

## Minutes of a meeting of the Area Planning Panel (Bradford) held on Wednesday, 7 September 2022 in Council Chamber - City Hall, Bradford

Commenced 10.00 am  
Concluded 12.10 pm

### Present – Councillors

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

Apologies: Councillor Julie Glentworth and Councillor Allison Coates

### Councillor S Hussain in the Chair

#### 8. DISCLOSURES OF INTEREST

In the interests of transparency, Amin Ibrar (Planning Officer) declared an interest in minute no. 12 and withdrew during determination of the application in accordance with Standing Order 44.

Action: Interim Director, Legal and Governance

#### 9. MINUTES

**Resolved –**

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

#### 10. INSPECTION OF REPORTS AND BACKGROUND PAPERS

No requests to inspect documents were received.

#### 11. PUBLIC QUESTION TIME

No public questions were received.

## **12. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL**

### **A. 20 Belmont Gardens, Bradford**

**Wyke**

This was a householder application for double storey extension to side and rear elevation plus change of roof pitch hipped to gable and loft conversion to include dormer window to front and rear elevation at 20 Belmont Gardens, Bradford. The semi-detached property occupied a site at the end of a narrow cul-de-sac, paired with number 22 Belmont Gardens.

Officers presented the application including photos of the property and street on which it sat as well as drawings showing the planned works. Officers explained how the application was deemed acceptable in planning terms, including the proposed parking areas and that it was recommended for approval.

A number of representations had been received and two objectors to the application attended the meeting and addressed the Panel to express the specifics of their objections. These are summarised below:

- Neighbouring garden would be in shade
- No additional parking for increased number of occupants
- The scale of the proposed dormer was not subservient to the host property (as per the Householder SPD)
- Could set a precedent and lead to multiple occupancies
- Consistency of decision making
- Emergency vehicle access

In response to the objectors, Officers advised the application was compliant with the Householder SPD and again showed the site plans and photos to support their assessment. The road on which the property sat was narrow but it was an inherent issue, there was no net increase in the number of bedrooms. There would be two extra bedrooms on the second floor with the rear dormers coming under permitted development. It was again explained why the application complied with the Householder SPD and was deemed as subservient. In terms of setting a precedent, if applications were compliant, this would be taken into account. The property is not for multiple occupancy use and would be for the residential use of the applicant. The property was not being extended excessively and would not be apparent.

The Highways Officer confirmed that parking was planned within the site and was acceptable.

A Ward Councillor attended the meeting and addressed the panel as an objector to the application and the points expressed are summarised below:

- The size and scale would make the property bigger than those nearby
- The plan represented over development
- Access issues as the cul-de-sac was narrow
- Change from a 3 to a 5-bedroom property with only 2 parking spaces

- Limited on-street parking, giving rise to highways safety concerns
- The nature of nearby parking facilities for residents
- Doesn't satisfy improvement of economic, social and environmental conditions of the area as in the NPPF
- Will be dominant and overshadowing
- Negative impact on the neighbours
- Manoeuvring problems for vehicles if turning circle at which the property was located was restricted

The Agent for the applicant was also present at the meeting and addressed the Panel in support of the application to answer objections and provide any necessary clarity. The points made are summarised below:

- The Agent had ensured that the application submitted was Household SPD compliant
- Aware of road layout
- Alterations were subservient to host property with no overshadowing
- Nearby properties were a mix of styles with some hipped, some hipped to gable and some with double extensions
- Car parking was included on site and would not be elsewhere
- Not a multiple occupancy – would be used as a family home (son was moving in with parent)
- 3 cars could easily be accommodated within the site

Members were then given the opportunity to ask questions or to comment on the representations. The questions/comments and the responses given are as below:

- A Member asked if there would be a loss of porous surface, was it proposed that it would be porous, could anything be added to conditions to specify this as a requirement? Officers advised that, if necessary a condition could be added stating that porous materials should be used.
- A Member asked if the 'wraparound' extension came under permitted development and what materials were to be used. Officers advised that permitted development covered rear extensions and side extensions – the 2 storey plan submitted took it beyond permitted development.
- A member commented that each application needed consideration on its own merits
- Members agreed that the road was small but there was nothing to suggest that it was not fully compliant
- All regulations were being met so no reason to object or overrule Officers' recommendations
- A Member said that they were happy to support Officers recommendations with the addition of a condition regarding porous materials being used for the parking facilities on site

**Resolved –**

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

**AND**

**Subject to the additional condition:**

***5. Before the development is brought into use, the off street car parking facility shown on the approved plans shall be provided with a porous surface or drained into a porous surface within the curtilage of the site. The parking facility shall thereafter be retained.***

***Reason: In the interests of highway safety and to accord with Policy TR2 of the Core Strategy Development Plan Document.***

**Action: Strategic Director, Place**

**B. Horton Grange Primary School, Bradford**

**City**

Application for new pedestrian entrance off Farnham Road including new gates, steps and retaining wall. Adjustments to existing fence line and new entrance signage to Horton Grange Primary School, Spencer Road, BD7 2EU.

Officers presented the application showing past and present access arrangements to the site, which had been altered due to safeguarding concerns with a neighbouring school with whom a previous access point was shared was closed off. Officers stated that it would not have been necessary to gain planning permission if the engineering works needed to address the change in levels on the site were not necessary. The new access point would likely be popular and would reduce the time that parents would be either on site or parked nearby as it facilitated access on the side of the school where there was none at present.

There had been a number of representations made and an objector attended the meeting and addressed the Panel stating the following points:

- That the Highways department were not in favour and still had concerns
- Safety outweighed reasons for new access point with potential for accidents and the impact on residents' amenity
- There were also pre-existing parking issues

The Agent and the applicant also attended the meeting and addressed the Panel with the following points:

- The site was a complicated one but it was understood why the shared access needed to be locked
- The entrance at the top of the site was not their land
- Understood safety concerns for children – the entrance would be staffed so children would be met there
- 750 children were trying to access the school through 1 entrance
- There were Health and Safety and Safeguarding risks as there had been

incidents of off-road vehicles driving on a pedestrian area immediately next to the existing entrance

- The new access would provide a safe and quicker drop-off/pick up
- The time parents were parking would therefore reduce
- Parking restrictions could be enforced
- Other entrances already existed on the same road
- Safeguarding concerns as vehicles coming through what was not supposed to be a vehicular access

Officers further stated that there was no increase in the number of pupils accessing the site and that the number of vehicles would not increase but would make the stopping time shorter and speed up the pick up/drop off. This busy period lasted for a short time each day during term time.

Members were then given the opportunity to ask questions or make comments, the details of which and the responses given are as below.

A Member asked whether it would be reasonable to include railings and why the access was not going all the way in. Did the application comply with DDA?

Officers advised that there was a ramp at the other entrance with the issue of land ownership to be considered. The application was on the school's land so they were compelled to take this option. Officers did ask whether the application would be refused without railings, as these could be added as a condition or resolved via the appropriate Area Committee. The applicant stated that they were happy to comply with Members wishes for the inclusion of railings.

Was there any accident data, details of fatalities? Officers advised that there had been no fatalities but the bend in the road did become congested. It was accepted that the conditions were not unique and the safeguarding concerns were noted.

The question of who would install railings and how it would be paid for was briefly discussed and it was agreed that the school would provide details of proposed railings for approval by Highways officers.

**Resolved –**

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

**AND**

**Subject to the additional condition:**

***4. Before the first use of the development hereby approved the safety railings on the edge of the footpath to the front of the new pedestrian access point on Farnham Road shall be installed on site in accordance with the approved drawings and retained thereafter.***

***Reason: In the interest of pedestrian safety at this school entrance and to comply with the National Planning Policy Framework.***

**Action: Strategic Director, Place**

**C. 29 Kirkham Road, Bradford**

**City**

This was a householder application for single storey rear extension at 29 Kirkham Road, Bradford.

The site was a natural stone built terraced dwelling, with natural slate roof and brown timber effect UPVC windows. The property was located in a residential area, within a row of terraced houses that shared a uniform design and appearance. The host house already had an extension to the rear as did the adjoining house at 27 Kirkham Road whereas the other adjoining house 31 Kirkham Road did not.

Officers presented the application which was recommended for refusal due to the impact on neighbour's amenity, for which an objection was received, but this was referred to the Planning Panel for determination at the request of the Ward Councillor who was supporting the application on health grounds of the applicant.

Recommendations had been received from Occupational Therapy that internal adaptations could be made with the details of these included in the report for the Panel's information.

Members did not submit any questions in relation to the presentation.

The Ward Councillor for the applicant attended the meeting and addressed the Panel to provide Members with additional information regarding the applicant's health conditions in support of the application.

The applicant suffered with obesity and was unable to walk properly with knee problems as well as previously having COVID 19. The applicant also prayed 5 times a day and was using the kitchen sink for toileting stating that going to a first floor bathroom was not feasible.

The Agent was also present and addressed the Panel stating that his client had limited mobility and echoed the views of the Ward Councillor.

Members were then given the opportunity to comment and ask questions, the details of which and the responses given are as below.

Members asked for clarification on whether a planning permission granted in 2019 was still valid as this had been identified during the Planning Officer's presentation when the history of planning was explained (as per the information contained in the report submitted). Officers stated that the planning permission was still valid as it could be acted upon within a 3-year period, ending in December of this year.

A Member asked how up to date the Occupational Health assessment was and was advised that it was carried out in June of 2022. Officers confirmed that Occupational Health was happy to support an internal conversion and the cost of an extension could be offset with a grant for the equivalent internal conversion

that would meet the medical needs as assessed.

A Member asked if the difference in the 2 related to access to the bathroom. Officers stated that it was the difference as an internal conversion would require going outside to access the bathroom.

A Member then asked if it was possible to amend the internal conversion to facilitate internal access to the bathroom and was advised and shown that this was possible.

The Chair commented that he had listened to the points made by the Ward Councillor and that the stairs would continue to be a problem and felt that his personal feelings led him to be in support of the application.

Other Members echoed the need for the preservation of the applicant's dignity and quality of life.

**Resolved –**

**That the application be approved as Members determined the applicant's special circumstances outweighed any harm to the amenities of the neighbouring properties.**

**Action: Strategic Director, Place**

**D. 7 Sowden Road, Bradford**

**Heaton**

This was a householder application for a two storey side extension, dormer window to the rear and two dormer windows to the front. Part single storey, part two storey rear extension, front porch and outbuilding in rear garden. Formation of driveway, drop kerb and associated landscaping at 7 Sowden Road, Bradford BD9 6JH.

The application site was a two storey semi-detached property that had red painted bricks at ground floor and white painted at first floor for its external walls and a red pantile roof. There were no other properties with two storey side extensions or dormer windows to the front. There were other properties which have various designs of single storey rear extensions.

Officers presented the application to the Panel with the plans provided by the Agent and included photos of the site and nearby properties and the street view. They also provided details of further information provided following the submission of the main report.

The application was recommended for refusal due to the size and nature of the proposal with details of the relevant policies and reasons being provided in the report submitted by Planning Officers. The application had received one objection and one letter of support from the Ward Councillor who requested that the application be determined by the Planning Panel if Officers were minded to refuse planning permission.

Officers clarified and explained how a previous extension had been approved as it

was permitted prior to the introduction of the Householder SPD.

The Ward Councillor attended the meeting and addressed the Panel stating that he was present to support his constituent and that conversations had taken place with Planning stating that there were limits to changes that could be made to reduce the size or layout and that the applicant needed the changes and could not move house.

The Agent for the applicant also attended the meeting and addressed the Panel stating that, in his opinion, the roof proposed was acceptable and that he had worked to reduce the size and make changes to materials. He also clarified some differences in size of the ground floor measurements. He then stated that a neighbouring property was also built up to its boundary and that the extra space was needed for a growing family and its needs. He also stated that there would be no loss of light as the affected neighbour's property area faced south. He then stated that the reasons for refusal were guidance rather than legislation. The applicant was permitted to share some photos of nearby properties in support of his request for the proposed extension.

Officers were then given the opportunity to respond to the points raised by both the Ward Councillor and the Agent. They clarified that the photos provided in their report were current and not 'googled' as suggested by the Agent and the only relevant extension was at No7 Sowden Road as others presented in the photos were not comparable. Amendments had been requested by the Planning Team but had not been submitted. They then explained the differences in gable and hip to gable roofs and what was allowed under permitted development as opposed to what was being requested. Officers further stated that in the event of an objection then the impact was considered on all neighbours. An objection from a neighbour had been received. They also stated that the intention of the Householder SPD was to be consistent.

Members were then given the opportunity to comment and ask questions, the details of which and the responses given are as below.

A Member asked about the materials to be used and stated that the roofline was out of character as well as whether the narrow gap would be an issue and if damp could arise as the buildings were in closer proximity. Officers advised that loss of light was a planning consideration but damp was not. The materials to be used were detailed in the submitted report and confirmed that there was potential harm to the garden and the roof plan submitted was contrary to policy.

A Member asked about the proposed out-building and Officers advised that it was of a suitable scale and presented no cumulative impact.

#### Member Comments

- The application was similar to another one determined by the panel due to the impact on a growing family and elderly relatives.
- There did not appear to be sufficient need to outweigh or breach planning policy



- An objection had been received from a neighbour and the side extension could be amended and still meet the family's needs so Members were minded to support Officers recommendations
- A Member also commented that the Householder SPD should be given the appropriate consideration and its significance not be minimised or dismissed by Agents and was also minded to support Officers recommendations
- The Chair then offered the applicant the option to withdraw the application as an alternative to potential refusal

**Resolved –**

**That the decision be delegated to Officers to refuse planning permission for the reasons set out in the Strategic Director, Place's technical report (Document "C") unless a formal request to withdraw the application is received by the end of Friday 9 September.**

***Action: Strategic Director, Place***

**13. MISCELLANEOUS ITEMS**

**Resolved –**

**That the requests for Enforcement/Prosecution Action and the decisions made by the Secretary of State as set out in Document "D" be noted.**

***Action: Strategic Director, Place***

Chair

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