

Minutes of a meeting of the Area Planning Panel (Bradford) held on Wednesday, 24 January 2024 in Council Chamber - City Hall, Bradford

Commenced 10.00 am
Concluded 12.00 pm

Present – Councillors

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

Councillor A Hussain in the Chair

19. DISCLOSURES OF INTEREST

In the interests of transparency, Cllr Amran stated that application item B, minute number 23 was in his Ward but he had not been involved with any aspect of the application.

Cllr Khan stated that application item F, minute number 23 was in her Ward but she had not been involved with any aspect of the application.

To be actioned by: The Interim Director of Legal and Governance.

20. MINUTES

Resolved –

That the minutes of the meeting held on 22 November 2023 be signed as a correct record.

21. INSPECTION OF REPORTS AND BACKGROUND PAPERS

No requests to review reports or background papers were received.

22. PUBLIC QUESTION TIME

No public questions were submitted.

23. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

A. 2 Frensham Drive, Bradford

Great Horton

This was a householder application to construct a new boundary wall with access points and an extended rear balcony to the rear of the property.

Officers presented members with site floor plans, elevations and photographs to show where changes were to be made. No representations were received in relation to this application.

The application was brought to the Panel in the interests of transparency as the applicant was a Councillor.

Members did not have any questions regarding the application.

Resolved –

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

B. 411 Toller Lane, Bradford

Heaton

This application related to the extension and reconfiguration of the existing public house (Hare & Hound) to provide 3 No retail units on ground floor and three number apartments on first and second floor associated with car parking, bins and bike stores. The existing public house car park would be redeveloped to accommodate a total of four town houses with garages, parking spaces and gardens.

Officers presented the application showing floor plans and photos of the site showing the closed premises and grounds. The reason the application had been submitted to be determined by the Planning Panel was as a result of 28 objections plus a petition and a request from a Ward Councillor.

An objector was present at the meeting and addressed the Panel members with the following points.

- The pub represented the loss of a community facility
- Post Covid the business did not re-open and equipment was sold
- It was the last public house in BD9
- Would like it to be retained as a public house

Following the representation made by the objector, Panel Members were given the opportunity to comment, the details of which are as below.

- School places are saturated in local schools, further housing would likely lead an increase in demand for school places
- Traffic issues along the road where the proposed development would be situated

The Agent for the applicant was also present at the meeting and addressed

Panel Members with the following information.

- The site was an eyesore
- The aim was to rejuvenate the site
- The proposal was as sustainable as possible with the retention of the existing building
- It would provide 3 self-contained retail units
- There would be no external refuse on site and a delivery bay was included in the plan
- The 3 apartments would be accessed via the existing public house entrance
- Additional landscaping would be carried out with a minimum of 10% net biodiversity gain
- The site would now be DDA accessible
- EV charging would be available for both residential properties and the retail units

Members were then given the opportunity once again to comment and/or ask questions. The details of which and any responses given are as below.

- A Member commented that the reason the site was now an eyesore was due to the actions of the current owner
- A Member referred to the removal of trees onsite by the current owner as 'anti-social behaviour'

Members asked the following questions.

- How many parking spaces were planned in relation to the retail activity?
- Was there any parking included for the residents in the apartments?
- How many parking spaces were included for the houses?
- How big would the houses be?
- How far away from the residential properties would the retail outlets be?
- Had any impact assessment been undertaken?

Following the comments and questions, Officers were then given the opportunity to respond to address the points raised.

In relation to the impact assessment, Officers referred Members to the 'Principles of Retail Development' which was included in the report provided, which identified pubs/bars as 'main town centre uses' and therefore the proposed retail units simply replaced one with another. The proposed application was out of a centre location and was under the 200 square metres of gross floor space limit and so was not necessary.

The application was for 5 apartments which were allocated more than the required 1.5 spaces each. The site would be split into 2 with 3 spaces plus the apartments which met the requirements of the core strategy.

The houses would be 4 bedroomed dwellings.

The Chair then asked whether the Highways team had not identified the site as an accident blackspot which he stated was congested throughout the day. He

was also concerned around the plan to have 2 access points. In addition, there did not seem to be a way to measure the impact on traffic with the additional retail premises.

In response, Officers advised that the 2 access points were for separate use by residential users with the other for the retail aspect of the site. They also stated that visibility would be improved.

The Highways Officer present stated that 'damage only' accidents were not recorded and there were no records of accidents resulting in injuries in the vicinity.

In relation to the issue of congestion, the road was already heavily used and the additional retail outlets would have relatively small scale traffic movements, not generating volumes of traffic. He also stated that if the application was refused on this basis that it would be difficult to defend the decision if it went to an appeal.

Members then had another brief discussion with Officers relating to whether it was relevant in Planning terms to try to retain the building as a public house. There was a discussion around limiting operating times of the businesses and whether conditions could be added to address the matter.

The distance between the residential properties was raised and whether they could be properly segregated and sound proofing measures installed. There was also the question of access to EV charging points and whether the proposed quantity (2) was adequate, security in the rear car park and if the houses would have their own EV charging points. Officers were able to confirm that the provision was adequate and the separate homes would each have a charging point installed. Lighting could also be added as a condition of approval for the rear car park area.

In response to further comments regarding access and safety, Officers stated that it could not be compared with the public house and the parking spaces, junction and access were considered to be acceptable and safe.

There was then a brief discussion relating to how vehicle movements numbers were assessed as some Panel Members were still expressing concerns.

The subject of bio-diversity loss and gain was then discussed as trees had been removed from the site, representing a loss and it was felt that there was insufficient information on how bio-diversity increases would be achieved to the required levels in order to approve the application.

After some discussions amongst Members, a substantive motion was made, voted on and approved.

Resolved –

That the application be refused.

Reason

1. The application, as submitted provides insufficient information to enable its proper consideration by the Local Planning Authority. In particular, the application fails to provide any information in the form of a Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment to demonstrate that a net gain of biodiversity can be achieved. In the absence of this information it is not possible to fully and properly consider the application against Policy EN2 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

C and D 51 Hanover Square, Bradford Manningham

The application was submitted by the owner/landlord requesting a change of use from a residential dwelling to a HMO with associated works.

Also submitted simultaneously, was a Listed Building Consent application for a change of use from residential dwelling to house in multiple occupation and all associated works at the same address.

The property was a grade II listed building in a predominantly residential locality in a conservation area.

In accordance with usual procedure, Officers presented the application(s) to Members including photographs of both the property and street scene as well as the proposed floor plans.

Following the advertisement by site notice, 33 notices of objection were received in total.

The applicant attended the meeting and addressed the Panel. He began by referring to a similar property in the same street as being used in a similar or identical way and sought to reassure Members that the property would be well run using a management plan, with a cleaner to keep the building presentable, reference checks, a contact number for neighbours to call if there were any issues, he also stated that DBS checks would be undertaken but was not clear who these applied to. In addition to the measures stated, he stated that there would be no external changes to the exterior with the exception of CCTV cameras and emergency lighting. He also confirmed that the exterior door would not be replaced and there would be no application to fit grills onto windows.

Following the representation from the applicant, Members were given the opportunity to ask questions or comment, the details of which and the responses given are as below.

A member asked for further clarification and information in relation to the proposed bin store and was advised by Officers that it would be in the front yard of the property and details of this were included in condition 2 of the technical report.

A Member then asked if the area was big enough and was advised that the residents would have to arrange the bin provision themselves.

In connection with the impact and quantity of refuse that could be produced, a Member asked how the property was currently configured. Officers advised that it was a four bedroom house.

A question relating to the number of bathrooms and bedrooms was also queried. Officers advised Members that there would be 3 shared bathrooms with some rooms also having ensuite facilities.

A Member asked if there were any rules for bins for a HMO and whether the bins should be commercial rather than normal domestic bins, they also asked where the bins would be serviced. Officers advised that there was provision for 4 large bins plus 2 boxes to be housed in a timber frame.

As Members did not have a definitive solution relating to how the bins would be emptied and whether they would be domestic or commercial bins for this particular application, they voted to defer the application so that the relevant information could be provided.

Resolved –

That the decision be deferred in order for precise information to be obtained relating to the size and type of refuse bins required for a HMO and for clarification of accessibility for larger bins and details of refuse collection points.

E. 53 Southmere Oval, Bradford

Great Horton

This application related to the submission for a single storey side home extension with an amended front porch.

The property was a semi-detached dwelling with amenity space both to the front and rear plus a hardstanding. The application had not attracted any representations to object but was brought for determination by the Panel in the interests of transparency as the applicant was employed in the Department of Place.

Following the presentation of the application, only 1 question was put to Officers to clarify whether the extension should be set back from the main dwelling but was advised this was only for 2 storey extensions.

Resolved –

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

F. Foresters Yard, Lower George Street, Bradford

Wibsey

This application related to the proposed construction of a number of employment units with car parking and external areas as well as access and associated works. The site had been previously used for non-residential purposes, but any buildings had already been demolished and was now part grass covered and part hardstanding. Access to the site was via an unadopted road in close proximity to

a number of residences.

A small number of representations objecting to the proposal had been received alongside a specific issue raised by one of the Ward Councillors in relation to access. The objectors raised a number of concerns.

The application was referred to the Panel for determination at the Ward Councillor's request.

Officers presented the plans for the new employment spaces and provided Members with a site plan showing the position of the new buildings, parking plus access to and from the site.

The Agent for the applicant was present at the meeting and address the Panel Members stating that neighbours close to the site were in agreement with the proposal and it would bring it back into use. It would generate employment and additional business for local shops with no out of hours or noisy usage.

A Ward Councillor was present at the meeting and also addressed the Panel stating that he was in support of the principle of the application but he had concerns relating to highways and traffic and the fact that there was a large primary school very nearby which would be passed by vehicles coming out of the yard. Traffic and parking issues around the school would be further exacerbated by the size of vehicles now wishing to use the route. He suggested that another route or access was needed. He did not feel that the Highways challenges had been addressed and were not detailed in the officer's report.

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

A Member asked for clarification of parking and access as the access is already in use by residents and was advised that access would be used by both residents and users of the site. The upgrade was deemed acceptable.

A Member asked about a previous application for the same site and what permission had been applied for. Officers advised that it was for 3 units with a similar footprint to the one being considered.

A Member asked whether net bio-diversity gains needed to be considered as this was for business use. The question of whether parking restrictions were necessary and if they would be detrimental to residents. Officers advised that the plans did indicate net bio-diversity gain and in response to the parking restrictions question, Officers informed the Members that double yellow lines could be requested but would need permission from the owners of the lane as it was an unadopted road.

A Member expressed concern relating to the impact and adequate space for larger, commercial vehicles and was advised that the Highways Officer was satisfied with the proposal, the road could not be widened but there would be an upgrade and the application only affected a short stretch of road.

A Member asked whether limits on larger vehicles accessing the site could be set

to prevent issues with the nearby school and was advised that delivery times could be specified as a condition of approval.

Resolved –

That the application be approved subject to the conditions set out in the Strategic Director, Place’ technical report with an additional condition as below.

Condition 20.

That deliveries are permitted between the hours of 9am-5pm only.

G. The 6 Acres, 119 Westgate Hill Street, Bradford Tong

Resolved –

That the application be deferred in order for additional highways considerations to be addressed by the applicant.

To be actioned by - Strategic Director, Place

24. MISCELLANEOUS ITEMS

Members were asked to consider other matters which were set out in **Document “H”** relating to miscellaneous items:

Resolved –

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

To be actioned by - Strategic Director, Place

Chair

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