

Public Document Pack



Agenda for a meeting of the Area Planning Panel (Bradford) to be held on Wednesday, 20 September 2023 at 10.00 am in Council Chamber - City Hall, Bradford

Members of the Committee – Councillors

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT	GREEN
S Khan A Hussain Amran Hayden	Glentworth	Stubbs	Hickson

Alternates:

LABOUR	CONSERVATIVE	LIBERAL DEMOCRAT	GREEN
Lal Dodds Thornton Humphreys	Coates	R Ahmed	Whitaker

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.
- 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.
- Anyone wishing to speak to any of the business items on the agenda either as a Ward Councillor, applicant/agent, in support of or objecting to an application must register to speak by emailing the Governance Officer susan.booth2@bradford.gov.uk by midday on Monday 28 November 2022. Please provide a telephone contact number, together with the relevant application details and explaining who will be speaking. They will then be advised on how you can participate in the meeting. If you have not registered, you may not be able to speak.
- **A legal briefing for all Members will take place at 0930 in the Council Chamber 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.

From:

Asif Ibrahim
Director of Legal and Governance
Agenda Contact: Su Booth

To:

Phone: 07814 073884
E-Mail: susan.booth2@bradford.gov.uk

A. PROCEDURAL ITEMS

1. ALTERNATE MEMBERS (Standing Order 34)

The Director of Legal and Governance 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)

OR

Non-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.

Other Registrable Interests (Affects)

OR

Non-Registrable Interests (Affects)

Disclose the interest; remain in the meeting, participate and vote unless 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 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 26 July 2023 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 Director of Legal and Governance in Room 112, City Hall, Bradford, by midday on Monday 18 September 2023.

(Su Booth – 07814 073884)

B. BUSINESS ITEMS

6. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

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

<u>Item</u>	<u>Site</u>	<u>Ward</u>
A	15 Enfield Drive Bradford BD6 3HZ - 23/02147/HOU Approve]	Great Horton
B	Half Way House 619 Huddersfield Road Bradford BD12 8JP - 22/04930/OUT [Approve]	Wyke
C	40 Pentland Avenue Bradford BD14 6JF - 23/02437/HOU[Refuse]	Clayton And Fairweather Green
D	Land At Grid Ref 415721 431657 Park Lane Little Horton Bradford - 23/02017/FUL [Refuse]	Little Horton

(Amin Ibrar – 01274 434605)

7. MISCELLANEOUS ITEMS

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	(12)
Decisions made by the Secretary of State - Dismissed	(2)

(Amin Ibrar – 01274 434605)

Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 20 September 2023

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	15 Enfield Drive Bradford BD6 3HZ - 23/02147/HOU [Approve]	Great Horton
B	Half Way House 619 Huddersfield Road Bradford BD12 8JP - 22/04930/OUT [Approve]	Wyke
C	40 Pentland Avenue Bradford BD14 6JF - 23/02437/HOU [Refuse]	Clayton And Fairweather Green
D	Land At Grid Ref 415721 431657 Park Lane Little Horton Bradford - 23/02017/FUL [Refuse]	Little Horton

Richard Hollinson
Assistant Director (Planning, Transportation and Highways)

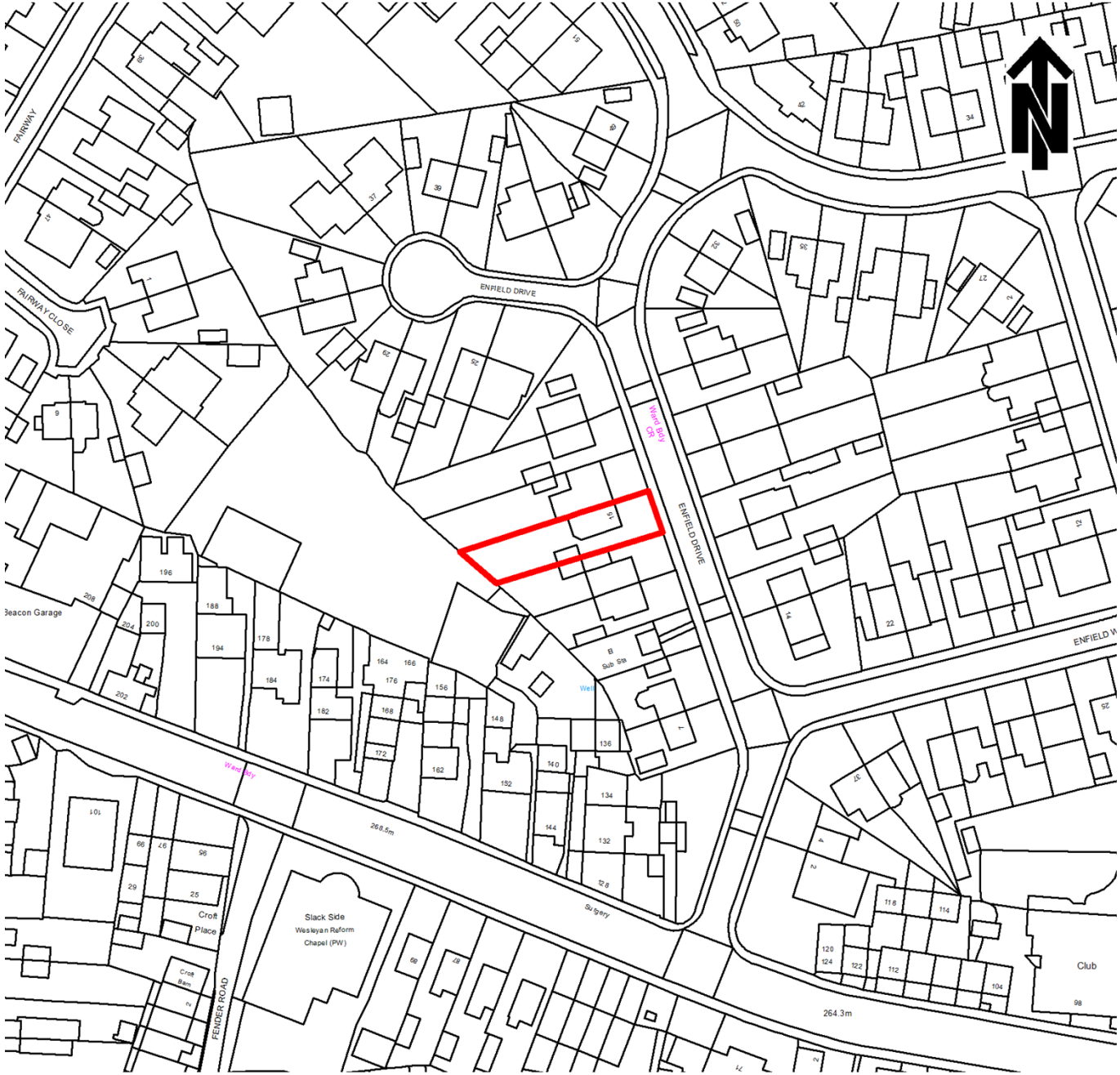
Report Contact: Amin Ibrar
Phone: 01274 434605

Email: amin.ibrar@bradford.gov.uk

Portfolio:
Regeneration, Planning & Transport

Overview & Scrutiny Committee Area:
Regeneration and Environment

23/02147/HOU



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**15 Enfield Drive
Bradford
BD6 3HZ**

20 September 2023

Item: A
Ward: GREAT HORTON
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
23/02147/HOU

Type of Application/Proposal and Address:
Single storey rear extension with disabled facilities on ground floor at 15 Enfield Drive, Bradford, BD6 3HZ.

Applicant:
Mrs Zubaida Begum

Agent:
Mukesh Architectural Consultancy Ltd - Mr Mukesh Bhatt

Site Description:
15 Enfield Drive is a semi-detached dwelling with a bricked exterior to the ground floor and a pebble dashed render to the upper. The dwelling has a detached garage and good sized garden to the rear. The dwelling is situated on a residential road with properties uniform in their design.

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
SPD08 - Householder SPD

Parish Council:

Not applicable.

Publicity and Number of Representations:

The proposal was advertised through neighbour notification letters giving up to 25 July 2023 for any comments to be made. No representations were received.

Consultations:

Occupational Therapy Adaptations Team – Proposed works are required.

Summary of Main Issues:

1. Principle of Development.
2. Impact on Built Environment.
3. Impact on Neighbouring Occupants.

Appraisal:

1. Principle of Development

The proposals relate to the construction of a single storey rear extension. The extension is to take place within the curtilage of an existing dwelling that is not a listed building and does not sit within a conservation area and so is not statutorily protected from such works. The principle of development is acceptable subject to a local impact assessment.

2. Impact on Built Environment

The proposal seeks to construct a single storey rear extension projecting 7.5 metres from the original rear wall of the dwelling. Design Principle 1 of the Council's Householder Supplementary Planning Document looks at the size, position and form of extensions which should maintain or improve the character and quality of the original house and wider area and extensions should not appear to dominate the original house or neighbouring properties. The proposed extension is larger than the Householder SPD recommends, but the overall projection of 7.5 metres with an acceptable design, is proportionate to the host property and due to its lesser height, appears subordinate, and raises no issues for the built environment. The proposal therefore complies with Approved Householder SPD, Policy DS1 and DS3 of the Core Strategy Development Plan Document.

3. Impact on Neighbouring Occupants

Design Principle 3 of the Householder SPD states that extensions should not have an over dominating physical presence that damages the outlook of neighbours, or unacceptably reduce natural daylight reaching any neighbours property and that single storey extensions should not exceed 3 metres in depth.

Similarly, Core Strategy Policy DS5(f) states that development should “not harm the amenity of existing or prospective users and residents.”

The proposal is larger than the recommended guidance found within the Householder SPD however, the proposal seeks to provide a bedroom and bathroom for a disabled occupant of the house. The proposal will increase the quality of living for a disabled occupant and confirmation has been received which suggests there is a need for the development. The extension will maintain a good-sized garden to the rear for recreation, the undertaking of general domestic tasks and the storage of refuse and so forth.

Design Principle 2 of the Householder SPD looks at extensions and alterations which should not cause unacceptable harm to the privacy of neighbours. The adjoined neighbour, No 17 has a single storey rear extension in place which projects along the common boundary with No 15 and whilst the proposal will have a total depth of 7.5m, it will project less than 3m from the rear wall of the extension at neighbouring No 17. That, in addition to the current vegetation along the common boundary means there are not considered to be any issues of overlooking or loss of privacy for the adjoining neighbour. Sufficient space is maintained between the common boundary with No 12 ensuring that the proposed window to the southern elevation will not conflict with Design Principle 2. The proposal therefore complies with DS5 of the core strategy and the guidance found in the Householder SPD.

4. Other Issues

The proposals seek to accommodate a disabled resident and proposed alterations to the building have been made sympathetically in relation to its surroundings and the supporting information suggests it is needed to meet the needs of the disabled resident and section 7 of the Householder SPD has been taken into consideration when deciding this application.

Community Safety Implications:

There are no implications for community safety.

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 proposed rear extension relates satisfactorily to the character of the existing dwelling and adjacent properties. The impact of the proposal upon the occupants of neighbouring properties has been assessed and it is considered that it will not have a significantly adverse effect upon their residential amenity. As such this proposal is considered to be in accordance with Policies DS1, DS3 and DS5 of the Core Strategy Development Plan Document and the Council Approved Householder Supplementary Planning Document.

Conditions of Approval:

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

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

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

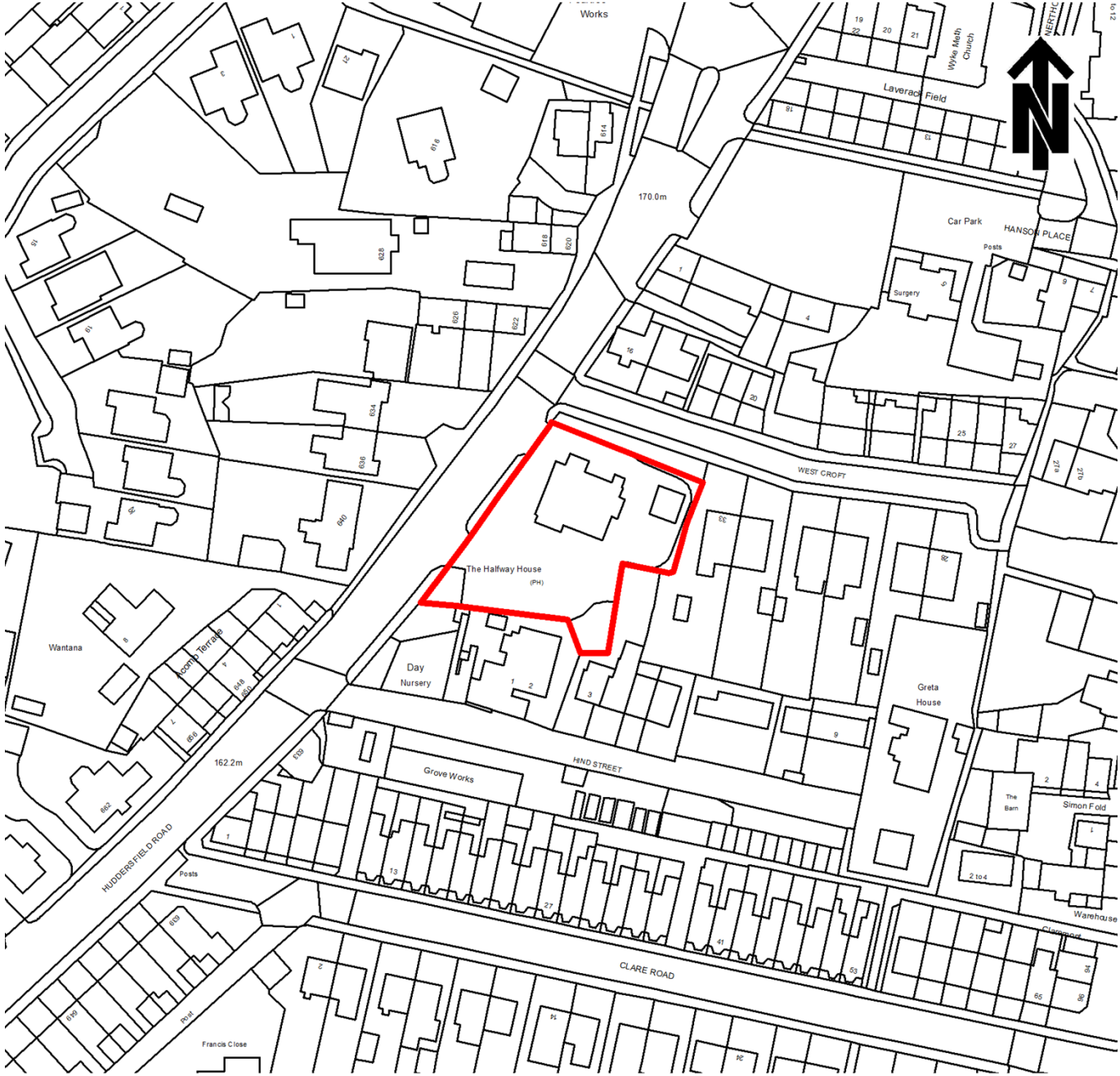
Existing and Proposed Plans. Drawing No 1 received 21.06.2023
Proposed Plans and Elevations. Drawing No 2 received 21.06.2023

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

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

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

22/04930/OUT



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Half Way House
619 Huddersfield Road
Bradford BD12 8JP

20 September 2023

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

Application Number:
22/04930/OUT

Type of Application/Proposal and Address:

Outline application for demolition of existing public house to accommodate proposed mechanics/vehicle servicing repair shop and storage unit with all matters reserved to the Halfway House, 619 Huddersfield Road, Bradford, BD12 8JP

Applicant:
Mr Mehgran

Agent:
Mr Paul Ibberson

Site Description:

The application site sits within an irregular plot of land and is located on a busy classified road (Huddersfield Road A641) housing a large, detached building known as Halfway House Public House, constructed from stone with slate roof tiles. The car park wraps around the main building and has two vehicular access points onto the A641 and is bordered by a low wall fronting Huddersfield Road. The surrounding area is predominately residential, there is a day nursey to the south and West Croft runs along the northern boundary.

Relevant Site History:

None relevant.

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

EN8 Environmental Protection Policy

EC1: Creating a successful and competitive Bradford District economy within the Leeds City Region

EC4 Sustainable Economic Growth

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application was advertised by individual neighbour notification. Expiry Date 29 December 2022.

Due to receiving amended plans the application was re-advertised by individual neighbour notification and notification letters were sent to those who had already submitted a representation. Expiry Date 25 July 2023.

Overall, 100 representations have been received, 98 objections, one neutral and one in support.

Summary of Representations Received:

NB: The car wash has been omitted from the proposal.

Objections:

- Heavily congested road.
- Car wash will cause road blockage.
- Limited car parking.
- Too many garages and car washes locally.
- Noise.
- Reduce house prices.
- Pollution e.g. litter, idle engines.
- Increase/extra traffic.
- Land should be used for residential.
- Site will be turned into a brownfield site.
- Building will not be in keeping with the area.
- Access into/out of the site will cause traffic build up.
- This type of business will cause the area to become untidy.
- The business will encourage modern day slavery.
- Pub building should be retained as it is a well-known landmark of Wyke.
- The area is residential not industrial.
- Result in a hot spot for drug dealing.
- Garage will be unsafe.
- Site better suited for a community centre, greenspace, offices or converted into flats.
- Effect on the nursery next door i.e. pollution.
- High risk of accidents.
- Area will look like a junkyard how will this be monitored?

- Too many old buildings being demolished.
- Waste water will turn the site into an ice rink in the winter.
- Site will result in money laundering.
- Operating hours.
- Immigrants will be employed on low pay.
- How will excess water be dealt with?
- Noise report does not take into account all potential noise from the uses proposed.
- Effect on privacy.
- This building should be listed.

Support:

No comments made.

Neutral:

Comments received object to the proposal and have been summarised above under objections.

Consultations:

Environmental Protection Nuisance – Following receipt of additional information i.e. noise report the proposals are now acceptable subject to conditions.

Highways – Following receipt of amended plans removing the car wash the proposals are now acceptable subject to condition.

Drainage – No objections conditions recommended.

The Coal Authority – The site does not fall in a high risk area therefore there are no objections.

Minerals – No concerns/objections.

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

This application is seeking outline planning permission for the for demolition of existing public house and to erect a mechanics/vehicle servicing and repair shop and storage unit, with all matters reserved. Nevertheless, a site plan has been submitted indicating the position and approximate size of the garage and storage unit, it should be noted the car wash element has now been removed as part of the original proposals and therefore the revised site plan will be considered as part of the development in respect of which the application is being made.

Policy EC1 seeks to encourage a more entrepreneurial Bradford District, with the aim of achieving higher rates of business start-ups and survival, and a larger number of small businesses, including the provision of low cost and smaller incubator units for small and medium sized enterprises and micro businesses in the City of Bradford and the Airedale Corridor. Policy EC4 seeks to manage economic and employment growth in a sustainable manner thus supporting priority business sectors and clusters through the provision of appropriately located sites and premises.

The application site was previously used for commercial use (public house) and policy EC4 seeks to refuse planning permission for the alternative development, including piecemeal development, of land and buildings currently or last in use for business or industrial purposes within both urban and rural areas unless, it can be demonstrated to the Council that a site is no longer suitable for such use.

Given the previous use of the site, planning policy encourages business type uses are retained such as light industry and warehouses. Since the proposals fall within these uses it is acceptable in principle. This remains subject to an assessment against the relevant planning policies and guidance.

2. Impact on Residential Amenity

The surrounding area is predominately residential and therefore there were concerns of noise generated by the proposed use. A significant number of objections have also been received with regards to the noise generated by the uses and coming and goings of vehicles. In light of this, a noise report was requested and submitted addressing the potential noise generated by the proposals.

The Environmental Health Officer has confirmed that the noise report is acceptable and that if the consultant's recommendations are followed they would reduce the potential for a noise nuisance to occur. These include "a noise barrier along the southern and eastern boundaries, with a recommendation to keep the eastern workshop doors closed except for access/egress." On this basis, it is not considered that noise or vibrations from the use will adversely affect surrounding residential dwellings.

The hours of operation are not provided on the application form and a condition restricting the opening hours is recommended to Monday to Saturdays 8am to 6pm. Potentially noisy work is prohibited on Sundays and bank holidays, to prevent possible disturbance in the early hours or late into the evening.

Potential lighting of the site has also been raised and its positioning would need to ensure that the lighting is installed in a manner that would not cause light nuisance to residents in the near vicinity. No details have been provided as part of this application and it is envisaged that this would be part of any future Reserved Matters application.

3. Impact on Visual Amenity

The proposal has been supplied with indicative site layout plans, however further details would need to be submitted at reserved matters stage. The site is bound by residential properties to the west and south that are a mix of bungalows and terraced dwellings.

The site slopes from west to east and sits level to Huddersfield Road. The relationship between the buildings, site levels, landscape and adjacent residential dwellings on Hind Street (terraced dwellings) and West Croft (semi-detached bungalows) has not been explicitly shown. All matters are reserved and this includes, inter alia, the layout, scale and appearance of the development. The principle of the use of the site is considered to be acceptable in terms of the visual impact it would have on the locality.

The main garage building is shown to sit in central position with the storage building alongside to the south with parking areas to the front and rear. Whilst it is accepted that buildings in this location could be achieved and if reflective of the design and pallet of materials seen locally, additional information is required to assess the wider suitability with the surrounding built environment which would be assessed as part of a reserved matters application.

4. Impact on Highway Safety:

The proposed development site is located on Huddersfield Road (A641) which is a busy classified district distributor road and its junction with West Croft. The Highways officer did not support the initial proposals raising concerns with regards to the proposed car wash which would result in vehicles backing out onto the highway obstructing the safe and free flow of traffic on a busy classified road raising pedestrian and highway safety concerns.

In light of these concerns, an amended plan was requested removing the carwash element from the proposals and amending the description to reflect this. The nature of traffic coming and going to a repairs garage is very different from that of a car wash. The Highways Officer has confirmed the amended plans, which omit the car wash, has now addresses previous highway concerns.

5. Other matters:

Objections have been received with regards to the principle or use of the land to a garage type light industrial use which has already been assessed and the use considered acceptable in this location.

The building design and materials including effect on privacy on surrounding residential dwellings will be assessed as part of the reserved matters application.

Concerns with regards to noise and opening hours have been addressed and conditions are recommended ensuring their control, refuse and litter would be controlled by other departments such as Environmental Health during the duration of the use.

The parking and highway safety issues have been addressed within the body of the report.

In relation to the objection about listing the building itself is not Listed and it is believed that this would need to be raised with Historic England as the appropriate agency. However, the Halfway House is an old building and its nature, as a public house, means that it has historic association with the surrounding community, former patrons etc. The building is not listed or in a conservation area. Permitted development rights exist allowing the demolition of buildings, such as this, through the prior notification process.

The devaluing of house prices, potential for drug use, modern day slavery or immigration labour, which are issues that have been raised by objectors are not planning considerations.

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 principle of mechanics/vehicle servicing repair shop, storage unit is considered acceptable in this location and is in accordance with policies EC1 and EC4 of the Councils Core Strategy Development Plan Document. The potential impact on residential amenity have been assessed and considered acceptable. Highway safety issues have now been resolved and the proposal complies with policies TR1, TR2, DS4 of the Councils 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. Before any development is begun plans showing the:

- i) access
- ii) appearance
- iii) Landscaping
- iv) layout
- v) and scale

must be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved plans.

Reason: To accord with the requirements of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. Any application requesting approval of the reserved matters of layout, scale or appearance shall include details of existing and proposed ground levels and include drawings showing the following details:

- i) adequate scaled cross sections of the site,
- ii) details of the existing and proposed ground levels,
- iii) proposed finished floor levels of all buildings,
- iv) levels of parking areas,
- v) height and appearance of all retaining walls or other retaining features.

and the development shall subsequently be carried out in accordance with the details so approved.

Reason: To ensure that works are carried out at suitable levels in relation to adjoining properties and highways and in the interests of visual amenity and to accord with Policies DS1, DS2, DS3, DS4, DS5 & TR2 of the Core Strategy Development Plan Document.

5. The development hereby approved shall only be carried out in accordance with the amended plan(s) numbered A(10)-01 Rev A received by the Local Planning Authority on 4 July 2023.

Reason: For the avoidance of doubt as to the terms under which this outline planning permission has been granted since amended plans have been received and to accord with Policy TR2 & DS4 of the Core Strategy Development Plan Document.

6. All works which form part of the development scheme shall be completed before any part of the development is occupied as recommended in the Noise Impact Assessment ref NIA-10978-23-11190-v1 by R Habeshaw, dated 7 July 2023.

Reason: To minimise the effect of noise on adjacent properties, in the interests of amenity and to accord with Policy EN8 of the Core Strategy Development Plan Document.

7. Before any part of the development is brought into use, the proposed car parking spaces shall be laid out, hard surfaced, marked out into bays and drained within the curtilage of the site in accordance with the approved plan numbered A(10)-01 Rev A. The car parking facilities so provided shall be kept available whilst ever the development is in use.

Reason: To support the effective regulation of car parking provision serving the development, in the interests of amenity and highway safety, and in accordance with Policy TR2 and Appendix 4 of the Core Strategy Development Plan Document.

8. Both the mechanics/vehicle servicing and repair shop and storage unit shall be restricted to the hours of operation from Monday to Saturday 8am - 6pm and not at all on Sundays, Bank or Public Holidays.

Reason: In the interests of the amenities of neighbouring residents and to accord with Policies DS5 and EN8 of the Core Strategy Development Plan Document.

9. Prior to the first occupation of the buildings hereby permitted, an acoustic/noise barrier shall be erected along the southern and eastern boundaries of the site and shall be retained thereafter.

Reason: To minimise the effect of noise on adjacent properties, in the interests of amenity and to accord with Policy EN8 of the Core Strategy Development Plan.

10. Any proposed liquid storage tanks for fuel oils or process chemicals shall be located within a bund having a capacity of not less than 110% of the combined volume of the tanks. The floor and walls of the bund shall be impervious to oil and water and shall also be resistant to any stored chemicals. All inlet/outlet/vent pipes and gauges shall be within the bunded area.

Reason: In the interests of 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.

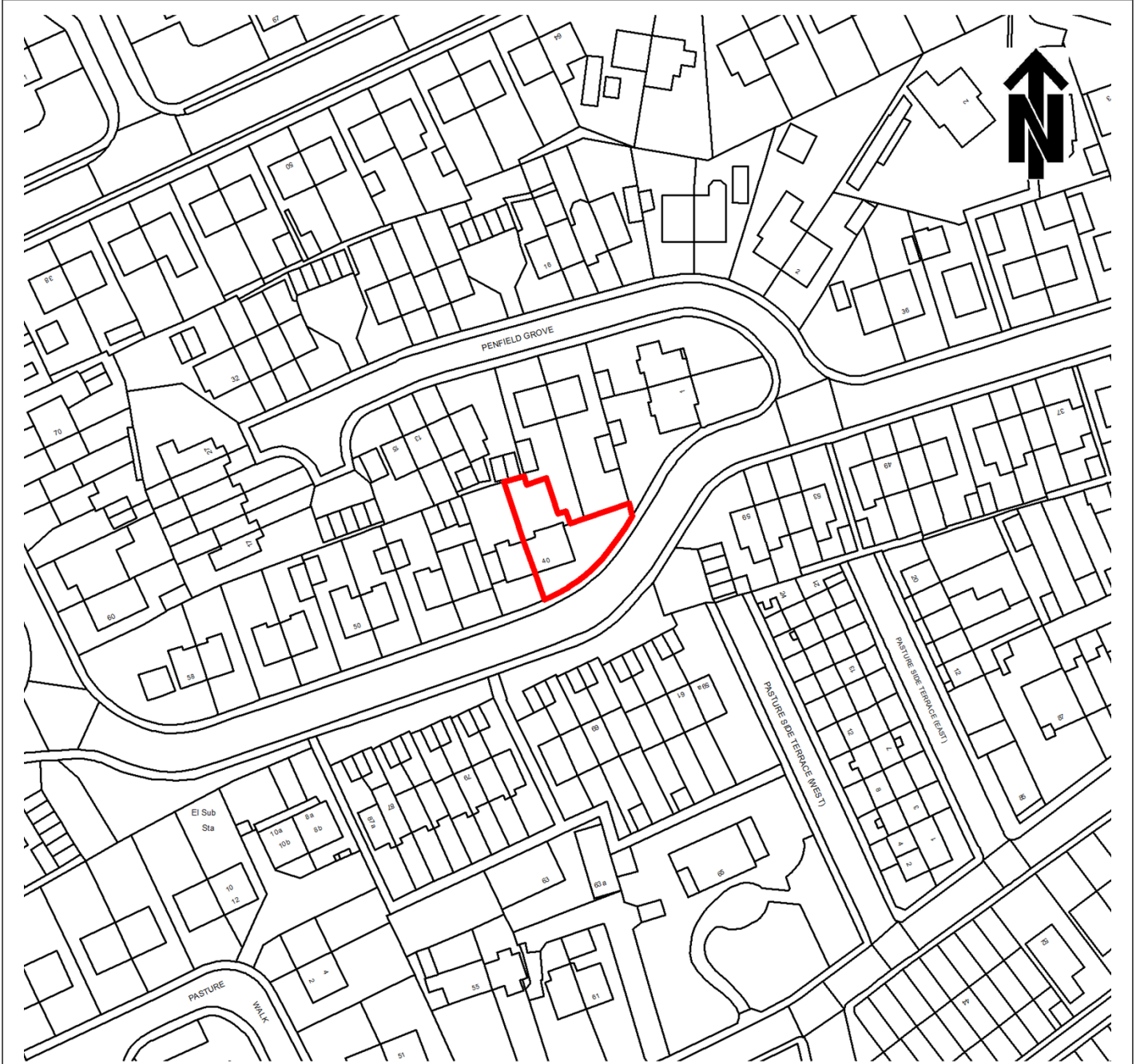
11. Notwithstanding the details contained in the supporting information, the drainage works shall not be installed until further details are submitted to show how vehicle parking and/or manoeuvring areas serving the development are to be drained using road type gullies with trapped sumped outlets. These details shall be subsequently approved by the local planning authority and the development shall thereafter proceed in 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.

12. No piped discharge of surface or foul water shall take place from the development until details of a scheme for foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The scheme so approved shall thereafter be implemented prior to the commencement of the development.

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.

23/02437/HOU



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**40 Pentland Avenue
Bradford
BD14 6JF**

20 September 2023

Item: C
Ward: CLAYTON AND FAIRWEATHER GREEN
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
23/02437/HOU

Type of Application/Proposal and Address:
Part single and first floor extension, front and rear dormers, increase of eaves height, increase of ridge height and new porch and gates at 40 Pentland Avenue.

Applicant:
Mr Rashid Moghul

Agent:
Mr Rashid Moghul (363 Architecture)

Site Description:
The dwelling is a two-storey semi-detached property, built of brick and render with tile to the roof. A two-storey extension has been added to the side and a single storey extension to the rear. At the side, an open area of land within the curtilage is bounded by hedges. The property is part of a corner plot and is prominently sited, visible from the public path and road. The site is part of a developed, residential area with properties of similar design and age making up the setting. The land slopes down gradually from west to east and the semi-detached houses along Pentland Avenue step down to follow the topography this is most evident in the stepped rooflines of the houses seen on the south side of the road.

Relevant Site History:
83/03847/FUL- Two storey extension including integral garage-19.08.1983-GRANT
02/04419/FUL-Construction of two storey side extension to property-03.02.2002-GRANT
21/01860/HOU-Two storey rear extension; front porch and single storey detached garage-09.08.2021-GRANT

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
EN7 Flood Risk
SC9 Making Great Places
TR2 Parking

Parish Council:

Clayton Parish Council: Support in principle but would like to make sure the size is within permitted development rules

Publicity and Number of Representations:

The application was advertised by neighbour notification. The publicity period expired on 1 August 2023.

One support comment was received.

Summary of Representations Received:

One support comment is from a local Ward Councillor and requests for determination by the Planning Panel if officers are minded to refuse planning permission.

Consultations:

Rights of Way - No objections, footpath is on opposite side.

Summary of Main Issues:

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

Appraisal:

1. Principle of Development

The site is not allocated for any specific land-use by the Replacement Unitary Development and there are no planning constraints which would seek to resist development at the given site. The proposal is for a domestic extension within the curtilage of a dwelling-house that is not a listed building and nor within a conservation area.

2. Impact on Visual Amenity

The proposal involves raising the height of the eaves of the host dwelling by 0.3 metres and the ridge of the host dwelling by 0.3 metres. This would create a stark and notable step up from the ridge height of the adjoining property.

The proposal would result in a blank area above the existing first floor windows which would exacerbate the impact of the raised roof levels. The proposed changes would be widely visible from Pentland Avenue and would be prominently notable when travelling in either direction on the street.

The host property forms the end of the uniform built line of houses which consists of five pair of semi-detached dwellings all of which are positioned on the side of the road where there are no dormer windows or stepped roofs. The roofs of the pairs on the north side of Pentland Avenue are equivalent in height. What is proposed here is to increase the eaves and ridge height of the house.

There are examples of stepped roofs within the vicinity to the south of the site and slightly further afield to the east, however this is in line with the change in gradient and the stepped roofs rise uniformly towards the west to follow the incline. Properties with such stepped roofs have been designed with proportionate fenestration to represent the change in levels. It is notable that these properties sit on the opposite side of the road and are not part of the immediate context of the host.

It is also noted that these properties form part of a row of terraces which are set back from the path by at least 10.5 metres. In comparison, the host dwelling only allows a setback of under 4 metres from the nearest path, which in contrast, demonstrates the prominence of this dwelling.

The changes to the host dwelling would fail to achieve the appearance of the stepped roofs in the vicinity as it would go against the grain. The host property forms the eastern side of this pair, and is downslope of the adjoining property. Therefore, the resultant raise in roof height would appear to be completely at odds with the established character of the street scene, and would imbalance this otherwise uniform heighted pair of semi-detached dwellings. The two storey side extension that is present has been suitably designed and appears subservient to the host dwelling. This is shown by the break in the height of the ridge which visually delineates it from the original house. The proposed works would inverse this an increase the prominence of the extension and the house unacceptably.

The proposal would also introduce front and rear dormer windows on the raised elevations of the roof. This would introduce further prominence and attract views towards the otherwise uninterrupted roofline of the host dwelling and surrounding properties.

The front dormer would not be obtrusive within itself as it is 3 metres wide, allows sufficient set back into the roof slope and side boundaries with minimal cladding to the frontage. The cladding to the cheeks would match the host dwelling roofing material. However, the front dormer is shown to sit above the ridge height of the existing dwelling and would, in combination with the raised eaves and ridge, appear to be an incongruous feature in this street scene setting.

The rear dormer window is of a scale and mass that would be larger than allowed when following strict application of the Householder Supplementary Planning Document. It would be heavily clad with roofing material, would be 5.1 metres wide, and the drawings show that it would sit above the ridge height of the existing roof. Therefore, the proposed rear dormer window does not conform with guidance which requires dormer windows to be no wider than 3 metres and with sufficient gaps to side boundaries. The proposed dormer only allows 0.58 metres to the adjoining boundary.

The side extension would also result in raised eaves and ridge height, which like the raised roof levels of the main body of the dwelling, would further exacerbate the dominance of this proposal. The extension would not retain subordination and would dominate the existing height of the dwelling house and the adjoining semi-detached property.

The rear element of the proposal, is again, not obtrusive within itself, but it would be built off the heightened eaves level at the rear of the property. There is an awkward meeting of roof junctions that would appear to connect the heightened eaves, ridge and rear extension with the rear dormer window. This would result in an awkward appearance that would be, in combination with the raised roof and eaves, poorly designed and would detract from the design and character of the host dwelling.

The proposal would not appear to be in-keeping with the general form and massing of the surrounding structures in this area. The proposal would result in a stark roofline which would make up a prominent and incongruous feature in the street scene setting. It would be of considerable height in comparison to the host dwelling as existing, as well as dominating the adjoining dwelling and roof lines of the surrounding row of semi-detached properties.

The front porch would introduce a large projection to the front of the property which spans partly across the host dwelling and partly across the side extension. It would be 2 metres from the front of the host dwelling and 3 metres wide. Whilst the appearance of the proposed porch/front extension would be large and reduces the subordination of the side extension, the resultant impact would be negligible in the street scene. The gable fronted roof is appropriate and the proposed roof pitch and height would not unduly dominate the frontage of the dwelling.

The front boundary wall would sit at 1.2 metres high where it fronts the road and public path. The gate would be taller at 1.8 metres high but would not be obtrusive in the setting given the nature of boundary treatments in the surrounding vicinity. Materials and finish can be agreed by way of condition.

Having had regard to the above, the proposed scheme to raise the roof, dormers and extension is unacceptable in terms of its design and its impact on the character and visual amenity of the area. The proposed development is therefore contrary with Policies SC9, DS1 and DS3 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

3. Impact on Residential Amenity

The ground floor of the rear extension projects 3 metres from the rear of the host dwelling. The resultant impact of the single storey element given its scale and projection from the rear would be negligible on the adjoining dwelling.

The first floor extension would be inset from the common boundary and would project by 2 metres to the rear. The first floor extension would comfortably clear a 45-degree angle from the nearest habitable room window of the adjoining property. The proposal allows a substantial inset from the common boundary which would mitigate any impact of overshadowing or overbearing on the adjoining property.

The front windows only obtain views across Pentland Avenue and sufficient standoff distances are retained. The first floor rear windows would allow 20 metres to the properties at the rear on Penfield Grove. The first floor extension would accommodate views over the rear yard area so there would be no significant increase of overlooking neighbours on either side.

There is 10.4 metres retained to the rear boundary of the site so any increase in overlooking here would be minimal. However, the first floor bedroom extension would allow some views due to the boundary of the property recessing significantly towards the host dwelling. The rear garden of No 7 Penfield Grove almost abuts the extension so there will be some increase however the plans show that bedroom 3, as existing, is already in a position that would allow this level of overlooking. Although the proposed bedroom 2 window would almost abut the site boundary, there would be similar levels of impact as existing and views are somewhat obscured due to the contour of the boundary slightly angling away as the distance between the properties increases.

The second floor windows to the rear would result in similar impact but are further recessed back into the roofline. However, this does not overly exceed the extent of overlooking already possible from the first floor rear windows of the host dwelling. The bathroom window would be obscurely glazed in any case.

The proposal is not considered to pose a substantial threat of overlooking, overbearing or overshadowing of any neighbouring properties, thereby acceptable and compliant with policy DS5 of the Core Strategy and the Householder SPD.

4. Highway Safety:

Given the location of the proposal and existing parking layout, there is no foreseen conflict with Policy DS4 or TR2 of the Core Strategy, the Householder Supplementary Planning Document and the NPPF.

Planning Balance and Reasons for Recommendation:

There are substantial implications for visual amenity of the street scene, which would not be in accordance with policies DS1 and DS3 of the Core Strategy Development Plan Document.

Community Safety Implications:

There are no apparent community safety implications.

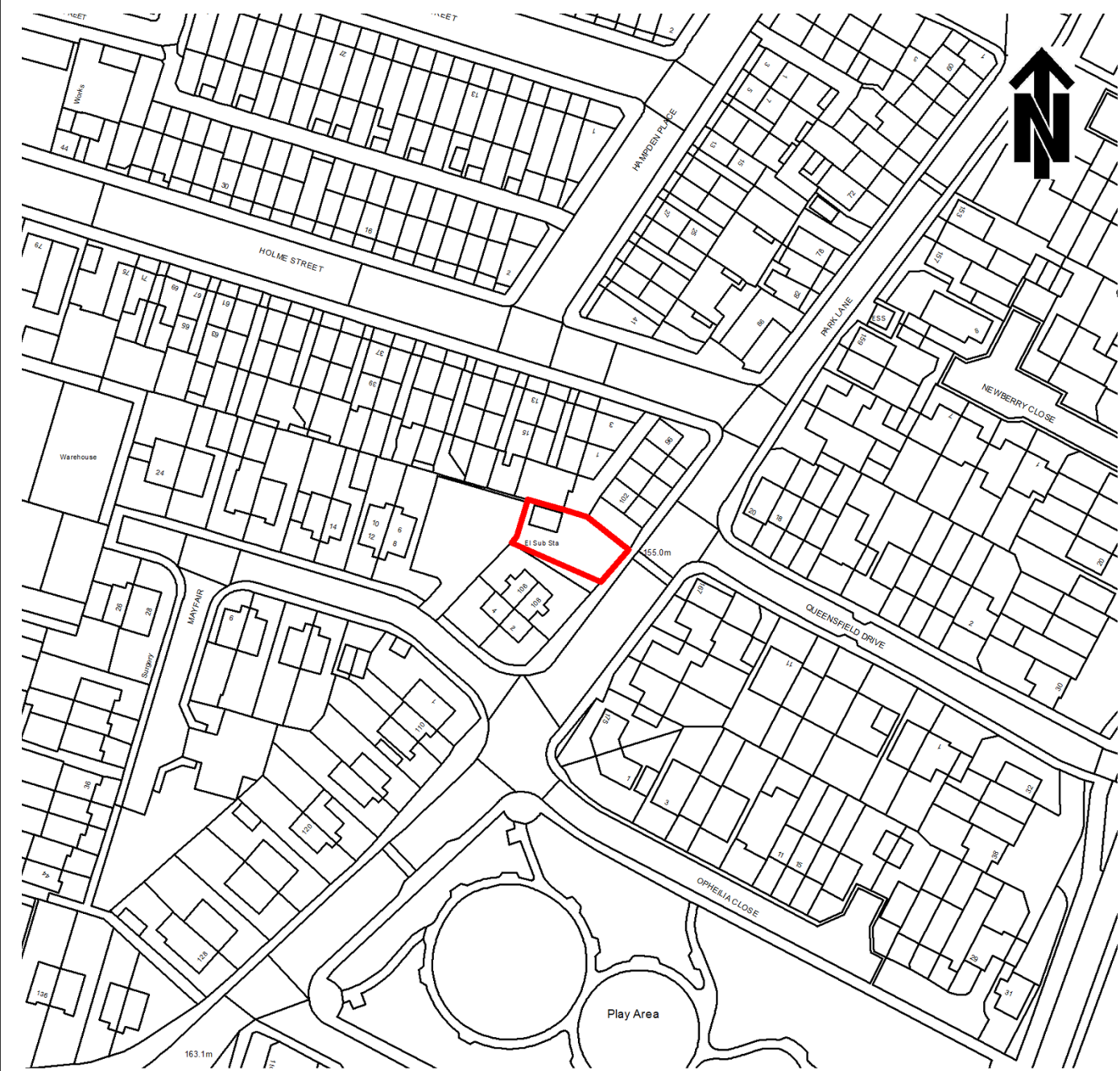
Equality Act 2010, Section 149:

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

Reasons for Refusal:

1. The increase of eaves and ridge height of the host dwelling and side extension would create a stepped roof against the grain of the existing roofscapes in the immediate setting, which would present an incongruous and dominant feature, poorly related to the appearance of the existing house, adjoining semi-detached dwelling and wider context of the street scene. The raised eaves would create a blank section of walling above the existing first floor windows which would appear to be unduly obtrusive in comparison to the existing building and its setting. The raised height of the side extension would dominate the existing house and would no longer retain sub ordinance as a result. The proposal does not accord with design guidance in the adopted Householder Supplementary Planning Document and is contrary to polices DS1 and DS3 of the Core Strategy.
2. The form of the raised roof in combination with dormer windows that sit above the ridge of the existing host dwelling would dominate the existing roofline. The dormer windows in combination with the proposed eaves and ridge height increase, does not maintain or improve the character setting of the existing house, or the wider area and does not accord with design guidance in the adopted Householder Supplementary Planning Document and is contrary to polices DS1 and DS3 of the Core Strategy.
3. The proposed scale, excess of cladding to the face and position above the original ridge of the host property of the proposed rear dormer fails to accord with policies DS1 and DS3 of the Core Strategy Development Plan Document and the Council's adopted Householder Supplementary Planning Document.

23/02017/FUL



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Land at Park Lane
Little Horton
Bradford

20 September 2023

Item: D
Ward: LITTLE HORTON
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
23/02017/FUL

Type of Application/Proposal and Address:
Three storey building comprising of two class E units and five apartments at
Land off Park Lane, Little Horton.

Applicant:
Mr Waheed Khan

Agent:
Mr Rashid Moghul (363 Architecture)

Site Description:
The site is a constrained plot of land on Park Lane in Little Horton. There is a small substation on the land which appears to have been decommissioned. The site is located close to the brow of the hill at Park Lane and is positioned on a steep slope rising southwest to the site.

The surrounding area is predominantly in residential use in what is a mix of traditional, new-build and late 1970's properties. There are some other uses in the wider vicinity which include St Lukes Hospital, Lidl Supermarket, taxi booking office and repair garages.

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

DS4 Streets and Movement

DS5 Safe and Inclusive Places

EC1 Creating a successful and competitive Bradford District economy within the Leeds City Region

EC2 Supporting Business and Job Creation

EC4 Sustainable Economic Growth

EC5 City, Town, District and Local Centres

EN3 Historic Environment

EN7 Flood Risk

EN8 Environmental Protection Policy

SC9 Making Great Places

TR2 Parking

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application was advertised by site notice. The overall publicity period expired on 28 July 2023.

29 representations have been received objecting to the proposal.

One neutral representation has been received.

Two representations have been received in support of the proposal.

The supporting comments are from Ward Councillors and both request for determination by the Planning Panel if officers are minded to refuse planning permission. Only one of these requests provides any reasons for the request.

Summary of Representations Received:

Objections:

- Business use here is unacceptable.
- Vacant units should be used instead.
- The apartments will exit out onto private land to the rear.
- The building is out of keeping with the area.
- There is already a traffic congestion issue in this area.
- There is limited parking available.
- The car park to the rear is owned privately and not by the applicant.
- There is not enough parking in this street.
- There should be off street parking spaces.
- The proposal is dangerous to highways safety at nearby junctions.
- The surrounding businesses are already generating excessive traffic.
- Impact on hospital parking which is already an issue.
- Pedestrians will be at risk when crossing the road.
- The building will result in overshadowing/overbearing.

- This will result in loss of privacy for neighbours on Holme Street.
- The retaining wall at the boundary with Holme Street would be compromised.
- The site is contaminated with Japanese Knotweed.
- Noise disruption will be unacceptable.
- Noise from deliveries, and servicing will be unacceptable.
- The use is inconsistent with the residential nature of the area.
- There will be antisocial issues and littering.
- Attracting more rodents to the area.
- There is illicit behaviour including drug dealing in the area.

Support:

- Support the application as it will have a positive impact on the area.
- It will be an improvement on the area.
- It will be better than the eyesore it was.

Neutral:

- Having a business here will result in additional traffic.
- There is a lack of parking on this road.
- The road is used as a rat run.
- There is a school in the area and the additional pollution is not welcomed.
- Businesses are not required in this area.
- There is antisocial behaviour in the area.
- There is already a litter issue in the area.
- This may be a laundrette and barbershop but could change to a takeaway in the future.
- I would support a property which is in line with those in the area.
- Full and thorough investigation should be conducted prior to any approval on this land.

Consultations:

Highways - Level of off street parking (3 spaces) is inadequate for the proposed use. This would lead to further on street parking in an area where parking problems persist. The scheme would result in overdevelopment of the site.

Drainage - No objections subject to conditions.

Housing Standards - Guidance attached.

Environmental Health - Noise impact assessment should be carried out to take into consideration the extent of likely noise problems.

West Yorkshire Police - There is no explicit mention of a security plan. There is potential for criminals to access the site by foot or by vehicle. Boundary treatment entrance does not appear to have a break in the perimeter wall for access. Other guidance is attached.

Summary of Main Issues:

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

Appraisal:

1. Principle of Development

This application seeks planning permission to construct a new four storey building on this site which currently accommodates a low-rise building which appears to be a substation.

The site is located within a predominantly residential setting, with some retail/commercial uses in the nearby area, as well as a large scale hospital facility. The principle of developing the site not restricted by any policies or designations.

2. Impact on Visual Amenity

The site is located close to the brow of the hill on Park Lane and is positioned on a steep slope rising southwest to the site. The surrounding area consist of a mixture of properties, most of which are two storeys high.

To the north of the site there is a row of back to back traditional terraced properties that sit on lower ground levels. Directly to the northeast of the site, sits a row of traditional terraced properties in residential use that slope away from the site.

To the southwest, sits a larger two storey building split into 4 also serving residential use which sits higher up the slope on Park Lane. Directly opposite the site on the other side of Park Lane to the east sit pairs of two storey new build semi-detached dwellings. The new builds around the site also consist of some detached and terraced properties.

Although there are properties of differing styles and ages within the immediate vicinity, there is a well-established theme in terms of proportions and massing. The proposal would be prominently seen from public land and neighbouring gardens, as well as from the rear windows of properties adjacent to the site.

The positioning of the building on the sloping land levels would be disruptive to the existing pattern of built form and incongruous, particularly exacerbated by the excessive height, massing and prominent position of the building. The massing of the building is also notable as the width of the property covers almost the entire plot, splaying to follow the contour of the site. The proposal represents overdevelopment of a constrained piece of land.

The position of the building in combination with its height, prominence and massing sitting amongst traditional stone built dwellings, some with modern brick finish and other with artificial stone would appear to be incongruous due to the cream colour render finish.

The building would be considerably higher than the traditional terrace to the side of the property and would tower above the existing properties there by 2 storeys. The ceiling height of the first floor of the proposal would be level to the ridge height of the existing buildings which demonstrates the stark difference in terms of height. The proposed building is taller than the property to the other side although the existing building sits on considerably higher land levels in comparison.

Properties on this slope generally step up based on the gradient of the land in an almost uniform fashion. However, this new building would be taller, and the massing of the building would be imposing in this setting. This new building would break the uniformity of the building line and would unduly dominate the setting and roofscape of the surrounding built form. It is not reflective of the character of the surrounding buildings.

The proposed front dormer windows are discordant with the immediate setting. They would be 3 metres wide but sit high and prominent within the roof line and as high as the ridge. Their frontages would be heavily clad with roofing material and they would sit much higher than the buildings on either side, resulting in a prominent and stark feature across the roofline. This impact is further exacerbated due to the roof line being much taller than the surrounding buildings.

The rear element of the building is also poorly designed in relation to the surrounding built form. The rear elevation would be widely visible from Mayfair, some aspects of Holme Street and Park Lane. The roof would also be prominent at the rear as it sits proud of the ridge height of the surrounding buildings. The large, clad third floor feature is of stark contrast with the surrounding setting.

The rear roof projection would span beyond the rear of the upper floors of the building to form an outrigger. The proposal introduces a large, stark feature on the rear roofline which dominates the setting and the proposed building. The design does not appear to be well thought out and appears to be a later addition to accommodate a lift shaft and stair well. This should be integrated within the design of the building.

Having had regard to the above, the proposed scheme is considered to be unacceptable in terms of its design and its impact on the character and visual amenity of the area. The development site is highly visible within the surrounding area and this increases the prominence of the scale amongst existing built form.

The proposed development is therefore considered to be contrary to Policies SC9, DS1 and DS3 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

3. Impact on Residential Amenity

The proposal includes a mix of uses which have been raised as concerns as part of the representations. As well as this, the scale of the building and impact on existing residential use has been mentioned.

The presence of residential properties within the immediate proximity of the site, gives rise to significant harm to the adjacent properties, including overbearing, overshadowing, loss of privacy, quality of outdoor amenity space and loss of outlook. The standoff distances between the proposed building and existing residential properties appear to be inadequate.

The most notable factor would result in properties on Holme Lane being subject to adverse residential amenity due to the massing, scale and position of the proposed building. The building would sit within close quarters to the private amenity space and habitable room windows of these properties, particularly No 1 and No 5. Given that these are back to back properties, the windows at ground floor and first floor level facing the proposed building are the only sources of outlook from habitable rooms. The garden area is the only outdoor amenity space afforded to these properties.

There is no demonstration of 25 degree lines from the ground floor or first floors of these properties, presumably because it does not seem possible that the new building could clear these lines. The impact on these windows would be unacceptable, as would the overbearing and overshadowing impact on the only private amenity space of these properties. There is no accurate representation of the change in levels either, which could further exacerbate the impact on these properties and those further along the row.

The potential for overlooking from the rear windows of the proposed building has also not been addressed. The windows face directly onto the garden area and habitable room windows of No 13 and 15 etc, with under 8 metres between the proposed windows of the development to No 13 and under 12 metres with the windows between No 15. There would be unrestricted views into the garden space of these properties from an elevated position.

The proposed residential units would be of adequate size and it would appear that there would be sufficient outlook from habitable rooms. The natural light intake is also deemed to be acceptable.

The introduction of 2 Class E units in the proposed building is anticipated to result in potential noise implications to the amenity of the nearby residential occupants. The ambient noise levels appear naturally higher than a more secluded residential area here but these units if operated as a laundrette and barber shop are not likely to be unduly discordant with the noise levels of the existing setting.

There is no submitted noise impact assessment to demonstrate any additional noise or mitigation that may be required. However, the hours of operation are provided as 08:30 am to 08:00 pm on the application form and a condition restricting the opening hours is recommended to prevent possible disturbance in the early hours or late night. It is also possible to impose a condition preventing further changes of use within Class E normally allowed without planning permission.

It is not deemed that the commercial uses adjacent would have any particular impact on residential amenity or generation of excessive noise from the premises subject to the use being restricted to that proposed within the operating hours mentioned.

The proposal will however adversely affect the amenity of occupiers of adjacent properties and as such the proposal is contrary to Policy DS5 of the Core Strategy Development Plan Document for Bradford.

4. Highway Safety:

Objections have been received with regards to the effect on highways safety, parking and increased traffic within the area. The Highways officer has been consulted as part of these proposals and has raised concerns with the lack of available off street parking.

The introduction of two Class E units and five residential units would require designated parking given the location and lack of availability of on street parking. Three spaces would be provided but this is inadequate and the development is located in such a position that the Class E units would likely generate pressure onto the on street parking spaces currently used by local residents.

No specific parking is proposed for the residential units as parking at the frontage is likely to be used for the ground floor Class E units. The Class E units would entail parking reliant uses which include the proposed laundrette and barber shop. The proposed units are likely to result in adverse implications and intensification of an already high in demand on street parking location.

Bin storage is shown on the plans and can be conditioned to ensure provision.

Given the location of the proposal, there is conflict with Policy DS4 and TR2 of the Core Strategy, the Householder Supplementary Planning Document and the NPPF.

5. Impact on Economy

Policy EC1 seeks to encourage a more entrepreneurial Bradford District, with the aim of achieving higher rates of business start-ups and survival. Policy EC4 seeks to manage economic and employment growth in a sustainable manner thus supporting priority business sectors and clusters through the provision of appropriately located sites and premises.

The NPPF's economic objective is to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth.

There is a clear encouragement for economic development, and the proposed development, would be beneficial to the local economy by bringing about Class E use, residential use and job opportunities in this plot of land.

There is no conflict in terms of economics policies of Core Strategy Development Plan Document and the National Planning Policy Framework. The proposal is sustainable in this regard but does not outweigh the harm identified earlier in the report or comply with other policies of the Core Strategy hence is unacceptable.

6. Secured by Design

The submission does not include a safety plan and it has not been demonstrated how the proposed Class E and residential units will be protected from crime. The residential units are located in a position which would render them prone to criminal activity.

The plans show that the apartments are accessed from the rear. This means residents walking either along a narrow passage to the right-hand side of the building or through the car park to the rear.

The car park at the rear is not under the ownership of the applicant and is outside the red line of the location plan. Access to and from this car park is not guaranteed for the lifetime of the development for this reason.

The car park to the rear does not currently have a footpath and this could mean that occupants would need to navigate from the public path on Mayfair, through parked cars and moving vehicles to access the gate to the rear of the site, potentially endangering the safety of residents, and increasing the opportunity for crime. Therefore, it is not clear how pedestrian access from the proposed rear opening would be feasible or secure.

Aside from the inadequacy of the narrow access from the front of the site the path is not demonstrated to be well lit and it is clear that there would be limited natural light or visibility in this path. There is no mention of a lighting scheme, nor is there indication of how surveillance would operate in this passageway. Such an arrangement is unacceptable in terms of the safety of tenants and it has not been demonstrated how this access route would be secure.

The lack of consideration in this regard means that the development is likely to result in increased opportunities for crime and anti-social behaviour contrary to Policy DS5 of the Core Strategy Development Plan Document.

7. Other matters:

The fear of the site introducing access onto private land, antisocial behaviour, littering etc cannot be considered as formal planning considerations and would be subject to other means of enforcement.

All other objections raised have also been addressed within the body of the report.

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.

Planning Balance and Reasons for Recommendation:

The proposal is concluded to result in overdevelopment of a constrained site. There are substantial implications for visual amenity, residential amenity, highways issues and public safety.

Therefore, the proposal is not in accordance with the above mentioned policies of the Core Strategy Development Plan Document and the requirements of the National Planning Policy Framework and the adopted Core Strategy Development Plan Document.

Reasons for Refusal:

1. The siting, massing and scale of the proposed building on this prominent plot, would result in overdevelopment of a constrained site, loss of spatial quality and the introduction of an obtrusive massing which would over-dominate the adjacent properties. As a consequence, it would result in an incongruous appearance and harm to the character of the area, contrary to policies DS1 and DS3 of the Core Strategy Development Plan Document.

2. The use of rendered finish, proposed height, imposing roof form, design of the dormer windows and rear third floor projection of the proposed development are features that are not informed by a good understanding of the existing built form or context and will detract from the design of the area resulting in a negative impact on the character of the area, the street scene and significant visual harm contrary to policies DS1 and DS3 of the Core Strategy Development Plan Document.
3. The introduction of this large building in an elevated position at close quarters to the existing residential properties, would have an adverse impact on the amenities of the occupants of neighbouring properties on Holme Street due to increased overbearing, overshadowing and loss of outlook from the rear habitable room windows and private amenity space of these properties. For these reasons the proposal would be contrary to policies HO8 and DS5 of the Council's adopted Core Strategy Development Plan Document.
4. Notwithstanding the above reasons for refusal, the new building would also result in overlooking of the only outdoor amenity space and habitable room windows of dwellings on Holme Street. For these reasons the proposal would be contrary to policies HO8 and DS5 of the Council's adopted Core Strategy Development Plan Document.
5. The proposed building is located in a restricted plot in close proximity to several residential dwelling houses. The introduction of two Class E units and five residential units would cause a significant increase in demand for on street parking. The parking provision of three off-street car parking spaces would be inadequate for the scale and nature of the development proposed. The intensification of use and an increased demand for car parking would be likely to cause inconvenience and nuisance to other users of the surrounding streets. The proposal would unduly impact parking in the vicinity and so would be contrary to Policy TR2 and DS4 of the Core Strategy Development Plan Document.
6. The proposed development would result in adverse impacts on the amenities of prospective occupants of the residential properties due to the unsafe and unwelcoming access route from the front of the building, lack of lighting, surveillance and access through a car park, which is outside the red line identifying the site, at the rear of the site with no footpath. The proposal would result in unsafe and unwelcoming access to the residential properties which would not conform to policy DS5 of the Core Strategy Development Plan Document.

Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 20 September 2023

D

Summary Statement - Part Two

Miscellaneous Items

	<u>No. of Items</u>
Requests for Enforcement/Prosecution Action	(12)
Decisions made by the Secretary of State - Dismissed	(2)

Richard Hollinson
Assistant Director (Planning, Transportation and Highways)

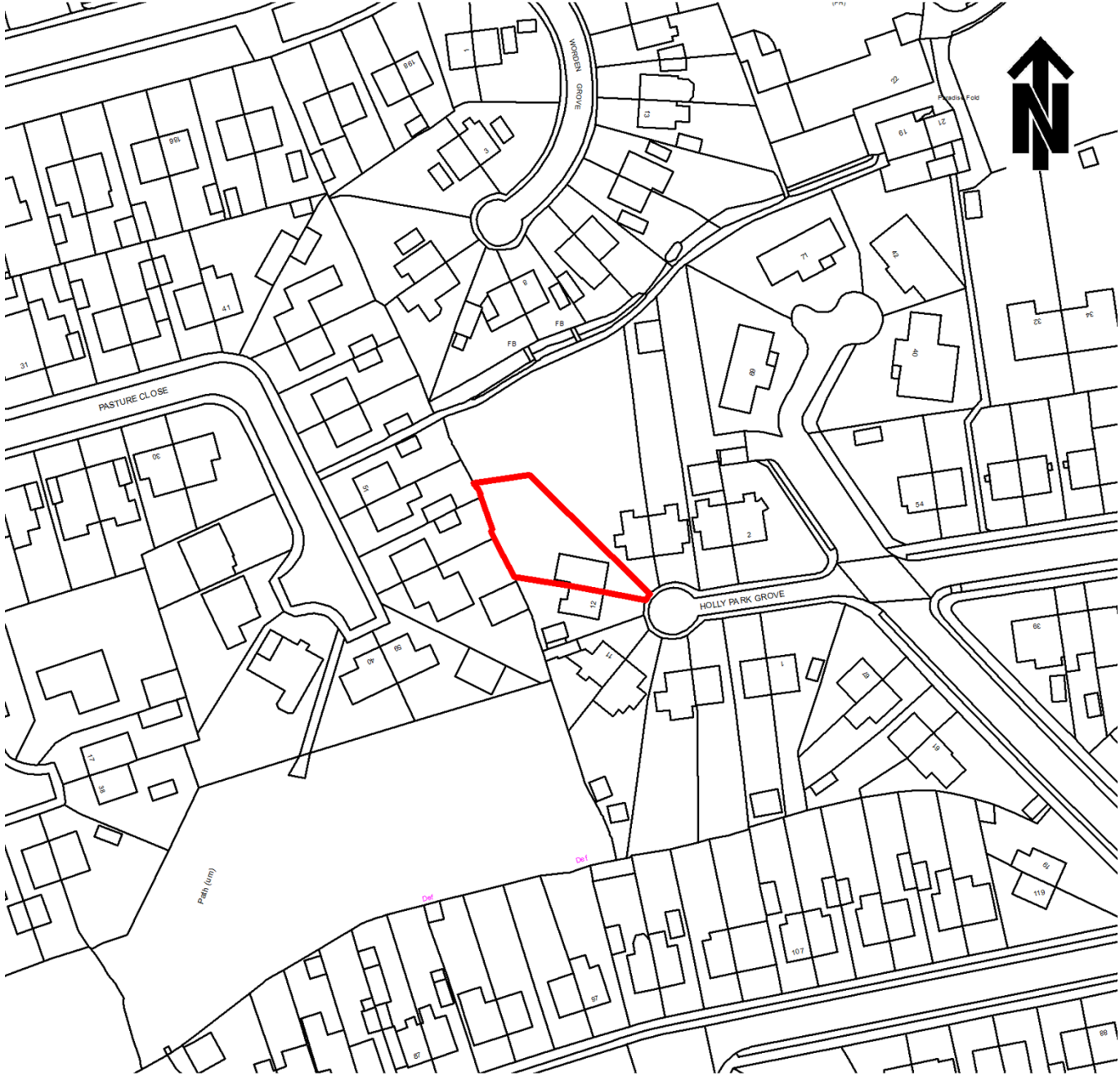
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Portfolio:
Regeneration, Planning & Transport

Overview & Scrutiny Committee Area:
Regeneration and Environment

20/01191/ENFCOU



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**10 Holly Park Grove
Bradford
BD7 4BZ**

20 September 2023

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

Enforcement Reference:
20/01191/ENFCOU

Site Location:
10 Holly Park Grove Bradford BD7 4BZ

Breach of Planning Control:

The material change of use of the land from residential to a mixed use of residential and the keeping of an unreasonably large number of cats, without planning permission.

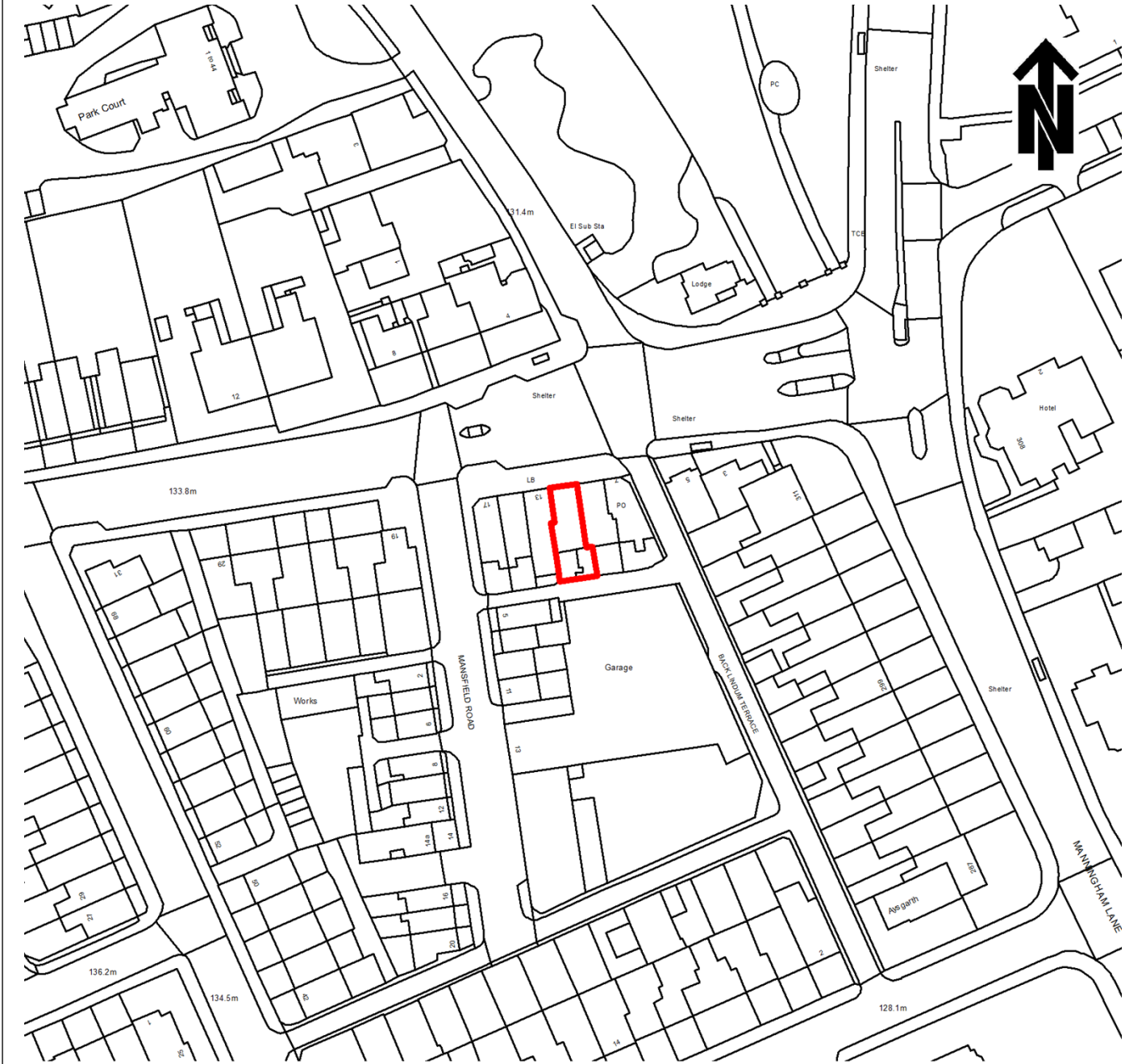
Circumstances:

Following a complaint received in this office an investigation concluded that the above breach of planning control had occurred. To date the matter remains unresolved.

It is considered expedient to issue an Enforcement Notice because the behaviour of cats resident at the property has resulted in a significant loss of amenity to persons living close by to the detriment of residential amenity.

The Planning Manager (Enforcement and Trees) authorised enforcement action on the 4 July 2023 requiring the owners of the property to cease the unauthorised material change of use and reduce the number of cats kept on the land to no more than 12.

22/00843/ENFUNA



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11 Oak Lane
Bradford
BD9 4PU

20 September 2023

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

Enforcement Reference:
22/00843/ENFUNA

Site Location:
11 Oak Lane Bradford BD9 4PU

Breach of Planning Control:
Unauthorised extractor flue

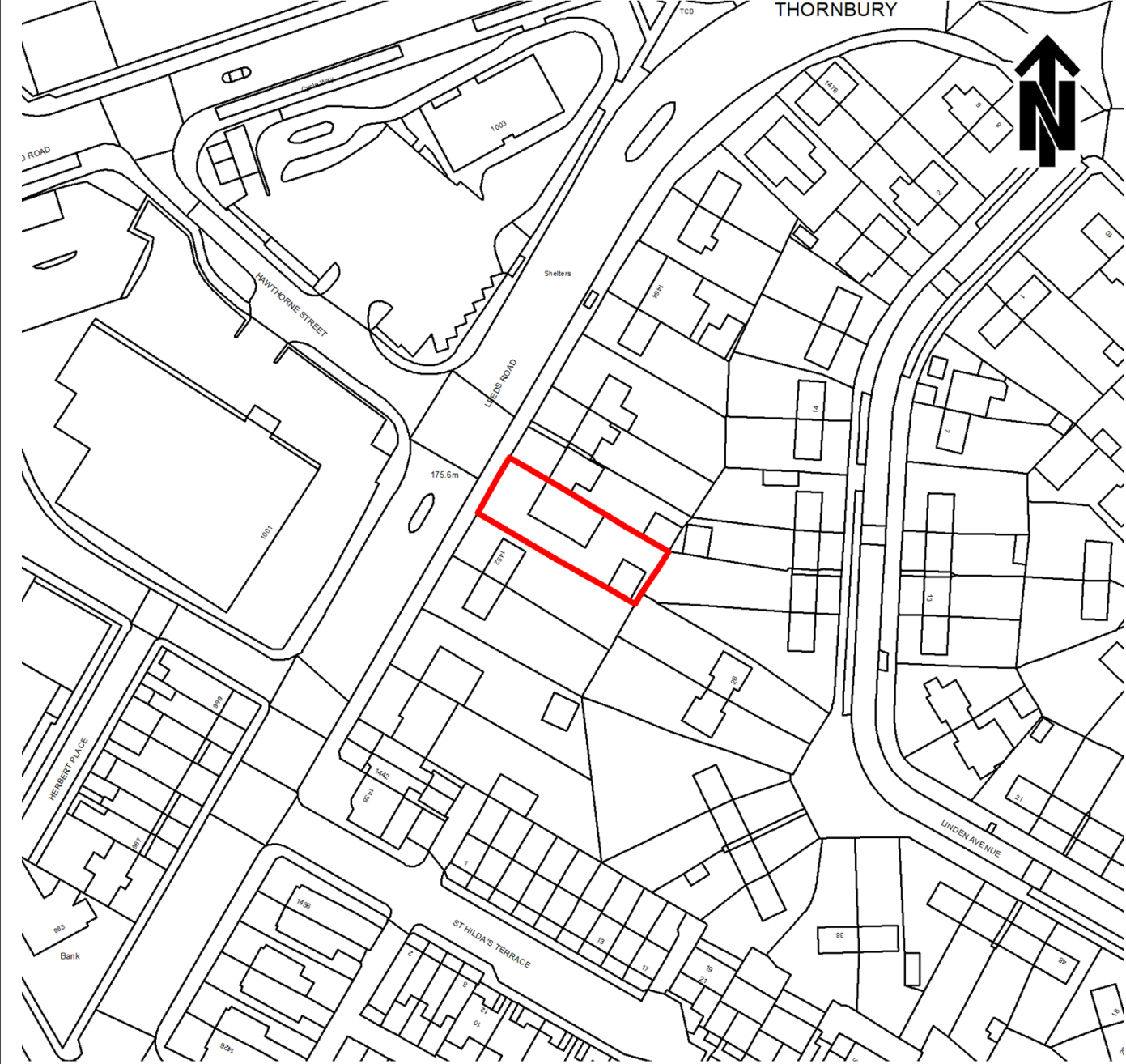
Circumstances:
In November 2022 the Council received an enquiry regarding new extraction equipment at the property.

An inspection showed that an extractor flue had been installed to the rear elevation of the property, for which the Council had no record of planning permission having been granted.

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

On 16 August 2023 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised extractor flue is detrimental to visual amenity by virtue of its position, design and appearance, forming an incongruous feature on the building and within the St Paul's Conservation Area, contrary to Policies DS1, DS3 and EN3 of the Council's adopted Core Strategy Development Plan Document and the principles of the National Planning Policy Framework.

21/00908/ENFUNA



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**1454 Leeds Road
Bradford
BD3 7AA**

20 September 2023

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

Enforcement Reference:
21/00908/ENFUNA

Site Location:
1454 Leeds Road Bradford BD3 7AA

Breach of Planning Control:
Unauthorised single storey porch extension

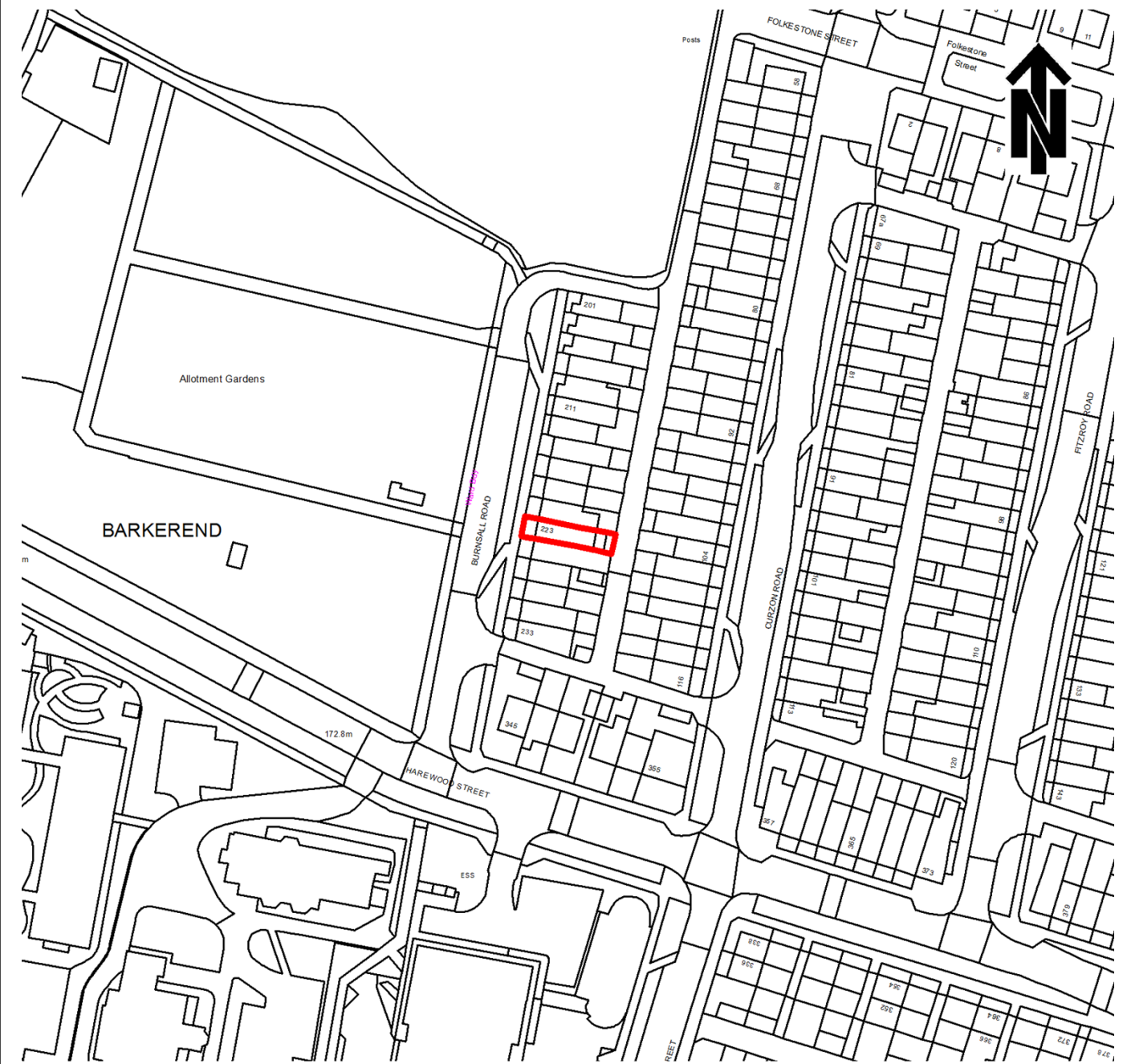
Circumstances:
In September 2021 the Council received an enquiry regarding development works at the property.

An inspection showed that showed that a single storey porch extension had been constructed to the front of the property, for which the Council had no record of planning permission having been granted.

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

On 4 July 2023, 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 porch extension is detrimental to visual amenity by virtue of its size, position and appearance, forming an incongruous feature on the land and within the street scene, 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.

21/00897/ENFUNA



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223 Burnsall Road
Bradford
BD3 9EA

20 September 2023

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

Enforcement Reference:
21/00897/ENFUNA

Site Location:
223 Burnsall Road Bradford BD3 9EA

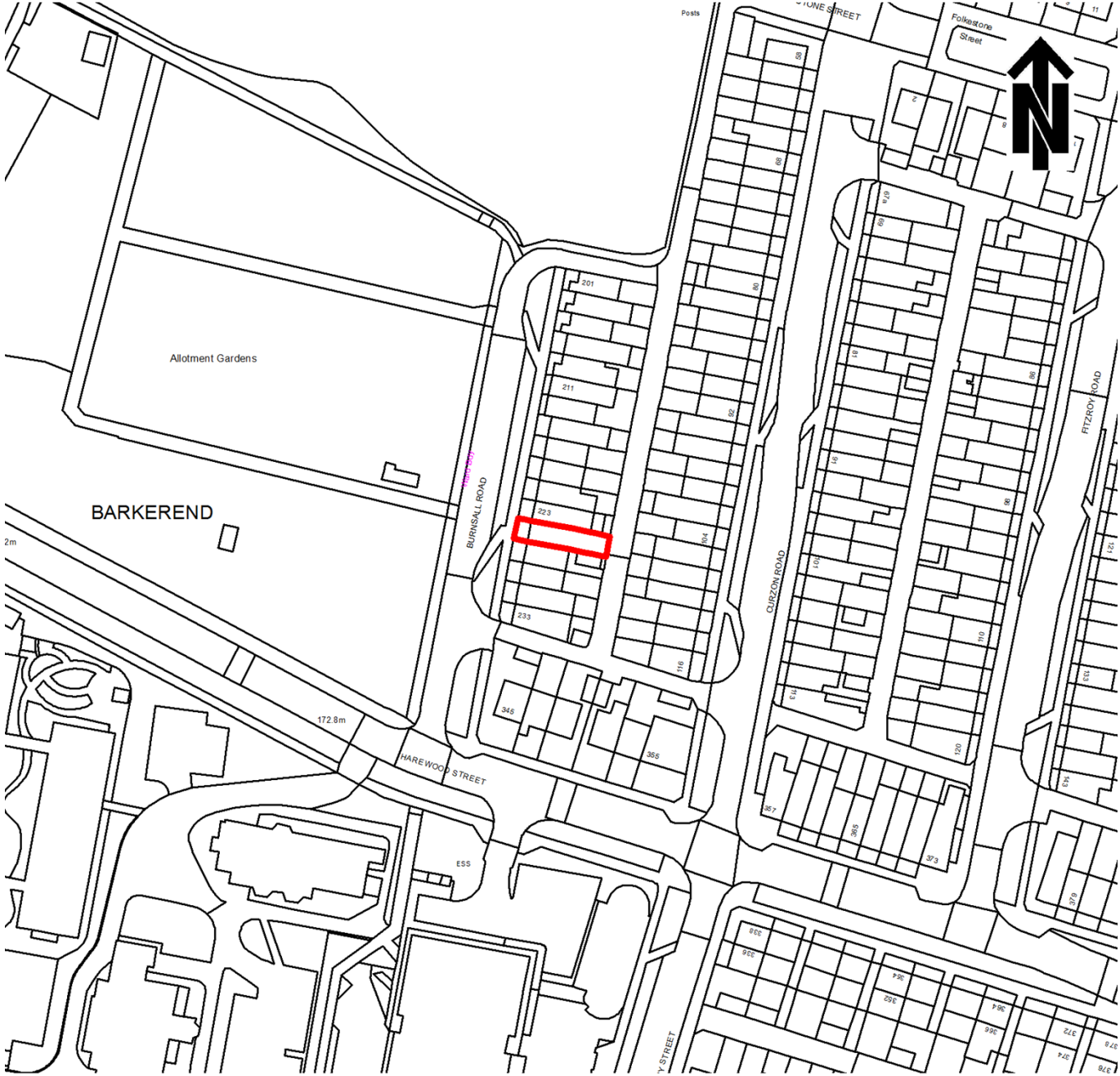
Breach of Planning Control:
Unauthorised canopy structure

Circumstances:
In April 2022 it was noted that a canopy structure covering the rear yard area of the property had been attached to the two-storey rear extension.

The Council had no record of planning permission having been granted for the canopy structure and the owner/occupier of the property was requested to take action to rectify the breach of planning control.

No action has been taken and on 4 July 2023 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised attached canopy structure is detrimental to visual amenity by virtue of its position, design and appearance, forming an incongruous feature 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.

22/00319/ENFUNA



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225 Burnsall Road
Bradford
BD3 9EA

20 September 2023

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

Enforcement Reference:
22/00319/ENFUNA

Site Location:
225 Burnsall Road Bradford BD3 9EA

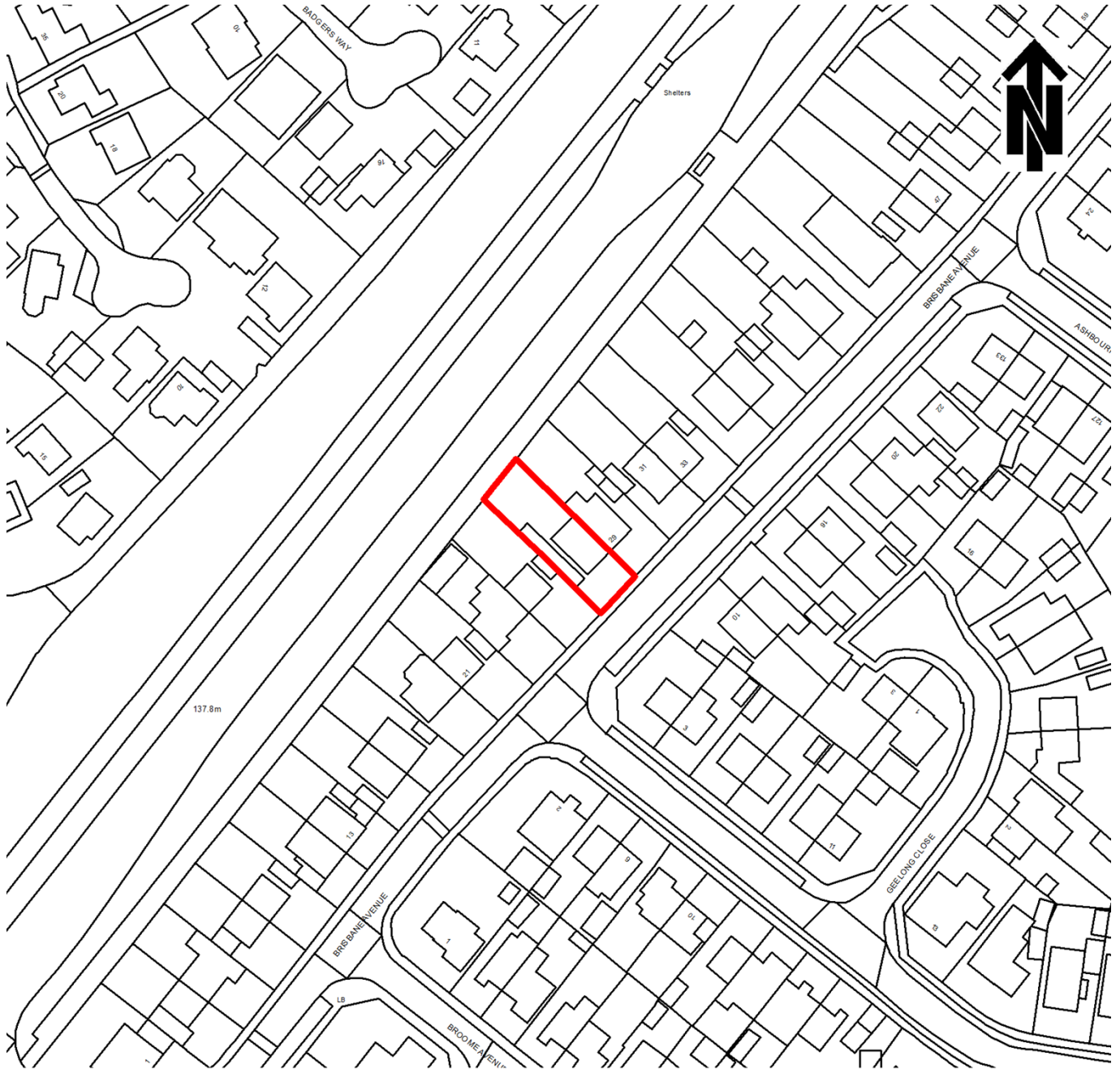
Breach of Planning Control:
Unauthorised canopy structure

Circumstances:
In April 2022 it was noted that a canopy structure covering the rear yard area of the property had been attached to the two-storey rear extension.

The Council had no record of planning permission having been granted for the canopy structure and the owner/occupier of the property was requested to take action to rectify the breach of planning control.

No action has been taken and on 4 July 2023 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised attached canopy structure is detrimental to visual amenity by virtue of its position, design and appearance, forming an incongruous feature 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.

20/01581/ENFAPP



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**27 Brisbane Avenue
Bradford
BD2 1EH**

20 September 2023

Item Number: F
Ward: BOLTON AND UNDERCLIFFE
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
20/01581/ENFAPP

Site Location:
27 Brisbane Avenue Bradford BD2 1EH

Breach of Planning Control:
Unauthorised front and rear dormer windows

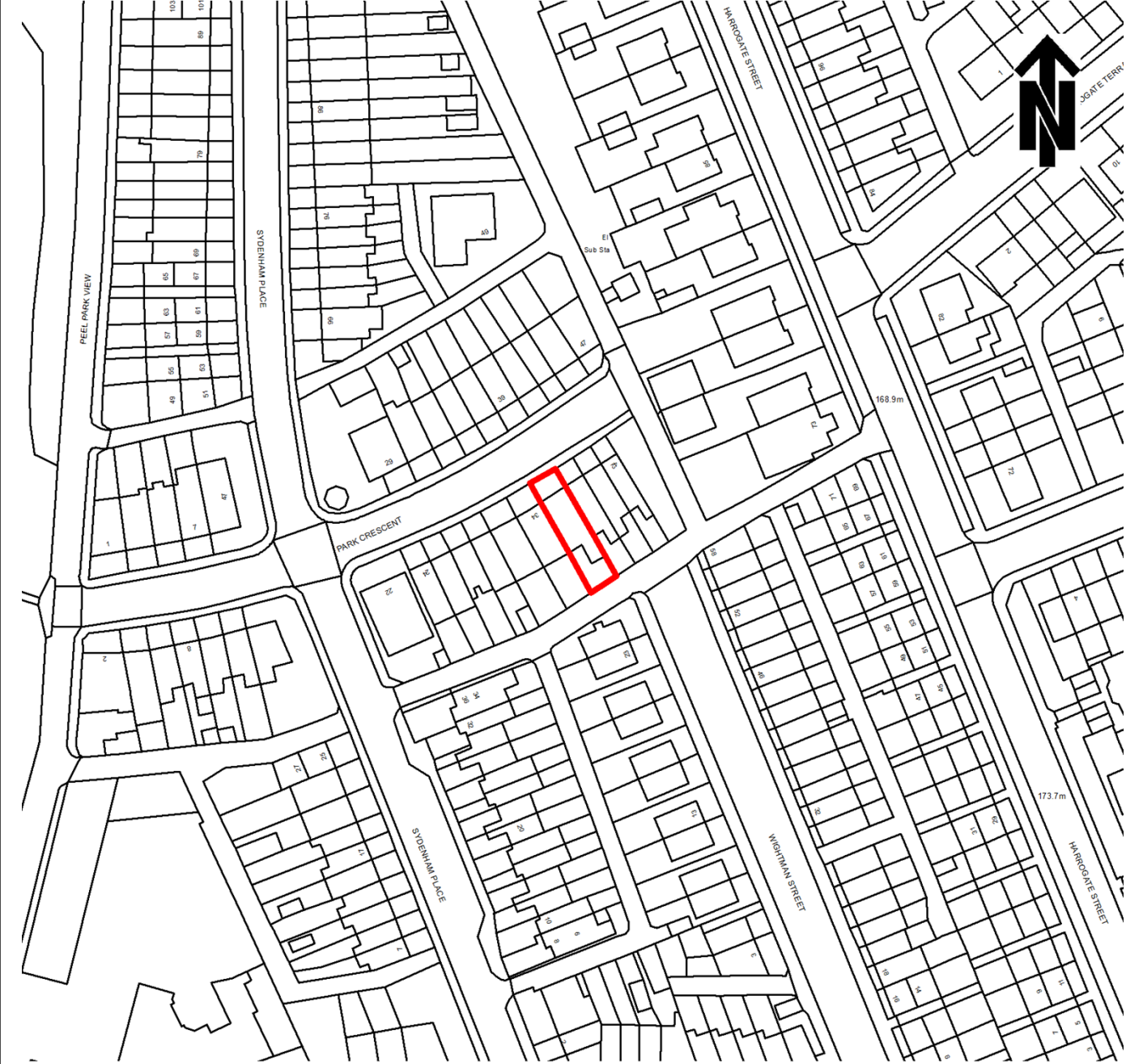
Circumstances:
In December 2020 the Council received an enquiry regarding development works at the property.

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.

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

On 16 August 2023 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the two unauthorised front dormer windows and the unauthorised rear dormer window are detrimental to visual amenity by virtue of their design and appearance, forming incongruous features on the building and within the street scene, 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.

21/00521/ENFUNA



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36 Park Crescent
Bradford
BD3 0JZ

20 September 2023

Item Number: G
Ward: BOLTON AND UNDERCLIFFE
Recommendation:
THAT THE REPORT BE NOTED

Enforcement Reference:
21/00521/ENFUNA

Site Location:
36 Park Crescent Bradford BD3 0JZ

Breach of Planning Control:
Unauthorised rear dormer window

Circumstances:
In May 2021 the Council received an enquiry regarding development works at the property.

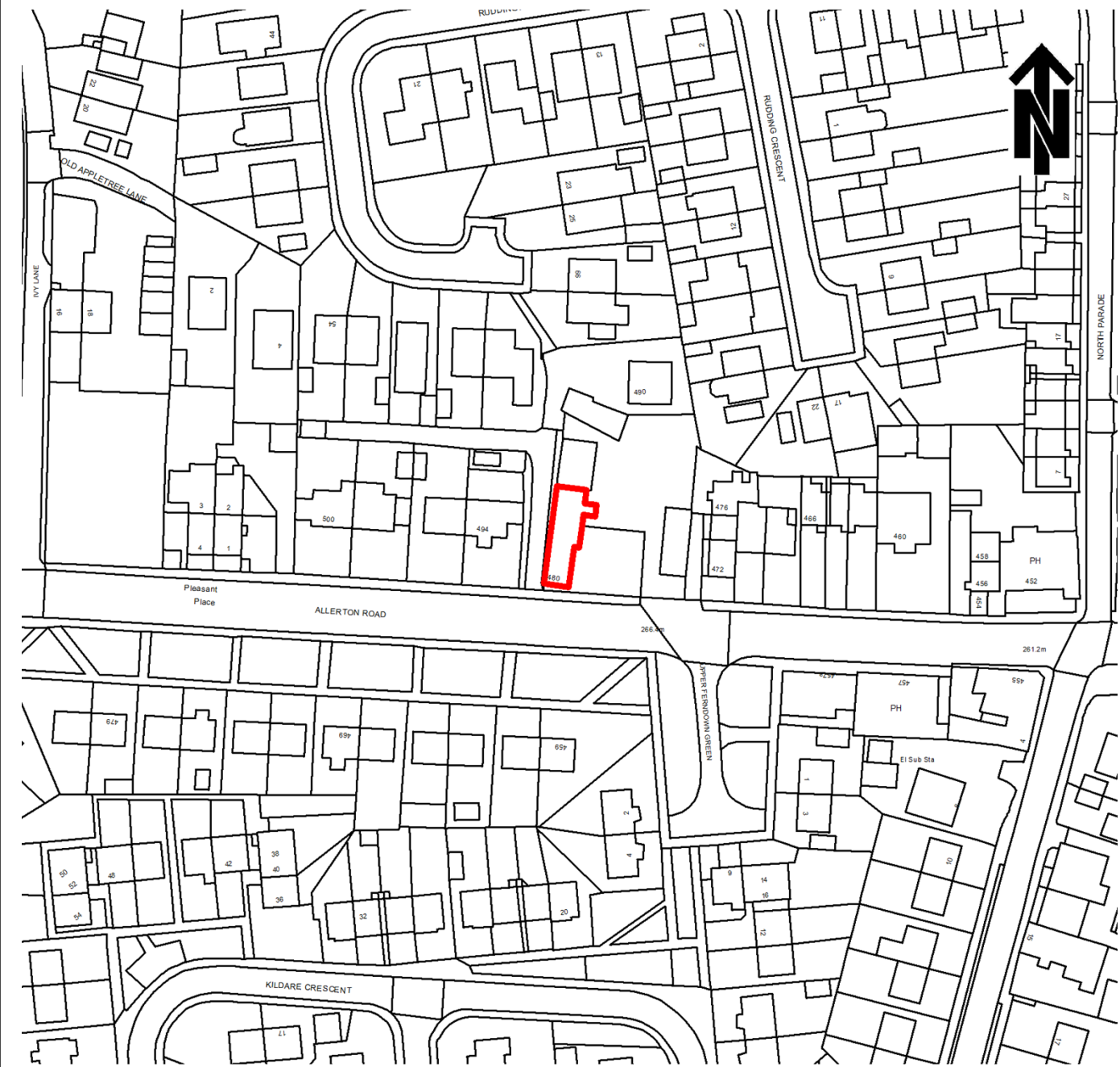
An inspection showed that a rear dormer window had been constructed, for which the Council had no record of planning permission having been granted.

Following a letter to the owner/occupier of the property, retrospective planning application reference 22/00420/HOU for the rear dormer window was refused by the Council in March 2022. An appeal against the Council's decision was dismissed by The Planning Inspectorate in August 2022.

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

On 16 August 2023 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (Legal) Action as the unauthorised rear dormer window is detrimental to visual amenity by virtue of its design and appearance, forming an incongruous feature on the building and within the street scene, 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.

21/01140/ENFCOU



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480 Allerton Road
Bradford
BD15 7DY

20 September 2023

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

Enforcement Reference:
21/01140/ENFCOU

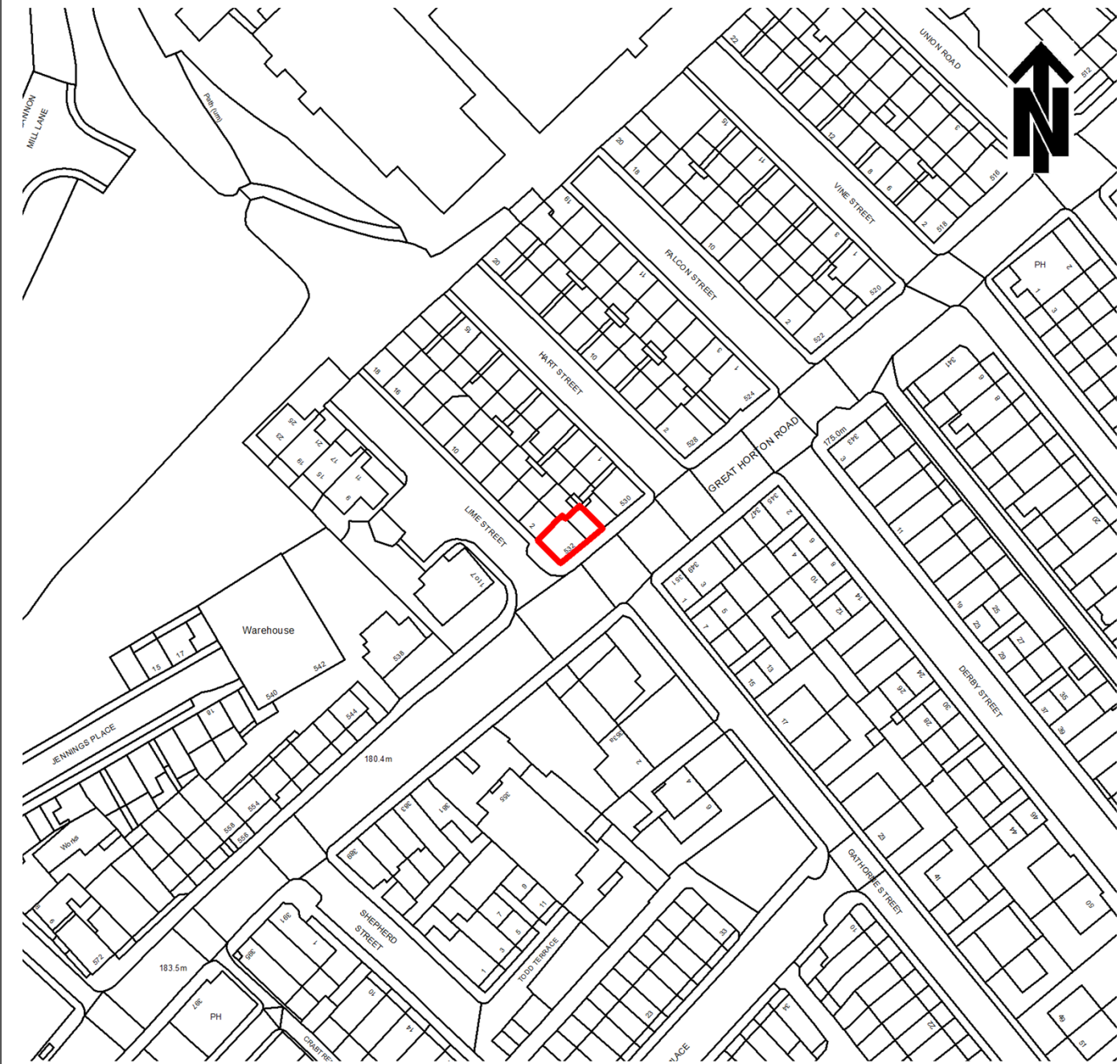
Site Location:
480 Allerton Road Bradford BD15 7DY

Breach of Planning Control:
Unauthorised use as commercial garage for the repair and servicing of motor vehicles

Circumstances:
The unauthorised use was challenged and a retrospective application made which was refused on 2 March 2023. Use has continued and enforcement action is required; a notice was authorised on 7 June 2023 by the Planning Manager (Enforcement and Trees).

Use considered contrary to policies SC9, EN8 and DS1, DS3, DS5, EN4 and TR2 of the Council's Core Strategy Development Plan Document.

19/01145/ENFLBC



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532 Great Horton Road
Bradford
BD7 3HG

20 September 2023

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

Enforcement Reference:
19/01145/ENFLBC

Site Location:
532 Great Horton Road Bradford BD7 3HG

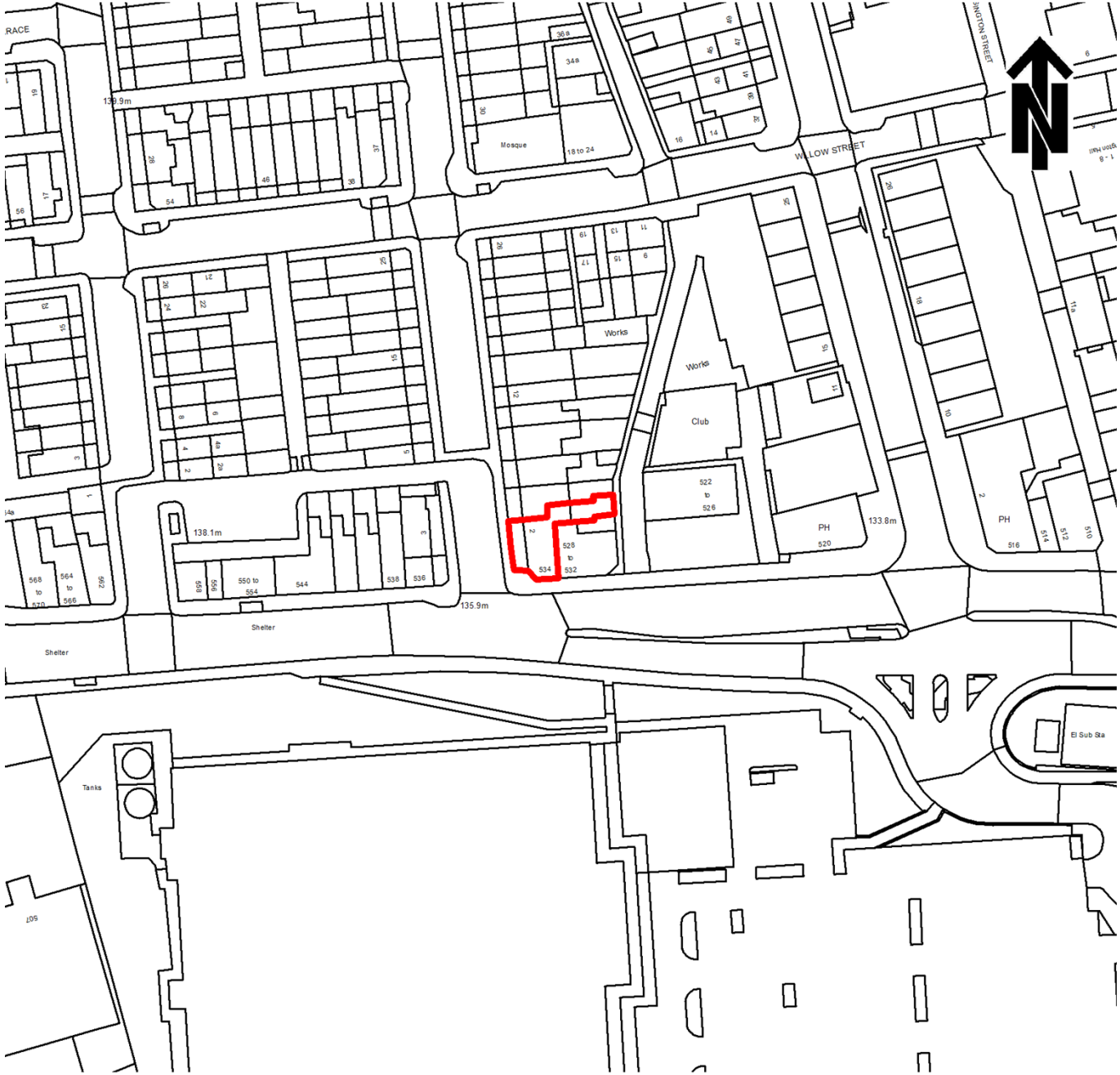
Breach of Planning Control:
Unauthorised externally mounted roller shutters

Circumstances:
In 2019 it was noted that externally mounted roller shutters were installed to the front and side elevations of the shop property, which is a Grade II Listed Building.

The Council has no record of Listed Building Consent or planning permission having been granted for the externally mounted roller shutters and the owner of the property was requested to take action to rectify the breach of planning control.

No action has been taken and on 16 August 2023 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 externally mounted roller shutters, shutter box and guide rails are harmful to the character and appearance of the Listed Building by virtue of their design and appearance, contrary to the principles of the National Planning Policy Framework and to Policy EN3 of the Council's adopted Core Strategy Development Plan Document.

22/00008/ENFUNA



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534 Thornton Road
Bradford
BD8 9NB

20 September 2023

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

Enforcement Reference:
22/00008/ENFUNA

Site Location:
534 Thornton Road Bradford BD8 9NB

Breach of Planning Control:

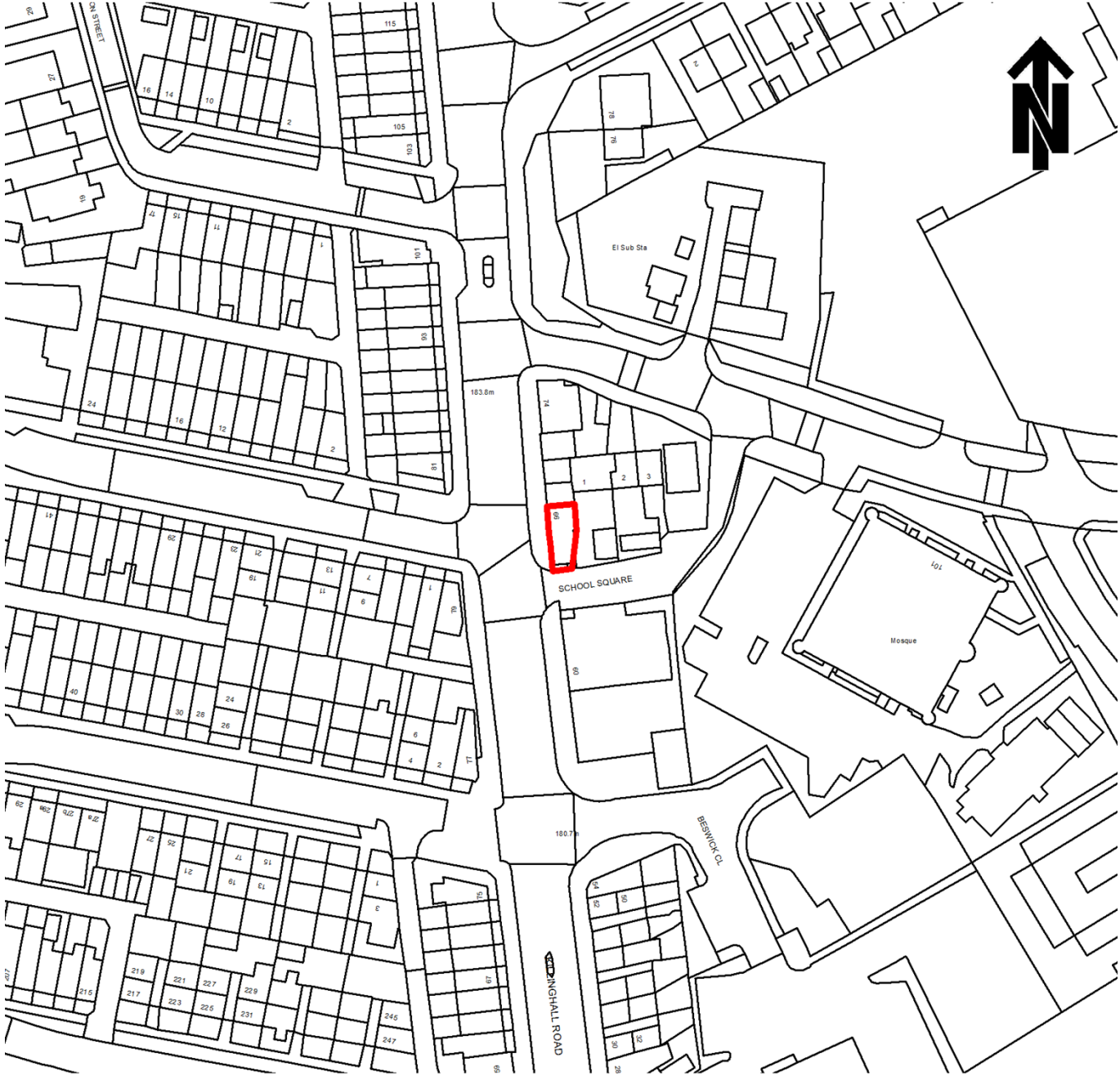
Without planning permission, the installation of two externally mounted roller shutters, shutter boxes and associated guide rails.

Circumstances:

In January 2022 the Council received an enquiry regarding the above alterations to the property. An inspection showed that two externally mounted roller shutters had been installed to the front and side elevation of the property, for which the Council has no record of planning permission having been granted.

On 16 August 2023 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice. It is considered expedient to instigate Enforcement (legal) action as the roller shutters, shutter boxes and associated guide rails obscure the entire frontage of the building when lowered, which results in a significantly dominant and incongruous appearance that is readily apparent in public views. Consequently, the development has a significantly harmful effect on the appearance of the building and the quality of the street scene.

22/00894/ENFUNA



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**66 Killinghall Road
Bradford
BD3 8HN**

20 September 2023

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

Enforcement Reference:
22/00894/ENFUNA

Site Location:
66 Killinghall Road Bradford BD3 8HN

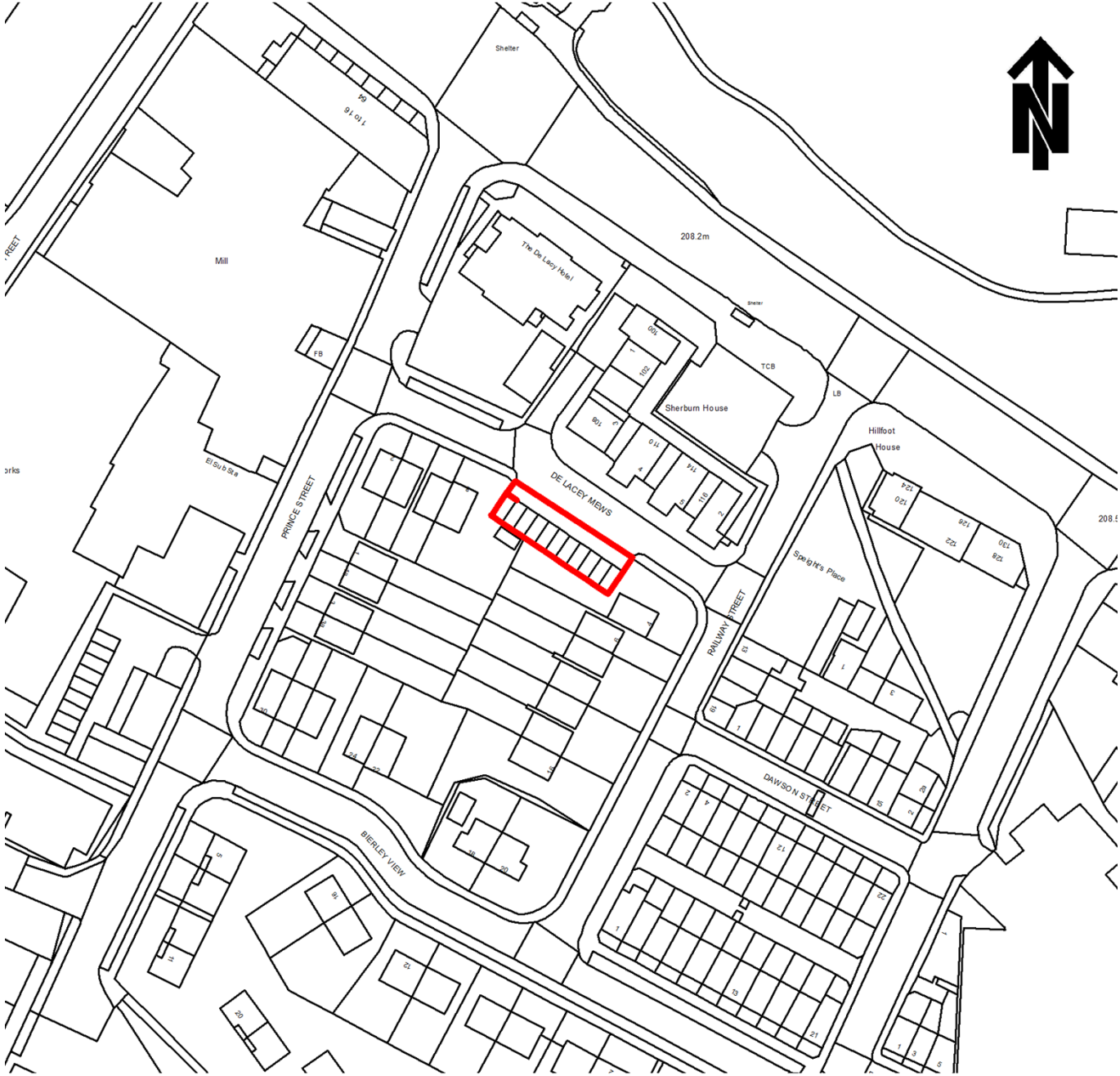
Breach of Planning Control:
Unauthorised externally mounted roller shutters

Circumstances:
An inspection in connection with an older enforcement case relating to this property showed that two additional externally mounted roller shutters had been installed to the front elevation, for which the Council had no record of planning permission having been granted.

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

On 16 August 2023 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, shutter boxes and guide rails 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 and DS3 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.

21/01040/ENFUNA



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Garage Site
De Lacey Mews
Bradford

20 September 2023

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

Enforcement Reference:
21/01040/ENFUNA

Site Location:
Garage Site De Lacey Mews Bradford

Breach of Planning Control:
Unauthorised siting of storage containers & erection of fencing and gates

Circumstances:
In October 2021 the Council received an enquiry regarding development works on the land.

An inspection showed that showed that six metal storage containers had been sited on the land and fencing and gates erected along the front boundary, for which the Council had no record of planning permission having been granted.

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

On 4 July 2023, 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 storage containers, solid timber fencing and metal gates are detrimental to visual amenity by virtue of their position, design and appearance, forming incongruous features on the land and within the street scene, 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.

DECISIONS MADE BY THE SECRETARY OF STATE

Appeals Allowed

There are no Appeal Allowed Decisions to report this month

Appeal Dismissed

<u>ITEM No.</u>	<u>WARD</u>	<u>LOCATION</u>
M	Wibsey (ward 27)	Land At 837 Manchester Road Bradford BD5 8LT Installation of an illuminated 48-sheet D-Poster (digital) advertisement display - Case No: 22/04004/ADV Appeal Ref: 23/00002/APPAD1
N	Queensbury (ward 20)	Pineberry Inn Brighouse And Denholme Road Queensbury Bradford BD13 1LN Appeal against Enforcement Notice - Case No: 21/00637/ENFCOU Appeal Ref: 23/00006/APPENF

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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