

Agenda for a meeting of the Area Planning Panel (Bradford) to be held on Wednesday, 7 September 2022 at 10.00 am in Council Chamber - 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 Civic Reception Room 2 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:
<i>Disclosable Pecuniary Interests</i>	<i>Disclose the interest; not participate in the discussion or vote; and leave the meeting <u>unless</u> you have a dispensation.</i>
<i>Other Registrable Interests (Directly Related)</i> OR <i>Non-Registrable Interests (Directly Related)</i>	<i>Disclose the interest; speak on the item <u>only</u> if the public are also allowed to speak but otherwise not participate in the discussion or vote; and leave the meeting <u>unless</u> you have a dispensation.</i>
<i>Other Registrable Interests (Affects)</i> OR <i>Non-Registrable Interests (Affects)</i>	<i>Disclose the interest; remain in the meeting participate and vote <u>unless</u> the matter affects the financial interest or well-being (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 <u>only</u> if the public are also allowed to speak but otherwise not do not participate in the discussion or vote; and leave the meeting <u>unless</u> you have a dispensation.</i>

- (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 July 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 5 September 2022.

B. BUSINESS ITEMS

6. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL 1 - 26

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

The sites concerned are:

<u>Item</u>	<u>Site</u>	<u>Ward</u>
A	20 Belmont Gardens Bradford BD12 0HJ - 22/02958/HOU [Approve]	Wyke
B	Horton Grange Primary School Spencer Road Bradford BD7 2EU - 22/02388/FUL [Approve]	City
C	29 Kirkham Road Bradford BD7 2DJ - 22/02285/HOU [Refuse]	City
D	7 Sowden Road Bradford BD9 6JH - 22/02244/HOU [Refuse]	Heaton

(Mohammed Yousuf – 01274 434605)

7. MISCELLANEOUS ITEMS 27 - 42

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

	<u>No of items</u>
Requests for Enforcement/Prosecution Action	(5)
Decisions made by the Secretary of State - Allowed	(5)
Decisions made by the Secretary of State - Dismissed	(10)

(Mohammed Yousuf – 01274 434605)

Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 7 September 2022

C

Summary Statement - Part One

Applications recommended for Approval or Refusal

The sites concerned are:

<u>Item</u>	<u>Site</u>	<u>Ward</u>
A	20 Belmont Gardens Bradford BD12 0HJ - 22/02958/HOU [Approve]	Wyke
B	Horton Grange Primary School Spencer Road Bradford BD7 2EU - 22/02388/FUL [Approve]	City
C	29 Kirkham Road Bradford BD7 2DJ - 22/02285/HOU [Refuse]	City
D	7 Sowden Road Bradford BD9 6JH - 22/02244/HOU [Refuse]	Heaton

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

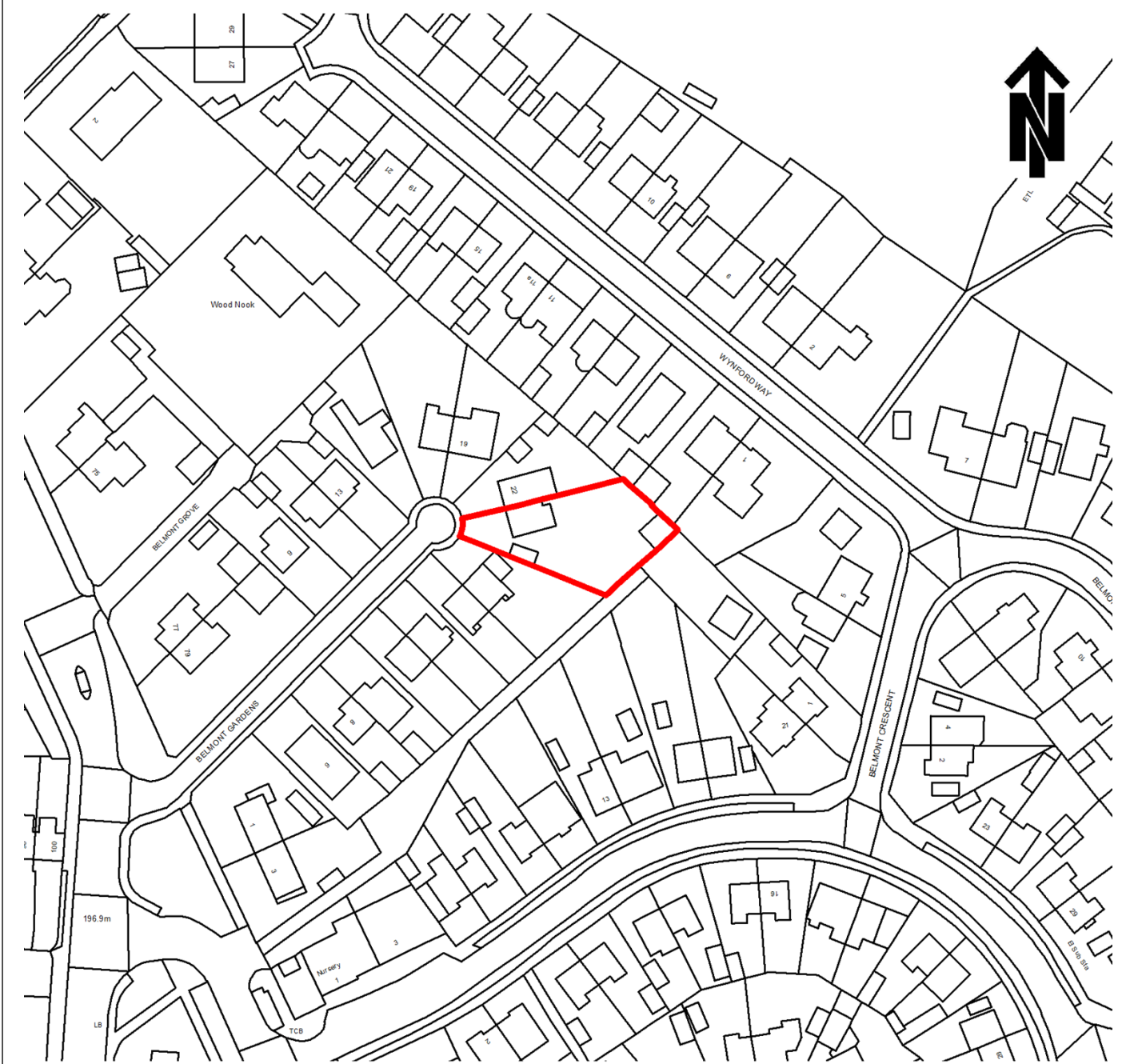
Report Contact: Mohammed Yousuf
Phone: 01274 434605

Email: mohammed.yousuf@bradford.gov.uk

Portfolio:
Regeneration, Planning & Transport

Overview & Scrutiny Committee Area:
Regeneration and Environment

22/02958/HOU



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**20 Belmont Gardens
Bradford
BD12 0HJ**

7 September 2022

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

Application Number:
22/02958/HOU

Type of Application/Proposal and Address:
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.

Applicant:
Mr A Khan

Agent:
Vangaard D&A Ltd

Site Description:
The application site is a two-storey semi-detached house with ground floor stone and first floor is of render. The site is at the end of a very narrow cul-de-sac. The semi pair No 22/20 angle onto this cul-de-sac. There is a side detached garage which would be displaced by the proposed extension. No 22 have a rear extension.

Relevant Site History:
22/02960/PNH Construction of single storey rear extension of the following dimensions:
Depth of proposed extension from rear wall of original dwelling house: 6.00 metres.
Maximum height of proposed extension: 4.00 metres Height to eaves of proposed extension: 3.00 metres – Application withdrawn.

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
TR2 – Parking Policy
DS5 - Safe and Inclusive Places

Other Relevant Legislation

Householder Supplementary Planning Document (SPD)

Parish Council:

Not applicable.

Publicity and Number of Representations:

This application was publicised with neighbour notification letters. The publicity period expired on 31 July 2022. Eight objections have been received which include a Cllr request for determination by the Planning Panel if officers are minded to approve the application.

Summary of Representations Received:

Objections:

- Overbearing/overshadowing/loss of light.
- Loss of outlook.
- Out of keeping. Over-dominating.
- Integrated extension is proposed and contrary to design principle 1.
- Within 7m boundary contrary design principle 2. Loss privacy.
- Insufficient off-street parking. Highway safety risks. Access issues.
- Access for emergency vehicles.
- Potential damage during construction.
- Applicant gaining healthy return.
- House to be used for single room letting.

Consultations:

None required.

Summary of Main Issues:

1. Impact on the Local Environment.
2. Impact on Neighbours.
3. Impact upon Highway Safety.
4. Other Issues Raised in Representations.

Appraisal:

1. Impact on the Local Environment

(i) Roof alterations and Dormers

The proposed front dormer is in compliance with Design Principles 4 and 6 of the Approved Householder SPD. It is 3m wide and set at least 0.75m to the common boundaries. The proposed roofing profile (a change from hip to a gable) would appear unsymmetrical to the neighbouring property however this benefits from permitted development rights granted to householders and so does not require planning permission.

(ii) Side extension

The drawings show the proposed extension sufficiently set back from the front wall of the original house when combined with the corresponding drop in the roof line and the width of the extension being less than two thirds the width of the host dwelling this makes the making the extension appear subservient. The extension is also mostly set away from the side boundary by over 1m, thus avoiding a potential terracing effect with No 18 Belmont Gardens.

(iii) Rear Extension

The rear extension is considered to be in keeping with the character, scale, design along the street scene with matching use of materials with the host dwelling. This approach is acceptable under Design Principle 1 and 4 of the Householder SPD.

Overall the proposal complies with Policies DS1 and DS3 of the Core Strategy DPD and with the Council's approved Householder SPD in regards to its impact on the local environment.

2. Impact on Neighbours

The proposed rear single storey element would have a depth of 3 metres. This element is considered acceptable under the limits set out in the Householder SPD. The first floor element does not project beyond a 45 degree line taken from the edge of the nearest habitable window of the adjacent houses which in this case are No 22 and No 18 Belmont Gardens. 7m to the rear boundary is achieved. Therefore, the proposal complies with Policy DS5 of the Core Strategy DPD and the Council's approved Householder SPD.

3. Impact on Highway Safety

Whilst parking would be lost (garage displaced) there are still 2 off-street parking spaces available at the front of the house as demonstrated on the submitted plan. This is in line with the Council's normal requirements and so no harm to highway safety is anticipated.

4. Other Issues Raised in Representations

Integrated extension is proposed and contrary to design principle 1.

Response - agree integrated approach not accepted in this location however a subservient approach, as proposed, is accepted.

Within 7m boundary contrary design principle 2. Loss privacy.

Response - this requirement is met within the generous depth of the rear curtilage.

Potential damage during construction.

Response- this is a civil matter between the Parties concerned should this occur.

Applicant gaining healthy return.

Response - not a material planning consideration.

House to be used for single room letting.

Response – No change of use is proposed in this application so the dwelling can only be used within the C3 use class.

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 that any issues with regard thereto are raised in relation to consideration of this application.

Reason for Granting Planning Permission:

The proposal is not considered to be harmful to residential amenity, visual amenity or highway safety and is therefore considered to comply with policies DS1, DS3, DS4 and DS5 of the Council's Core Strategy DPD and the Council's Householder SPD.

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 shall accord with the plans listed below:

Existing and proposed plans referenced BC(0)2 received on 01.07.2022
Existing and proposed plans referenced BC(0)3 received on 01.07.2022
Existing and proposed plans referenced BC(0)4 received on 01.07.2022
Existing and proposed elevations referenced BC(0)5 received on 01.07.2022
Existing and proposed elevations referenced BC(0)6 received on 01.07.2022
Location plan referenced BC(0)01 received on 01.07.2022

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

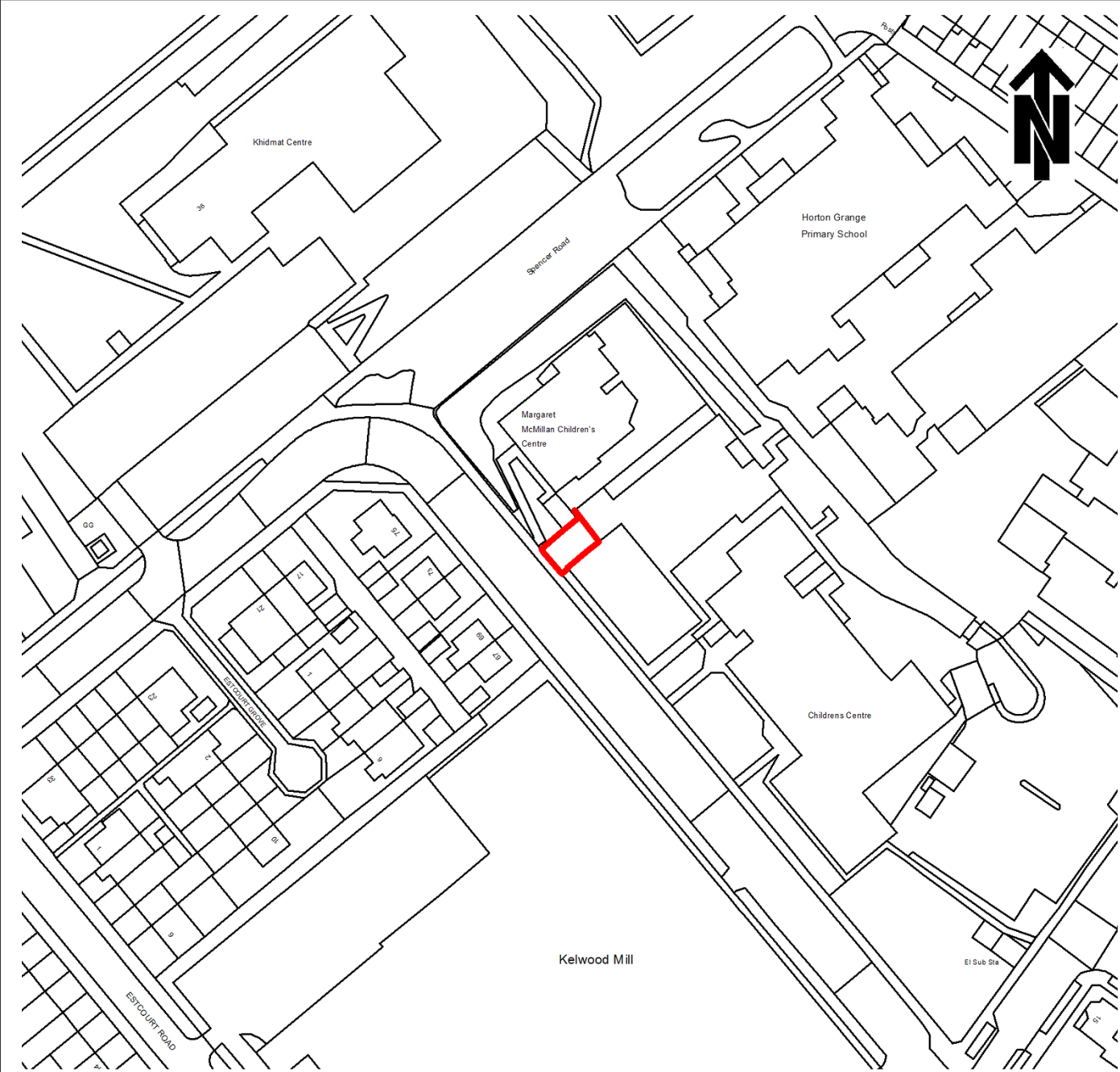
3. The extensions hereby approved shall be constructed of facing and roofing materials to match the host building as specified on the submitted application.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies DS1 and DS3 of the Council's Core Strategy.

4. All the cheeks of the dormers hereby permitted and the surround cladding to the rear dormer shall be constructed of tiles to match the roofing of the host application building.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with complies with Policy DS1 and DS3 of the Council's Core strategy.

22/02388/FUL



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**Horton Grange Primary School
Spencer Road
Bradford BD7 2EU**

7 September 2022

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

Application Number:
22/02388/FUL

Type of Application/Proposal and Address:
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.

Applicant:
Rebecca Marshall

Agent:
Mr Steve Pexton

Site Description:
The application site forms part of Horton Grange Primary School with the main school building located to the rear of Margret Macmillan Nursey School on Farnham Road. The site sits adjacent to Farnham Primary School to the south east and there are residential dwellings North/Northeast on Waverly Road with Spencer Road running along the West and Northwest boundary. Current pedestrian access into the school is off Spencer Road and there is vehicular access off Stratford Road shared with Farnham Primary School but this access is not used during the school day.

Relevant Site History:
No directly 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

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application was advertised by individual neighbour notification. The publicity expired on 10.07.2022. 50 objections have been received.

Summary of Representations Received:

Objections:

- Nowhere to park for nursery users.
- Children's safety issues.
- Older children intimidate younger children; safeguarding issues.
- Older children and their families pose a threat to the younger children of the nursery.
- The entrance gate opens onto the main road.
- The new entrance is too close to the nursery.
- The road bends and Children crossing the road will not be seen visibly by oncoming traffic.
- Road is already used as a rat run.
- Spencer Road should be fully opened up to cars to drop of the children.
- The access will clash with the nursey access and cause health and safety issues.
- The football traffic will shift from Spencer Road to Farnham Road causing traffic congestion outside the only fire exit to the nursery.
- Drainage issues from this current access and water siting on the playground.
- Parents park on the yellow lines when dropping off children.
- Contractors noise and disturbance affecting the running of the nursery.
- Parking is bad enough at the best of times.
- Existing access should be used which are only 50yards/40 metres away; why can't this access continued to be used.
- Dangerous and not practical.
- Safety concern cars illegally parked.
- Road becomes gridlocked at busy times making it difficult for emergency vehicles.
- Increase in noise pollution.
- Increase in litter.
- Increase in air pollution.
- Increase in flooding.
- Parked cars and drives are already blocked on this road.
- If these plans go ahead I will make sure I take these to court as I fear for the children's safety, we have had enough deaths outside schools due to heavy traffic.
- The school are happy to put our children and their school children at risk.
- Heavy congested parking with vehicles being double parked.
- Parking will move from Spencer Road onto Farnham Road which is already congested.
- It's only a matter of time before a fatal traffic accident occurs.

Consultations:

Highways – No objections subject to officer evaluation that the benefits cited by the school/agent outweigh the highway concerns.

Summary of Main Issues:

1. Principle of Development.
2. Impact on Residential Amenity.
3. Impact on Visual Amenity.
4. Impact on Highway Safety.
5. Other matters.

Appraisal:

1. Principle of Development

Background:

Horton Grange Primary School has two existing pedestrian access points for parents, pupils and staff, one from the end of Spencer Road (also accessible from Farnham Road) and the other from Stratford Road. Historically Horton Grange Primary School shared the entrance point off Stratford Road with Farnham Primary School but this entrance is not used during the day by Horton Grange Primary School. This is to support Farnham Primary School with their safeguarding procedures throughout the school day.

There are currently two pedestrian access points within 40m of each other on Farnham Road serving Margaret McMillan Children's Centre (to the north) and Farnham Road Children's Centre (to the south). The current proposal seeks to introduce a third pedestrian access point between the two existing ones, sitting adjacent to Margaret McMillan Children's Centre and this would serve Horton Grange Primary School. Historical maps dated 2003, show that there has been a pedestrian entrance on the site where the current access is proposed but was later blocked off.

Proposal and Principle:

The proposals relate to the construction of a new pedestrian access off Farnham Road including new gates, steps and retaining wall, adjustments to existing fence line and new entrance signage. The site is not protected for any particular purpose and so the principle of the development is considered to be acceptable subject to its local impact.

2. Impact on Residential Amenity

No residential properties adjoin the site at the location of the fence/gates, and considering that there are existing fences at this location, there is no concern that the proposal would cause any harm to residential amenity at this stage. Any additional disturbance at school pick up and drop of times is likely to be short lived and is unlikely to be significantly greater than the existing situation. There is no conflict with policy DS5 of the Core Strategy.

3. Impact on Visual Amenity

The proposal consists of a new pedestrian access off Farnham Road. As part of the proposals there will be double entrance gates which will open into the school and will cover a width of approx. 4.10 metres creating a new walkway and steps into the playground area. The external alterations will not result in any significant impacts on the character of the existing buildings or the street scene due to the gates being similar in design to the existing fence and gates fronting Farnham Road.

4. Impact on Highway Safety

Initial response from the highways officer raised concerns with the proposals in that Farnham Road already experiences traffic issues associated with the drop-off and pick-up of children attending the children's centres and primary school. Any benefits gained from having a new pedestrian link from Farnham Road to Horton Grange Primary i.e. a shorter walking distance, would not outweigh the safety concerns raised by a likely increase in parking on Farnham Road from parents finding it easier and more convenient to use this new entrance as opposed to either of the existing ones. Therefore, concluding that the proposal is likely to lead to an increase in on-street parking on or close to a sharp bend on Farnham Road, where parking associated with the two children's centres and primary school already takes place, further exacerbating existing parking issues and increasing pedestrian and highway safety concerns.

Following this response, the applicant provided additional information explaining that the school only has one entry/exit point off Spencer Road which is used by 752 pupils, teachers, staff and parents at any one time during the mornings and afternoon which poses significant health, safety, and safeguarding concerns as well as issues for families with punctuality, particularly those who then need to drop siblings at other schools. Historically Horton Grange Primary School shared the entrance point off Stratford Road with Farnham Primary School but this entrance is not used during the day by Horton Grange Primary School. This is to support Farnham Primary School with their safeguarding procedures throughout the school day. As a result of this change the school now faces the issue of ensuring the safety of children, parents, and families via one entry/exit point. The application would seek to ensure the safe access and egress of Horton Grange's pupils twice daily and throughout the school day.

In light of the above information the highways officer has revised the initial comments whereas some concerns still remain, in that the proposal is likely to lead to additional parking taking place close to the proposed entrance on Farnham Road and this application should only be approved if officers consider the benefits cited by the school/agent outweigh the highway concerns likely to be raised by the impact of the additional traffic resulting from the creation of this new access.

A significant number of objections have been received with regards to the effect on highway safety and the implementation of the proposal would result in an increase of traffic and road safety issues as well as safeguarding issues. The users of the applicant school would be children between the ages of 5 to 11 where majority would be accompanied by an adult. As a result of the proposals it is envisaged that the current school drop off points would become more evenly dispersed, may lead to a reduction in drop off times and there would not be an increase in vehicle trips as car users will remain the same. Furthermore, it is noted that the school does not have a road immediately adjacent to its main pedestrian entrance and the nearest parking spaces are on Farnham Road and Spencer Road. Consequently, the number of additional vehicles is unlikely to be significant and whilst there may be some parents stopping their vehicles as close to the new entrance as possible there are existing signs and road markings which seek to prevent parking in the vicinity of the proposed entrance. It is also noted that the roads would be busiest at the school pick-up and drop-off times that typically last 15-30 minutes in the morning and afternoons. This is to be expected close to large schools and is not dissimilar to other school sites across the country.

Whilst, it is acknowledged the entrance point sits close to the entrance at Margaret McMillan Children's Centre which would be most affected by the proposals. The users of this centre would most likely attend at different times during the day.

Overall the benefits to the operation of this large school are significant and the wider public benefits are considered to outweigh any limited harm to highway safety that would be caused by the proposal. The proposals are considered to be acceptable in regards to its impact on highway safety.

5. Other matters

Objections have been received with regards to the effect on highway safety and safeguarding of children which has been addressed within the body of the report.

The proposal replaces an existing hardstanding so is unlikely to result in any greater build-up of water. Other matters raised such as flooding can be addressed via condition, ensuring a permeable surface is used to sufficiently drain the area, thus preventing water build up.

It is considered that there would not be any increase in litter, noise and air pollution than the existing situation. Bullying of young children at the adjacent nursery by older school age children is not a material planning consideration.

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 that any issues with regard thereto are raised in relation to consideration of this application.

Reason for Granting Planning Permission:

The proposed new pedestrian access and associated works are considered to relate satisfactorily to the character of the area. The impact of the proposal upon the occupants of neighbouring properties has been assessed and representations received have been considered and would not affect their residential amenity and highway safety. As such this proposal is considered to be in accordance with Policies DS1, DS3, DS4 and DS5 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 approved shall only be carried out in accordance with the approved plans listed below:-

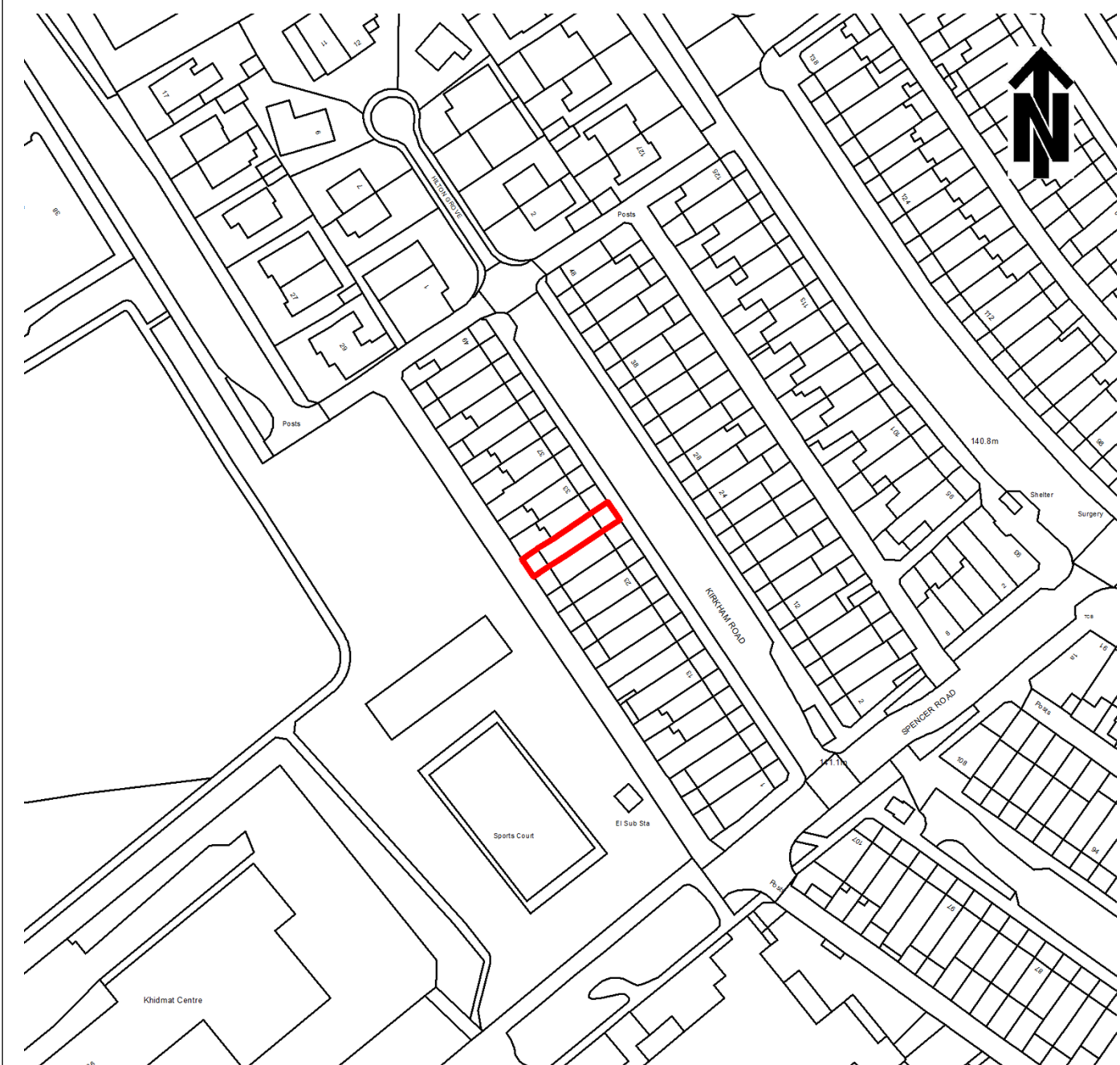
- Location Plan referenced 022020-100 received by the Council on 30.05.2022
- Existing Site Plan referenced 022020-101 received by the Council on 30.05.2022
- Proposed Site Plan referenced 022020-110 received by the Council on 30.05.2022
- Existing front entrance 3D views 022020-102 received by the Council on 30.05.2022
- Proposed front entrance 3D views 022020-111 received by the Council on 30.05.2022

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

3. The hardstanding areas should be constructed with a permeable surface or drain into a permeable area.

Reason: To ensure the use of appropriate materials in order to prevent the build of water and to comply with Policy DS5 of the Core Strategy Development Plan Document.

22/02285/HOU



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**29 Kirkham Road
Bradford
BD7 2DJ**

7 September 2022

Item: C
Ward: CITY
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
22/02285/HOU

Type of Application/Proposal and Address:
Single storey rear extension at 29 Kirkham Road, Bradford.

Applicant:
Mr Mohammed Najib

Agent:
Mr Shuaib Khan

Site Description:

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

Relevant Site History:

93/04065/FUL Extension to dwelling to provide enlarged kitchen GRANT 25.02.1994
18/02395/HOU Single storey extension to the rear REFUSE 25.07.2018
18/03898/HOU Construction of a single storey rear extension for a disabled bathroom REFUSE 19.10.2018
19/01672/HOU Single storey rear extension REFUSE 10.05.2019
19/04529/HOU Single storey rear extension for a bathroom for a disabled person GRANT 12.12.2019
22/00972/PNH Construction of single storey rear extension of the following dimensions:-
Depth of proposed extension from rear wall of original dwelling house: 5.7m, Maximum height of proposed extension: 4.0m,
Height to eaves of proposed extension: 3.0m – PRIOR APPROVAL REFUSED 04.04.2022

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

Other Relevant Legislation

Householder Supplementary Planning Document (SPD)

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application was publicised with neighbour notification letters. The publicity period expired on 22.06.22 and one objection and one support comment have been received. The support comment is from a Ward Councillor who asks for determination by the Area Planning Panel if officers are minded to refuse the application.

Summary of Representations Received:

One objection received on the following grounds:

- Overshadowing/loss light/intrusive due to size and roof design.
- Previous refusals.
- Already have an approval 19/04529/HOU.
- Out of character in street.
- Effect on health/wellbeing.

One supporting letter received from a Ward Councillor on grounds: Applicant has specific health need for the proposed development.

Consultations:

Occupational Therapy - The department have assessed and made recommendations where internal adaptations are feasible involving the removal of the internal bath and replacing with level access showering facilities. The proposal, as submitted, would off-set costs for a ground floor bathroom extension.

Summary of Main Issues:

1. Proposal.
2. Planning History.
3. Impact on the Local Environment.
4. Impact on Neighbours.
5. Disability consideration.

Appraisal:

1. Proposal

This is an application for the construction of a single storey rear extension with a depth of 2.7m (attached to an existing 3m deep extension) at 29 Kirkham Road, Bradford. It would have a mono-pitched slate roof. The extension would accommodate a bathroom and an extension area to an existing kitchen. The extension would comprise of natural stone for the walling and blue slate for the roofing.

2. Planning history

Regard is given to a number of previous applications for rear extension refused on grounds of impact on neighbours and visual amenities due to scale. It should also be noted a scheme has been approved under 19/04529/HOU which proposed a similar extension but which was set off the boundary with 29 Kirkham Road. This was of a scale which would not be harmful to visual and residential amenities.

3. Impact on the Local Environment

The proposed extension is single storey, designed with a mono-pitched slate roof. It would have a depth of 2.7m which sits beyond the existing 3m deep lean-to rear extension and will be constructed of natural stone to match the host dwelling. A number of properties have been extended on this street but these are generally in the form of single storey 3m deep extension.

The proposed extension will be constructed of matching walling materials and window fittings, with a mono-pitch roof feature. The extension will be visible from public view within a service road that runs behind the terraced row.

The depth of the extension is reduced from those extensions which have previously been refused. As such the scale of the proposal will not represent a visually harmful feature and will not cause significant detriment to the visual amenity of the surrounding area.

The proposed extension will not cause any substantial harm to the visual amenity of the local environment. The proposal will comply with policies DS1 and DS3 of the Core Strategy Development Plan Document and the adopted Householder Supplementary Planning Document.

4. Impact on Neighbours

The neighbouring property, 27 Kirkham Road, is located south east of the application site and currently has a 3m deep single storey rear extension in situ. The proposal will extend to a net depth of 2.7m beyond the rear elevation of the No 27's extension. Despite the large scale of the overall extensions in terms of residential amenity the proposal is considered to be acceptable. Therefore, the impact upon this neighbour is acceptable given the net projection does not exceed 3m.

The other adjoining house, 31 Kirkham Road, is northwest of the proposed development. This house does not have additions to the rear elevation. As a result of the proposal the net depth relative to this house would be 5.7m which exceeds the limits of 3m set out by Design Principle 3. This will result in a loss of outlook for the occupants of this address as it will create a dominant form, reducing levels of light, all to the detriment upon the amenity of these occupants in this adjoining house.

5. Applicant's Special Circumstances

With regards to the 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. As such consideration has been given to section 7 of the Householder SPD which allows relaxation of other policies in circumstances where it is necessary to meet the needs of a person of physical or mental disability.

It has not been demonstrated that other solutions including internal solutions as assessed by Occupation Therapy are not possible. Indeed, it has been demonstrated that an external extension, albeit slightly smaller, is possible as approved under the application reference 19/04529/HOU.

It is not considered that there is sufficient justification to override adopted planning policies and guidance.

Community Safety Implications:

There are no apparent community safety implications.

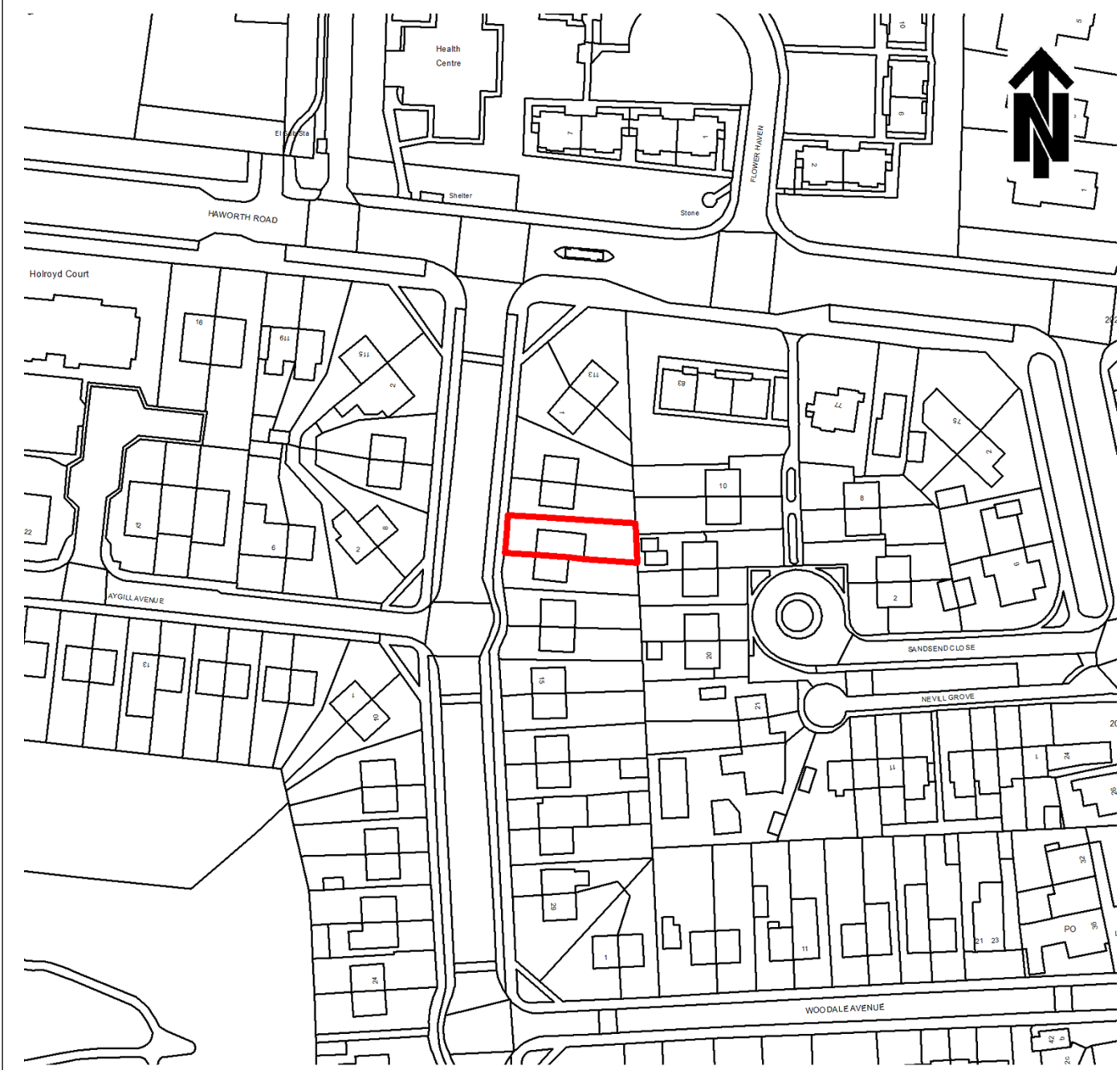
Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. The application making provision for a disabled person is noted. The issue of meeting the needs of Applicant, suffering from disabilities, has been discussed and assessed in the body of this report.

Reasons for Refusal:

1. The proposed extension would be contrary to Policy DS5 of the Core Strategy Development Plan Document for Bradford and guidance contained within the Council's adopted Householder Supplementary Planning Document (Design Principle 3) as the proposed extension by virtue of its scale would have an adverse impact on the amenities of the occupants of 31 Kirkham Road by reason of loss of light, harm to outlook and the overbearing impact.

22/02244/HOU



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**7 Sowden Road
Bradford
BD9 6JH**

7 September 2022

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

Application Number:
22/02244/HOU

Type of Application/Proposal and Address:

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.

Applicant:
Mr Zaman

Agent:
Mr Michael Ainsworth

Site Description:

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

Relevant Site History:
None.

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

Other Relevant Legislation

Householder Supplementary Planning Document (SPD)

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application was publicised with neighbour notification letters. The publicity period expired on the 16.05.22 and two representations were received.

Summary of Representations Received:

Two representations have been received one supporting the application and the other objecting to the application.

The supporting representation was received from a Ward Councillor who stated that:

“My constituents require the extra room as they are a growing family. The plans are in line with regulations and they will not affect the street scene. There are other similar extensions in the vicinity. Should officers be minded to refuse then I request the matter is referred to the panel for full consideration”.

Objector raised the following issues:

Obstruct views from windows of neighbouring properties and will be too close to the house. In the future if the neighbour had to extend their property the same way in height and width, the houses will be joined together and would not leave any space from the side of their property to go to the back garden.

Consultations:

Drainage – No objections.

Summary of Main Issues:

1. Principle of the development.
2. Impact on visual amenity and the character and form of the area.
3. Impact on residential amenity.
4. Impact on Highway Safety.

Appraisal:

1. Principle of the development

The application is for a two storey side extension, dormer to the rear and two dormers to the front. First floor rear extension, rear single storey extension, front porch and outbuilding in rear garden. Formation of driveway, drop kerb and associated landscaping at 7 Sowden Road Bradford West Yorkshire BD9 6JH

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

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

(i) Dormer Windows

The Householder SPD allows for dormer windows to be no greater than 3m in width. The application proposes two dormer windows to the front elevation. One of which is to be located on the existing roof which measures 3.5m in width. The other is located on the two storey side extension which measures 1.2m in width. Both front dormers provide sufficient space to their sides and between them to not appear overly dominant on this roof. The agent was requested to provide amended plans for a reduced size of the large dormer window to a total width of 3m. No amended plans were submitted.

The Householder SPD states that front of the dormer shall only contain the window frame and cladding shall be restricted to its cheeks. Cladding is present on the front of both of the front dormer windows. The agent was requested to provide amended plans to remove the cladding from the front elevation as the window frame should only be present and the cladding needs to be restricted to its cheeks only. No amended plans were submitted.

The Householder SPD states that cladding of dormers shall match the roof materials of the existing dwelling. The submitted plans indicated that the cladding to all three dormers (two to the front and one to the rear) are to be UPVC cladding. This is not in accordance with the householder SPD as the cladding needs to be matching material to the existing roof. The agent was requested to provide amended plans to change the material but no amended plans were submitted

The proposed rear dormer window is not considered to be permitted development as the amount of alterations to the roof through the two storey side extension, front and rear dormers results in a total volume which exceeds the maximum additional volume allowed before planning permission is required. The rear dormer window therefore requires planning permission and will be considered against the Householder SPD guidance.

The Householder SPD says that dormer windows should be no greater than 3m in width and have at least a 0.75m gap to the side boundaries of the roof and should have no cladding to the front. This proposed rear dormer is not in accordance with the design guidance. The proposed rear dormer exceeds the 3m width and covers most of the rear roof plane – being integrated with the two storey side and rear extension. The rear dormer is an over dominant feature which is not in compliance with the Householder SPD. If the rear dormer window was to use materials of a similar appearance to the existing roof the proposal would look less dominant and could then be supported. The agent was requested to provide amended plans to change the materials but no plans were submitted. Consequently, the proposed rear dormer due to use of inappropriate materials is considered to be visually unacceptable and the harm is exacerbated by its size large size and width.

The proposed two front dormer windows due to their excessive width, cladding and materials used are considered to create incongruous features that are harmful to the character and appearance of both the existing dwelling, present street scene and character and form of the surrounding area. The proposed rear dormer window due to the combination of its inappropriate facing materials and its size is considered to create an incongruous feature to the host dwelling. The proposal therefore fails to accord with Policies DS1 and DS3 or the Core Strategy DPD, The Householder SPD and the NPPF.

(ii) Two storey side extension

The Householder SPD requires that two storey side extensions provide a 1m set back with corresponding drop in the roof height. The roof and the ground part of the two storey extension provides no set back but there is 1m set back at first floor level causing a roof overhang at first floor level. Further to this the Householder SPD requires two storey side extensions to provide a 1m gap between the extension and side boundary to prevent a terracing effect from occurring. The proposal does not do this as it provides a gap between 0.19m from the front wall of the existing dwelling to 0.46m to the rear wall of the existing dwelling. The agent was requested to provide amended plans to provide a 1m set back with a lowered corresponding roof and 1m gap to the side boundary but none have been submitted.

Given the above the two storey side extension due to its size, scale, design and lack of setback and lower roof height is considered to create an incongruous feature that results in a terracing effect and that fails to be subservient to the host dwelling. The proposal is considered to have detrimental impact on both the visual amenity and character and form of the host dwelling, present street scene and the character of the surrounding area. The proposal therefore fails to accord with Policies DS1 and DS3 of the Core Strategy DPD, the Householder SPD and the NPPF.

(iii) Two and single storey rear extension

The proposed two storey rear extension does not cover the entire width of the existing dwelling but projects 3m from the rear. The proposed single storey extension projects 6m and covers most of the width of the existing dwelling with the exception of a 0.22m gap to the side boundary of the adjoining semi-detached dwelling. This aspect of the proposal is not overly visible from public land and leaves sufficient amenity space. The proposal is not therefore considered to be harmful to visual amenity.

(iv) Outbuilding, porch and vehicular access

The scheme proposes an outbuilding that has a lean to roof which is sited along the rear boundary. The outbuilding is 7.5m in width, 3.5m in depth, 2.22m to the eaves and 3.05m to the ridge. The proposed size, scale and design of the outbuilding, porch and vehicular access is considered to be acceptable and is subservient to the host dwelling.

Overall the proposal is not considered to be acceptable in regards to its impact on visual amenity due to the factors described in sections (i) and (ii) above.

3. 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.

(i) Outbuilding, porch, vehicular access two storey side extension and dormer windows
The outbuilding and porch propose no windows in their side elevations that overlook neighbouring properties. The two storey side extension proposes one window at ground floor level and one at first floor level. These windows could be controlled by a condition requiring the installation of obscure glazing and its retention for the lifetime of the development. Permitted developments could also be removed to prevent the formation of additional window openings to prevent any future overlooking issues. The dormer windows are no closer to the neighbouring properties than the existing habitable room windows therefore it is considered that overlooking would not be significantly greater than what current exists on the application site.

Due to the combination of the orientation of the site, the size, scale, and siting of the proposed two storey side extension, dormer windows and outbuilding and the separation distances from the neighbouring properties the proposal is considered not to cause any significant adverse effects in terms of overlooking, overshadowing or oppression.

(ii) Two and single storey rear extension

The Householder SPD requires two storey rear extensions to clear a 45 degree line taken from the nearest habitable room windows of neighbouring properties. The Householder SPD provides a presumption against single storey extensions that have a depth greater than 3m due to the resultant impact on neighbour's amenities.

Although the two storey rear extension does not cover the entire width of the existing dwelling the proposal does not show that it clears the 45-degree line of the habitable room windows at ground and first floor windows of both 5 and 9 Sowden Road. Consequently, it has not been demonstrated that the development would not overshadow or be overbearing on neighbour's amenities.

The proposed single storey extension projects 6m and covers most of the width of the existing dwelling with the exception of a 0.22m gap to the side boundary of the adjoining semi-detached dwelling. This is considered to result in significant harm to habitable room windows in the rear of 9 Sowden Road.

Objectors raise the issue that the proposal obstruct views from windows of neighbouring properties and will be too close to the house. Officers consider the proposed two and single storey rear extension will overshadow and be overbearing on rear windows of 5 and 9 Sowden Road.

Amended plans were requested to address the above issues however no plans were received.

It is therefore considered that the proposal would cause significant detrimental impact on the residential amenities of neighbouring properties and so fails to accord with policies Policy DS5 of the Core Strategy DPD, the Householder SPD and the NPPF

4. Impact on Highway Safety

The proposal includes the provision of two off-street parking spaces which are considered to be in line with the Council's normal requirements. Some on-street parking is also likely to be available for residents and visitors. No harm to highway safety would occur.

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:

As a consequence of the above the proposal is recommended for refusal for the reasons give below.

Reasons for Refusal:

1. The proposed two front dormer windows due to their excessive width, cladding and materials used are considered to create incongruous features that are harmful to the character and appearance of both the existing dwelling, present street scene and character and form of the surrounding area. The proposed rear dormer window due the combination of the proposed materials and its excessive size is considered to create an incongruous feature to the host dwelling. The proposal therefore fails to accord with Policies DS1 and DS3 of the Core Strategy Development Plan Document, the Householder Supplementary Planning Document and the National Planning Policy Framework.
2. The proposed two storey side extension due to its size, scale, design and lack of setback and set downs is considered to create an incongruous feature that results in a terracing affect and an extension that fails to be subservient to the host dwelling. The proposal is considered to have detrimental impact on both the character and appearance of the area and form of the host dwelling. The proposal therefore fails to accord with Policies DS1 and DS3 of the Core Strategy Development Plan Document, the Householder Supplementary Planning Document and the National Planning Policy Framework.
3. The single storey extension element of the rear extension due to its excessive depth along the shared boundary with the adjacent properties would be likely to result in significant overshadowing and overbearing impact on the rear windows and private garden areas of 5 and 9 Sowden Road. This is considered to be contrary to Policy DS5 of the Core Strategy Development Plan Document, the Householder Supplementary Planning Document and the National Planning Policy Framework.
4. The application provides insufficient information to enable its full and proper consideration by the Local Planning Authority. In particular, it fails to demonstrate that the first floor element of the rear extension would clear a 45-degree line from the nearest habitable room windows of the neighbouring properties (5 and 9 Sowden Road). In the absence of this information it is not possible to assess the impact of this part of the development on light and outlook to these windows.

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Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 7 September 2022

D

Summary Statement - Part Two

Miscellaneous Items

	<u>No of Items</u>
Requests for Enforcement/Prosecution Action	(5)
Decisions made by the Secretary of State - Allowed	(5)
Decisions made by the Secretary of State - Dismissed	(10)

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

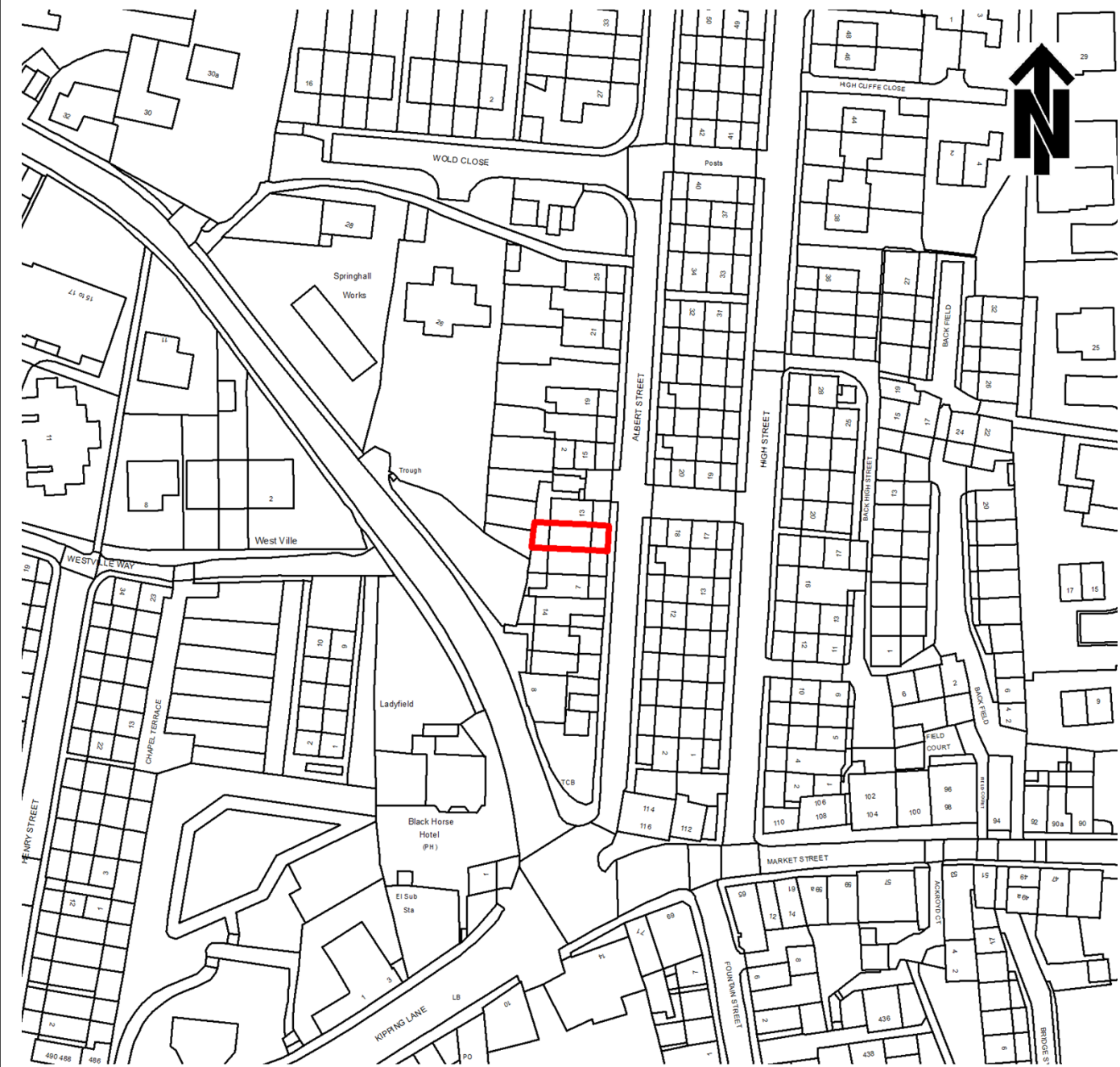
Report Contact: Mohammed Yousuf
Phone: 01274 434605

Email: mohammed.yousuf@bradford.gov.uk

Portfolio:
Regeneration, Planning & Transport

Overview & Scrutiny Committee Area:
Regeneration and Environment

21/00614/ENFUNA



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11 Albert Street
Thornton
Bradford BD13 3ER

7 September 2022

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

Enforcement Reference:
21/00614/ENFUNA

Site Location:
11 Albert Street Thornton Bradford West Yorkshire BD13 3ER

Breach of Planning Control:
Unauthorised front and rear dormer windows

Circumstances:
In June 2021 the Council received a number of enquiries regarding the construction of dormer windows at the property.

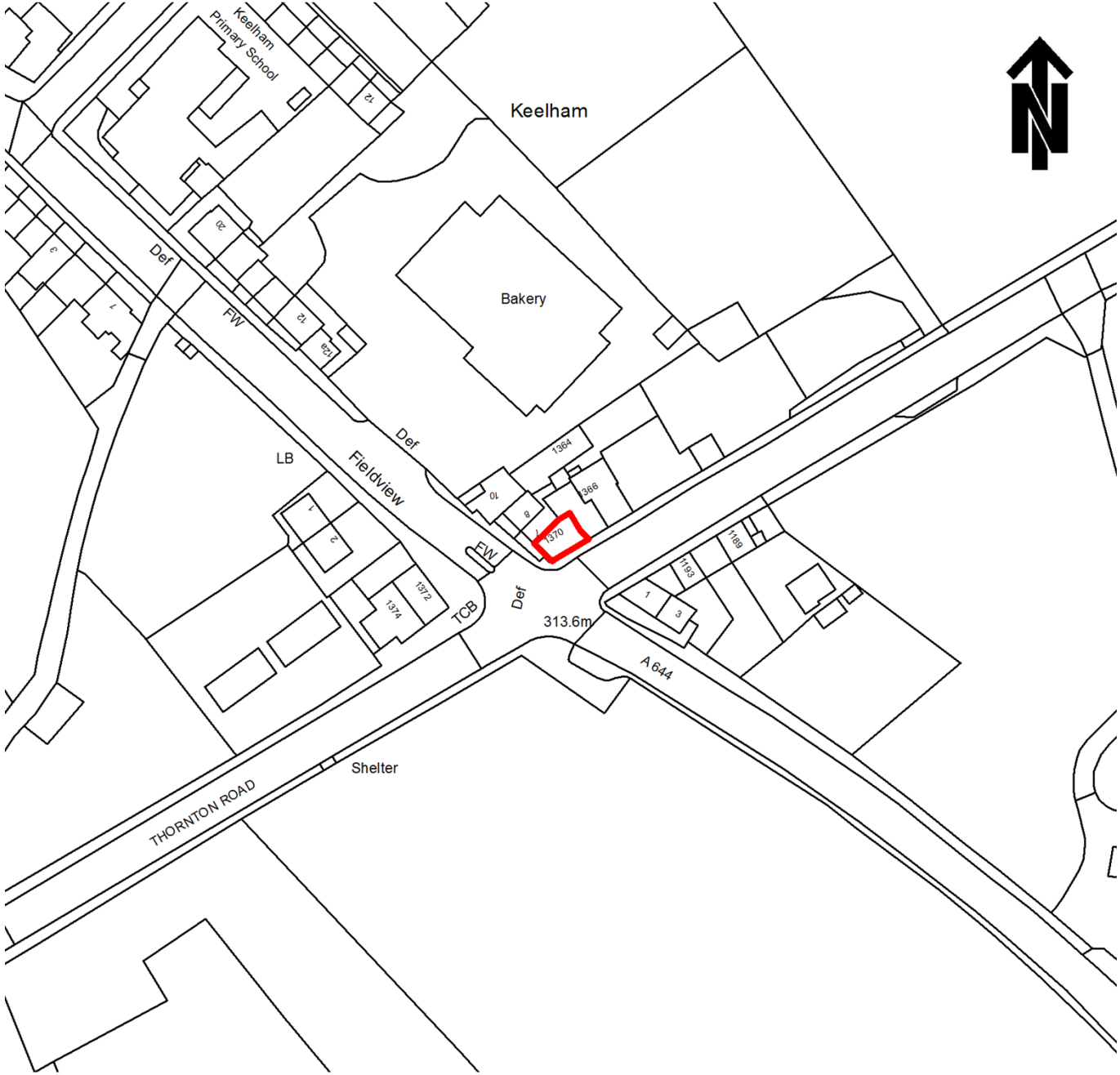
An inspection showed that front and rear dormer windows had been constructed, for which the Council had no record of planning permission having been granted.

Planning permission reference 21/03583/HOU for front and rear dormer windows of a different design to those already constructed at the property was granted by the Council in November 2021.

Following the grant of planning permission, the owner of the property was requested to rectify the breach of planning control, however no action has been taken.

On 10 August 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 are detrimental to visual amenity by virtue of their design and appearance, contrary to Policies DS1 and DS3 of the Council's adopted Core Strategy Development Plan Document, the Council's adopted Householder Supplementary Planning Document and the principles of the National Planning Policy Framework.

21/00321/ENFLBC



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**1370 Thornton Road
Thornton
Bradford BD13 4HQ**

7 September 2022

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

Enforcement Reference:
21/00321/ENFLBC

Site Location:
1370 Thornton Road Thornton Bradford West Yorkshire BD13 4HQ

Breach of Planning Control:
Without Listed Building Consent, the installation of a new composite door.

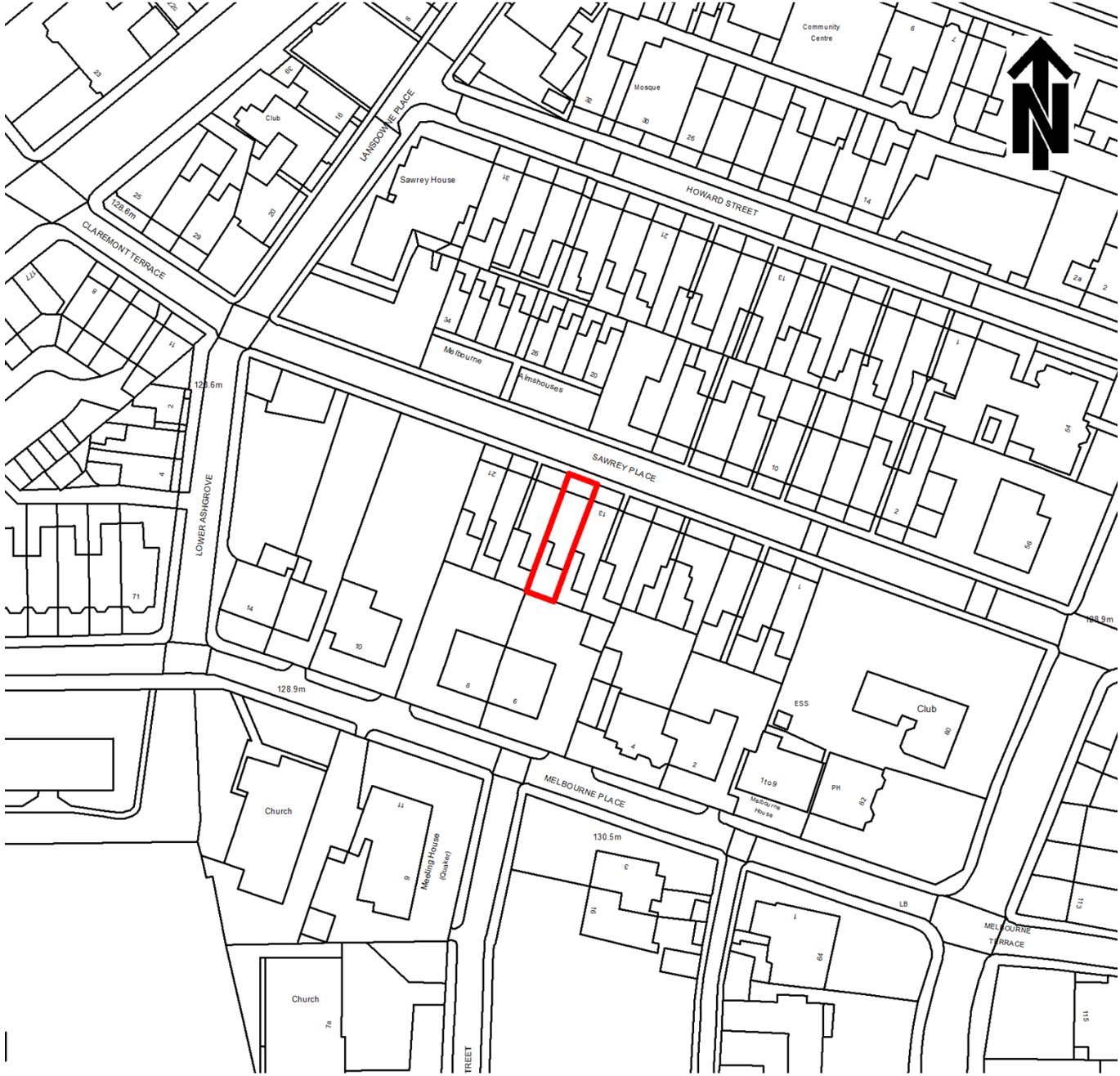
Circumstances:
In April 2021, the council received an enquiry regarding an unauthorised replacement front door installed to the above property.

An inspection in September 2021 showed that composite door and fitting had been installed to the front of the dwelling, with the removal of the original traditional door fitting. As the property is Grade II listed, consent is required for the replacement door and fitting, for which the council has no record of. As such, the replacement door is unauthorised and represents a breach of planning control.

A challenge letter was sent to the owner of the dwelling in September 2021, requesting action to rectify the breach of planning control. Retrospective listed building consent application reference 22/01323/LBC, seeking consent for the replacement door as installed, was refused by the council in May 2022. No appeal was lodged against the council's decision. The unauthorised door is still in place and the breach of planning is unresolved.

On 17 July 2022, the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the loss of the original timber door fitting and its replacement with a modern generic composite door has resulted in significant detriment to the original character and aesthetic of the heritage asset, disrupting the uniformity of the cottages within the wider street scene. No public benefit arises to compensate for this harm and the development is therefore contrary to Policy EN3 of the adopted Core Strategy Development Plan Document, Section 16 of the Planning (Listed Buildings & Conservation Areas) Act 1990 and policy guidance contained within the National Planning Policy Framework.

17/00952/ENFLBC



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15 Sawrey Place
Bradford
BD5 0DA

7 September 2022

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

Enforcement Reference:
17/00952/ENFLBC

Site Location:
15 Sawrey Place Bradford West Yorkshire BD5 0DA

Breach of Planning Control:
Unauthorised first floor rear extension and alterations

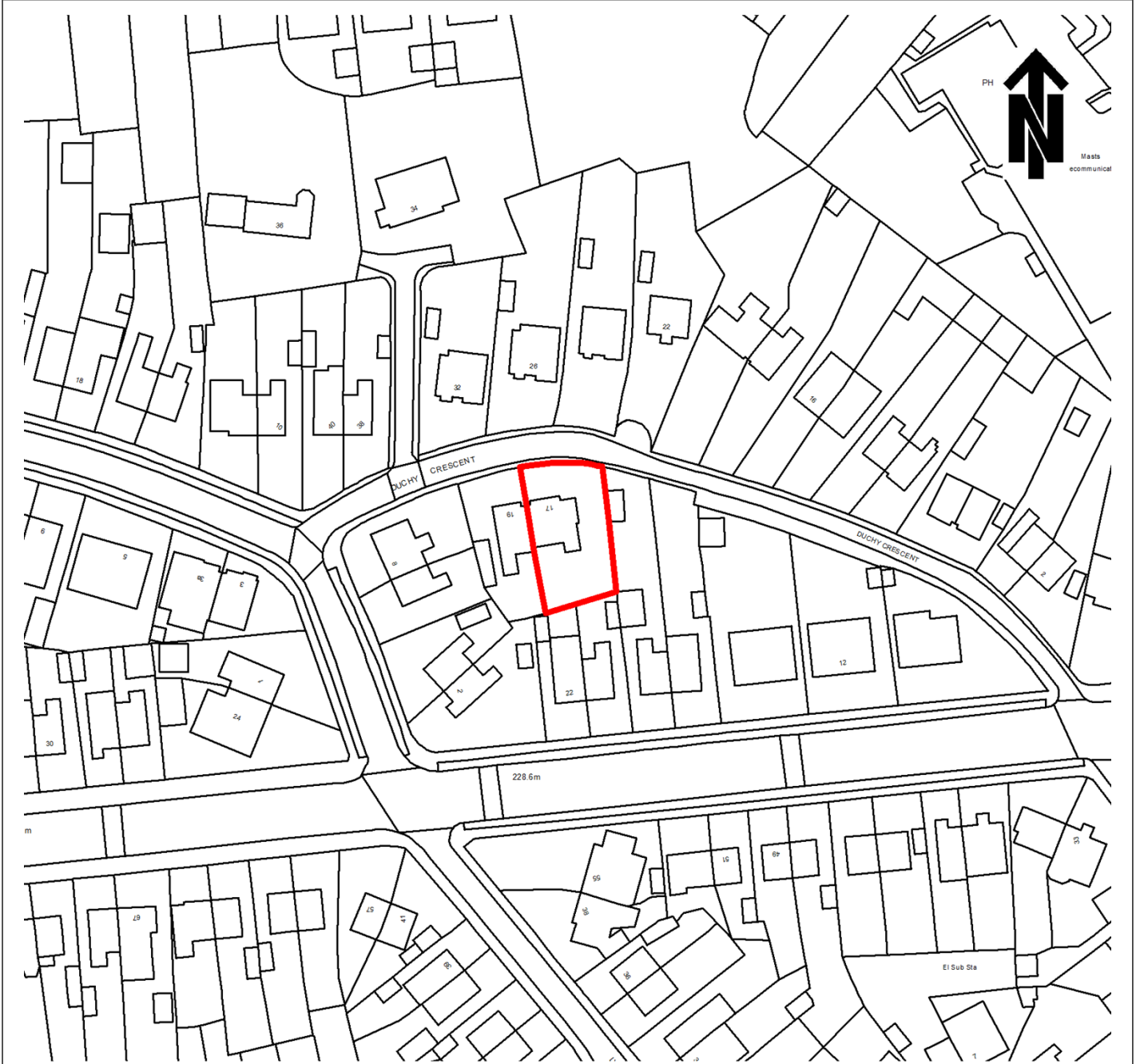
Circumstances:
In 2017 two Listed Building Consent applications and two planning applications for a first floor rear extension to the property were refused by the Council. No appeals were made against the Council's decisions.

Following enquiries regarding development works at the property, an inspection showed that a first floor rear extension had been constructed and alterations made to an existing single storey section of the building, for which the Council had no record of Listed Building Consent or planning permission having been granted.

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

On 25 July 2022 the Planning Manager (Enforcement & Trees) authorised the issue of a Listed Building Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised first floor rear extension and alterations to the existing single storey section of the building are harmful to the character and appearance of the listed building, contrary to the principles of the National Planning Policy Framework and Policy EN3 of the Council's adopted Core Strategy for Bradford.

20/00791/ENFUNA



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**17 Duchy Crescent
Bradford
BD9 5NJ**

7 September 2022

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

Enforcement Reference:
20/00791/ENFUNA

Site Location:
17 Duchy Crescent Bradford West Yorkshire BD9 5NJ

Breach of Planning Control:

Without planning permission, the construction of an area of impermeable hard surfacing to the north, east and south of the dwelling on the land

Circumstances:

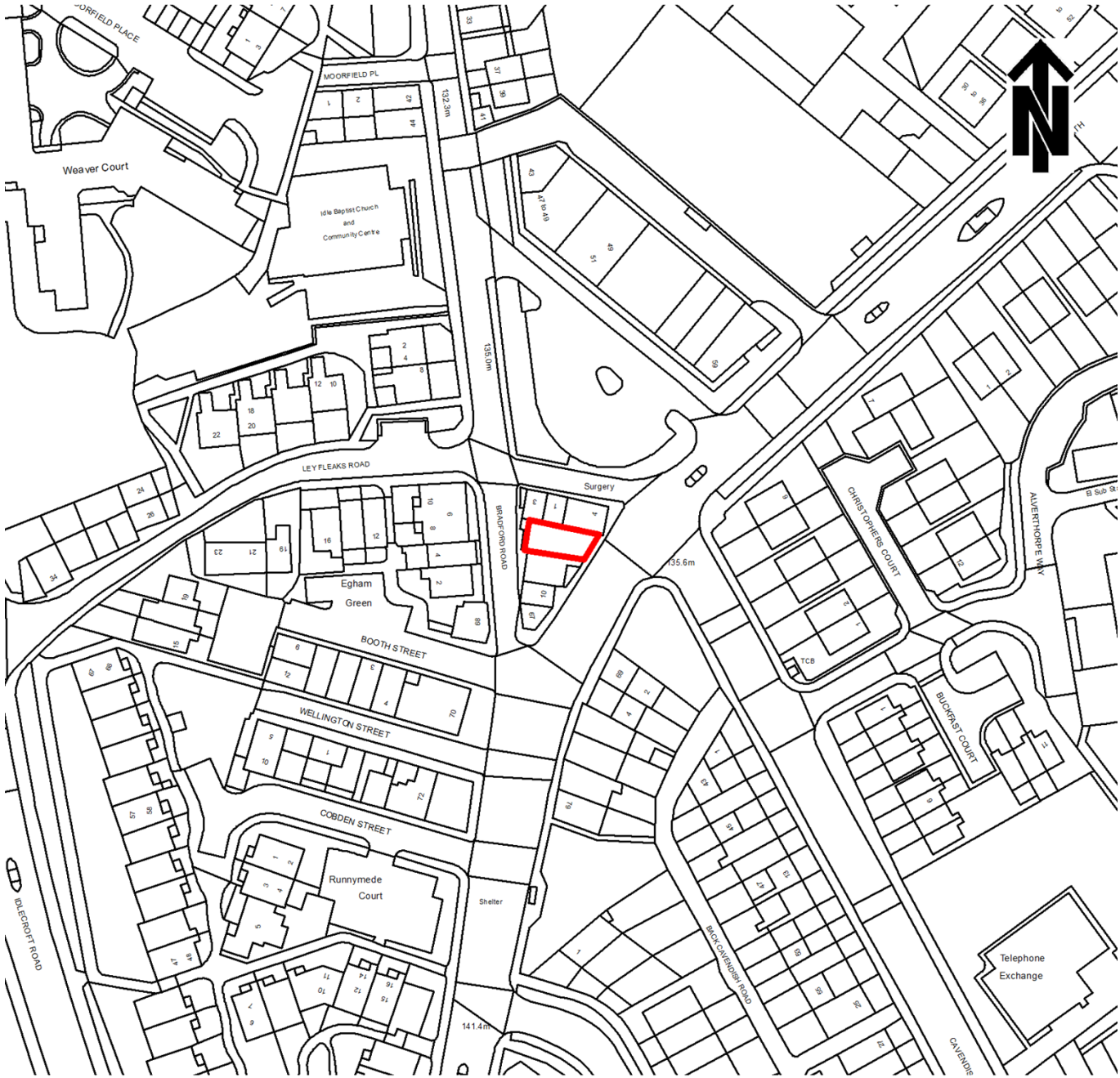
In May 2020, the council received an enquiry regarding an unauthorised construction works at the above property.

An inspection in November 2020 showed that a large area of hard surfacing had been created to the front, side and rear of the dwelling, on the land for which planning permission is required and has not been sought. As such, the area of hard surfacing is unauthorised and represents a breach of planning control.

A challenge letter was sent to the owner 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 hard surfacing is still in place and the breach of planning is unresolved.

On 17 July 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 hard surfaced and impermeable area has no drainage provision, which diverts run off water off the site onto the highway and pavement, increasing the risk of flooding and representing a threat to the amenity and safety of pedestrians and highway users, contrary to Policies DS4, DS5 and EN7 of the Council's adopted Core Strategy Development Plan Document and the

21/00503/ENFUNA



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6 Thorp Garth
Bradford
BD10 9LD

7 September 2022

Item Number: E
Ward: IDLE AND THACKLEY
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
21/00503/ENFUNA

Site Location:
6 Thorp Garth Bradford West Yorkshire BD10 9LD

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 May 2021, the council received an enquiry regarding an unauthorised roller shutter installed to the above property.

An inspection in October 2021 showed that an externally mounted roller shutter and shutter box had been installed to the front elevation of the building. It is considered that planning permission is required for the roller shutter, for which the council has no record of. As such, the roller shutter is unauthorised and represents a breach of planning control.

A challenge letter was sent to the owner of the property in October 2021, requesting action to rectify the breach of planning control. Retrospective planning application reference 21/06092/FUL, seeking consent for the roller shutter as installed, was refused by the council in March 2022. No appeal was lodged against the council's decision. The unauthorised roller shutter is still in place and the breach of planning is unresolved.

On 17 July 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 within the wider street scene, 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.

DECISIONS MADE BY THE SECRETARY OF STATE

Appeal Allowed

<u>ITEM</u>	<u>WARD</u>	<u>LOCATION</u>
F	Toller (ward 24)	12 Daisy Hill Grove Bradford BD9 6DR Appeal against Enforcement Notice - Case No: 18/00927/ENFUNA Appeal Ref: 22/00046/APPENF
G	Bradford Moor (ward 06)	16 Wensleydale Road Bradford BD3 8NA Appeal against Enforcement Notice - Case No: 18/00783/ENFUNA Appeal Ref: 22/00044/APPENF
H	Tong (ward 25)	24 Sutton Crescent Bradford BD4 8LY Single storey extension to rear - Case No: 21/06262/HOU Appeal Ref: 22/00052/APPHOU
I	Toller (ward 24)	528 Thornton Road Bradford BD8 9NB Conversion of an existing basement into a single flat with external changes to allow for two light wells to the main bedroom/lounge and the formation of a window within an existing opening with an additional light well as shown - Case No: 21/05837/FUL Appeal Ref: 22/00041/APPFL2
J	Toller (ward 24)	6 Duckworth Lane Bradford BD9 5EP External rear extraction canopy and ac unit - Case No: 22/00316/FUL Appeal Ref: 22/00056/APPFL2

Appeal Dismissed

<u>ITEM</u>	<u>WARD</u>	<u>LOCATION</u>
K	Thornton And Allerton (ward 23)	1511 Thornton Road Bradford BD13 3AS Side extension, front and rear dormer windows (retrospective) - Case No: 22/00011/HOU Appeal Ref: 22/00058/APPHOU
L	Eccleshill (ward 10)	18 Pullan Avenue Bradford BD2 3RT Construction of infill rear extension, first floor side extension, hip to gable extension with front and rear dormers, and outbuilding to rear (resubmission) - Case No: 22/01358/HOU Appeal Ref: 22/00087/APPHOU
M	Bolton And Undercliffe (ward 04)	21 Buttermere Road Bradford BD2 4JA Appeal against Enforcement Notice - Case No: 20/01078/ENFUNA Appeal Ref: 22/00028/APPENF
N	City (ward 07)	342 Great Horton Road Bradford BD7 1QJ Appeal against Enforcement Notice - Case No: 21/00403/ENFREX Appeal Ref: 22/00026/APPENF
O	City (ward 07)	40 Laisteridge Lane Bradford BD7 1QT Retrospective application for change the use of the property from an HMO into four apartments - Case No: 21/05393/FUL Appeal Ref: 22/00035/APPFL2
P	Clayton And Fairweather Green (ward 08)	41 Hedge Way Bradford BD8 0AJ Level roof ridge with existing property, privacy screen to either side of roof terrace, to rear large dormer (retrospective) - Case No: 22/00927/HOU Appeal Ref: 22/00080/APPHOU

<u>ITEM</u>	<u>WARD</u>	<u>LOCATION</u>
Q	Wibsey (ward 27)	56 Chapel Street Wibsey Bradford BD6 1LN Installation of timber boundary fence (retrospective) - Case No: 21/04442/HOU Appeal Ref: 22/00002/APPHOU
R	Great Horton (ward 11)	7 Benn Avenue Bradford BD7 2NH Appeal against Enforcement Notice - Case No: 19/00531/ENFUNA Appeal Ref: 22/00047/APPENF
S	Little Horton (ward 18)	820 Little Horton Lane Bradford BD5 9DG New window opening to front elevation, internal alterations and associated works - Case No: 21/06287/HOU Appeal Ref: 22/00029/APPHOU
T	Bowling And Barkerend (ward 05)	BTAL House Laisterdyke Bradford BD4 8AT Siting of 2 free standing portable buildings (classrooms) - Case No: 22/00866/FUL Appeal Ref: 22/00065/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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