

Objection:

- Only green space in the village.
- Used by people of all ages and owners of dogs using space for exercise.
- Felling of trees that bound M606.
- Increase in traffic and noise pollution.
- Contradicting own policy to create 'school streets' as trialled at Newhall Primary in Bierley.
- Entrance opposite Brook Street and neighbours not notified.
- Area floods.
- Green space is in short supply in Bradford.
- Impact on children's health and safety.
- Impact on local wildlife.
- Field entrusted for children of Oakenshaw for recreation and community events.
- Increase in traffic congestion around entrance/exit.
- Goes against council and government policy encouraging healthy living and pollution control.
- Resized recreation space not satisfactory alternative for community.
- Who will maintain and protect car park- school has no funds for up keep?
- Not cost effective- used for only half the year for a few minutes a day at drop off/collection.
- Existing car park could be extended to accommodate more cars.
- Loss of privacy.
- Light pollution.
- More cars in unmanned car park increases risk of burglary.
- Lose our car parking space in front of our property.
- Eyesore.
- Destroy character of village.

Ward Councillor (Edwards) objection - Requests that the application be heard at planning committee should officers be minded to approve the application.

- Car park of 35 spaces is excessive for school size.
- Not much clarity on the proposals for trees on site.
- Loss of public open space- car park is not sufficient grounds for loss of recreation land.
- There is no right to be able to park at a place of work or for parents to drop of children within immediate vicinity of school.
- Ample on street car parking 5-10minute walk from school.
- Drop off area not large enough for volume of traffic- traffic will back up Mill Carr Hill Road.

Consultations:

Rights of Way - No objections. Public Footpath No 67 (Bradford Southern) is adjacent to the site. The proposal does not affect public footpath.

Coal Authority - Site is within defined 'Development High Risk Area'. Recommended conditions for intrusive investigations and further inspection. Consultee has no objection to development subject to the conditions.

Environmental Health Land Contamination - No objections. Agree with Phase 1 Preliminary Risk Assessment by Curtins Limited. Recommends condition for unexpected contamination.

Parks and Greenspaces - Objects. Area is public open space protected under planning designations (Policy OS3). Noted lack of appropriate playing fields facilities in this area.

Highways - No objections subject to conditions and highway improvements previously agreed

Sport England - Has confirmed it has no objections, subject to conditions

Landscape Design - No objections. Proposal is unlikely to cause detriment to the landscape character area. Requested further details of soft and hard landscaping be submitted by condition.

Drainage - Advised the applicant uses porous materials for car parking and hard standing. Recommended application is not determined until the developer provides a pre-development sewer enquiry response from Yorkshire Water.

Transport Planning - No objections. Recommends TRO's restricting parking on street along Mill Carr Hill Road

Trees Section - No comments received.

Kirklees Council - No comments received.

Summary of Main Issues:

Background
Principle of development
Highway safety
Impact on landscape character
Impact on Trees
Land stability/contamination
Drainage

Appraisal:

Background

The need for an off-street car park to serve this school has partly arisen due to a Major application within neighbouring Kirklees MDC (2016/92298) which approved the re-development of a former waste water treatment works to the south of Woodlands village for industrial development and housing. A Traffic Regulation Order and other works necessary to secure the industrial and residential development, required the removal of on-street parking on Mill Hill Road and Cliffe Lane which was used by staff and parents.

An outline planning application (16/06146/MAO) in 2016 has already permitted the provision of a 36-space car park for Woodlands Primary School on land to the south of the school, this was on land designated as Green Belt. The outline application for the car park on land to the south was granted planning permission (by the Regulatory and Appeals Committee) on 20 July 2018.

It is acknowledged that the School did not want the car park at the site approved and made their representation of objection at the Regulatory and Appeals Committee.

However, the development of a car park on that land was not progressed and the subsequent reserved matters application was withdrawn. Outline permission will have now expired.

This application therefore seeks permission for an alternative site for an off-street car park to serve the school.

The proposal will also locate a new playing pitch to the north of the application land – alongside the proposed car park.

Principle of development

The application site is allocated on the RUDP Proposals Map as Playing Fields. It is therefore protected by saved Policy OS3 of the RUDP which seeks to protect existing and proposed playing fields from development unless certain criteria are met such as that the playing field can be relocated within the area, or that there is a demonstrable excess of playing field provision in the area and site could not be used to help meet any deficiency in another type of open space.

Whilst safeguarded by the above RUDP policy, the weight that can be afforded to this and all saved policies of the RUDP is diminished due the amount of time that has elapsed since its adoption.

Also, the land has not been laid out as formal playing pitches and so relying on the RUDP and policy OS3 which protects it as a playing field is open to question. The existing goalposts are purely recreational and are not of a size which can be utilised for organised sport and there are no formal pitch markings on the land. The field has not ever been used for organised team sports such as junior football.

On the basis of this, Sport England has agreed that the land is not really a playing field and so it is not a statutory consultee under The Town and Country Planning (Development Management Procedure) (England) Order 2015.

Sport England also notes how the informal grassed area is intended to be replaced by a formal mini-soccer pitch which will allow organised team sport to take place in the future. Sport England agree that this will contribute to meeting the shortfall in pitches identified in Bradford's Playing Pitch Strategy (2019).

The proposed car parking could also be used by teams using the formal pitch

This proposal will provide a car park but will also help meet the identified shortfall and allow formal sport to take place on the land.

In light of the above characteristics relating to this site and the proposal, Sport England is satisfied that there will be no harm to sport and recreation provision on the site and that the overall scheme will improve sporting opportunities for the locality compared with the current situation. Sport England has not objected, subject to a condition to ensure that the formal pitch is marked out and made available for use as mitigation for the loss of part of the OS3 allocation. That condition is suggested below.

In addition, Sport England has sought some community benefit by requiring that prior to the development being brought into use, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority.

However, given that Sport England has admitted it is not a statutory consultee in respect of this proposal, this seems an unreasonable requirement. Intervention by the Local Planning Authority in details of access by non-school users/non-members is not justified.

In conclusion, whilst the car park would occupy part of an area of land protected as Playing Field by the RUDP, the effectiveness of that safeguarding is now open to question.

There is also a balance to strike in terms of the purpose of this proposal in addressing other needs of the school in providing convenient and safe off road parking. Any harm caused by loss of land from recreation use is considered to be significantly outweighed by the benefits to sport that will arise from the delivery of the mini-soccer pitch. Such benefits are recognised the Sport England consultation.

The principle of development of the recreation land is therefore considered acceptable.

Highway safety

The proposed car park would provide 35 parking spaces, which includes 2 electrical vehicle charging points and 1 accessible parking space. The scheme has been amended so that the parking spaces are to be laid out in an echelon arrangement which will provide essential turning space and allow for vehicles to enter and exit the site safely in a forward facing gear.

A new access point with is to be created through the existing wall to access the car park. Appropriate visibility splays are now shown on drawings submitted.

A pedestrian access gate within the car park will lead pedestrians directly to the school and so pedestrians, therefore facilitating pedestrian safety. The construction of the car park would reduce the number of cars parked on the highway and allow for the free flow of traffic reducing the impact of congestion on Mill Carr Hill Road. These are considered to be benefits of significance.

There is a speed hump within the highway that will need to be modified and guard railing is recommended by the Council's Highway Officer. The existing maintenance access to the field will need to be closed. Planning conditions to secure delivery of these details is recommended below.

Subject to the conditions, the proposed development is not considered to result in harm to highway and pedestrian safety according with policies DS4, DS5 and TR2 of the Core Strategy Development Plan Document.

Impact on landscape character

The site lies within the Industrial Corridor of the South Bradford Landscape Character Area.

The South Bradford industrial corridor is described as having “a weak character, low historic continuity and is visible and enclosed by the urban and industrial core, which means that it is not sensitive to change.”

The site is a green playing field and children's playground adjacent to the school grounds. To the west is a shelter belt of trees that separate the site from the M606 transport corridor; and to the north east boundary is a hedgerow that screens the site. In this context, the proposed development is unlikely to be detrimental to the Landscape Character Area given the retention of the established boundary treatments.

The proposal accords with policies DS2 of the Core Strategy Development Plan Document.

Impact on Trees

The application site is bound by established trees which provides a buffer from the M606 to the West and to the east. The submitted Arboricultural Impact Assessment carried out by Brooks Ecological ref AR-4003-04.01 details the presence of 40 individual trees and 4 group of trees on the site including Field Maple, Rowan, Cherry, Dogwood, Ash, Lime, Elder and sweet chestnut.

Of the trees, 2 are retention category B and 42 trees/groups are retention category C. However, none of the trees are protected by TPO. They do however, contribute to the landscape character of the area and so a condition is recommended below to require Tree Protection fencing to be installed in accordance with recommendations in the submitted tree report. Subject to this, the development is not considered to affect the health and vitality of the trees.

The proposal accords with policies DS2 and EN5 of the Core Strategy Development Plan Document.

Land stability/contamination

The site is identified as being located in a Coal Development High Risk Area and so there are coal mining features and hazards that need to be considered within the application site and the surrounding area

The Coal Authority records indicate the presence of six mine entries within or within 20m of the application site boundary. Three of these mine entries, 417428-004, 417427-022, and 41728-004 are in close proximity to the proposed staff car parking and amendments to site access.

The application is accompanied by a Phase 1 Preliminary Risk Assessment carried out by Curtins 05 February 2021, which recommends intrusive site investigations should be undertaken in an attempt to locate and determine the condition of mine entries. The report recommends that the mine entries should be appropriately treated and remediated where located and found to be necessary.

In conjunction with the Phase 1 Preliminary Risk Assessment and following the recommendations from the Coal Authority, prior to development commencing, intrusive site investigations are required to be undertaken to determine the exact situation and to ensure the safety and stability of the land. This is to be controlled by appropriately worded pre-commencement condition. There are no objections from the Coal Authority to the principle of development subject to the pre-commencement condition.

Further to the Coal Mining Legacy on site, the Council's Environmental Health Pollution Team agrees with the recommendation presented in the Phase 1 Preliminary Risk Assessment by Curtins 05 February 2021 that no further actions are required with respect to land contamination at the site. The report indicates that prior to the current use of the site as a "children's playground and sports pitch" it was "vacant/agricultural land" from the earliest historic map dated 1852.

The report concludes that "The risk from made ground presented to site end-users, construction workers is considered to be Low"

Notwithstanding the above, Council officers recommend a condition is added for unexpected contamination.

The proposal accords with policy EN8 of the Core Strategy Development Plan Document.

Drainage

The Council's Drainage Engineer implies that Yorkshire Water will not allow surface water to connect to the mains sewer, therefore drainage needs to be covered by other means such as soakaway or SUDs.

The application is accompanied by supporting information providing options for keeping the impermeability of the land to a minimum by the use of porous materials in the construction of the car parking & hard standing areas.

It is considered that the use of a planning condition requiring drainage details to be submitted will ensure the site is drained appropriately in accordance with Policies DS5, EN7 and EN8 of the Core Strategy Development Plan Document.

Community Safety Implications:

The proposed development is considered to increase community safety with the provisions of safe and secure off street drop off facilities and parking for school staff and for parents of the pupils of the school. This has wider positive gain for the local community removing unauthorised parking off street allowing for the safe and free flow of traffic on the highway.

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:

It is acknowledged that the proposed development has received extensive representations concerning loss of green space and impacts on highway and pedestrian safety as well as the natural environment. It is considered regrettable that there is a loss of open green space for car parking. However, alternative options would require use of Green Belt land, and the provision of car parking for the school is necessary to fulfil previous condition requirements and alleviate local on-street safety and congestion problems. Conditions are listed below which would mitigate harmful impacts arising from the proposed development. The development is considered acceptable and satisfies 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	Version	Date Received
Location Plan	2059 PL 100		01 April 2021
Proposed site layout	2059 PL 101		22 February 22
Proposed site sections	2059 PL 105A		12 May 2022
Offsite Highway Works	AMA/20434/SK006		20 July 2021

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

3. Before the new car park is brought into use, the Off-Site Highway Improvements comprising:

- Relocation of the existing speed hump on Mill Carr Hill Road in order to facilitate access
- Provision of pedestrian guard railing to Mill Carr Hill Road.
- Associated adjustments to existing road markings within Mill Carr Hill Road

shall be completed as shown on Drawing Ref: AMA/20434/SK006.

Reason: In the interests of highway safety and to accord with Policy DS4 of the Bradford Local Plan Core Strategy.

4. Visibility splays at the site entrance of 2.4m x 25m shall be formed as shown, and no obstructions to visibility exceeding 900mm in height shall be formed within those splays.

Reason: In the interests of highway safety and to accord with Policy DS4 of the Bradford Local Plan Core Strategy.

5. Concurrently with the construction of the new access and prior to it being brought into use, the existing vehicular access to the site shall be permanently closed off with a full kerb face, and the footway returned to full footway status, in accordance with the approved plan AMA/20434/SK006.

Reason: In the interests of highway safety and to accord with Policy DS4 of the Bradford Local Plan Core Strategy.

6. The new formal mini soccer pitch and goals as set out on plan drawing number 2059 PL 102 A, received February 2022, shall be constructed and marked out in full and be made accessible and available for use before the car park hereby permitted is brought into use.

Reason: To ensure the formal pitch is marked and made available for use as it is mitigation for the loss of the playing field to the proposed car park and to accord with Policy EN1 of the Bradford Local Plan Core Strategy and saved Policy OS3 of the RUDP.

7. The development shall not begin, nor shall there be any site preparation or ground works, nor shall any materials or machinery be brought on to the site, until tree protection fencing has been installed around all trees shown on the approved drawings to be retained, including any trees whose canopies overhang the development site. The fencing should be erected to the outer edge of the tree canopy or the edge of the Root Protection Areas, and in accordance with the Tree Protection Plan forming part of the submitted Arboricultural Impact Assessment by Brooks Ecological referenced AR-4003-04.01.

Reason for pre-commencement condition: Trees on the site are of amenity value and implementation of the tree protection measures prior to any development work beginning on the site is essential to ensure that trees are adequately protected, in the interests of amenity and to accord with Policy EN5 of the Core Strategy Development Plan Document.

7. No development shall commence until a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity.

Subsequently, any remediation works and/or mitigation measures identified as necessary to address land instability arising from coal mining legacy, as may be necessary, shall have been implemented on the site to ensure that the site is made safe and stable for the development proposed before that development is brought into use.

Prior to the car park being brought into use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason for pre-commencement condition: In order to establish the coal-mining legacy risks posed to the development and inform any mitigation measures that may be necessary to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework and Policy EN8 of the Bradford Local Plan Core Strategy.

8. Notwithstanding details contained in the supporting information, the drainage works for the development shall not commence until full details and calculations of the proposed means of disposal of surface water drainage have been submitted to and approved by the local planning authority.

These details shall be based on drainage principles that promote water efficiency and water quality improvements through the use of SuDS and green infrastructure to reduce the development's effect on the water environment. Consideration should be given to discharge surface water to soakaway, infiltration system and watercourse in that priority order. Only in the event of such techniques proving impracticable will disposal of surface water to an alternative outlet be considered. In the event of infiltration drainage techniques proving unviable the maximum pass forward flow of surface water from the development shall be restricted to a rate to be agreed with the Lead Local Flood Authority.

The development shall thereafter only proceed in strict accordance with the approved drainage details.

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

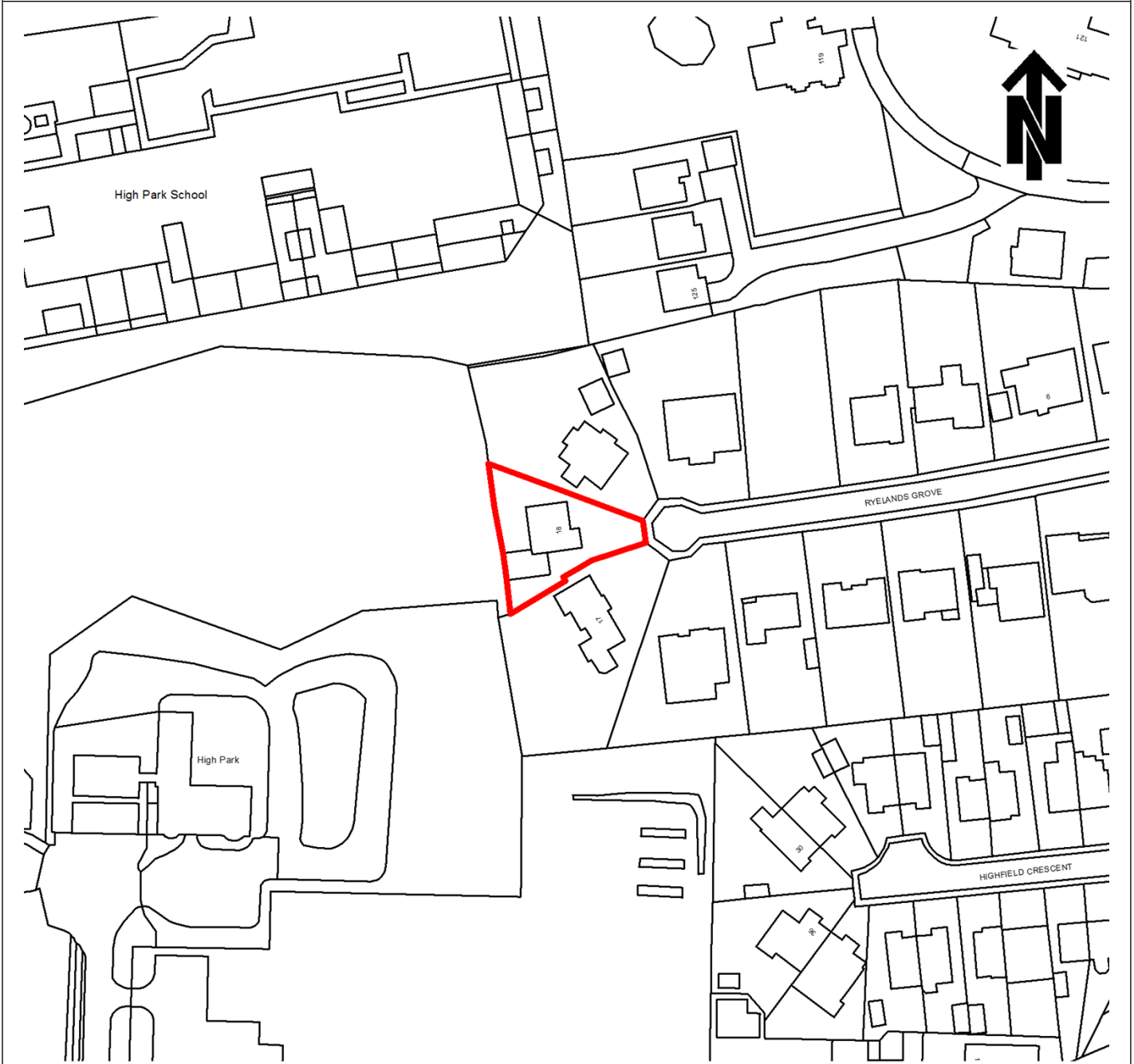
9. If, during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority.

Reason: To ensure that the land is suitable for its proposed future use and to avoid the effects of contamination on health, the living conditions of future users of the site and the natural environment in accordance with Policies DS5, EN8 of the Bradford Local Plan Core Strategy Development Plan Document.

22/01444/HOU



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



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18 Ryelands Grove
Bradford
BD9 6HJ

27 July 2022

Item: D
Ward: HEATON
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
22/01444/HOU

Type of Application/Proposal and Address:

Householder Planning Application for dormer windows to the front, side and rear along with internal alterations on the first floor (attic) at 18 Ryelands Grove, Bradford, BD9 6HJ.

Applicant:

Mr Imdad Hussain

Agent:

Jack Brooker

Site Description:

The application property is at the end of a long cul-de-sac street. From the front it appears as a single-storey bungalow but is two-storeys to the rear due to the slope. The rear roof slope has an existing box dormer. The property has buff coloured brick walls and a concrete tiled roof. The surrounding properties are predominately two-storeys in height and it is noted that other properties on the cul de sac have dormer windows to the front - including 15 Ryelands Grove which has 3 dormer windows on its front elevation.

Relevant Site History:

02/02226/FUL-: Extension to side of property. Granted 3- August 2002.

The National Planning Policy Framework (NPPF):

The NPPF is a material planning consideration on any proposal and confirms the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF says that local planning authorities should approach decisions on proposals in a positive and creative way to secure developments that will improve the economic, social and environmental conditions of the area. It requires that decision-makers at every level should seek to approve applications for sustainable development that accord with the statutory development plan.

Local Plan for Bradford:

The Core Strategy Development Plan Document (DPD) was adopted in 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP) remain applicable until adoption of Allocations and Area Action Plan DPDs. The site is not allocated for any specific land-use in the RUDP. Accordingly, the following adopted Core Strategy DPD and saved RUDP policies are applicable to this proposal.

Core Strategy Policies

DS1 - Achieving Good Design

DS3 - Urban character

DS5 - Safe and Inclusive Places

EN2 - Biodiversity and Geo-diversity

Other Relevant Legislation

SPD08 - Householder Supplementary Planning Document.

Parish Council:

None for this area.

Publicity and Number of Representations:

The application was advertisement by neighbour notification letters which expired on the 16.05.22.

There have been no objections.

One representation was received from Cllr Ibrar Hussain - supporting the application.

Summary of Representations Received:

A supporting representation has been received from a Ward Councillor who states that the extensions are needed to accommodate the constituent's growing family. The Councillor is of the opinion that the application meets all relevant specifications. The extension will enhance the street scene and will complement other properties on the same road. Therefore, it is requested that this application is granted.

If Officers are minded to refuse, then the Councillor asks for referral to the planning panel for full discussion and consideration.

Consultations:

Biodiversity - The application site is located within Bradford's Bat Alert Layer. Considering the age and construction of the building, as the proposal relates to works to the roof of the building and the location near to mature woodland, a Preliminary Bat Roost Assessment is required. The Preliminary Bat Roost Assessment should be carried out by a Suitably Qualified Ecologist and to current accepted Bat Conservation Trust guidance.

Summary of Main Issues:

Principle of the development.

Impact on visual amenity and the character and form of the area.

Impact on residential amenity.

Biodiversity.

Appraisal:

Principle of the development

The application is for dormers to the front, side and rear of the property, along with internal alterations on the first floor level. 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 consideration of its local impacts.

Impact on visual amenity and the character and form of the area

The proposal is for a dormer window enlargement at roof level that would cover most of the front elevation and wrap around the side roof plane of the property, linking to a wide dormer already at the rear. It would therefore be a prominent and expansive alteration.

The roof enlargements are set back from the front walls and eaves of the property, and as the property is detached there are no issues regarding proximity to a common boundary or outside wall.

However, the issue is the clumsy appearance of the enlargement which overlaps and wraps around the ridge of the peaked roof and would appear unsightly and harm local character.

To encourage good design, the Householder SPD, which has been adopted by the Council, requires that, to avoid appearing over dominant, box style dormer windows should be a maximum of 3 metres wide. The application proposal fails to do this as the section of dormer across the front measures 10 metres and the side dormer measures 4.15 metres.

The Householder SPD also requires that dormer windows should only provide glass to the front face and should not display cladding to this area. This application fails to do this. Indeed, the front section of the dormer doesn't propose any windows and only provides blank cladding to the front face of the box enlargement. This would be visible to the street.

The side dormer window does contain a single window but also contains cladding that surrounds the window to the face of that dormer.

The Householder SPD requires that dormer windows should be positioned below the ridge. The slope of the roof of this property is such that the dormer window enlargements would project clumsily above the ridges of the existing roof. The projection of the dormer above the ridge of gable roof over the forward projection is especially pronounced.

The scheme proposes using matching tiles for the cladding of the box of the dormer window. But the extent of the cladding will appear excessive.

There are noted to be other properties that have dormer windows to the front elevation in particular 15 Ryelands Grove which has 3 dormer windows on its front elevation. It should be noted that only one of these dormers (over the garage) has express planning permission (02/04258/FUL). There is no planning history for the other two dormers and they may have been constructed for a long period of time (as they are present on the existing plans of the 02/04258/FUL application).

The existing dormers on the adjoining dwelling pre-date adoption of the Council's Householder SPD (adopted 2012) which sets current design guidance for such alterations.

The lack of compliance with normal guidance in the adopted Householder SPD has been explained above. As a result, the proposed front and side wrap around dormer enlargements would not appear appropriate to the character of the existing property. Due to their size and design and reliance wholly on blank cladding materials the roof enlargements are considered unacceptable in terms of their impact on the character of the host dwelling and the surrounding area. The proposal therefore fails to accord with Policies DS1 and DS3 or the Core Strategy. and the NPPF.

Impact on residential amenity

The key considerations in respect to residential amenity are considered to be the potential of the proposal to result in overlooking of neighbouring properties, overshadowing of properties and whether oppression would occur from the size, scale and massing of the development.

The scheme proposes no windows in its side elevations that would overlook neighbouring properties. Due to the combination of the orientation of the site, the size, scale, and siting of the proposed dormer windows and distance away from the neighbouring properties the proposal is considered not to cause any significant adverse effects of overlooking, overshadowing or oppression for neighbouring occupiers and so is in accordance with Policy DS5 of the Core Strategy which seeks to protect the amenity of neighbours.

Biodiversity

The Council's Biodiversity Officer states that "The application site is located within Bradford's Bat Alert Layer. Considering the age and construction of the building, as the proposal relates to works to the roof of the building and the location near to mature woodland, a Preliminary Bat Roost Assessment is required. The Preliminary Bat Roost Assessment should be carried out by a Suitably Qualified Ecologist and to current accepted Bat Conservation Trust guidance."

The applicant has not provided an assessment of whether bats may be present in the roof of this property. If there are bats, they would be adversely affected by these proposed works. There is therefore insufficient information submitted to assess the proposal's impact on the protected species and the Local Planning Authority is justified in taking a precautionary approach to the protection of this protected species. The proposal therefore fails to accords with Policies EN2 of the Core Strategy and the environment protection policies within NPPF.

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.

Recommendation:

The proposed front and side wrap around dormer windows due to its, size, scale, height, design and excessive widths are considered to be unacceptable in terms of its design and impact on the character and form of both the host dwelling and surrounding area.

There is insufficient information submitted with the application to assess the proposal's impact on the protected species of bats on the application. Local Planning Authority is therefore taking a precautionary approach to the protection of protected species.

It is therefore recommended to refuse planning permission.

Reasons for Refusal:

1. The proposed front and side wrap around dormer roof enlargements would not follow design principles within the Council's adopted Householder Supplementary Planning Document and so would not appear appropriate to the character of the existing property. Due to their size and design, and reliance wholly on blank cladding materials, the roof enlargements are considered to be unacceptable in terms of their impact on the character of the host dwelling and surrounding area and fail to accord with Policies DS1 and DS3 or the Core Strategy.
2. The application site is located close to woodland and is within Bradford's Bat Alert Layer. The age and construction of the building is such that these works affecting the roof of the building have potential to affect bat roost habitat. The applicant has not provided an assessment of whether bats may be present in the roof and which would be adversely affected by these proposed works. There is therefore insufficient information submitted to assess the proposal's impact on the protected species of bats. The proposal therefore fails to accord with Policy EN2 of the Core Strategy and the environment protection policies within NPPF.

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Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 27 July 2022

B

Summary Statement - Part Two

Miscellaneous Items

	<u>No. of Items</u>
A-AA Requests for Enforcement/Prosecution Action	(27)
AB-AC Decisions made by the Secretary of State - Allowed	(2)
AD-AT Decisions made by the Secretary of State - Dismissed	(17)

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

Report Contact: Mohammed Yousuf
Phone: 01274 434605

Email: mohammed.yousuf@bradford.gov.uk

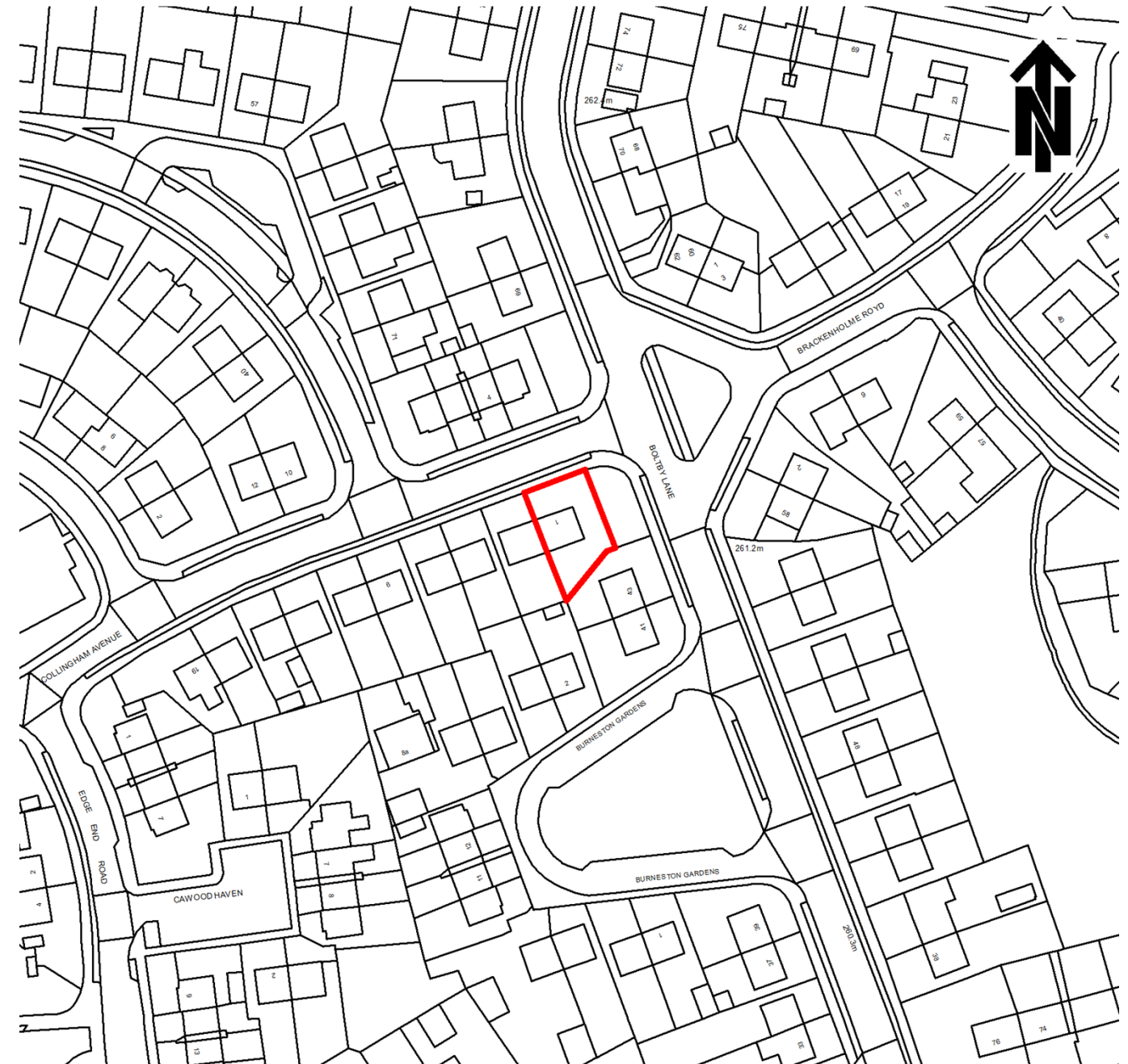
Portfolio:
Regeneration, Planning & Transport

Overview & Scrutiny Committee Area:
Regeneration and Environment

20/00605/ENFUNA



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



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**1 Collingham Avenue
Bradford
BD6 2AN**

27 July 2022

Item Number: A
Ward: ROYDS
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
20/00605/ENFUNA

Site Location:
1 Collingham Avenue Bradford West Yorkshire BD6 2AN

Breach of Planning Control:

Without planning permission, the construction of a boundary wall and vehicular gates to the front of the dwelling on the land.

Circumstances:

In March 2020 the council received an enquiry regarding alleged unauthorised boundary treatment at the above property.

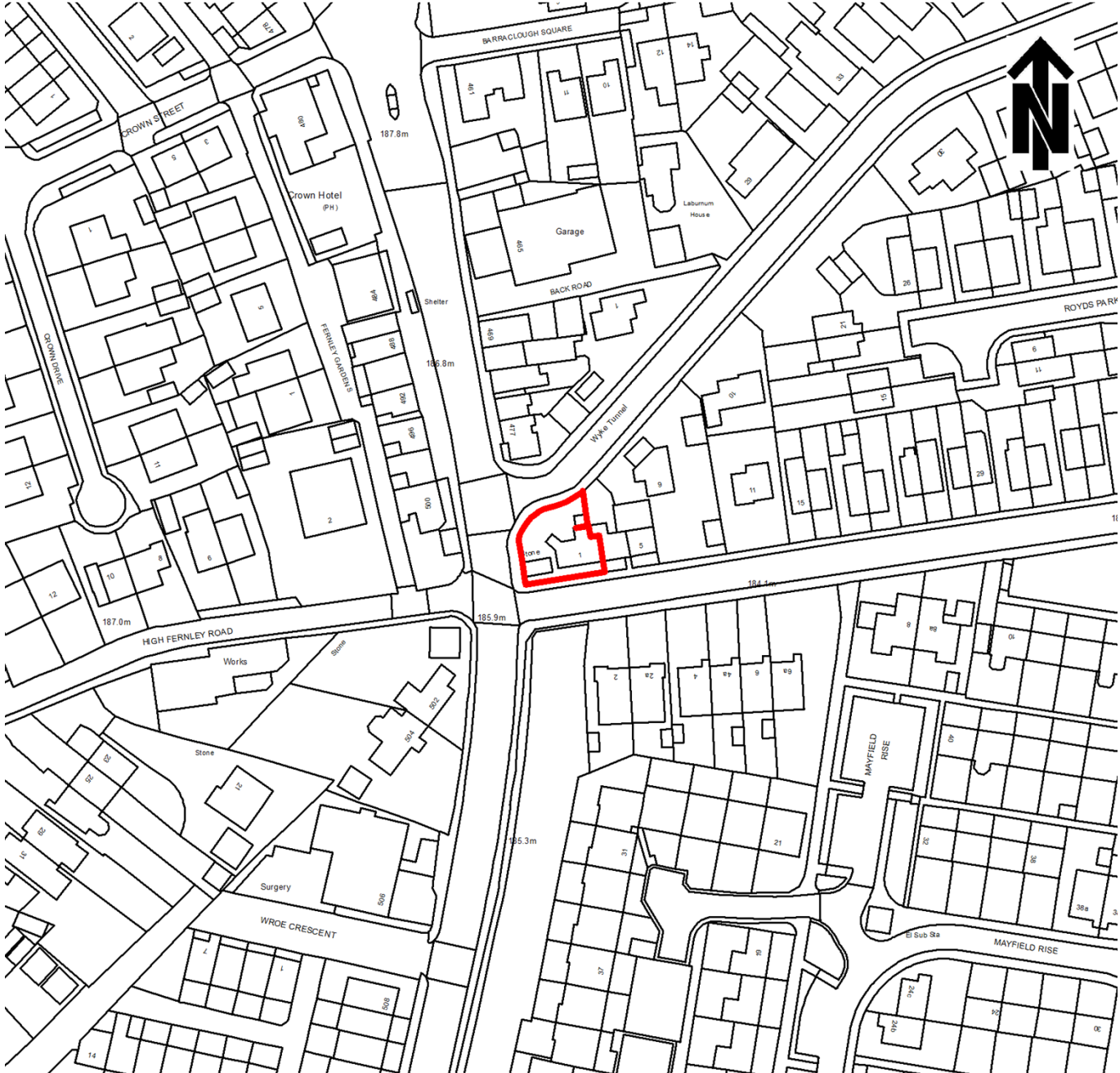
An inspection in October 2021 showed that timber panel fencing and vehicular gates had been constructed to the front of the dwelling. It was considered that the boundary treatment was unauthorised and represented a breach of planning control.

Letters have been sent to the owner/occupants of the property, requesting action to rectify the breach of planning control however the unauthorised boundary treatment remains in place and the breach of planning is unresolved.

On 7 June 2022, the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised boundary treatment at the property, by virtue of its design, appearance and size, represents a visually incongruous and prominent feature within the wider street scene and local environment, causing an unacceptable level of harm to visual amenity and due to its height, design and close proximity to the highway, is causing the obstruction of views for vehicles exiting the site, representing a threat to the safety highway users and pedestrians, contrary to Policies DS1, DS4, DS3 and SC9 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

20/01236/ENFUNA



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1 Wilson Road
Wyke
Bradford BD12 9HA

27 July 2022

Item Number: B
Ward: WYKE
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
20/01236/ENFUNA

Site Location:
1 Wilson Road Wyke Bradford West Yorkshire BD12 9HA

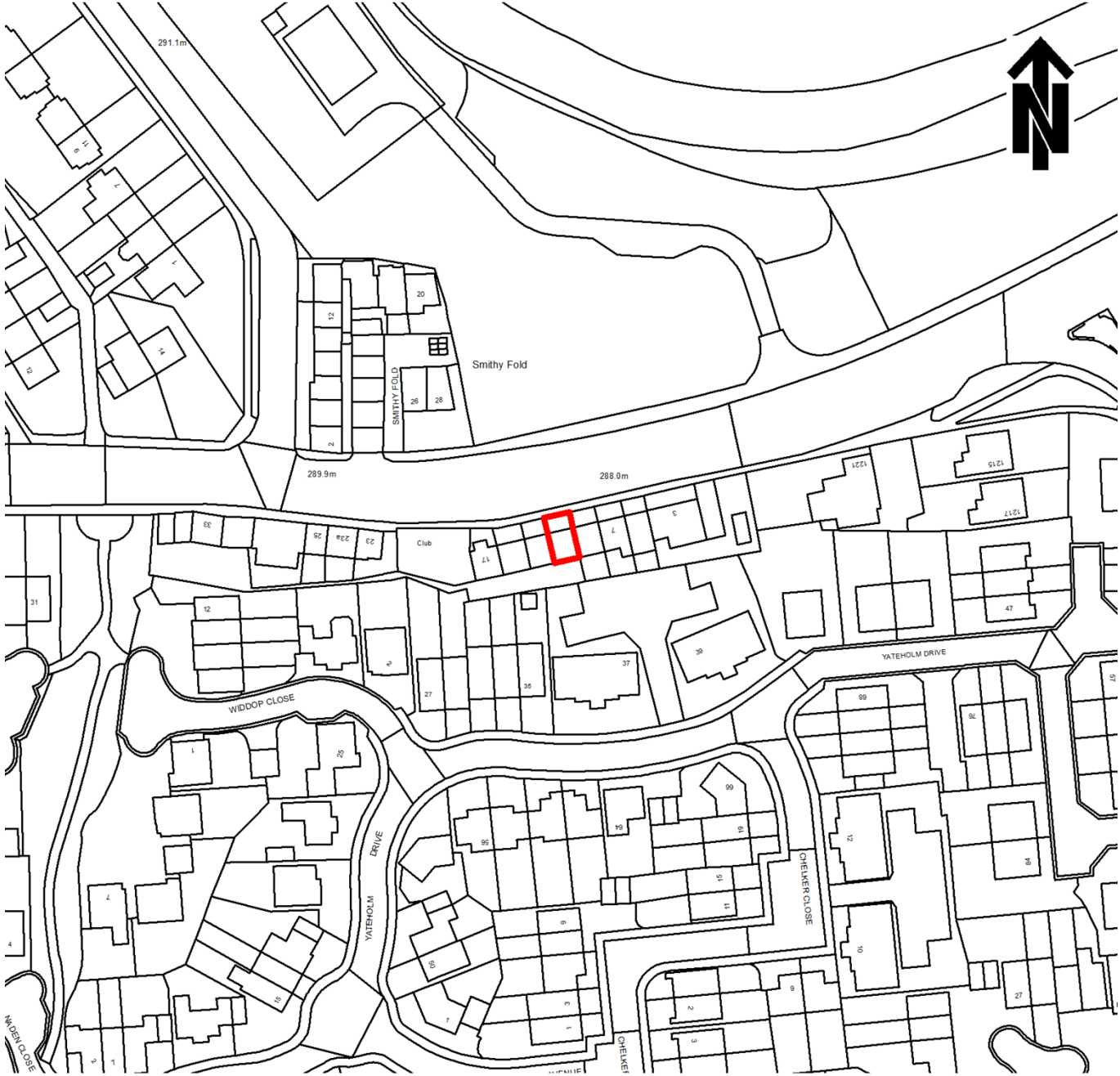
Breach of Planning Control:
Without planning permission, the construction of a timber structure and raised platform on the rear splay.

Circumstances:
Following a complaint received in this office an investigation concluded that the above breach of planning control has occurred. Despite efforts from the Local Planning Authority, the owner/occupier of the property has taken no action to rectify the matter.

It is considered expedient to issue an Enforcement Notice because the timber structure and raised platform has been constructed using an unsympathetic adhoc design and using poor quality materials that fail to reinforce local distinctiveness. The negative impact of the structure is further exacerbated by its prominent position alongside the B637.

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 7 June 2022 requiring the owner of the property to remove the timber structure and raised platform, all supporting structures and fixtures and fittings from the land.

19/00151/ENFLBC



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**11 Highgate Road
Bradford
BD13 2SQ**

27 July 2022

Item Number: C
Ward: QUEENSBURY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
19/00151/ENFLBC

Site Location:
11 Highgate Road Bradford West Yorkshire BD13 2SQ

Breach of Planning Control:

Without Listed Building Consent, the painting of the exterior of the front elevation of the building.

Circumstances:

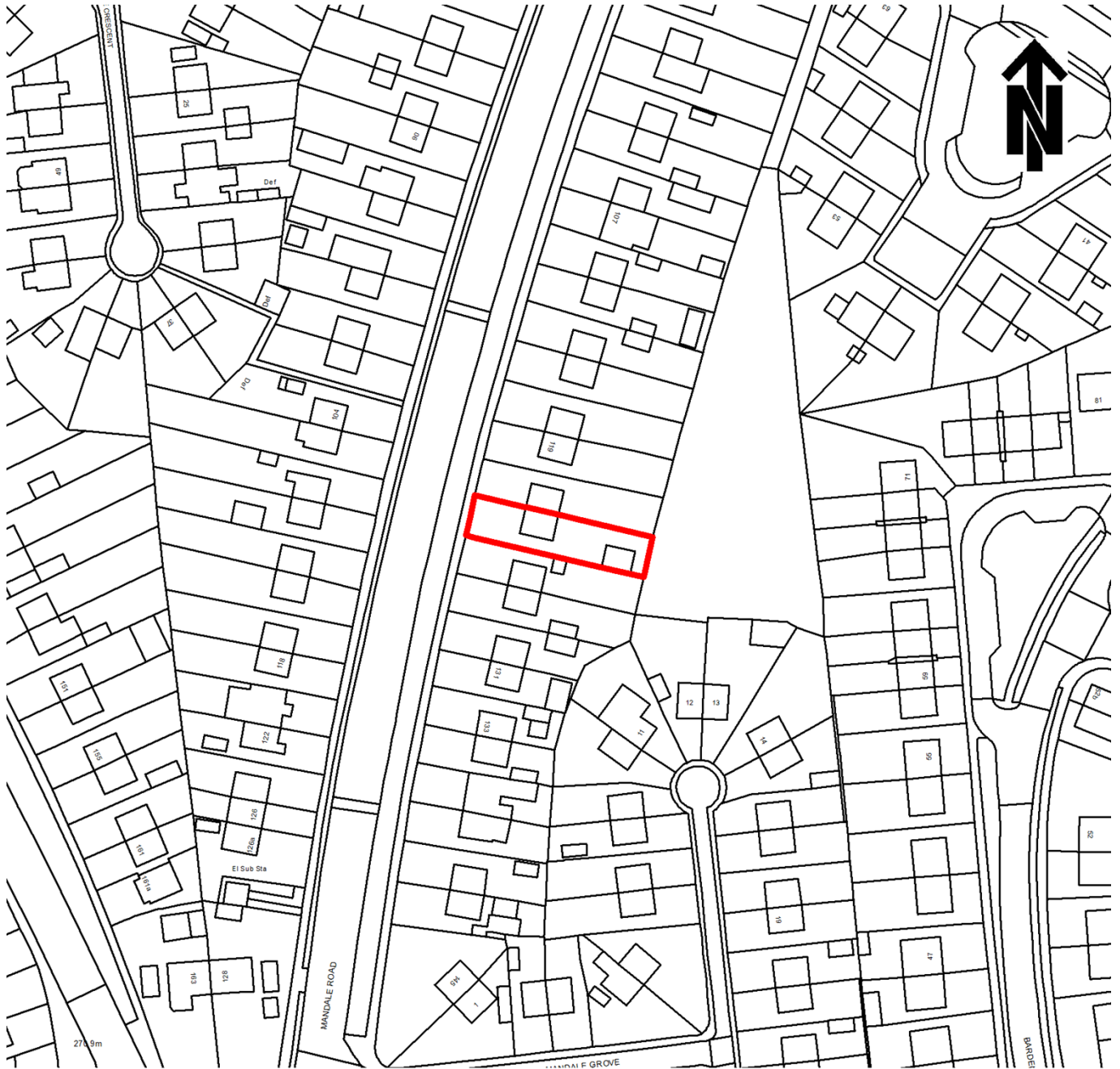
In March 2019 the Local Planning Authority received enquiries regarding the painting of the above property, which is a Grade II Listed Building.

An inspection showed that the exterior of the property has been painted in grey paint, for which the Council has no record of Listed Building Consent having been granted. The owner of the property has been requested to rectify the breach, however no action has been taken.

It is considered expedient to instigate legal action as the painting of the building is harmful to the character and appearance of the Listed Building.

On 30 May 2022 the Planning Manager (Enforcement & Trees) authorised the issue of a Listed Building Enforcement Notice requiring the owner of the property to: using the 'Doff' system of low pressure, high temperature steam the paint finish shall be removed from all areas of the external walls of the building, including string courses, window sills, lintels and jambs and porch plinth.

19/01143/ENFCOU



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**123 Mandale Road
Bradford
BD6 3JX**

27 July 2022

Item Number: D
Ward: ROYDS
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
19/01143/ENFCOU

Site Location:
123 Mandale Road Bradford West Yorkshire BD6 3JX

Breach of Planning Control:
Unauthorised gates

Circumstances:
Inspections of the property in connection with another issue showed that gates exceeding 1.0 metre in height had been erected along the front boundary, for which the Council had no record of planning permission having been granted.

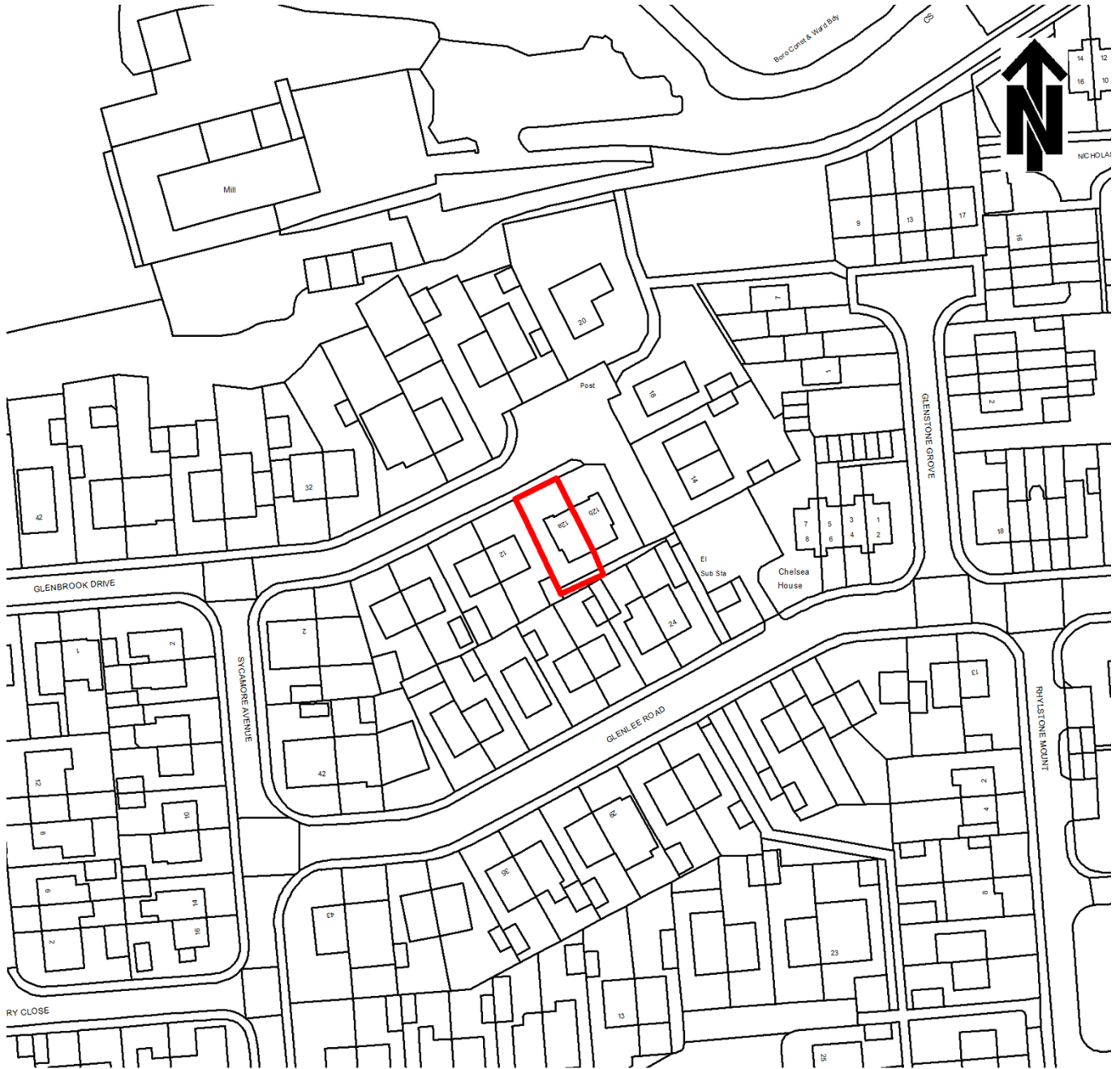
The owners of the property have been requested to take appropriate action to rectify the breach of planning control, however no action has been taken.

On 30 May 2022 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised gates are detrimental to visual amenity by virtue of their position, height and appearance, forming incongruous features on the land and within the street scene, contrary to Policies DS1 & DS3 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

20/01247/ENFAPP



City of
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METROPOLITAN DISTRICT COUNCIL



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**12A Glenbrook Drive
Bradford
BD7 2QF**

27 July 2022

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

Enforcement Reference:
20/01247/ENFAPP

Site Location:
12A Glenbrook Drive Bradford West Yorkshire BD7 2QF

Breach of Planning Control:
Without planning permission, the construction of a two storey side and rear extension.

Circumstances:
Following a complaint received in this office, a site visit revealed the above breach of planning control.

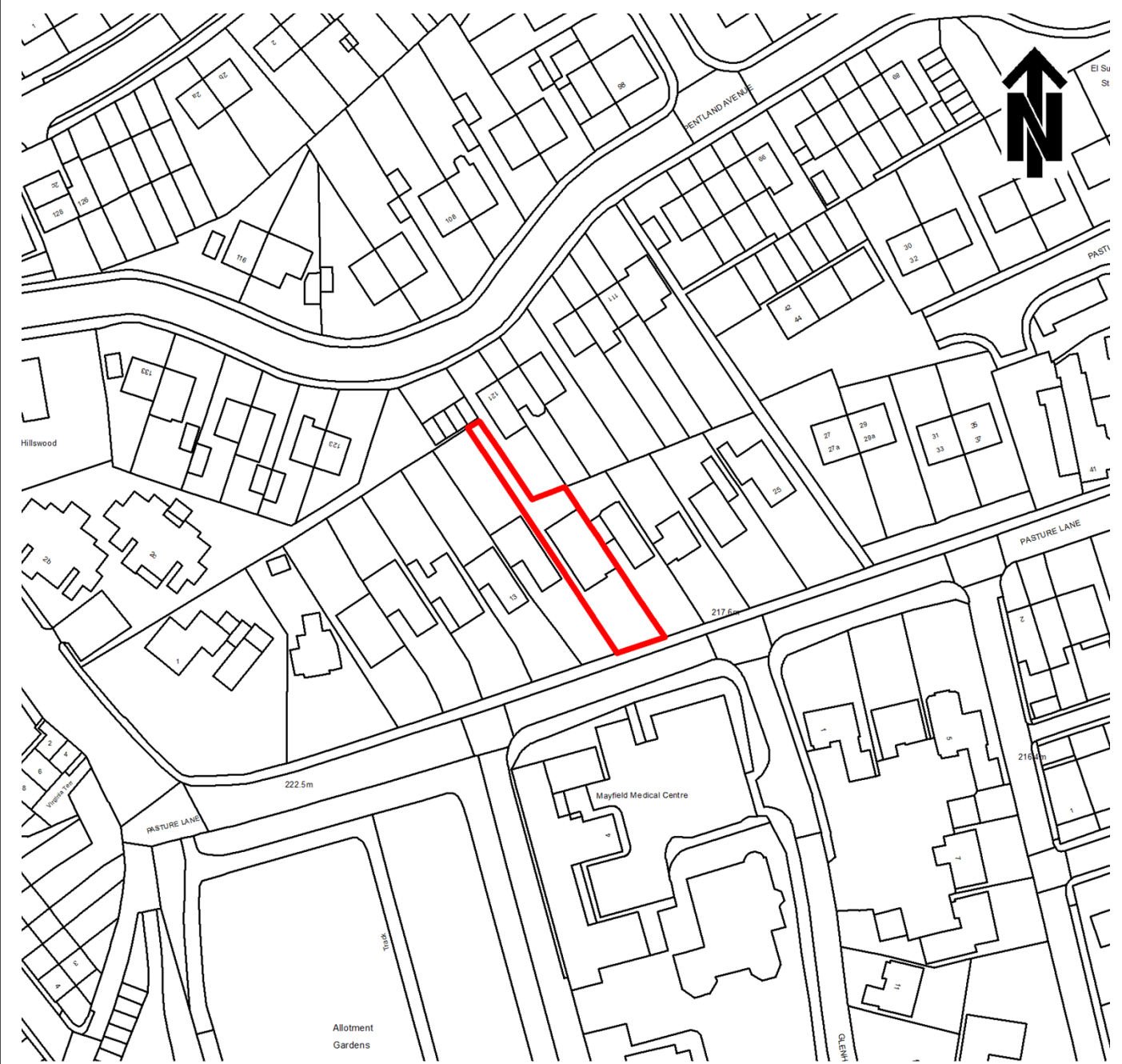
In response to a challenge letter, a retrospective planning application was submitted to the Local Planning Authority for consideration and determination. The application was refused planning permission on 17 June 2021.

To date the matter remains unresolved.

It is considered expedient to issue an Enforcement Notice as the excessive use of render on the extension has resulted in an extension that appears incongruous. The extension fails to harmonise with the brick built parent dwelling and is detrimental to the appearance of the street scene. Additionally, the first floor bedroom window in the northeast facing side elevation of the extension fails to achieve adequate separation from the neighbouring dwelling and results in direct overlooking to the detriment of the residential amenity of the neighbouring occupiers.

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 7 June 2022 requiring the extension to be demolished and all materials removed from the land.

20/01462/ENFUNA



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17 Pasture Lane
Bradford
BD14 6JR

27 July 2022

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

Enforcement Reference:
20/01462/ENFUNA

Site Location:
17 Pasture Lane Bradford West Yorkshire BD14 6JR

Breach of Planning Control:

Without planning permission, the hard surfacing of the front garden area of the land with non-porous material with no provision to direct runoff within the curtilage of the dwelling house.

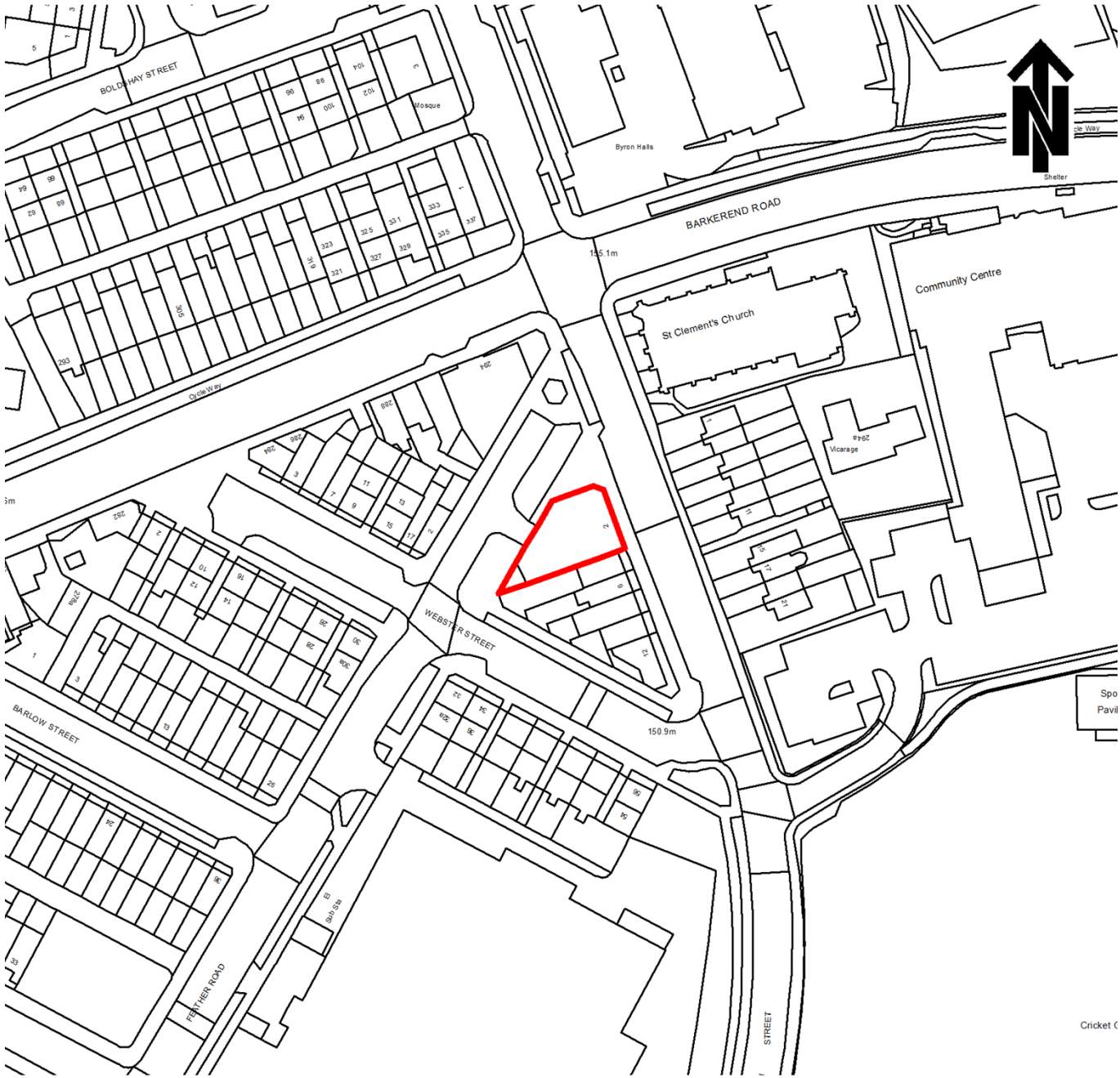
Circumstances:

The Local Planning Authority has received an enquiry regarding the above development. Despite a request from the local planning authority the owners of the property have taken no action to rectify the breach and the matter remains unresolved.

It is considered expedient to issue an Enforcement Notice because the sealed hard surfacing 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 to the detriment of pedestrian and highway safety.

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 29 June 2022 requiring the owner of the property to remove the non-porous hard surfacing material from the front garden area of the land.

21/00139/ENFUNA



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2 Gilpin Street
Bradford
BD3 9DG

27 July 2022

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

Enforcement Reference:
21/00139/ENFUNA

Site Location:
2 Gilpin Street Bradford West Yorkshire BD3 9DG

Breach of Planning Control:

Without planning permission, the installation of an externally mounted canopy feature on the front (east facing) and side (north facing) elevations of the building on the land.

Circumstances:

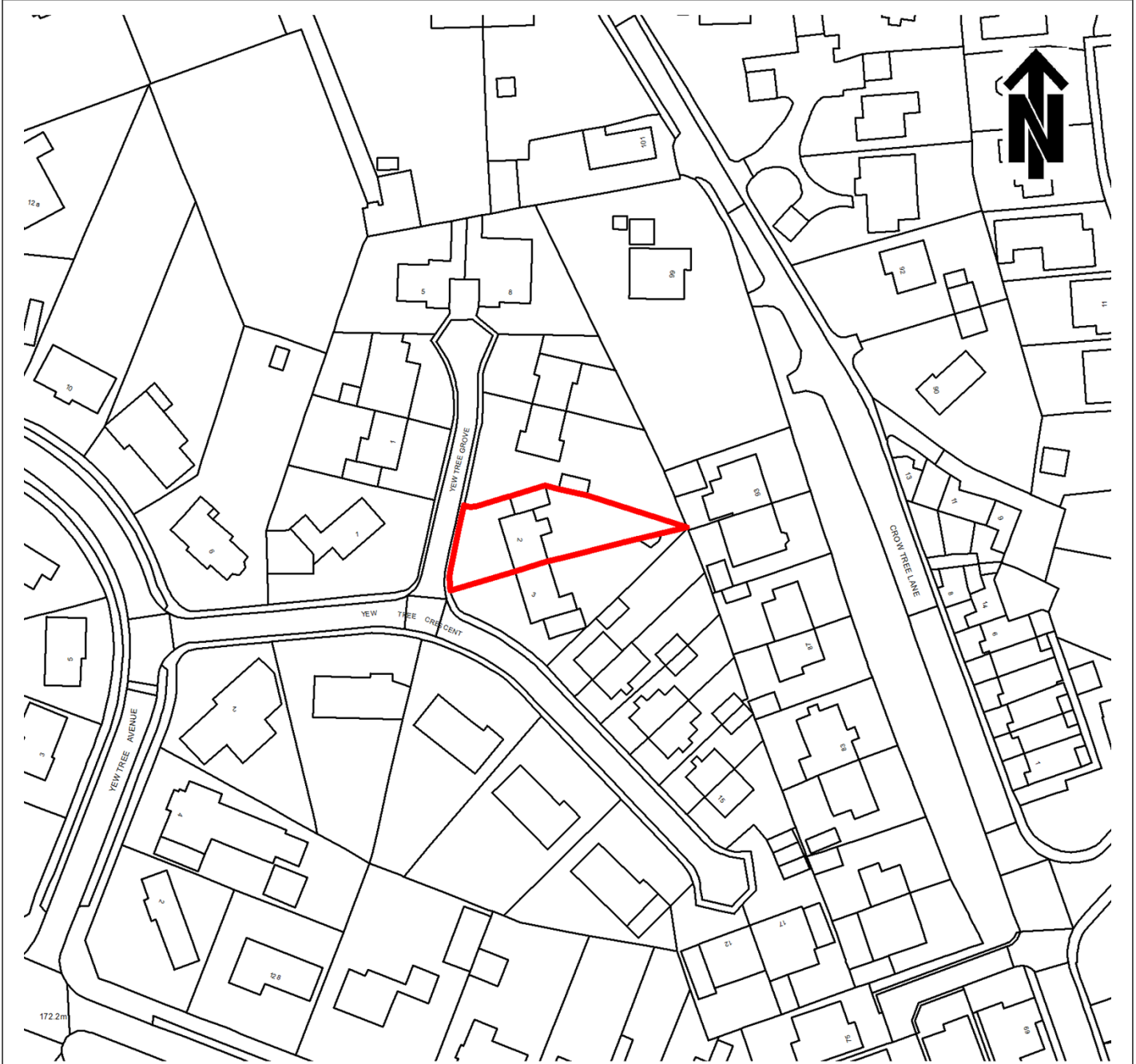
In February 2021 the Council received an enquiry regarding an alleged unauthorised externally mounted canopy feature on the front and side elevation of the property.

An inspection in June 2021 showed that an externally mounted canopy feature on the front (east facing) and side (north facing) elevations of the building on the land. The Council had no record of any consent being granted for the canopy feature as built.

Letters have been sent to the owner/occupants of the property, requesting action to rectify the breach of planning control. Retrospective planning application reference 21/04188/FUL seeking consent for the canopy as installed was refused by the Council on 4 October 2021. The applicant did not lodge an appeal against the Council's decision and has failed to carry out remedial works to rectify the breach. The unauthorised canopy is still in place and the breach of planning control remains unresolved.

On 11 May 2022, the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised externally mounted canopy feature is detrimental to visual amenity of the wider street scene and local environment. The canopy feature fails to relate to the character and appearance of the host building, representing a prominent feature. The development results in an unacceptable level of harm which is contrary to Policies DS1, DS3, and SC9 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

21/00690/ENFAPP



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**2 Yew Tree Grove
Bradford
BD8 0AE**

27 July 2022

Item Number: H
Ward: TOLLER
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
21/00690/ENFAPP

Site Location:
2 Yew Tree Grove Bradford West Yorkshire BD8 0AE

Breach of Planning Control:

Without planning permission, the construction of a rear dormer window on the roof planes of the dwelling on the land, and the construction of a single storey rear extension to the dwelling on the land.

Circumstances:

In July 2021 the council received an enquiry regarding alleged non-compliance with planning permission reference 20/03500/HOU at the above property.

An inspection in January 2022 showed the single storey rear extension and rear dormer window as built at the dwelling had not been constructed in accordance with the approved drawings for 20/03500/HOU, due to the incorrect design and failure to use matching external facing materials. It was considered that the extension and dormer as built do not benefit from consent under 20/03500/HOU and are therefore unauthorised, representing a breach of planning control.

Letters have been sent to the owner/occupants of the property, requesting action to rectify the breach of planning control. To date, no action has been taken by the owner to resolve the breach of planning control. The unauthorised extension and side dormer remain in place and the breach of planning is unresolved.

On 1st June 2022, 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, by reason of its excessive width, and the use of non-matching upvc cladding on its principal elevation, forms an obtrusive feature on the host dwelling and within the local environment, representing poor design and causing significant detriment to the visual amenity of the local environment. Furthermore, the unauthorised single storey rear extension, by reason of its size and design, fails to relate to the character and appearance of the host dwelling, representing a visually incongruous feature that is causing significant detriment to the visual amenity of the local environment. In addition, the unauthorised single storey rear extension, by reason of its size and design, represents an oppressive feature that is causing significant harm to the residential amenity of the neighbouring occupants through overbearing and overshadowing. The development is therefore contrary to Policies DS1, DS3 and SC9 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

19/00908/ENFUNA



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**22 Berrydale Close
Bradford
BD15 7UD**

27 July 2022

Item Number: I
Ward: THORNTON AND ALLERTON
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
19/00908/ENFUNA

Site Location:
22 Berrydale Close Bradford West Yorkshire BD15 7UD

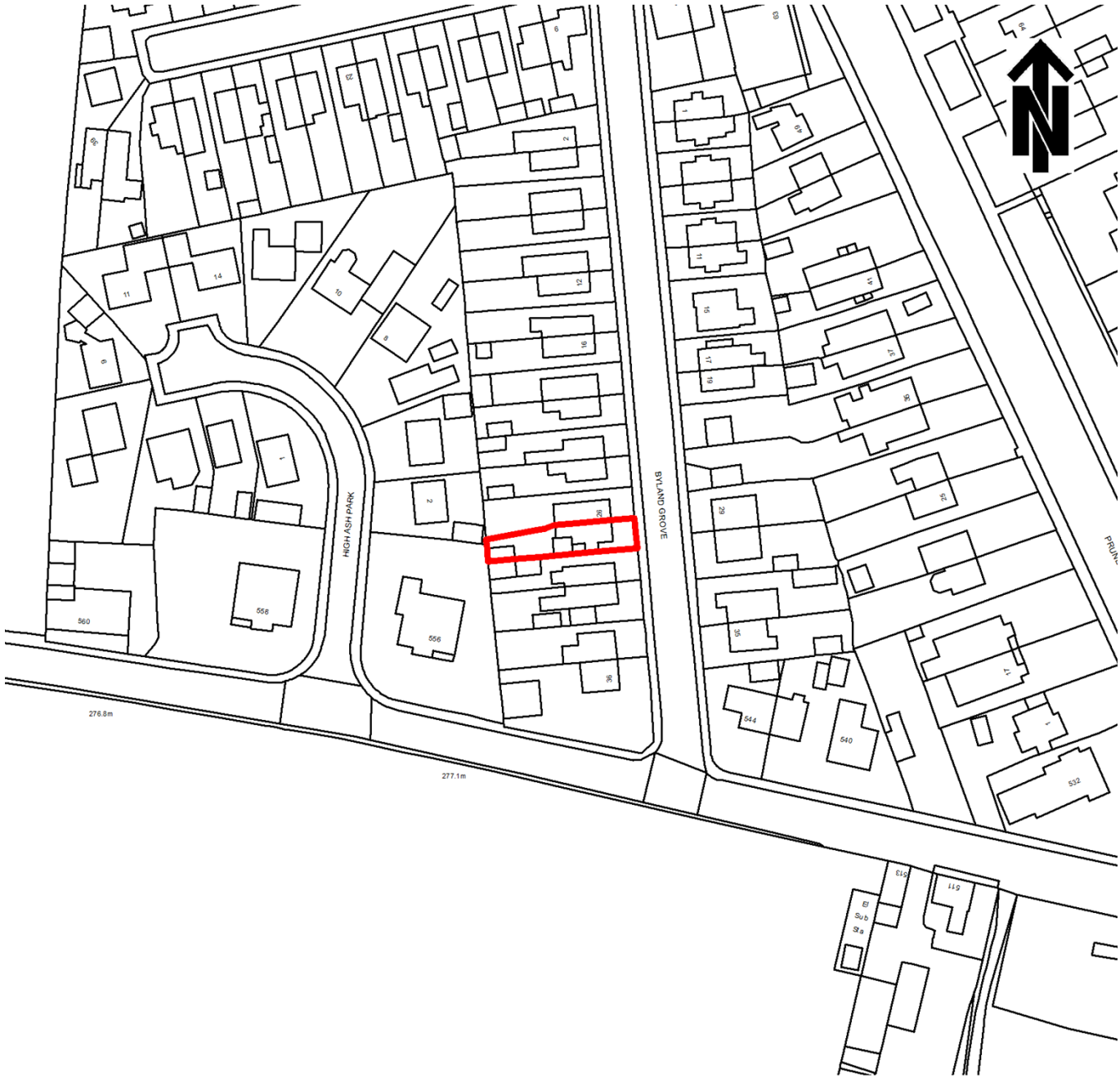
Breach of Planning Control:
Without planning permission, the construction of a front and rear dormer.

Circumstances:
Following a complaint received in this office in October 2020, 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 front and rear dormer window extensions are detrimental to the visual amenity of the parent building and surrounding area by virtue of their scale and design and use of unsympathetic facing materials in their construction that do not match the existing roof on the host dwelling. As a result they present an incongruous feature which is at odds with the character of this residential area.

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 31 March 2022 requiring the demolition of the front and rear dormer window or the replacement of the plastic cladding with a tile to match the roof of the dwelling house.

21/00472/ENFAPP



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**28 Byland Grove
Bradford
BD15 9JE**

27 July 2022

Item Number: J
Ward: THORNTON AND ALLERTON
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
21/00472/ENFAPP

Site Location:
28 Byland Grove Bradford West Yorkshire BD15 9JE

Breach of Planning Control:

Failure to comply with planning permission reference 18/03515/HOU, the construction of a two storey side extension and side dormer window, on the dwelling on the land.

Circumstances:

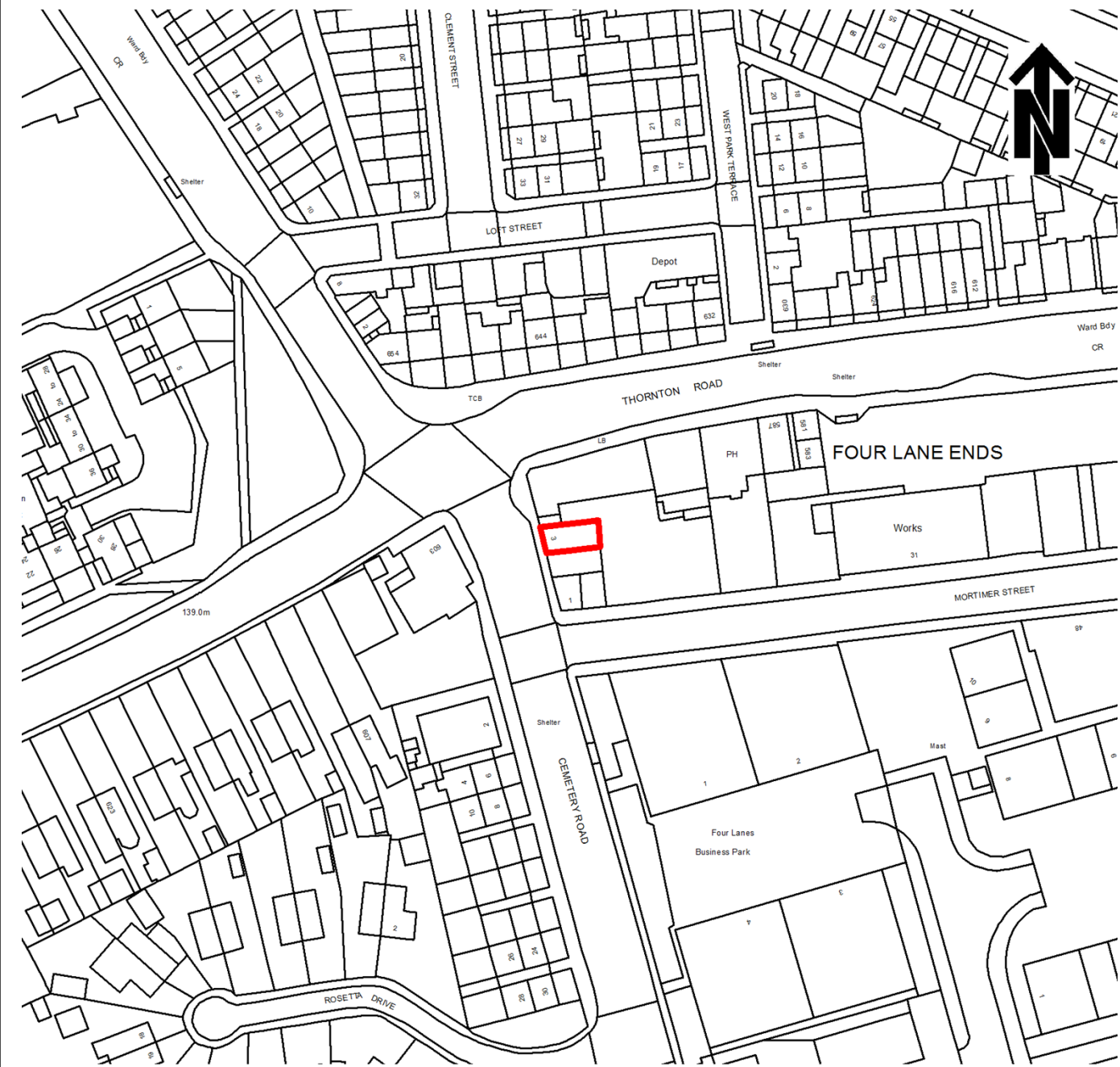
In May 2021 the Council received an enquiry regarding alleged non-compliance with planning permission reference 18/03515/HOU at the above property.

An inspection in November 2021 showed the two storey side extension and side dormer window as built at the dwelling had not been constructed in accordance with the approved drawings for 18/03515/HOU, due to the incorrect design and failure to use matching external facing materials. It was considered that the extension and dormer as built do not benefit from consent under 18/03515/HOU and are therefore unauthorised, representing a breach of planning control.

Letters have been sent to the owner/occupants of the property, requesting action to rectify the breach of planning control. To date, no positive action has been taken by the owner to resolve the breach of planning control. The unauthorised extension and side dormer remain in place and the breach of planning is unresolved.

On 1 June 2022, the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised two storey side extension and side dormer window, by reason of its poor design and excessive amount of white upvc cladding, represent a visually strident feature, that fails to relate to the host dwelling and wider street scene, causing a significant level of harm to the visual amenity of the local environment, contrary to policies DS1, DS3 and SC9 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

21/00095/ENFUNA



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3 Cemetery Road
Bradford
BD8 9SD

27 July 2022

Item Number: K
Ward: CITY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
21/00095/ENFUNA

Site Location:
3 Cemetery Road Bradford West Yorkshire BD8 9SD

Breach of Planning Control:

Without planning permission, the installation of an externally mounted roller shutter and roller shutter box on the front elevation of the building on the land.

Circumstances:

In February 2021 the Council received an enquiry regarding an alleged unauthorised roller shutter at the above property.

An inspection in July 2021 showed that an unauthorised externally fitted roller shutter had been installed to the shop front of the building on the land. The Council had no record of any consent being granted for the roller shutter as installed.

Letters have been sent to the owner/occupants of the property, requesting action to rectify the breach of planning control. There has been no positive action taken by the occupier or owner of the property in resolving the breach of planning control. The unauthorised external roller shutter remains in place and the breach of planning is unresolved.

On 1 June 2022, the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notices It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised externally mounted roller shutter and shutter box have a detrimental, deadening effect on the premises and appear as a stark and discordant feature of this shopping street, causing an unacceptable level of harm to the character and appearance of the area, contrary to Policies DS1, DS3, and SC9 of the Council's adopted Core Strategy Development Plan Document, the Council's adopted Shopfront Design Guide, the Council's adopted A Shopkeepers Guide to Securing Their Premises Supplementary Planning Document and the principles of the National Planning Policy Framework.

20/01072/ENFUNA



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**3 Highfield Place
Bradford
BD8 7NN**

27 July 2022

Item Number: L
Ward: MANNINGHAM
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
20/01072/ENFUNA

Site Location:
3 Highfield Place Bradford West Yorkshire BD8 7NN

Breach of Planning Control:

Without planning permission, the construction of a single storey rear extension to the dwelling on the land.

Circumstances:

In July 2020 the Council received an enquiry regarding an alleged unauthorised single storey extension to the rear elevation of the property.

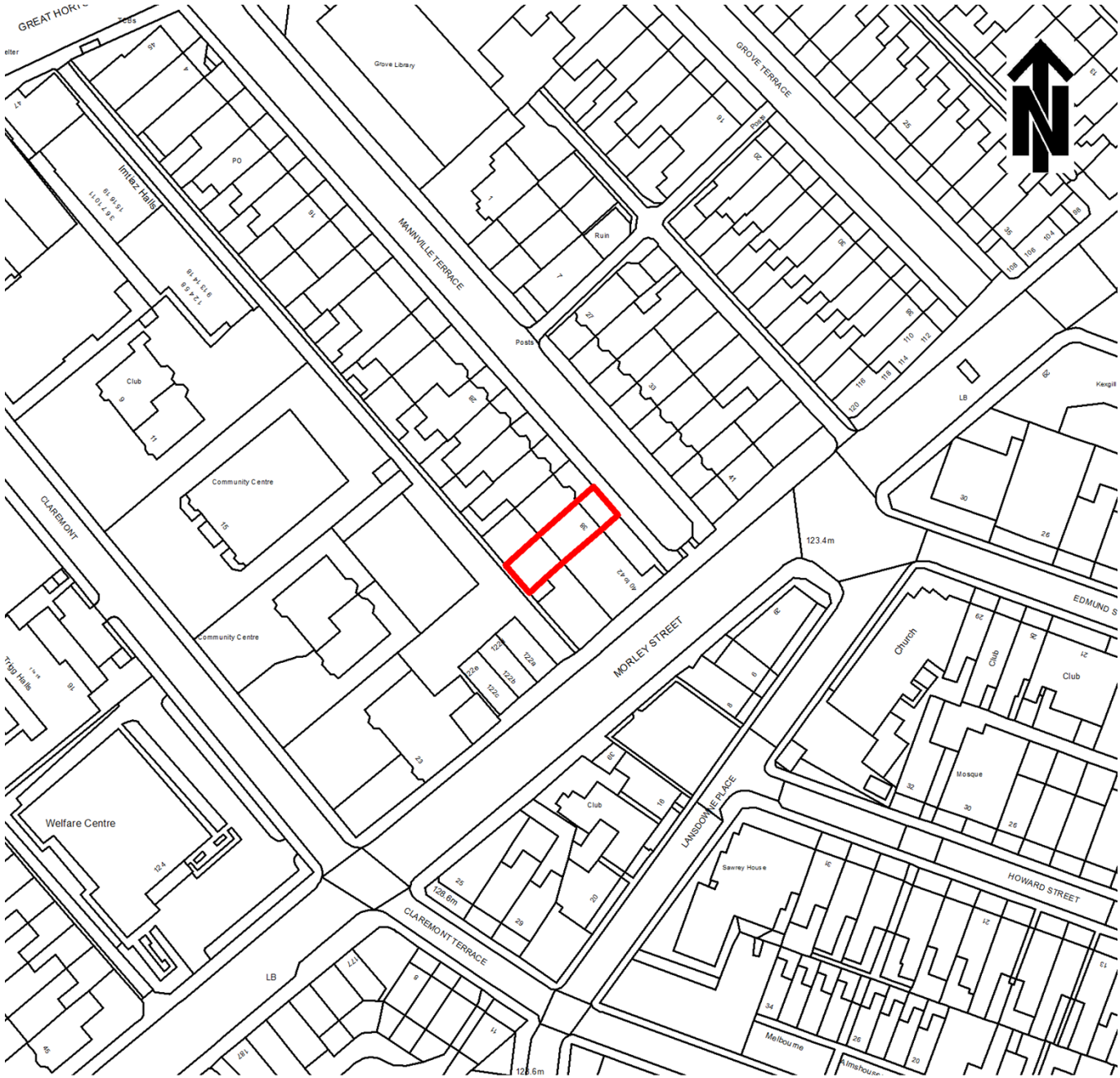
An inspection in December 2020 showed that a single storey rear extension had been constructed. The Council had no record of any consent being granted for the extension as built. It was therefore considered the extension was unauthorised and represented a breach of planning control.

Letters have been sent to the owner/occupants of the property, requesting action to rectify the breach of planning control. However, no appropriate action has been taken. The unauthorised extension is still in place and the breach of planning control remains unresolved.

On 11 May 2022, the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised single storey extension to the rear of the dwelling represents a visually incongruous and prominent feature, due to the use of non- matching walling materials. The single storey rear extension fails to relate well to the character or appearance of the host dwelling and the immediate surrounding area, causing significant harm to visual amenity, contrary to Policies DS1, DS3 and of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

Furthermore, the single storey rear extension represents a poorly designed feature, which fails to relate well to the host dwelling and surrounding properties. As such, the extension is causing significant harm to the character and appearance of the St Pauls Conservation Area (Article 2 (3) Land), contrary to Policy EN3 of the Council's adopted Core Strategy Development Plan Document, the Council's adopted Householder SPD and the principles of the National Planning Policy Framework.

20/01317/ENFUNA



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38 - 42 Mannville Terrace
Bradford
BD7 1BA

27 July 2022

Item Number: M
Ward: CITY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
20/01317/ENFUNA

Site Location:
38 - 42 Mannville Terrace Bradford West Yorkshire BD7 1BA

Breach of Planning Control:

Without planning permission, the installation of two external extractor flues, situated on the rear (south-west facing) elevation of the building on the land.

Circumstances:

In September 2020 the Council received an enquiry regarding an alleged unauthorised heat exchange unit fixed to the boundary wall at the above property.

An inspection in January 2021 showed that an unauthorised heat exchange unit, cold store room outbuilding and two large extractor flues had been installed/constructed at the above property. The Council had no record of any consent being granted for the works.

Letters have been sent to the owner/occupants of the property, requesting action to rectify the breach of planning control. A retrospective planning application (22/00209/FUL) was submitted seeking consent for the heat exchange unit, cold store room outbuilding and two large extractor flues had been installed/built. This application was refused by the Council. No subsequent appeal against the Council's decision has been made, and no further application has been submitted. The unauthorised features remain in place.

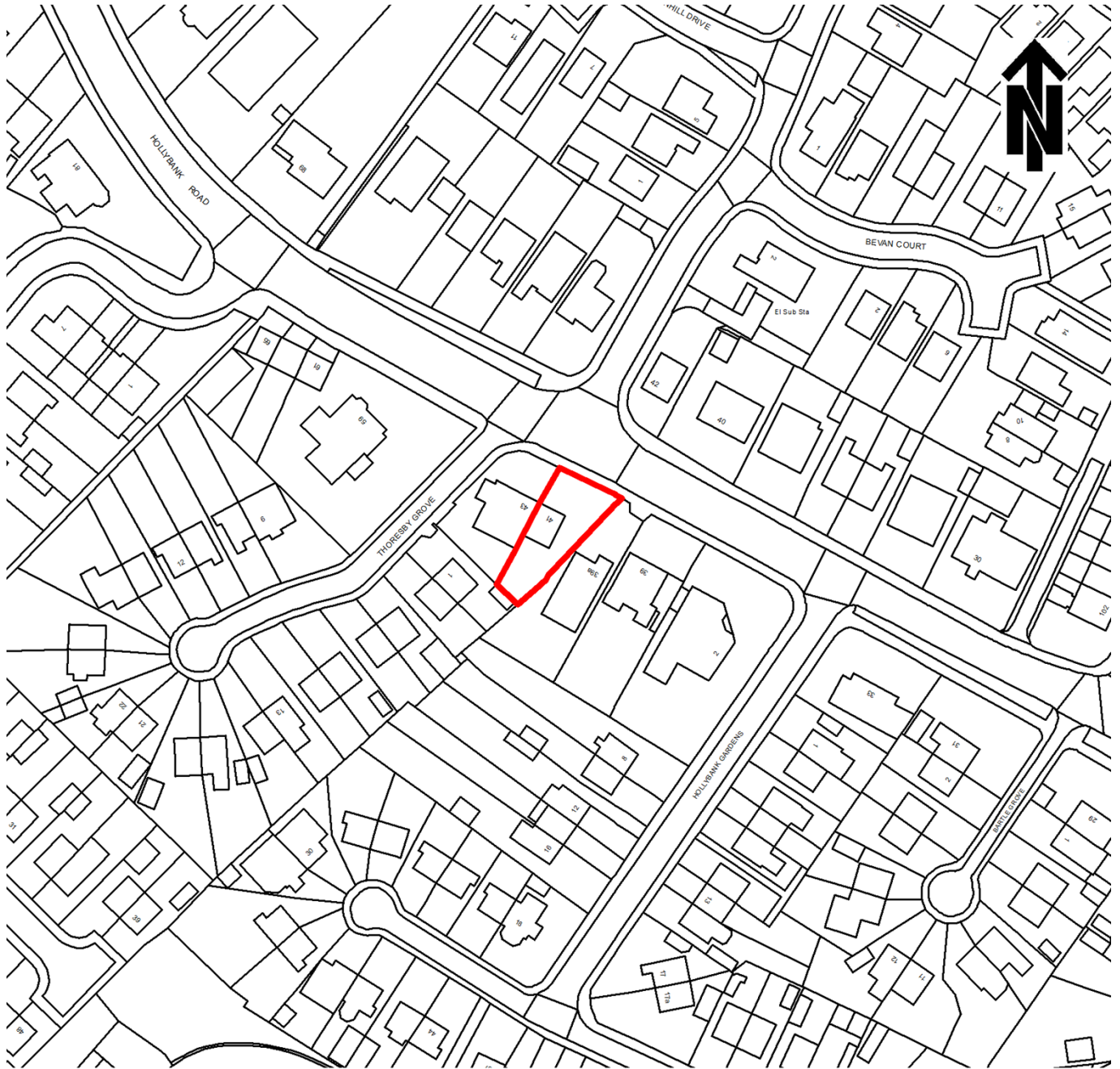
On 31 May 2022, the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised external extractor flues, by reason of their design, size and appearance, form strident and discordant features, which detract from the original building and the wider street scene within the Little Horton Conservation Area, causing significant harm to visual amenity, contrary to Policies DS1, DS3, EN3 and SC9 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

Furthermore, the unauthorised external extractor flues, by virtue of their positioning and design, are causing significant noise nuisance, which is resulting in substantial detriment and harm to the residential amenity of the neighbouring occupants, contrary to Policies DS5 and EN8 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

20/01605/ENFUNA



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



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**41 Hollybank Road
Bradford
BD7 4QP**

27 July 2022

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

Enforcement Reference:
20/01605/ENFUNA

Site Location:
41 Hollybank Road Bradford West Yorkshire BD7 4QP

Breach of Planning Control:

Without planning permission, the hard surfacing of the front garden area of the land with non-porous material with no provision to direct runoff within the curtilage of the dwelling house.

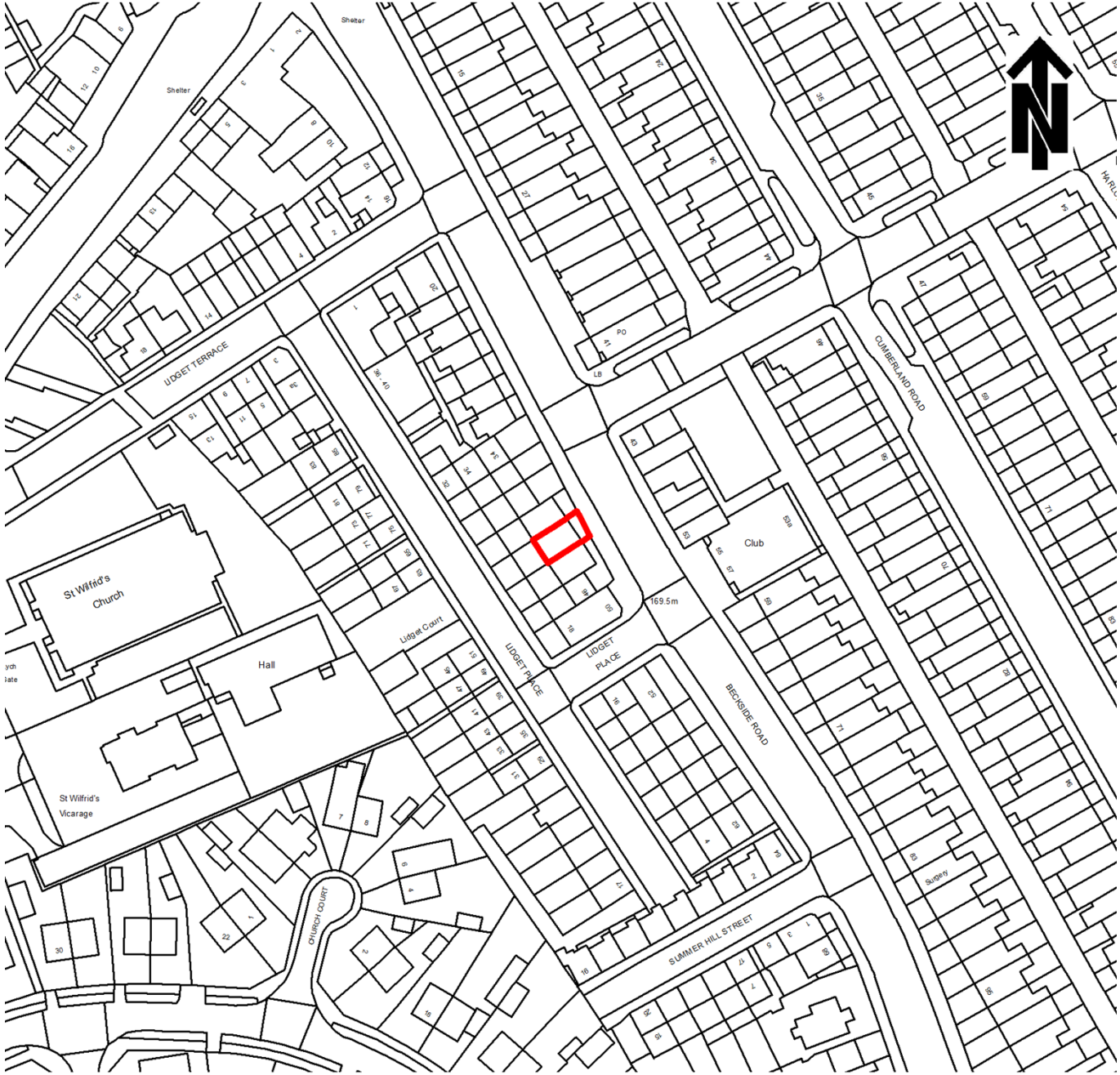
Circumstances:

The Local Planning Authority has received an enquiry regarding the above development. Despite a request from the local planning authority the owners of the property have taken no action to rectify the breach and the matter remains unresolved.

It is considered expedient to issue an Enforcement Notice because the sealed hard surfacing 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 to the detriment of pedestrian and highway safety.

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 7 June 2022 requiring the owner of the property to remove the non-porous hard surfacing material from the front garden area of the land.

20/01369/ENFUNA



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42 Beckside Road
Bradford
BD7 2LS

27 July 2022

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

Enforcement Reference:
20/01369/ENFUNA

Site Location:
42 Becks Road Bradford West Yorkshire BD7 2LS

Breach of Planning Control:

Without planning permission, the construction of raised decking to the front of the building on the land,

Circumstances:

In October 2020 the council received an enquiry regarding alleged unauthorised raised decking at the above property.

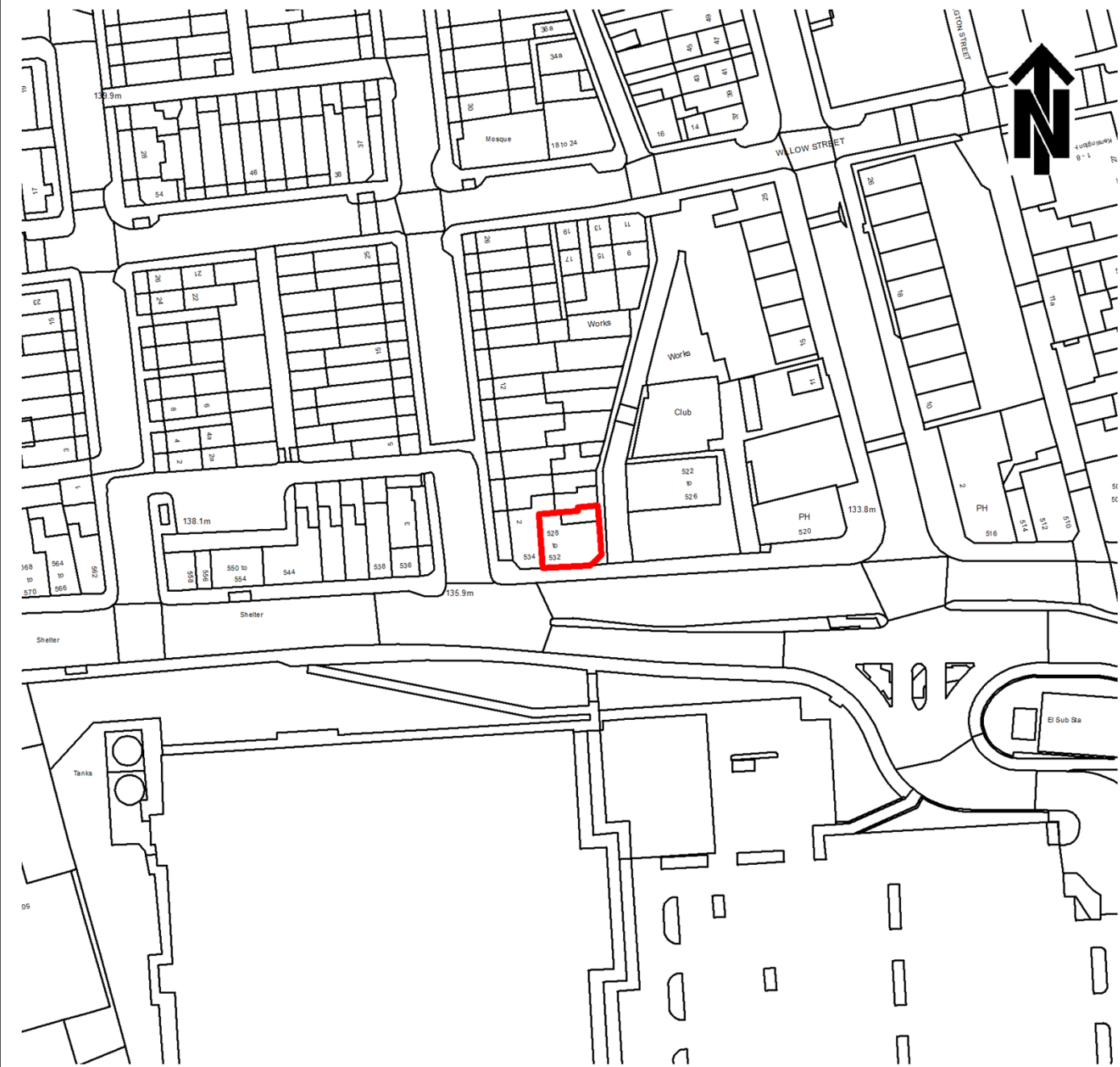
An inspection in December 2020 showed that raised decking had been constructed to the front of the building on the land. The Council had no record of any consent being granted for the raised decking as built.

Letters have been sent to the owner/occupants of the property, requesting action to rectify the breach of planning control. A retrospective planning application (21/03042/FUL) was submitted seeking consent for the raised decking as installed. This application was refused by the council. No subsequent resubmission was received. The unauthorised raised decking remains in place and the breach of planning is unresolved.

On 1 June 2022, the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised raised decking detracts from the appearance of the host buildings, forming a strident and incongruous addition within the wider street scene, causing detriment to the visual amenity of the local environment, contrary to Policies DS1, DS3, and SC9 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

Furthermore, the unauthorised raised decking fails to represent inclusive design that will not facilitate access for all, contrary to Policy DS5 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

21/00492/ENFUNA



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**528 - 532 Thornton Road
Bradford
BD8 9NB**

27 July 2022

Item Number: P
Ward: TOLLER
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
21/00492/ENFUNA

Site Location:
528 - 532 Thornton Road Bradford West Yorkshire BD8 9NB

Breach of Planning Control:

Without planning permission, the installation of four externally mounted solid roller shutters and shutter boxes to the front (south facing) and side (east facing) elevations of the property.

Circumstances:

In May 2021 the council received an enquiry regarding alleged unauthorised external roller shutters.

An inspection in October 2021 showed that four externally mounted solid roller shutters and shutter boxes have been installed to the front (south facing) and side (east facing) elevations of the property.

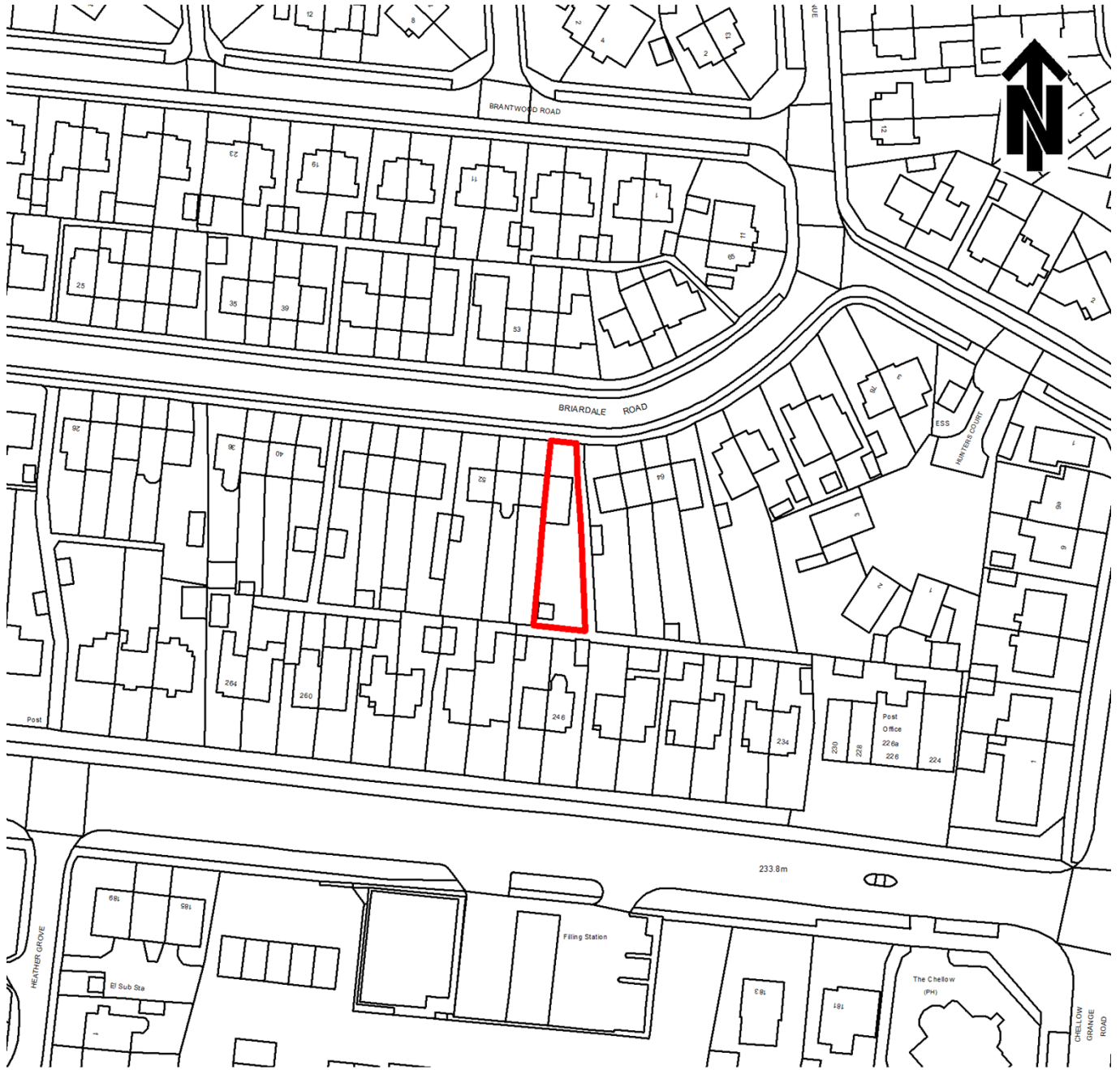
Numerous letters have been sent to the owner/occupants of the property, requesting action to rectify the breach of planning control. Retrospective planning application reference 21/05849/FUL seeking consent for the roller shutters as installed was refused by the council. A subsequent appeal was lodged to the Planning Inspectorate, however was turned away late. The unauthorised metal external roller shutters remain in place and the breach of planning is unresolved.

On 31 May 2022, the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised externally mounted roller shutters and shutter boxes are detrimental to visual amenity by virtue of their design and appearance, forming incongruous features on the building and in the street scene, contrary to Policies DS1, DS3, and SC9 of the Council's adopted Core Strategy Development Plan Document, the Council's adopted Shopfront Design Guide, the Council's adopted A Shopkeepers Guide to Securing Their Premises Supplementary Planning Document and the principles of the National Planning Policy Framework.

20/01014/ENFUNA



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

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**58 Briardale Road
Bradford
BD9 6PT**

27 July 2022

Item Number: Q
Ward: HEATON
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
20/01014/ENFUNA

Site Location:
58 Briardale Road Bradford West Yorkshire BD9 6PT

Breach of Planning Control:
Without planning permission, the construction of front and rear dormer windows on the dwelling on the land.

Circumstances:
In June 2020 the council received an enquiry regarding alleged unauthorised front and rear dormer windows at the above property.

An inspection in December 2020 showed that the front and rear dormer windows as built had not been completed in accordance with the approved plans for 20/00145/HOU. This was due to the increased size of the dormers and use of white upvc cladding as external facing materials. It was considered that both dormers were unauthorised and represented a breach of planning control.

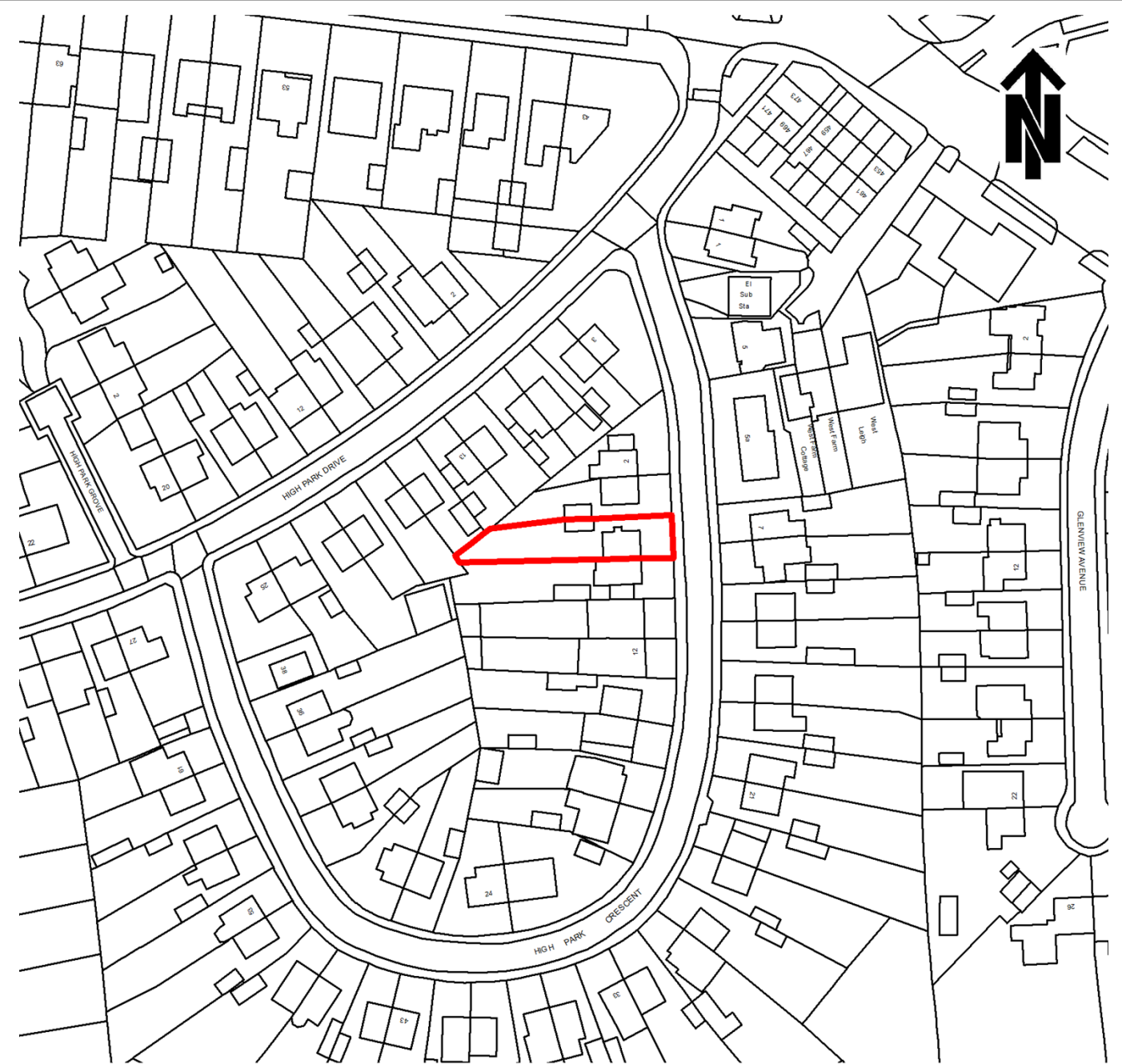
Letters have been sent to the owner/occupants of the property, requesting action to rectify the breach of planning control however no action has been taken. The unauthorised dormer windows remain in place and the breach of planning is unresolved.

On 31 May 2022, the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised front and rear dormer windows, by reason of their unsympathetic design and scale, with an excess of non-matching upvc cladding, form an incongruous feature on the host dwelling and appear visually prominent within the street scene, causing significant detriment to the visual amenity of the local environment, contrary to Policies DS1, DS3, and SC9 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

20/01137/ENFUNA



City of
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METROPOLITAN DISTRICT COUNCIL



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**6 High Park Crescent
Bradford
BD9 6HT**

27 July 2022

Item Number: R
Ward: HEATON
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
20/01137/ENFUNA

Site Location:
6 High Park Crescent Bradford West Yorkshire BD9 6HT

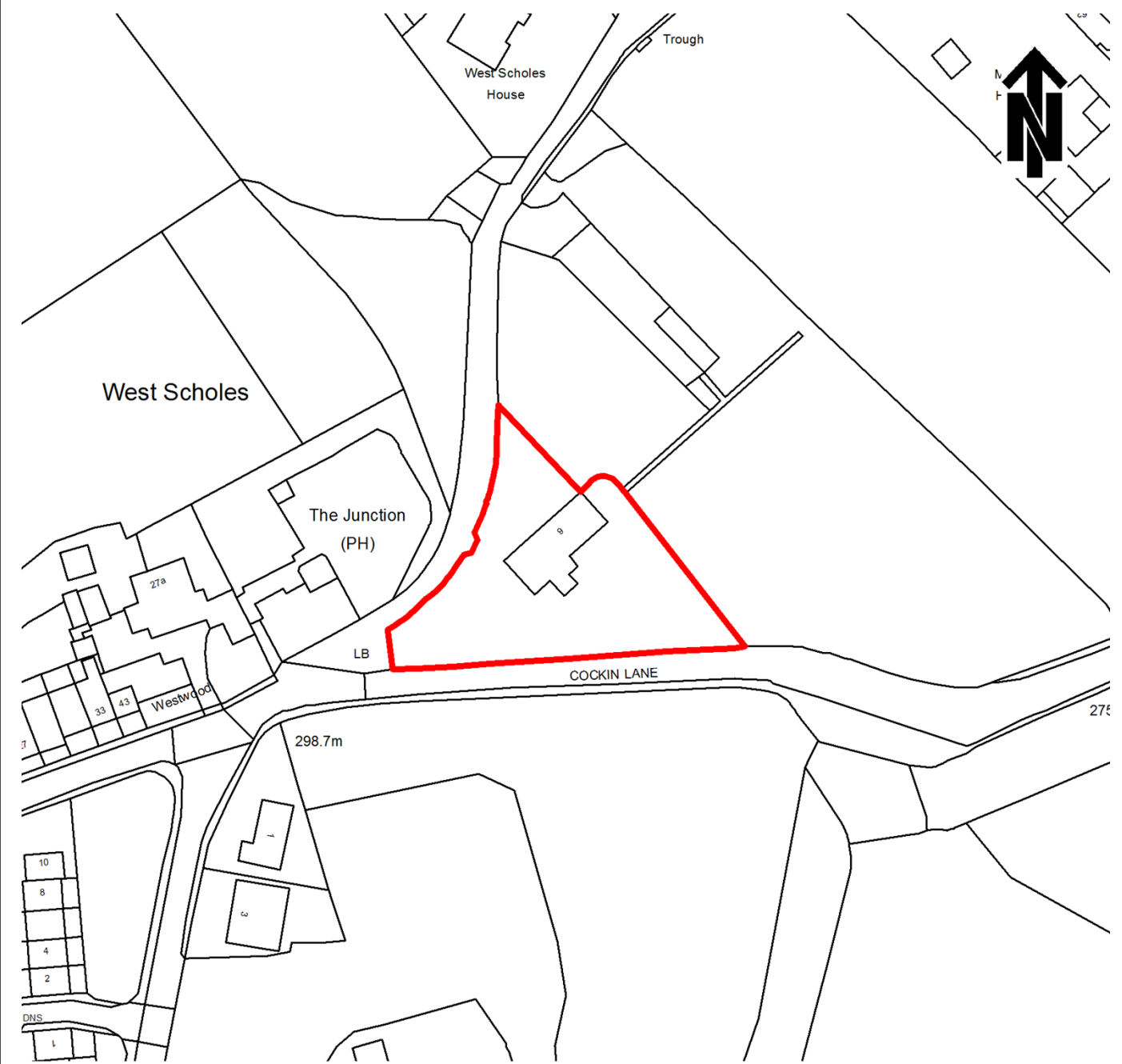
Breach of Planning Control:
Without planning permission, the construction of a front and rear dormer.

Circumstances:
Following a complaint received in this office in August 2020, 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 front and rear dormer window extensions are detrimental to the visual amenity of the parent building and surrounding area by virtue of their scale and design and use of unsympathetic facing materials in their construction that do not match the existing roof on the host dwelling. As a result, they present an incongruous feature which is at odds with the character of this residential area.

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 7 June 2022 requiring the demolition of the front and rear dormer window or the replacement of the plastic cladding with a tile to match the roof of the dwelling house.

22/00333/ENFUNA



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6 West Scholes
Brewery Lane Queensbury
Bradford BD13 1NQ

27 July 2022

Item Number: S
Ward: QUEENSBURY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
22/00333/ENFUNA

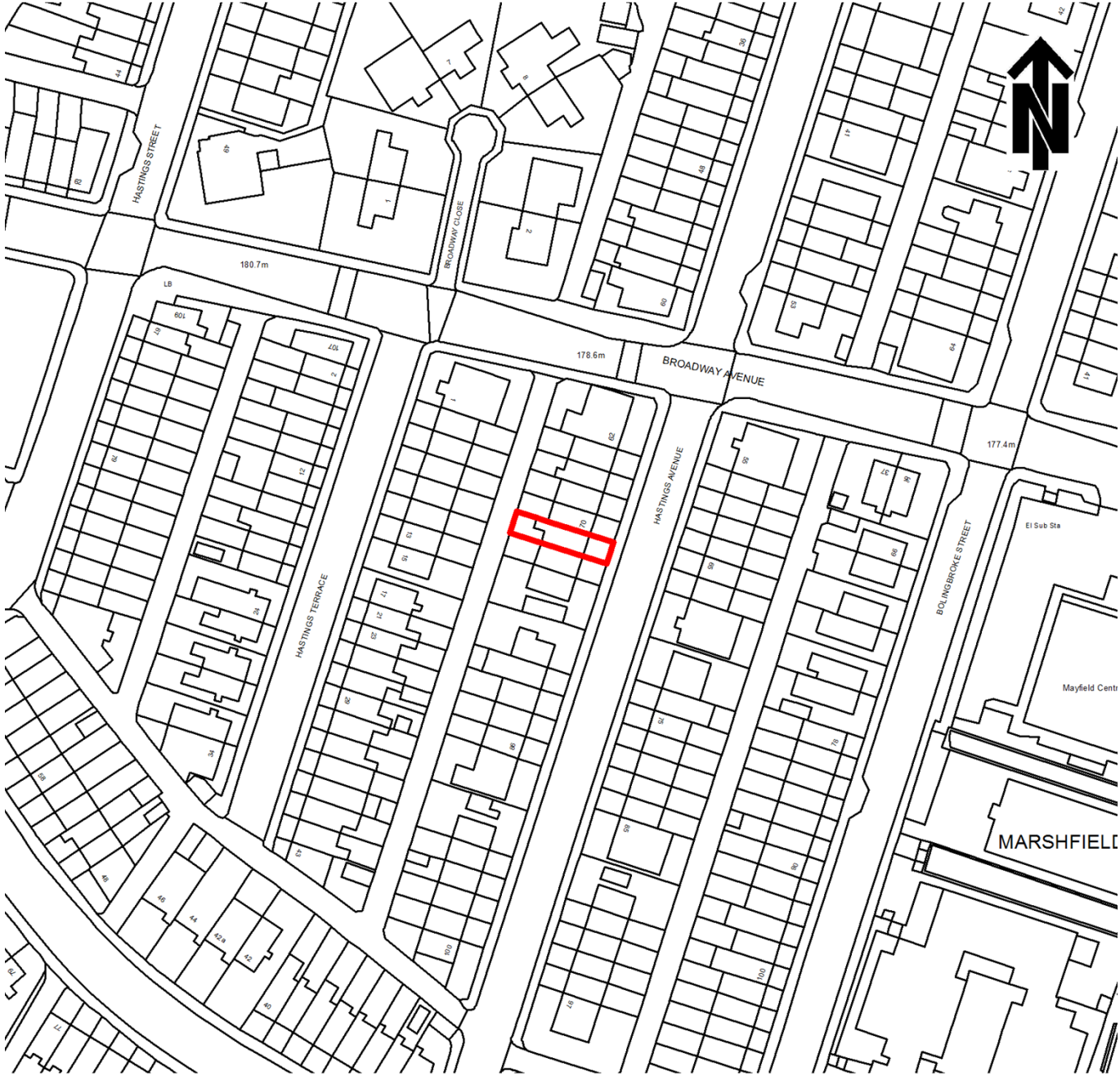
Site Location:
6 West Scholes Brewery Lane Queensbury Bradford West Yorkshire BD13 1NQ

Breach of Planning Control:
Unauthorised fencing, walls, stone pillars and gates forming combined boundary structure.

Circumstances:
The unauthorised boundary structure above was challenged in writing and no response received, an enforcement notice was authorised by the Planning Manager (Enforcement and Trees) on 10 May 2022.

The unauthorised development is inappropriate development and due to its scale, harmful appearance and poor design, is an incongruous and dominating feature which harms the openness and character of the Green Belt, negatively affects the setting of a Grade 2* Listed Building offends visual amenity and detracts from the character of the neighbourhood in which it is located. Contrary to policies SC9, DS1, EN3 of the Council's Core Strategy Development Plan Framework Document and Section 13 of the NPPF (Protecting Green Belt Land).

20/00668/ENFUNA



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72 Hastings Avenue
Bradford
BD5 9PP

27 July 2022

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

Enforcement Reference:
20/00668/ENFUNA

Site Location:
72 Hastings Avenue Bradford West Yorkshire BD5 9PP

Breach of Planning Control:

Without planning permission, the construction of a dormer window to the front and rear of the property.

Circumstances:

Following a complaint received in this office, a site visit revealed the above breach of planning control.

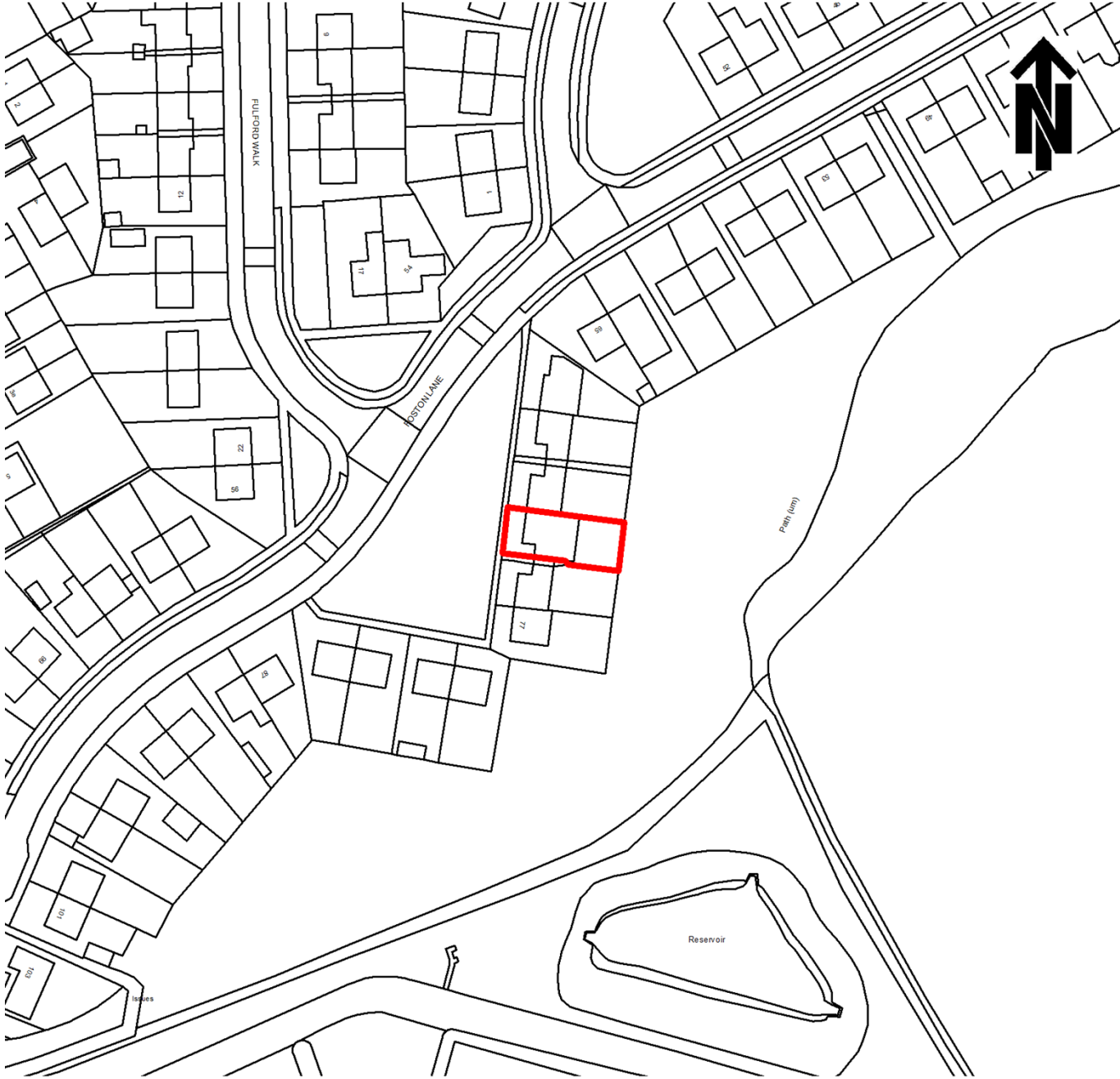
In response to a challenge letter, a retrospective planning application was submitted on 27 July 2020. The application was refused planning permission on 17 September 2020.

On 22 September 2020 a planning application was resubmitted for a front and rear dormer window. The application proposed changes to the dormer windows to reduce its negative impact upon the local environment. Planning permission was granted on 13 November 2020. To date the alterations to the dormer windows have not been undertaken and the matter remains unresolved.

It is considered expedient to issue an Enforcement Notice as the front and rear dormer window extensions are detrimental to the visual amenity of the parent building and surrounding area by virtue of their scale and design and the use of unsympathetic facing materials in its construction that do not match the existing roof of the host dwelling. As a result, they present an incongruous feature which is at odds with the character of this residential area.

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 7 June 2022 requiring the owner of the property to demolish the unauthorised front and rear dormer window extension, reinstate the rear roof plane of the building to its former appearance and remove all arising materials from the land; or replace the cladding on the front and rear dormer window extension with slate to match the roof of the host building.

21/00702/ENFUNA



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**73 Foston Lane
Bradford
BD2 3QQ**

27 July 2022

Item Number: U
Ward: ECCLESHILL
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
21/00702/ENFUNA

Site Location:
73 Foston Lane Bradford West Yorkshire BD2 3QQ

Breach of Planning Control:

Without planning permission, the construction of a front extension on the (west facing) elevation of the dwelling on the land

Circumstances:

In July 2021 the Council received an enquiry regarding an unauthorised extension and roof works at the above property.

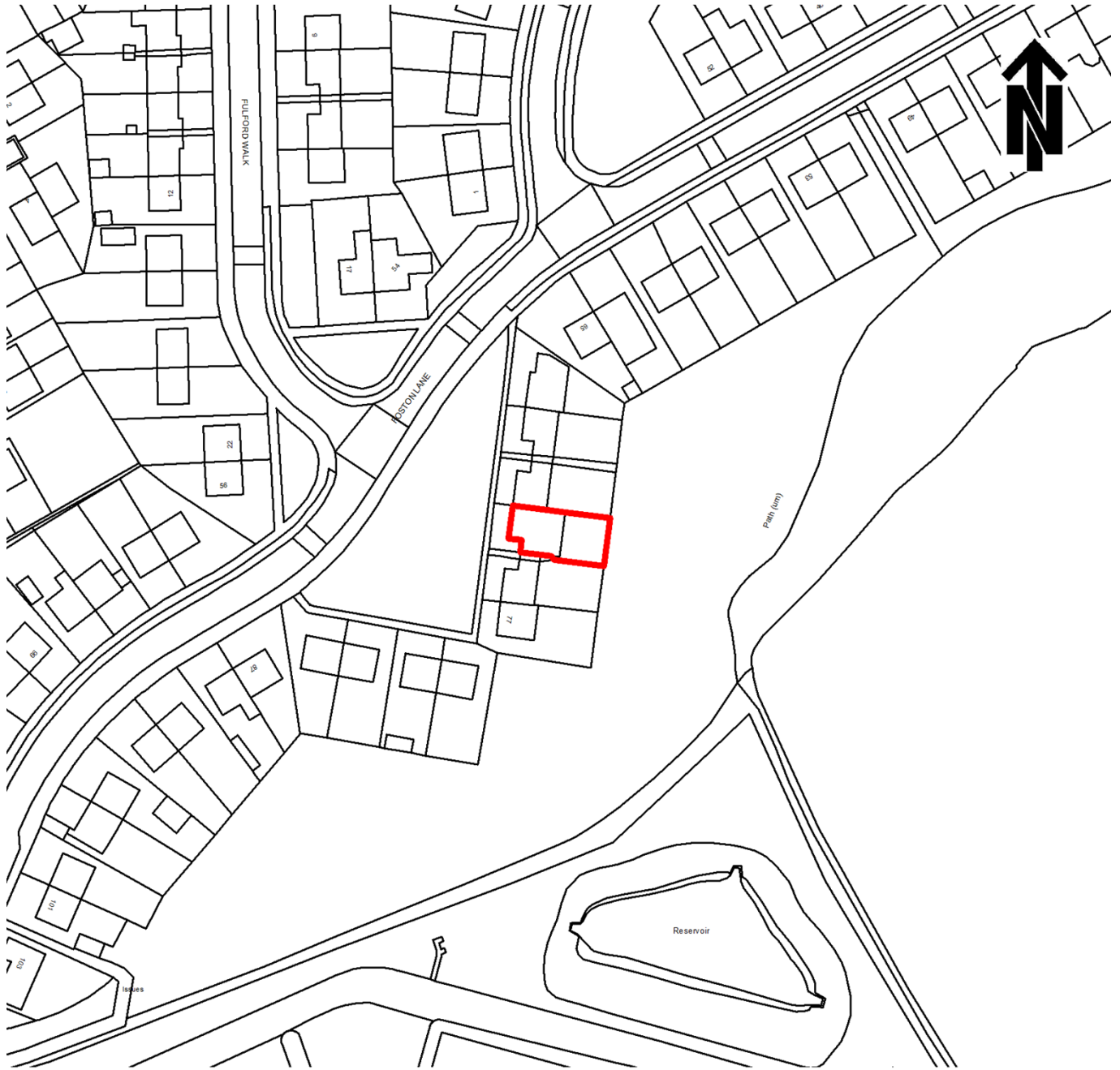
An inspection in October 2021 showed a large front extension had been constructed to the dwelling. Due to the size and non-matching materials used, it is considered the extension as built requires planning permission, for which the Council has no record of. As such, the extension represents a breach of planning control.

Letters have been sent to the owner/occupants of the property, requesting action to rectify the breach of planning control. Retrospective planning application reference 21/05958/HOU, seeking consent for the extension as built, was refused by the Council in January 2022. No appeal was lodged against the council's decision. To date, no satisfactory action has been taken by the owner to resolve the breach of planning control. The unauthorised front extension remains in place and the breach of planning is unresolved.

On 1 June 2022, the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised front extension, by reason of its excessive size and use of external facing materials that fail to match the host dwelling, represents a visually obtrusive feature, that is at odds with the host dwelling and the wider street scene, causing significant detriment to the visual amenity of the local environment. Furthermore, the unauthorised front extension, by reason of its excessive depth and close proximity to the common boundary, is having an adverse impact on the occupants of 71 Foston Lane through overshadowing and overbearing, causing an unacceptable level of harm to the residential amenity of the neighbouring occupants. The development is therefore contrary to Policies DS1, DS3, and SC9 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

21/01162/ENFUNA



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**73 Foston Lane
Bradford
BD2 3QQ**

27 July 2022

Item Number: V
Ward: ECCLESHILL
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
21/01162/ENFUNA

Site Location:
73 Foston Lane Bradford West Yorkshire BD2 3QQ

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

Circumstances:
In July 2021 the council received an enquiry regarding an unauthorised extension and roof works at the above property.

An inspection in October 2021 showed a rear dormer window had been constructed on dwelling. Due to the size and non-matching materials used, it is considered the dormer as built requires planning permission, for which the council has no record of. As such, the dormer represents a breach of planning control.

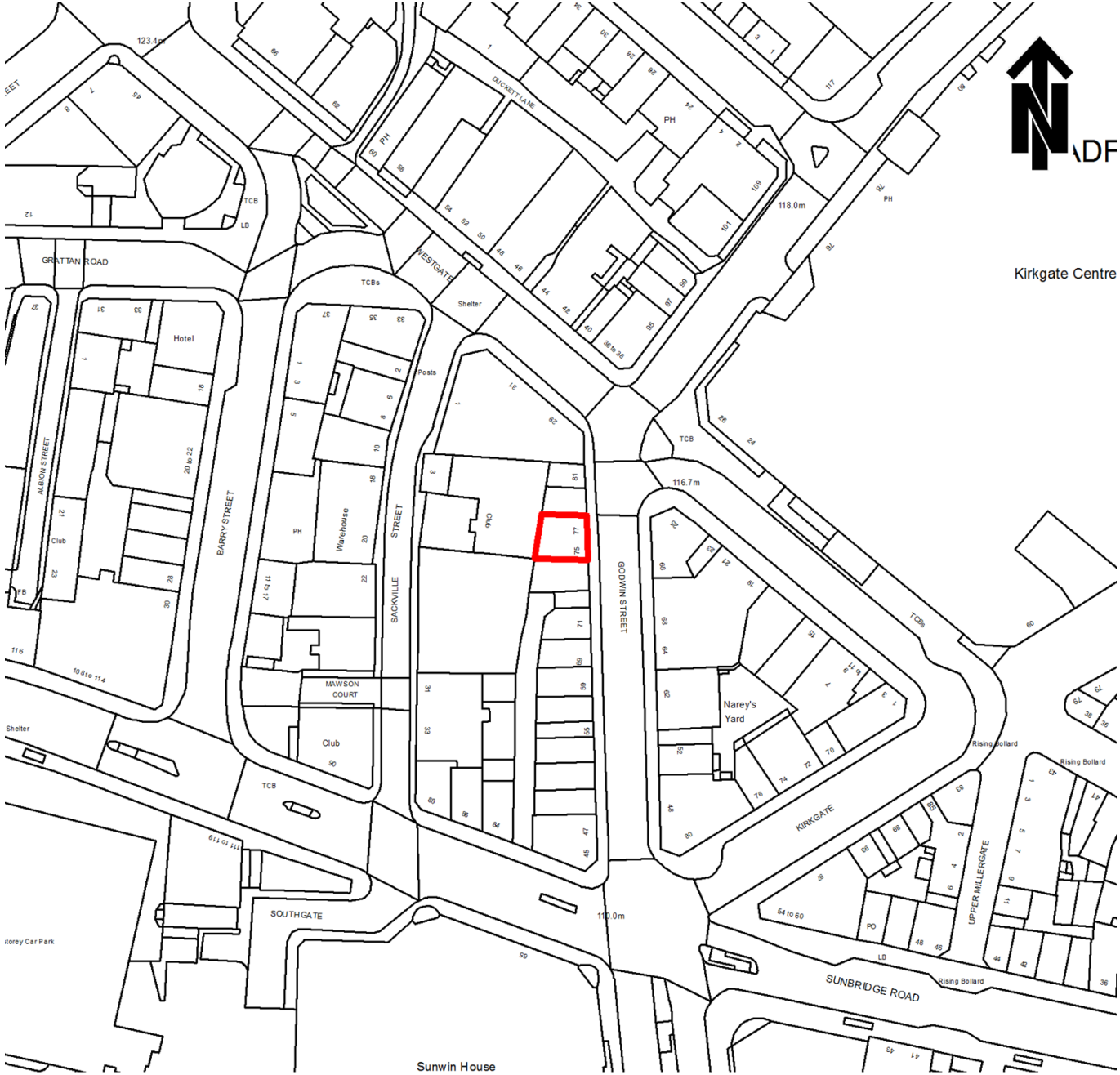
Letters have been sent to the owner/occupants of the property, requesting action to rectify the breach of planning control. Retrospective planning application reference 21/05958/HOU, seeking consent for the dormer as built, was refused by the council in January 2022. No appeal was lodged against the council's decision. To date, no further action has been taken by the owner to resolve the breach of planning control. The unauthorised dormer window remains in place and the breach of planning is unresolved.

On 1 June 2022, 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, by reason of its excessive width, and the use of non-matching upvc cladding on its principal elevation, forms an obtrusive feature on the host dwelling and within the local environment, causing significant detriment to the visual amenity of the local environment, contrary to Policies DS1, DS3, and SC9 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

21/00088/ENFUNA



Kirkgate Centre



1:1,250

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75 Godwin Street
Bradford
BD1 2SH

27 July 2022

Item Number: W
Ward: CITY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
21/00088/ENFUNA

Site Location:
75 Godwin Street Bradford West Yorkshire BD1 2SH

Breach of Planning Control:

Without planning permission, the installation of an externally mounted roller shutter and roller shutter box on the front elevation of the building on the land.

Circumstances:

In February 2021 the Council received an enquiry regarding alleged unauthorised external roller shutter.

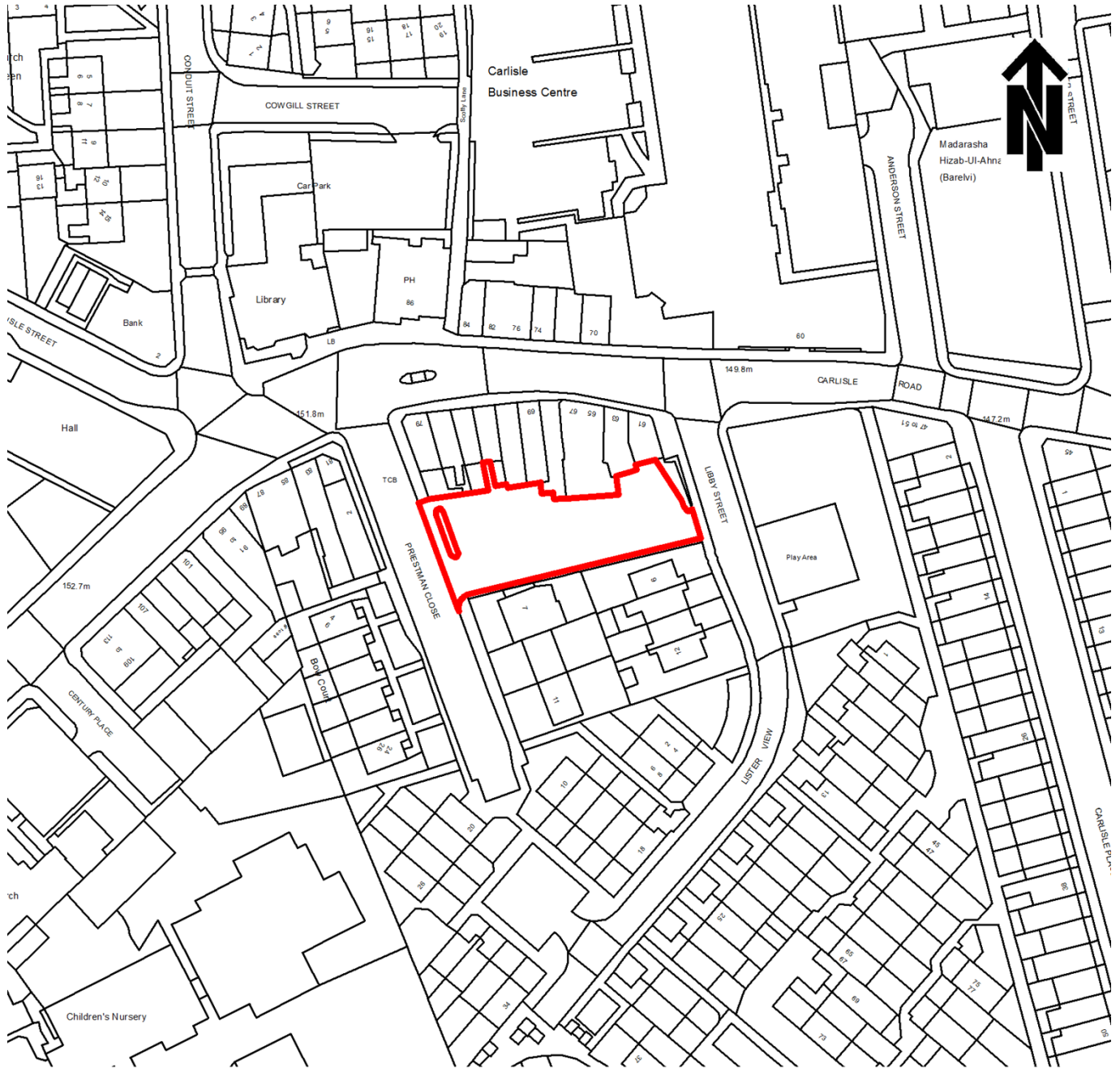
An inspection in June 2021 showed that an externally mounted solid roller shutter and shutter boxes have been installed to the front elevation of the property.

Letters have been sent to the owner/occupants of the property, requesting action to rectify the breach of planning control. To date, no action has been taken by the owner to resolve the breach of planning control. The unauthorised metal external roller shutter remains in place and the breach of planning is unresolved.

On 31 May 2022, the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised externally mounted roller shutter and shutter box have a detrimental, deadening effect on the premises and appear as a stark and discordant feature of this shopping street, causing an unacceptable level of harm to the character and appearance of the area, contrary to Policies DS1, DS3, and SC9 of the Council's adopted Core Strategy Development Plan Document, the Council's adopted Shopfront Design Guide, the Council's adopted A Shopkeepers Guide to Securing Their Premises Supplementary Planning Document and the principles of the National Planning Policy Framework.

The building is situated within the City Centre Conservation Area (article 2 (3) land). The unauthorised externally mounted roller shutter and shutter box detract from the character and appearance of the conservation area, causing significant harm, contrary to Policy EN3 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

20/01419/ENFUNA



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**Car Park Priestman Close
Off Carlisle Road
Bradford**

27 July 2022

Item Number: X
Ward: MANNINGHAM
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
20/01419/ENFUNA

Site Location:
Car Park Priestman Close Off Carlisle Road Bradford West Yorkshire

Breach of Planning Control:

Without planning permission, the siting of a metal container and associated canopy feature representing an unauthorised change of use of the land.

Circumstances:

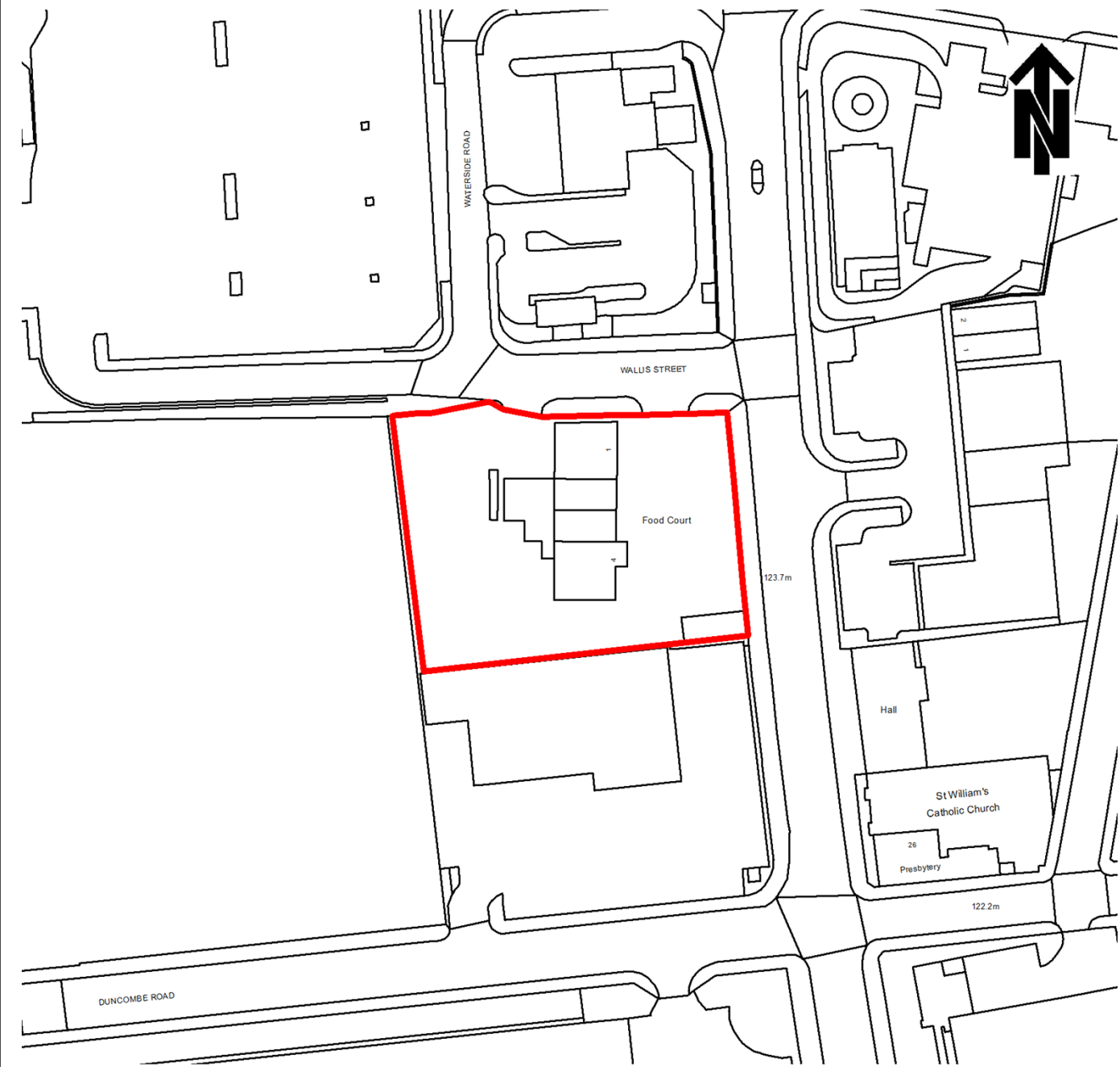
In October 2020 the Council received an enquiry regarding a metal container sited on the land being used as a café/for the service of food & beverages.

An inspection in March 2021 showed that an unauthorised metal container with associated canopy had been sited on the land. The container appeared to be in use as a chai café. The Council had no record of any consent being structure as built.

Letters have been sent to the owner/occupants of the property, requesting action to rectify the breach of planning control. There has been no action taken by the occupier or owner of the property in resolving the breach of planning control. The unauthorised metal container and associated canopy remains in place and the breach of planning is unresolved.

On 1 June 2022, the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised metal container and associated canopy feature represents a visually incongruous and prominent feature within the wider street scene and local environment. The design and appearance of the development is at odds with the character and appearance of the surrounding area, causing an unacceptable level of harm to the visual amenity of the local environment, contrary to Policies DS1, DS3, and SC9 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

20/00999/ENFUNA



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**Food Court
Ingleby Road
Bradford BD8 9AN**

27 July 2022

Item Number: Y
Ward: CITY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
20/00999/ENFUNA

Site Location:
Food Court Ingleby Road Bradford West Yorkshire BD8 9AN

Breach of Planning Control:
Unauthorised shelter structure.

Circumstances:
In July 2020 the Council received an enquiry regarding development works on the land.

An inspection showed that a timber shelter structure had been erected on the land adjacent to the west facing boundary, for which the Council had no record of planning permission having been granted.

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

On 10 May 2022 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised shelter structure is detrimental to visual amenity by virtue of its design and appearance and forms an incongruous feature on the land, 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.

19/00866/ENFCOU



f York
(PH)

ALLERTON ROAD

292.9m



1:1,250

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**Land East Of Junction
Back Lane & Allerton Road
Bradford**

27 July 2022

Item Number: Z
Ward: THORNTON AND ALLERTON
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
19/00866/ENFCOU

Site Location:
Land East Of Junction Back Lane & Allerton Road Bradford West Yorkshire

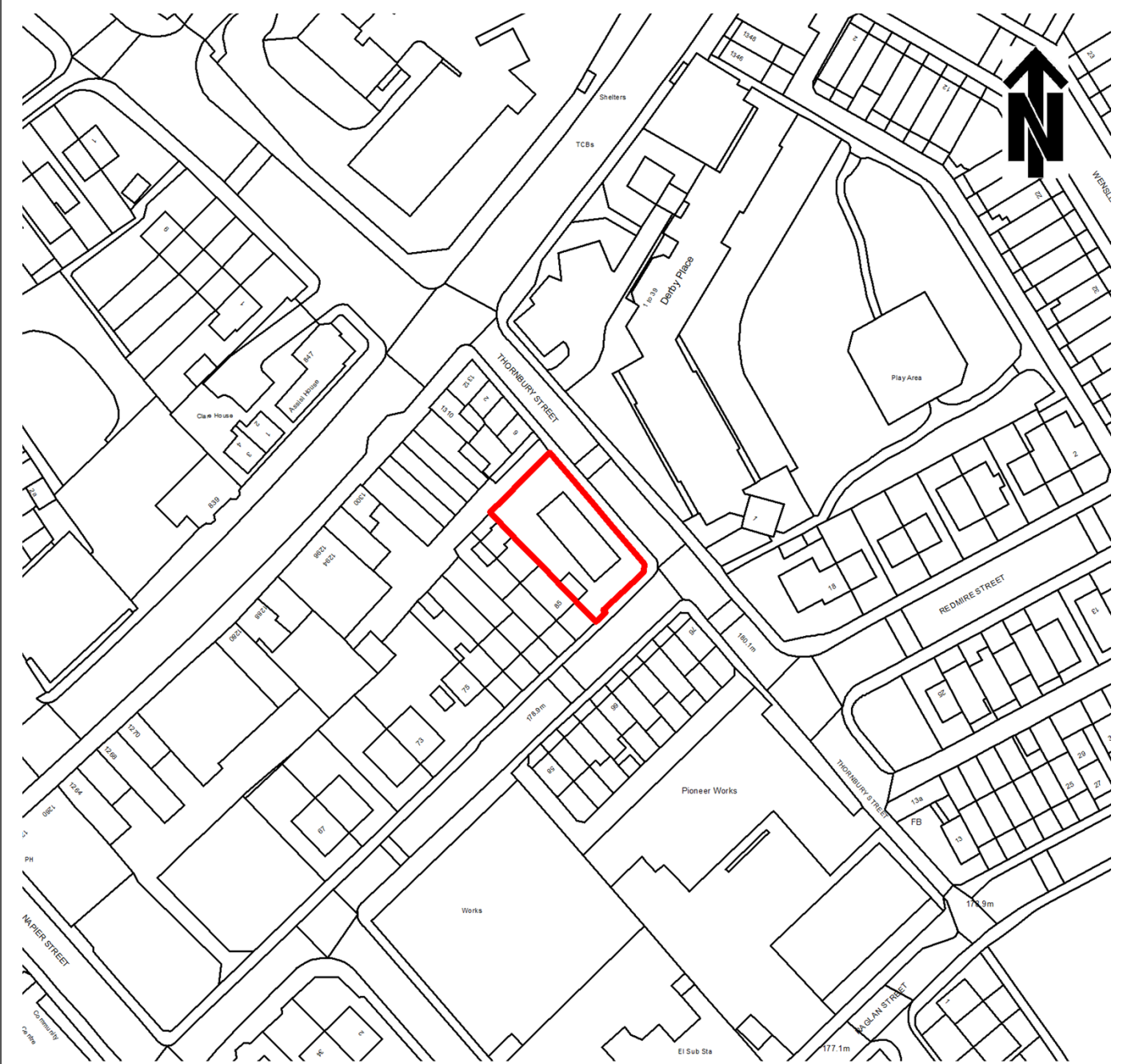
Breach of Planning Control:
Without planning permission, the siting of a static caravan.

Circumstances:
The Local Planning Authority received an enquiry regarding the above development. Despite a request from the Local Planning Authority to either remove the caravan or apply for planning permission, the caravan remains in situ and the matter remains unresolved.

It is considered expedient to issue an Enforcement Notice because the caravan constitutes inappropriate development in the Green Belt. In addition, it also results in a modest loss of openness and therefore also harms the essential character of the Green Belt.

The Planning Manager (Enforcement and Trees) authorised enforcement action on 31 March 2021 requiring the owner of the land to remove the static caravan and remove all arising materials from the land.

19/00054/ENFUNA



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The Bungalow
Thornbury Street Bradford
BD3 8LE

27 July 2022

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

Enforcement Reference:
19/00054/ENFUNA

Site Location:
The Bungalow Thornbury Street Bradford West Yorkshire BD3 8LE

Breach of Planning Control:
Unauthorised fencing and gates.

Circumstances:

In January 2019 the Local Planning Authority received an enquiry regarding the erection of new fencing and gates at the property.

An inspection showed that solid fencing, gates and posts exceeding 1.0 metre in height had been erected to the front and side boundaries of the property, for which the Council had no record of planning permission having been granted.

Retrospective planning application reference 19/04520/HOU for the fencing, gates and posts was refused by the Council in December 2019.

Planning permission reference 20/00795/HOU for boundary fencing of an alternative design was granted by the Council in April 2020.

Following the grant of planning permission, the owner was requested to rectify the breach of planning control, however no action has been taken and the unauthorised fencing, gates and posts remain in situ at the property.

On 30 May 2022 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised fencing, gates and posts are detrimental to visual amenity by virtue of their position, height and appearance, forming incongruous features on the land and within the street scene, contrary to Policies DS1 and DS3 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

DECISIONS MADE BY THE SECRETARY OF STATE

Appeal Allowed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
AB	Thornton And Allerton (ward 23)	6 Ollerdale Avenue Bradford BD15 9BQ Two storey and single storey side extension - Case No: 22/00463/HOU Appeal Ref: 22/00049/APPHOU
AC	Bowling And Barkerend (ward 05)	Cross Keys 465 Rooley Lane Bradford BD4 7SE Installation of internally illuminated 1 x 48 sheet freestanding digital advertising display unit - Case No: 22/00107/ADV Appeal Ref: 22/00040/APPAD1

Appeal Dismissed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
AD	Idle And Thackley (ward 13)	165 - 167 New Line Bradford BD10 0BN Appeal against Enforcement Notice - Case No: 20/01507/ENFLBC Appeal Ref: 21/00158/APPENF
AE	City (ward 07)	19 Hallfield Road Bradford Conversion of existing basement space to form a single self contained apartment - Case No: 21/03513/FUL Appeal Ref: 22/00013/APPFL2
AF	Queensbury (ward 20)	19 Overton Drive Bradford BD6 3NE Appeal against Enforcement Notice - Case No: 20/00792/ENFUNA Appeal Ref: 21/00128/APPENF

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
AG	Queensbury (ward 20)	19 Overton Drive Bradford BD6 3NE Appeal against Enforcement Notice - Case No: 20/00792/ENFUNA Appeal Ref: 21/00129/APPENF
AH	Queensbury (ward 20)	19 Overton Drive Bradford BD6 3NE Appeal against Enforcement Notice - Case No: 20/00792/ENFUNA Appeal Ref: 21/00130/APPENF
AI	Queensbury (ward 20)	19 Overton Drive Bradford BD6 3NE Appeal against Enforcement Notice - Case No: 20/00792/ENFUNA Appeal Ref: 21/00131/APPENF
AJ	City (ward 07)	2 - 4 Rawson Place Bradford BD1 3QQ Front and side internally mounted aluminium roller shutters - Case No: 21/03003/LBC Appeal Ref: 21/00148/APPLB2
AK	Thornton And Allerton (ward 23)	2 Canford Drive Bradford BD15 7AR Double storey side and rear extension with rear dormer window - Case No: 21/05823/HOU Appeal Ref: 22/00033/APPHOU
AL	Heaton (ward 12)	2A Rossefield Road Bradford BD9 4DA Change of use to lower ground floor to self contained flat - Case No: 21/06311/FUL Appeal Ref: 22/00030/APPFL2
AM	Idle And Thackley (ward 13)	369 Highfield Road Idle Bradford BD10 8RS Replacement windows to front elevation (retrospective) - Case No: 21/04936/LBC Appeal Ref: 22/00038/APPLB2

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
AN	Eccleshill (ward 10)	4 Moorside Road Eccleshill Bradford BD2 2EU Roof tiles replaced with concrete tiles which match adjoining properties (RETROSPECTIVE) - Case No: 21/03880/LBC Appeal Ref: 21/00161/APPLB2
AO	Thornton And Allerton (ward 23)	402 Thornton Road Thornton Bradford BD13 3LP Raised decking to front (Retrospective) - Case No: 21/00206/HOU Appeal Ref: 21/00138/APPHOU
AP	Bowling And Barkerend (ward 05)	81 Lister Avenue Bradford BD4 7QS Appeal against Enforcement Notice - Case No: 20/01352/ENFAPP Appeal Ref: 21/00154/APPENF
AQ	Little Horton (ward 18)	Car Park Clarges Street Bradford Cafe with external seating area (Retrospective) - Case No: 21/04186/FUL Appeal Ref: 21/00127/APPFL2
AR	City (ward 07)	Ground Floor Westgate House 12 New John Street Bradford BD1 2QY Installation of 4 x non illuminated advertisement banners of various dimensions and made from micromesh weave PVC - Case No: 21/05006/ADV Appeal Ref: 22/00007/APPAD1
AS	Bolton And Undercliffe (ward 04)	Land At Grid Reference 416637 434827 Bolton Road Bradford Construction of two storey detached residential dwelling with private garden (re-submission of 21/04128/FUL) - Case No: 21/06038/FUL Appeal Ref: 22/00043/APPFL2

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
AT	Thornton And Allerton (ward 23)	Lower Swain Royd Farm Wilsden Road Bradford BD15 9AD Demolition of existing garage and construction of detached dwelling (revised scheme to planning application no 21/01400/FUL) - Case No: 21/04100/FUL Appeal Ref: 22/00005/APPFL2

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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