

Report of the Strategic Director, Regeneration to the meeting of the Area Planning Panel (BRADFORD) to be held on 19 October 2016

E

Summary Statement - Part One

Applications recommended for Approval or Refusal

The sites concerned are:

<u>Item No.</u>	<u>Site</u>	<u>Ward</u>
A.	147 Mayo Avenue Bradford BD5 8HT - 16/06956/HOU [Approve]	Wibsey
B.	34 Ambleside Avenue Bradford BD9 5HX - 16/05520/FUL [Approve]	Toller
C.	37 Norwood Street Bradford BD5 9PY - 16/05818/FUL [Approve]	Wibsey
D.	7 Thackley Avenue Bradford BD10 0RX - 16/03919/FUL [Approve]	Idle and Thackley
E.	Dog And Gun 1001 Harrogate Road Bradford BD10 0LT - 16/04356/FUL [Approve]	Idle and Thackley
F.	Stanley Lowe Garage Bradford Road Idle Bradford BD10 8SQ - 16/05225/FUL [Refuse]	Eccleshill

Julian Jackson
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Portfolio:
Regeneration, Planning &
Transport

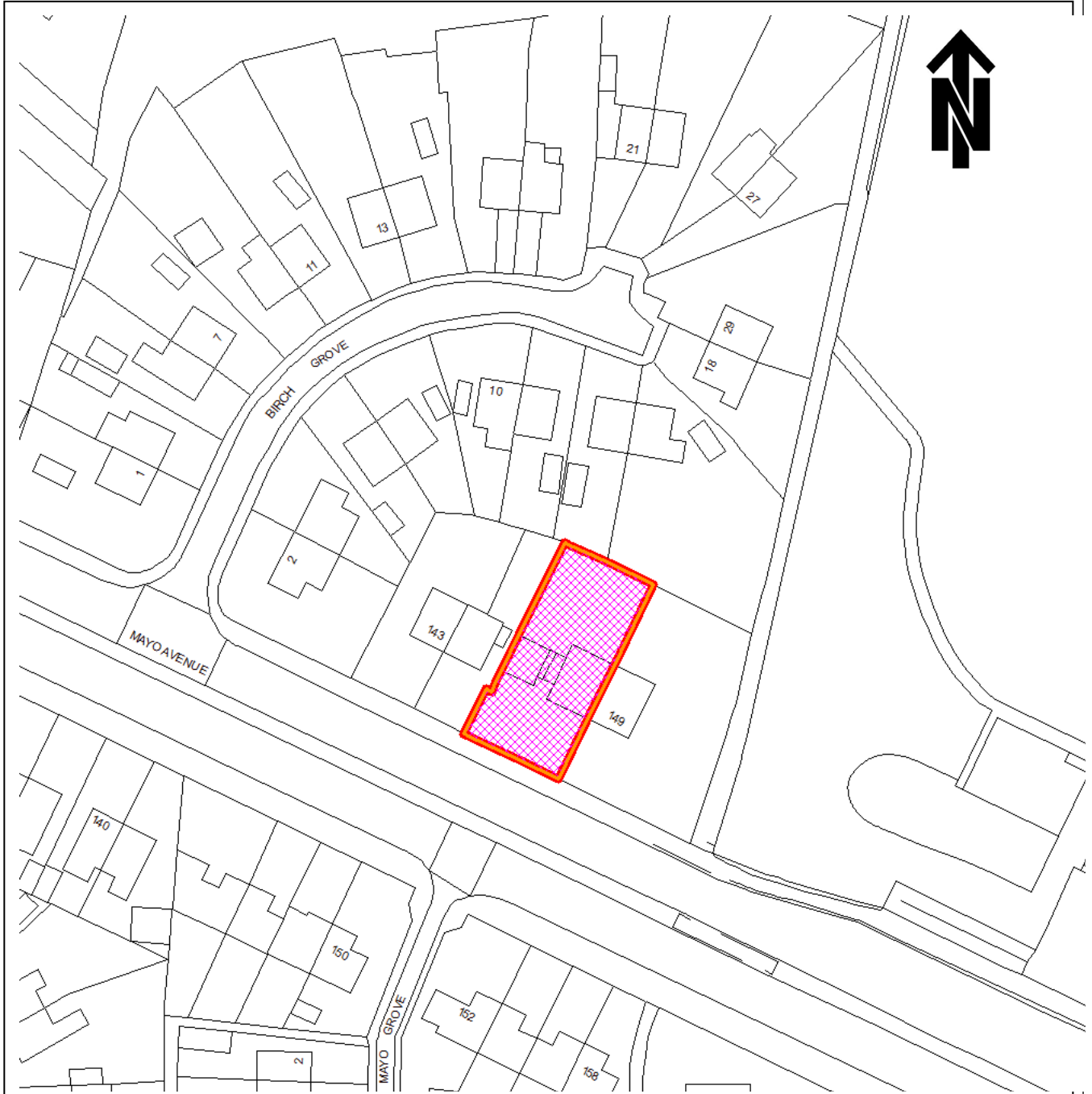
**Overview & Scrutiny Committee
Area:**
Regeneration and Economy



Area Planning Panel (Bradford)

16/06956/HOU

19 October 2016



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ITEM NO. : A

LOCATION:

**147 Mayo Avenue
Bradford**

19 October 2016

Item Number: A
Ward: WIBSEY

Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
16/06956/HOU

Type of Application/Proposal and Address:

A full planning application for the change of the roof line from hipped to gable and front and rear box style dormer windows at 147 Mayo Avenue, Bradford.

Applicant:
Mr M A Ali

Agent:
A A Planning Services

Site Description:

The property is a large semi-detached property located on Mayo Avenue, a busy classified road connecting Bradford with the M606/M62 motorway network. The area is almost completely composed of residential properties with local services available closer to Bradford city centre. The area is quite uniform in character on this stretch of Mayo Avenue with many properties remaining unaltered.

Relevant Site History:
None.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Replacement Unitary Development Plan (RUDP):

Allocation

Unallocated, located on a gateway road.

Proposals and Policies

UR3 The Local Impact of Development

D1 General Design Considerations

Householder Supplementary Planning Document (SPD)

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application has been publicised by individual notification letters. Expiry date of the publicity period was 13 September 2016. At the time of report preparation, the following representations had been received:

Eleven objections.

Sixteen representations in support.

A written objection from a Wibsey Ward Councillor requesting referral of the application to planning panel if officers were minded to recommend approval of the application.

Summary of Representations Received:

Objection:

The proposed change in the shape of the roof and the dormer windows will lead to an adverse effect on the character of the street scene.

The proposal is contrary to the Householder SPD – there are no other dormer windows on this section of Mayo Avenue.

The development will unbalance the pair of semis.

In support:

The proposal will make good use of the property and will not harm the character of the street.

Consultations:

None.

Summary of Main Issues:

Visual impacts.

Residential amenity.

Appraisal:**Visual impacts**

The proposal to change the shape of the roof of the house from hipped to gable design will change the appearance of the property and affect the character of the street scene, however, such development is likely to be permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class B, subject to volume increase limitations. The proposed rear dormer window is also likely to be permitted development with the roof conversion and dormer window being within the volume allowable under class B of this Order. The proposed front dormer window is designed to be in compliance with the Householder SPD and, although there are not examples of other dormer windows in the immediate street scene, the principle of the front dormer window is considered acceptable in accordance with the Householder SPD. Overall and taking into account the elements of the development that can be carried out without the need for planning permission, the visual impact on the street scene is considered acceptable.

Residential amenity

The overall impact on the adjacent and adjoining properties is considered to be limited. There is sufficient separation between the properties to prevent any significant impacts in terms of overbearing and there will be no direct overlooking of amenity areas or windows on surrounding properties as a result of the proposals.

Community Safety Implications:

None.

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 in relation to consideration of this application.

Reason for Granting Planning Permission:

The proposed hip to gable roof conversion and front and rear dormer windows are considered to be acceptable in terms of their overall impact on the street scene and the impact that is likely to the amenities of the surrounding properties. The proposal is considered to comply with policies UR3 and D1 of the replacement Unitary Development Plan and guidance contained within the 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 permitted shall be constructed of facing and roofing materials to match the existing building as specified on the submitted application.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

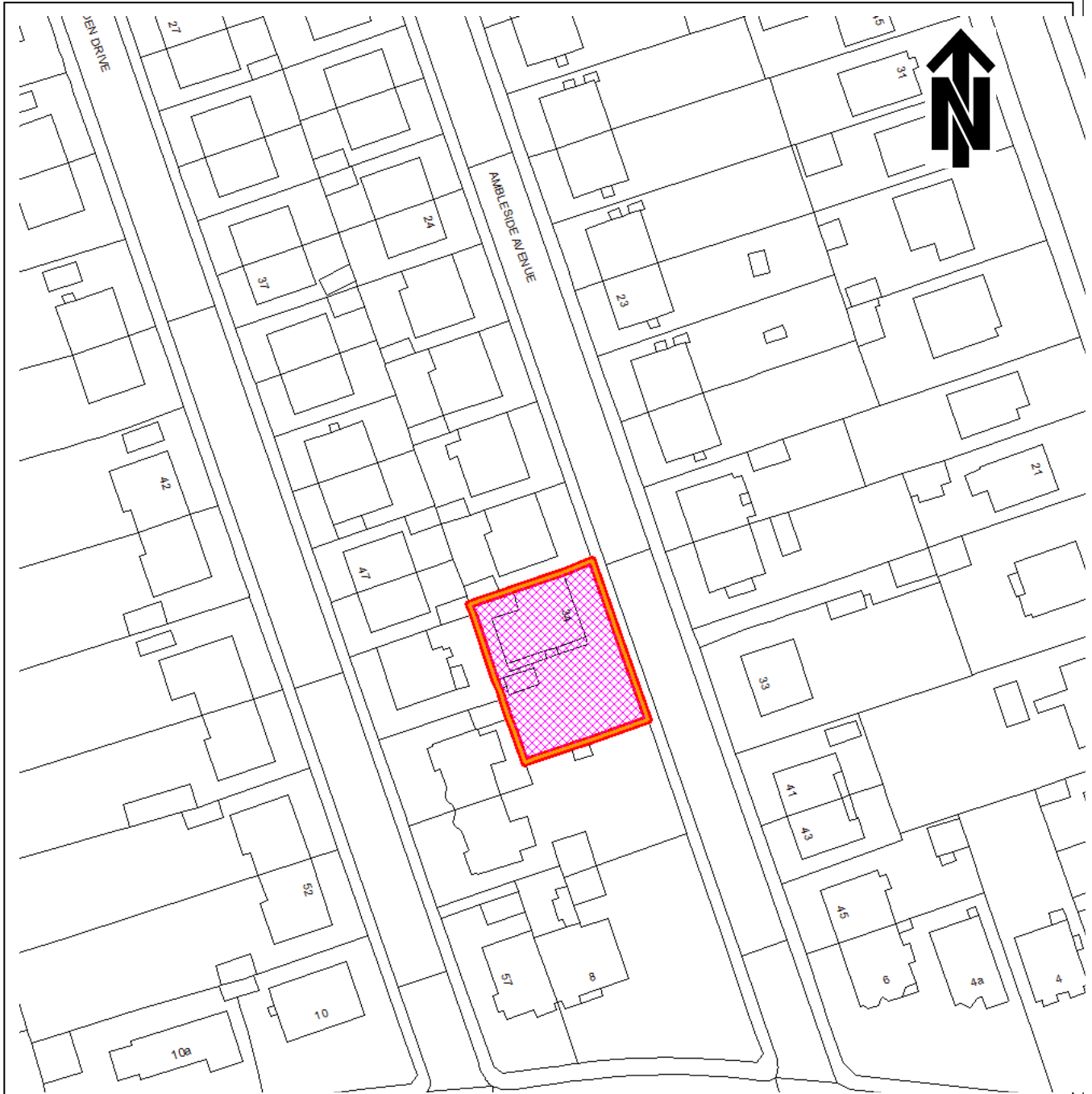
3. All pipework above eaves level shall be of a matt black finish.

Reason: To help the pipework to blend in with the roof colour in the interests of visual amenity and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

Area Planning Panel (Bradford)

16/05520/FUL

19 October 2016



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ITEM NO. : **B**

LOCATION:

**34 Ambleside Avenue
Bradford**

19 October 2016

Item Number: B
Ward: TOLLER
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
16/05520/FUL

Type of Application/Proposal and Address:

A full planning application for the construction of a new dwelling at 34 Ambleside Avenue, Manningham, Bradford.

Applicant:

Mr Asif Yousuf

Agent:

Mr Umer Akbar

Site Description:

This rectangular site of about 500 sq.m comprises a two-storey detached stone- and slate-built dwelling dating from the early 20th century and its reasonably level, maintained garden and single garage to the side. The dwelling stands in an area of similarly mature properties and is enclosed by a mix of domestic-scale walling, timber/mesh fencing and dense evergreen hedging. Access is taken via the driveway from Ambleside Avenue that serves the existing dwelling.

Relevant Site History:

None.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Replacement Unitary Development Plan (RUDP):

Allocation

The site is not allocated for any specific land-use in the RUDP. Taking account of policies saved for the purposes of formulating the Local Plan for Bradford, the following RUDP policies are applicable to the proposal.

Proposals and Policies

UR2: Promoting Sustainable Development

UR3: The Local Impact of Development

H7: Housing Density - Expectation

H8: Housing Density - Efficient Use of Land

TM2: Impact of Traffic and its Mitigation

TM12: Parking Standards for Residential Developments

TM19A: Traffic Management and Road Safety

D1: General Design Considerations

D2: Energy Efficiency and Sustainable Design

D4: Community Safety

D5: Landscaping

NR16: Surface Water Run Off and Sustainable Drainage Systems

NE10: Protection of Natural Features and Species

P7: Noise

Householder Supplementary Planning Document (HSPD)

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application was advertised by individual neighbour notification letters a site notice. The publicity period expired on 31 July 2016. Four objections from local residents have been received.

Summary of Representations Received:

1. The garden was formerly part of a neighbouring property and part of it was sold to 34 Ambleside Avenue as a garden.
2. The definition of previously developed ('brownfield') land no longer includes gardens.
3. 'Gardens are no longer considered as greenfield land'.
4. The government has abolished targets for minimum housing density 'discouraging garden-grabbing'.
5. The proposed dwelling is unwanted and unnecessary construction.
6. The area is characterised by large houses on small plots; the proposal is over-development and detrimental to residential amenity.
7. The dwelling would harm the character of the neighbourhood and change the landscape 'from green to a concrete jungle'.
8. The plans show (dormer) windows facing neighbouring property invading privacy; boundary walling would not overcome this issue.
9. A previous extension granted for 34 Ambleside Avenue has no first floor windows facing the opposite property (51 Haslingden Drive).

10. Impact on view and a resultant lack of light.
11. Noise pollution, from construction work, would exacerbate the ill-health of elderly residents.
12. The close proximity of the proposed dwelling will devalue neighbouring houses.
13. Access to neighbouring property on Haslingden Drive from Ambleside Avenue would be impacted.
14. The applicant has 'links with individuals within the planning and endorsement committee' and so it is respectfully requested that all objections are viewed impartially and objectively and considered on their own merit without any prejudicial influence.

Consultations:

Building Control - Drainage: A public sewer exists close to the site boundary and so the sewer undertakers (Yorkshire Water) must be consulted. No objections are raised subject to conditions to provide separate foul and surface water drainage, investigation of sustainable urban drainage techniques and porous paving.

Highways Development Control: No objections subject to four conditions to ensure provision of safe access and parking.

Summary of Main Issues:

Principle of development and density.

Visual amenity.

Residential amenity.

Highway safety.

Other planning matters.

Outstanding issues raised by objectors.

Appraisal:

Principle of Development and Density

In relation to housing land supply, the NPPF indicates that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years-worth of housing against the Council's housing targets. Where there has been a record of persistent under-delivery of housing the local planning authority should identify an additional 20%. The Council's Strategic Housing Land Availability Assessment (SHLAA) identifies that there is a substantial shortfall in the five-year housing land supply position well below the level required by the NPPF. Under these circumstances, the NPPF confirms that relevant policies for the supply of housing should not be considered up-to-date.

In light of the record of persistent under-delivery and the housing land supply shortfall relative to the requirements of the NPPF, there is an urgent need to increase the supply of housing land in the District. The scheme would make a (albeit small) contribution towards meeting that need.

Generally, the site of the proposed dwelling is not previously developed but is within the urban form of Manningham, which identifies it as one of the most preferable locations in the Council's sequential approach to meeting development needs; i.e. those areas with ready access to shops, employment opportunities, local facilities and high-frequency public transport offering a realistic opportunity for travel other than by private car. The site is also within a built form that is wholly residential in character.

For these reasons, the principle of development is acceptable.

With regards the density, the NPPF puts less emphasis on this aspect of development than previous advice, however RUDP policies H7 and H8 remain germane. The proposed dwelling would occupy approximately half of the identified site equating to 40 dwellings/hectare (d/ha), which falls squarely into the 30 to 50d/ha sought by Policy H7 to make efficient use of land.

Visual Amenity

The proposed dwelling would be of an overall massing, scale, height and siting that would complement neighbouring properties. The use of natural coursed stone walling and slate roofing materials throughout, and contemporary but sympathetic design detailing such as window openings, would further help the dwelling remain in keeping with the traditional character of the majority of nearby houses. The final quality of the materials can be properly ensured by a standard condition. Similarly, the final boundary treatments around the site can be controlled by a condition.

Dwellings fronting onto Haslingden Drive have painted render to their rear walling, which the proposal would partially screen from views from Ambleside Avenue, a street of predominantly stone-built houses.

For these reasons the proposal would provide a positive benefit to the street scene, compliant with policies UR3 and D1 of the RUDP.

Residential Amenity

The proposed residential development is a use that would be consistent with the existing land uses in terms of noise generation and general disturbance.

The proposed dwelling would be sited relative to neighbouring properties consistent with the relationship between other houses elsewhere on Ambleside Avenue and Haslingden Drive that back onto each other. Amended plans have been received that remove a rear-facing dormer window, provides an indent to the rear elevation and re-arrange the internal rooms. This would provide a separation distance of seven metres (as required by the Council's adopted HSPD) to the common rear boundary with 53 Haslingden Drive, the nearest neighbouring property. The changes also ensure that the nearest proposed upper floor habitable room window would be 13 metres, and at an acute angle, from such windows on neighbouring properties. Ground floor windows would be adequately screened by substantial boundary walling and fencing. The overall effect would be to prevent any excessive increase in overlooking; this can be ensured by conditions to control future development and installation of opaque glazing where necessary.

A further effect of revising the proposed rear elevation is to increase the distance to nine metres to that of the nearest neighbouring dwelling (53 Haslingden Drive); it is also the case that the proposed dwelling is offset from the direct line of sight from the neighbouring house. This would prevent any excessive loss of outlook, increase in over-dominance or, combined with a favourable orientation, overshadowing of this or any other nearby property.

It is noted that the greatest impact of the development would be on side windows of the existing dwelling on site at 34 Ambleside Avenue. However, the resolution or limitation of any harm remains under the control of the applicant and so this cannot reasonably form the basis of a reason for refusal.

Taking all the above matters into consideration, the proposal as amended would not cause any excessive harm to the amenities of residents of the above-noted properties or other adjacent neighbours and so complies with RUDP policies UR3 and D1 in this regard.

Highway Safety

This small site would not generate a volume of traffic that would overwhelm the local highway network. The proposal would provide off-street parking for two vehicles and maintain the same for the existing house. Subject to conditions to ensure provision of access and car parking, and details thereto, the proposal would have no adverse impact on highway safety compliant with policies TM2, TM12 and TM19A of the RUDP.

Other Planning Matters

The proposal raises no other matters, such as biodiversity, contamination, drainage, trees, etc., that cannot be controlled through conditions and footnotes as necessary.

Outstanding Issues Raised by Objectors

Noise pollution, from construction work, would exacerbate the ill-health of elderly residents. Comment: The proposed dwelling is a land-use that is commensurate with its surroundings. It is acknowledged as being almost inevitable that relatively short-term noise and general disturbance can result from construction work within established residential areas. However, as this is temporary, and can be controlled to a degree by a condition to limit working hours, it cannot justify refusal of development.

The close proximity of the proposed dwelling will devalue neighbouring houses.

Comment: Property values are determined by the housing market and do not fall within the remit of the planning system.

Access to neighbouring property on Haslingden Drive from Ambleside Avenue would be impacted.

Comment: The development does not affect any public rights of way. Access to Haslingden Drive from Ambleside Avenue appears to be available only via third land and so would be a private matter between the individuals involved.

The applicant has 'links with individuals within the planning and endorsement committee' and so it is respectfully requested that all objections are viewed impartially and objectively and considered on their own merit without any prejudicial influence.

Comment: The application has been referred to the Bradford Area Planning Panel to ensure probity of its determination.

Community Safety Implications:

The proposal raises no 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. Any issues with regard thereto are noted above in relation to this application but do not raise any matters that would outweigh the material planning considerations.

Conclusion:

The proposed dwelling as amended is acceptable in principle and detailing, and would comply with the NPPF and the relevant RUDP policies subject to conditions. The points raised in objection, though mainly valid, are not considered to be of sufficient weight to go against these policies and so the proposal is recommended for approval.

Reason for Granting Planning Permission:

The development is acceptable in principle and raises no excessively harmful implications for visual or residential amenity, highway safety or any other planning-related matter. The proposal is therefore compliant with policies UR2, UR3, H7, H8, TM2, TM10A, TM12, TM19A, D1, D2, D4, D5, NR16, NE10 and P7 of the RUDP and the NPPF.

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. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no development falling within Classes A, B or C of Part 1 of Schedule 2 of the said Order shall be carried out without the prior written permission of the Local Planning Authority.

Reason: To safeguard the privacy and amenity of occupiers of neighbouring properties and to accord with policies UR3 and D1 of the Replacement Unitary Development Plan.

3. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no further windows, including dormer windows, or other openings shall be formed in the rear (west-facing) or either side (north- and south-facing) elevations without prior written permission of the Local Planning Authority.

Reason: To safeguard the privacy and amenity of occupiers of neighbouring properties and to accord with policies UR3 and D1 of the Replacement Unitary Development Plan.

4. Before development commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

5. The upper floor windows in the rear (west-facing) and side (south-facing) elevations serving the bathroom and en-suites of the dwelling hereby permitted shall be glazed with opaque glass, equivalent to Pilkington privacy level 4 or higher, prior to the first occupation of the building and thereafter retained.

Reason: To prevent overlooking or loss of privacy to adjacent occupiers and to accord with policies UR3 and D1 of the Replacement Unitary Development Plan.

6. Construction work, including any works of demolition associated with the approved development, shall only be carried out between the hours of 0730 and 1800 on Mondays to Fridays, 0730 and 1300 on Saturdays and at no time on Sundays and Public Holidays.

Reason: To protect the amenity of the occupants of nearby dwellings and to accord with policies UR3 and D1 of the Replacement Unitary Development Plan.

7. Before any part of the development hereby permitted is brought into use, the off-street car parking facility shall be constructed of porous materials, or made to direct run-off water from a hard surface to a permeable or porous area within the curtilage of the site, and laid out with a gradient no steeper than 1 in 15. The parking so formed shall be retained whilst ever the use hereby permitted subsists.

Reason: In the interests of highway safety, drainage and to accord with policies UR3, TM12 and NR16 of the Replacement Unitary Development Plan.

8. Notwithstanding any details shown on the approved plans, before any part of the development is brought into use 2.0-metre by 2.0-metre vehicle/pedestrian Inter-visibility splays shall be provided on both sides of the means of access such that there is no obstruction to visibility greater than 600 mm above the level of the adjacent footway and such splays shall thereafter be retained whilst ever the use subsists.

Reason: To ensure that visibility is maintained at all times in the interests of highway safety and to accord with policies TM10A and TM19A of the Replacement Unitary Development Plan.

9. Any gates to be constructed as part of the development shall not open over the highway.

Reason: In the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

10. Before the development hereby permitted commences, a plan showing the position, design, height and materials of boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The treatments so approved shall then be provided in full prior to the first occupation of the dwelling and shall be retained whilst ever the use subsists.

Reason: In the interests of visual and residential amenity, and to accord with policies UR3 and D1 of the Replacement Unitary Development Plan.

11. Before the development hereby permitted is brought into use, a dropped footway crossing in the highway shall be constructed to the Council's approved specification.
- Reason: To ensure the provision of an appropriate standard of pedestrian access to serve the development and to accord Policy TM19A of the Replacement Unitary Development Plan.
12. Before the development hereby permitted commences, details of a scheme for separate foul and surface water drainage, including any existing water courses, culverts, land drains and any balancing works or off-site works, shall be submitted to and approved in writing by the Local Planning Authority. Surface water must first be investigated for potential disposal through use of sustainable drainage techniques and the developer must submit to the Local Planning Authority a report detailing the results of such an investigation together with the design for disposal of surface water using such techniques or proof that they would be impractical. The scheme so approved shall thereafter be implemented in full before the first occupation of the development.
- Reason: To ensure proper drainage of the site and to accord with policies UR3 and NR16 of the Replacement Unitary Development Plan.

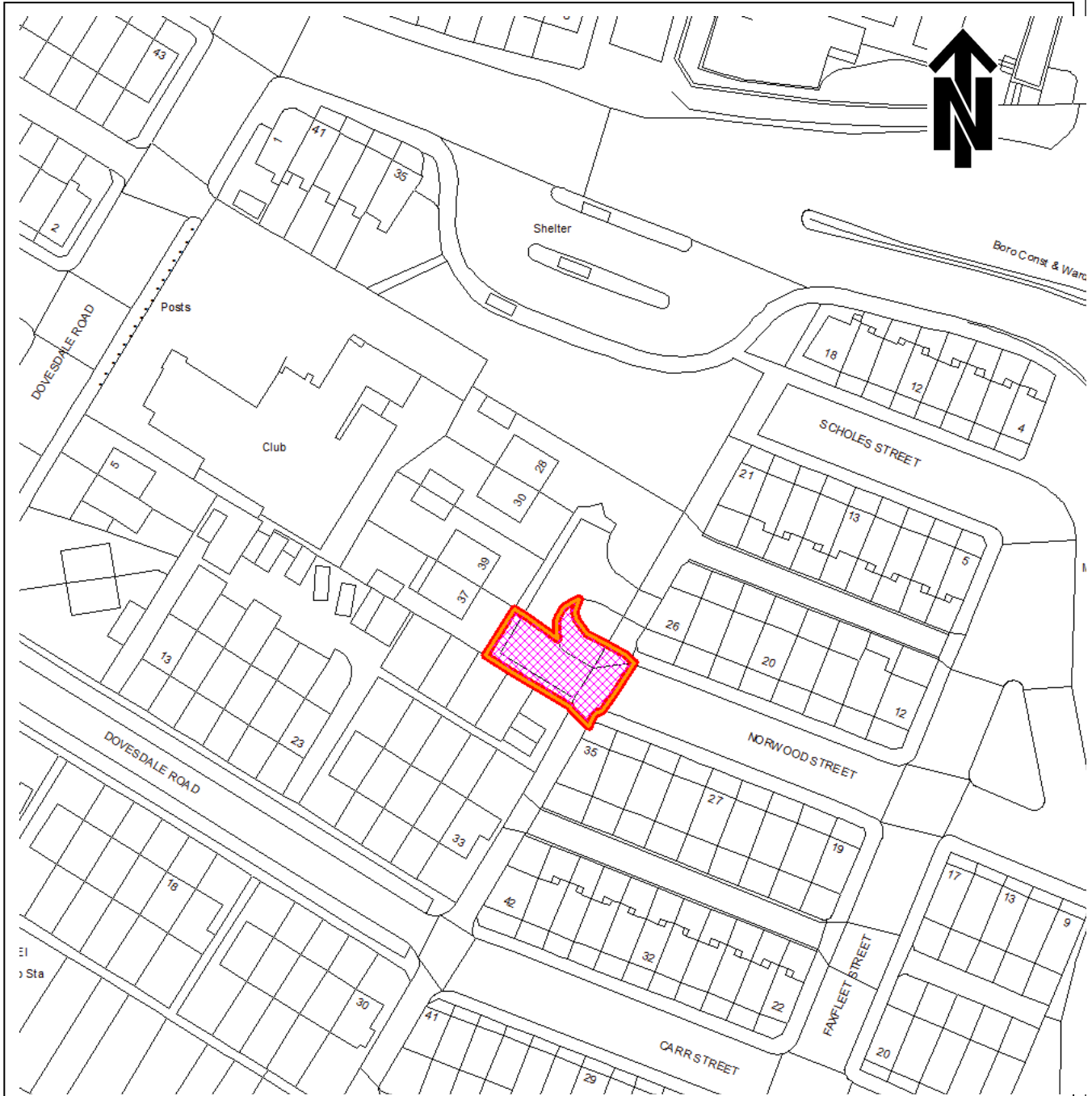
Footnotes:

The Statutory Sewer Map indicates the presence of a public sewer within Ambleside Avenue close to the site boundary and so the developer is advised to contact Yorkshire Water's Developer Services Team (tel: 0845 1208482) regarding the need for a site-surveyed position of the public sewer in question and the required building stand-off distance, or an agreed alternative scheme.

Area Planning Panel (Bradford)

16/05818/FUL

19 October 2016



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LOCATION:

ITEM NO. : C

**37 Norwood Street
Bradford**

19 October 2016

Item Number: C
Ward: WIBSEY
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
16/05818/FUL

Type of Application/Proposal and Address:

A full planning application for the change of use of a section of the adopted highway to private domestic curtilage and creation of new access to serve the remaining properties at land at 37 Norwood Street, Bankfoot, Bradford.

Applicant:

Mr Arfan Kapre

Agent:

A Al-Hassan

Site Description:

The site consists of an area of adopted highway located at the termination of Norwood Street. Access to other properties is gained via this part of the highway. The surrounding area is composed of terraced properties with the area being almost entirely in residential land use.

Relevant Site History:

None.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Replacement Unitary Development Plan (RUDP):

Allocation

Unallocated.

Proposals and Policies

UR3	The Local Impact of Development
D1	General Design Considerations
TM2	Impact of traffic and its mitigation
TM19A	Traffic management and road safety

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application was publicised by site notice and individual notification letters. Expiry date of the publicity period was 7 September 2016. At the time of report preparation, the following representations had been received:

Two letters of objection.

Written objection from a Wibsey Ward Councillor with a request to refer the application to planning panel.

Summary of Representations Received:

Prevention of access to surrounding properties.

Applicant has commenced certain works without planning permission – obstructing right of way and installation of a fence.

Modification works have started to the highway without permission being given.

Blocking of the rear access to existing dwelling.

Consultations:

Highways: No objections – a section 278 agreement will be needed for the new access.

Summary of Main Issues:

Highway safety.

Visual impacts.

Residential amenity.

Outstanding issues raised within representations received.

Appraisal:

Highway safety

The proposal is not considered to result in any highway safety implications. Norwood Street runs from Fairfax Road and terminates at the rear of nos 26 and 35 Norwood Street. The proposal will change the use of an area of adopted highway to the rear of no 37 Norwood Street into domestic curtilage. A new access will be formed to serve nos 28 and 30 Norwood Street. The area is little used by vehicles as there is no through route and vehicle speeds are very low in the vicinity of the site. The proposal will not result in any implications for vehicles using this area as vehicles do not park in the area affected or use it as a turning area. Appropriate resurfacing will be carried out where necessary within the highway.

Visual impacts

There will be limited visual impacts as a result of the proposal – a new fence line will be constructed to mark out the new access area but this will have limited impacts upon the character of the street scene.

Residential amenity

There are considered to be no significant implications for amenity – the use of part of the highway will change to domestic curtilage however such a use is considered compatible with the surrounding area which is predominant residential and will not lead to any significant noise or disturbance to the surrounding properties.

Outstanding issues raised within representations received

Prevention of access to surrounding properties.

This is not relevant to the application and is an issue between the parties concerned.

Applicant has commenced certain works without planning permission – obstructing a public right of way and installation of a fence.

As above – there is no sign of alterations to the highway at this time.

Modification works have started to the highway without permission being given.

As above.

Blocking of the rear access to existing dwelling.

This is a private civil issue between the involved parties.

Community Safety Implications:

None significant.

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 in relation to consideration of this application.

Reason for Granting Planning Permission:

The proposed change of use of the adopted highway to private domestic curtilage is considered acceptable in principle and will not result in significant issues or implications for highway safety, residential amenity or visual impact on the street scene. The proposal is considered to be in compliance with policies UR3, D1, TM2, and TM19A of the replacement Unitary Development Plan.

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 works towards construction of the development commence on site, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site to base course level in accordance with the approved plan numbered and completed to a constructional specification approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policy TM19A of Replacement Unitary Development Plan. 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.

Footnote:

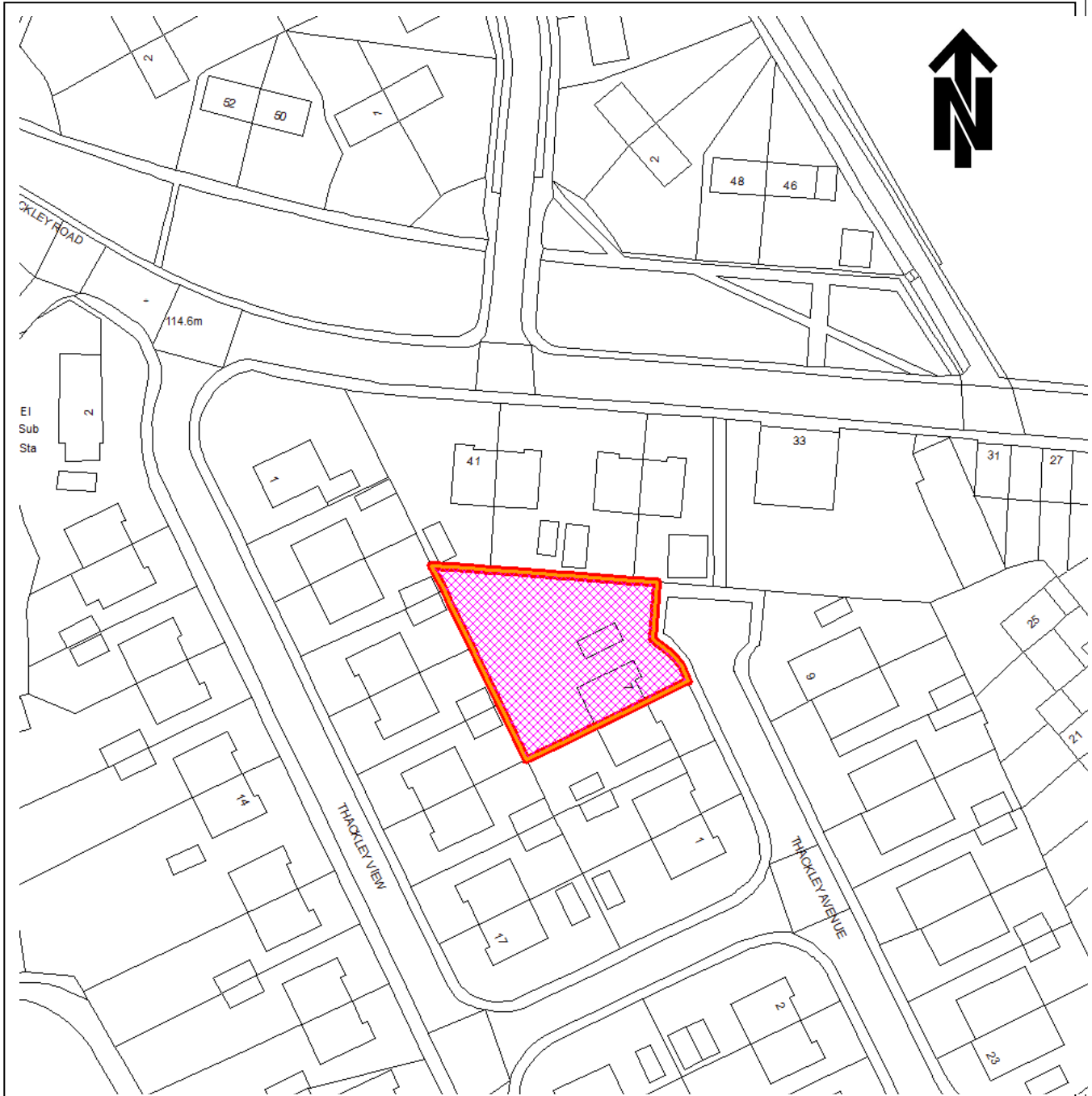
Where the closure or diversion of the highway is involved, there is a legal procedure under Section 247 of the Town and Country Planning Act 1990 which will have to be undertaken before any part of the planning permission may be implemented. The planning permission does not in itself alter the status of a public highway and it will be necessary for an Order to be obtained formally extinguishing the public highway. Until such time as the highway is extinguished work to it in connection with the carrying out of this development may be unlawful.

Details of the procedures may be discussed with Mrs Anisah Naz (Highway Records Officer) on Bradford (01274) 433707. If no objections are received to the Order (or if the objections are resolved), and the Order is made, then and only then, may the development be implemented in accordance with the approved plans

Area Planning Panel (Bradford)

16/03919/FUL

19 October 2016



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ITEM NO. : D

LOCATION:

**7 Thackley Avenue
Bradford BD10 0RX**

19 October 2016

Item Number: D
Ward: IDLE AND THACKLEY
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
16/03919/FUL

Type of Application/Proposal and Address:

This is a full planning application for the construction of a side and rear extension to the existing dwelling and construction of a detached dwelling in the garden of 7 Thackley Avenue, Thackley, Bradford.

Applicant:
Mr Kurt Stratford

Agent:
Belmont Design Services

Site Description:

The site is currently accommodates a semi-detached dwelling built of brick walls under a tiled roof. The property sits on a generous plot at the end of a quiet residential cul-de-sac. There is a detached garage and low-level shrubs and hedging to the side garden, which abuts properties on Thackley View and Thackley Road.

Relevant Site History:

80/80724/FUL - Erection of a garage – Granted 20.06.1980

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Replacement Unitary Development Plan (RUDP):

Allocation

The site is unallocated on the Replacement Unitary Development Plan.

Proposals and Policies

UDP1 Promoting Sustainable Patterns of Development

UR2 Promoting Sustainable Development

UR3 The Local Impact of Development

D1 General Design Considerations

H7 and H8 Housing Density

NR16 Surface Water Run-off

TM2 Impact of Traffic and its Mitigation

TM12 Parking Standards for Residential Properties

TM19A Traffic Management and Road Safety

Householder Supplementary Planning Document (HSPD)

Parish Council:

Not in a Parish.

Publicity and Number of Representations:

The application was advertised by site notices and neighbour notification letters. The publicity period expired on 2nd July 2016.

The application generated 18 objections from 17 people of 13 separate addresses.

Summary of Representations Received:

The letters of objection refer to:

- Overlooking
- Overshadowing/loss of light
- Overbearing
- Sense of enclosure
- Loss of outlook
- Only 12 metres between neighbour's rear window and side of new dwelling
- Two-storey house not in keeping with bungalows
- Not in alignment with existing properties
- Crowding/overdevelopment
- Removal of shrubs and hedging
- Loss of trees, which are not identified on application form
- Loss of garden areas (for parking and new dwelling)
- Symmetry of street scene affected by new dwelling and dropped kerb
- Insufficient parking
- Access issues
- Impact of traffic on busy road
- Conflict with existing turning head
- Impact on property values
- Loss of view
- No street scene plan to show relationship with neighbours/environment

- Application site is approx. 18 inches lower than neighbour, if boundary treatment removed it would affect land stability
- Unclear what level the dwelling will be built at and how this will relate to adjacent properties
- Property developer will sell both properties when works completed
- No storage for gardening and children's play equipment, etc.
- Parking and access will be dangerous for young children
- Additional traffic will create noise disturbance
- Existing drains run under proposed dwelling; queries regarding impact on drainage.

Consultations:

Highways Development Control: Parking spaces should be at least 3 metres wide, or 3.3 metres if also providing pedestrian access. If the plans are amended to address this concern, then highways raise no objections subject to a standard condition requiring implementation of the parking areas.

Drainage: No comments.

Summary of Main Issues:

Principle of the development.

Impact on the local environment.

Impact on residential amenity.

Impact on highway safety.

Other planning matters.

Outstanding matters raised by representations.

Appraisal:

The application seeks permission for the construction of a side and rear extension to an existing semi-detached bungalow, demolition of an existing detached garage and construction of a detached dwelling to the side of the existing building.

A large number of neighbour representations refer to the size of the proposed dwelling being greater than surrounding properties and queried at what level the new dwelling will be built. Following discussions with the agent, amended plans have reduced the size/height of the proposed dwelling and reduced slightly the size of the proposed house extension. A cross-section across the application site and neighbouring properties has also been submitted to illustrate existing and proposed ground and building levels.

Principle of the Development

The site consists of a semi-detached residential dwelling with a detached garage sitting within the side garden, which will be replaced with the proposed detached dwelling. The NPPF has introduced a presumption in favour of sustainable development. The site is previously undeveloped (greenfield) in a primarily residential area, which is unallocated on the RUDP and is therefore not protected for any uses other than those that accord with the general policies of the RUDP. While the site is undeveloped, it is relatively small and in a sustainable location. The NPPF does not advocate a 'brownfield first' approach although it does look for an 'effective' use of land.

In terms of delivering a wide choice of high quality homes, the NPPF states that local planning authorities should boost significantly the supply of new housing and goes on to state that 'housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.' Where there has been a persistent under-delivery of housing the Local Planning Authority should identify an additional 20%. The Council's Strategic Housing Land Availability Assessment (2015 update) indicates that there is a substantial shortfall in housing land relative to these requirements. In these circumstances, in accordance with NPPF paragraph 49, 'relevant policies for the supply of housing should not be considered up to date.' Consequently, the provisions of paragraph 14 of the NPPF should be applied. Paragraph 14 indicates that where the development plan is out of date, planning permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF.

The site is situated in a sustainable location, relatively close to services and facilities, and public transport in the form of regular bus routes and the proposal will make efficient use of the site. These factors weigh significantly in favour of the scheme and the development is unlikely to cause demonstrable and significant harm to the aims and objectives of the RUDP and NPPF. Taking into account the above, the principle of the proposed dwelling on this site is considered acceptable.

Impact on the Local Environment

The site currently accommodates a semi-detached bungalow with generous gardens, particularly to the side (North of the dwelling). The existing house is built of brick walls and tiled roof, with the proposed extension and new dwelling both indicating the use of matching brick and tiles to maintain the appearance of the street scene. The proposed extension accords with the requirements of the Householder Supplementary Planning Document; it includes a 1 metre set back from the front elevation, its width is less than two-thirds of the existing building and extends 3 metres to the rear. It will remain subordinate to the host dwelling, will not appear visually dominant or incongruous, and will maintain the appearance of the existing building.

The site is at the end of a quiet residential cul-de-sac, where the local area is characterised by similarly sized dwellings. A cross-section through the site illustrates the ground levels and building heights of No.7 Thackley Avenue, the proposed new dwelling and No.37 Thackley Road, showing that the height of the proposed building will not appear noticeably different to the surrounding properties, particularly when viewed from along Thackley Avenue. Amended plans have been submitted which have reduced the size of the proposed dwelling, such that it will not appear visually prominent or incongruous in the local area. The scale and position of the dwelling is therefore considered appropriate and in keeping with the character and appearance street scene.

For these reasons, the house extension and proposed dwelling will not have a significant adverse impact on the local environment and will accord with the HSPD, Policies UR3 and D1 of the RUDP and the NPPF.

Impact on Neighbouring Occupants

The proposed extension accords with the HSPD in terms of its size and impact on neighbouring occupants. It will extend 3 metres to the rear and be single storey only, thereby avoiding any detrimental impact on residential amenity through overbearing, overshadowing or loss of outlook. No windows are proposed in the side elevation facing No.5 Thackley Avenue and although a utility window will face the proposed new dwelling, this can be subject to a condition requiring the use of obscure glazing and a top opening window only. The proposed extension therefore poses no significant threat to the residential amenity of neighbouring occupants.

The proposed dwelling will be located on land to the North side of the host dwelling, and will be surrounded by residential properties on Thackley Avenue, Thackley View and Thackley Road. The height of the dwelling has been reduced on the amended plans to reduce the potential impact on the private amenity space and rear facing habitable room windows of Nos.37 and 39 Thackley Road. A 12-metre distance will be maintained between the gable wall of the new dwelling and the rear facing habitable room windows of Nos 37 and 39 Thackley Road. Rear facing windows will maintain appropriate distances to the rear boundary and neighbours' habitable rooms. The plans and additional cross-sectional drawing demonstrate that the development will not adversely affect neighbouring properties through overbearing, overshadowing, loss of outlook or overlooking. The proposal is therefore considered acceptable and compliant with the requirements of the HSPD, policies UR3 and D1 of the RUDP and the NPPF.

Impact on Highway Safety

The proposal involves the loss of the existing detached garage in order to facilitate the construction of the new dwelling. The Highways Engineer raised concerns regarding the size of the proposed parking spaces. Therefore, the site plan has been amended to clearly indicate two off-street parking spaces per dwelling, each measuring 3 metres by 5 metres. The existing dropped kerb will be extended across the frontage of the existing dwelling to allow the creation of a larger parking area, with all four off-street parking spaces being accessed from the turning head at the end of the cul-de-sac. The proposed development will not significantly increase the level of vehicular movements and traffic in the area. As such, the overall impact of the proposed development will not adversely affect highway or pedestrian safety and will afford the occupants sufficient off-street parking. The proposal is therefore considered acceptable and compliant with the requirements of policies TM2, TM12 and TM19A of the RUDP.

Other Planning Matters

There are some established trees, shrubs and hedges within the site and along its boundaries, some of which will need to be removed to enable the development. None of the trees affected by this development are the subject of Tree Preservation Orders and therefore their removal does not require any planning related consents. The existing low-level hedge along the boundary with properties on Thackley Road can be retained due to the inclusion of a 2-metre gap to the boundary. Nevertheless, the development will necessitate the removal of smaller trees and shrubs but will not include the removal of larger boundary trees. The impact on existing trees and planting will therefore be minimal.

The proposal raises no other planning related matters that cannot be controlled successfully through appropriate conditions.

Outstanding matters raised by representations

Impact on property values.

Loss of view.

Property developer will sell both properties when works completed.

No storage for gardening and children's play equipment, etc.

Comment: These are not material planning considerations and cannot be taken account in the assessment; each planning application must be assessed on the basis of the submitted plans and against relevant planning considerations and policies.

Application site is approx 18inches lower than neighbour, if boundary treatment removed it would affect land stability.

Comment: The plans do not indicate any alterations to the existing site boundaries and the works are not expected to affect land stability. Nevertheless, provision of suitable foundations would be a requirement of Building Regulations.

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.

Reason for Granting Planning Permission:

The proposed development is considered to relate satisfactorily with the existing local environment and is not considered to result in any significant loss of residential amenity or harm to highway safety. Subject to relevant conditions, the proposal is considered to comply with Policies UDP1, UR2, UR3, D1, TM2, TM12, TM19A, NR16, H7 and H8 of the RUDP and the NPPF.

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 development commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

3. Prior to the first occupation of the hereby approved dwelling, all areas indicated to be used for vehicular access and parking on the approved plans shall have been laid out with a hardened and drained surface in accordance with the Communities and Local Government; and Environment Agencies 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 as amended or any successor guidance. The gradient shall be no steeper than 1 in 15 except where otherwise approved in writing by the Local Planning Authority. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) this shall be so retained, free of obstructions and available for the use specified on the submitted plans for the lifetime of the development.

Reason: In the interests of amenity and highway safety, and in accordance with Policy TM12 of the Replacement Unitary Development Plan.

4. The development shall be drained using separate foul sewer and surface drainage systems.

Reason: In the interests of pollution prevention and to ensure a satisfactory drainage system is provided and to accord with Policies UR3 and NR16 of the Replacement Unitary Development Plan.

5. The development shall not begin until details of a scheme for separate foul and surface water drainage, including any existing water courses, culverts, land drains and any balancing works or off-site works, have been submitted to and approved in writing by the Local Planning Authority. Surface water must first be investigated for potential disposal through use of sustainable drainage techniques and the developer must submit to the Local Planning Authority a report detailing the results of such an investigation together with the design for disposal of surface water using such techniques or proof that they would be impractical. The scheme so approved shall thereafter be implemented in full before the first occupation of the development.

Reason: To ensure proper drainage of the site and to accord with policies UR3 and NR16 of the Replacement Unitary Development Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no development falling within Classes A to E of Part 1 of Schedule 2 of the said Order shall be carried out without the prior written permission of the Local Planning Authority.

Reason: So as not to detract from the amenities of adjoining properties by reason of loss of privacy and to avoid prejudicing the visual amenity of the area and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

7. The utility room window in the side elevation of the house extension hereby permitted shall be glazed in obscure glass and be top opening only prior to the first occupation of the extension and thereafter retained.

Reason: To prevent overlooking or loss of privacy to adjacent occupiers and to accord with Policy UR3 of the Replacement Unitary Development

8. Notwithstanding any details shown on the hereby approved plans, the development shall not begin until a plan showing the positions, heights, design and materials of boundary treatments including fencing, walling and gates has been submitted to and approved in writing by the Local Planning Authority. The treatments so approved shall then be provided in full prior to the first occupation of the dwellings and shall thereafter be retained. Boundary fencing adjacent to the public footpath should have an open type trellis or equivalent above 1.5 metres height to avoid enclosing the public footpath.

Reason: In the interests of amenity and privacy and to accord with Policy UR3 of the Replacement Unitary Development Plan.

9. Before the development hereby permitted is brought into use, a dropped footway crossing in the highway shall be constructed to the Council's approved specification.

Reason: To ensure the provision of an appropriate standard of pedestrian access to serve the development and to accord with Policy TM19A of the Replacement Unitary Development Plan.

10. Any gates to be constructed as part of the development shall not open over the highway.

Reason: In the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

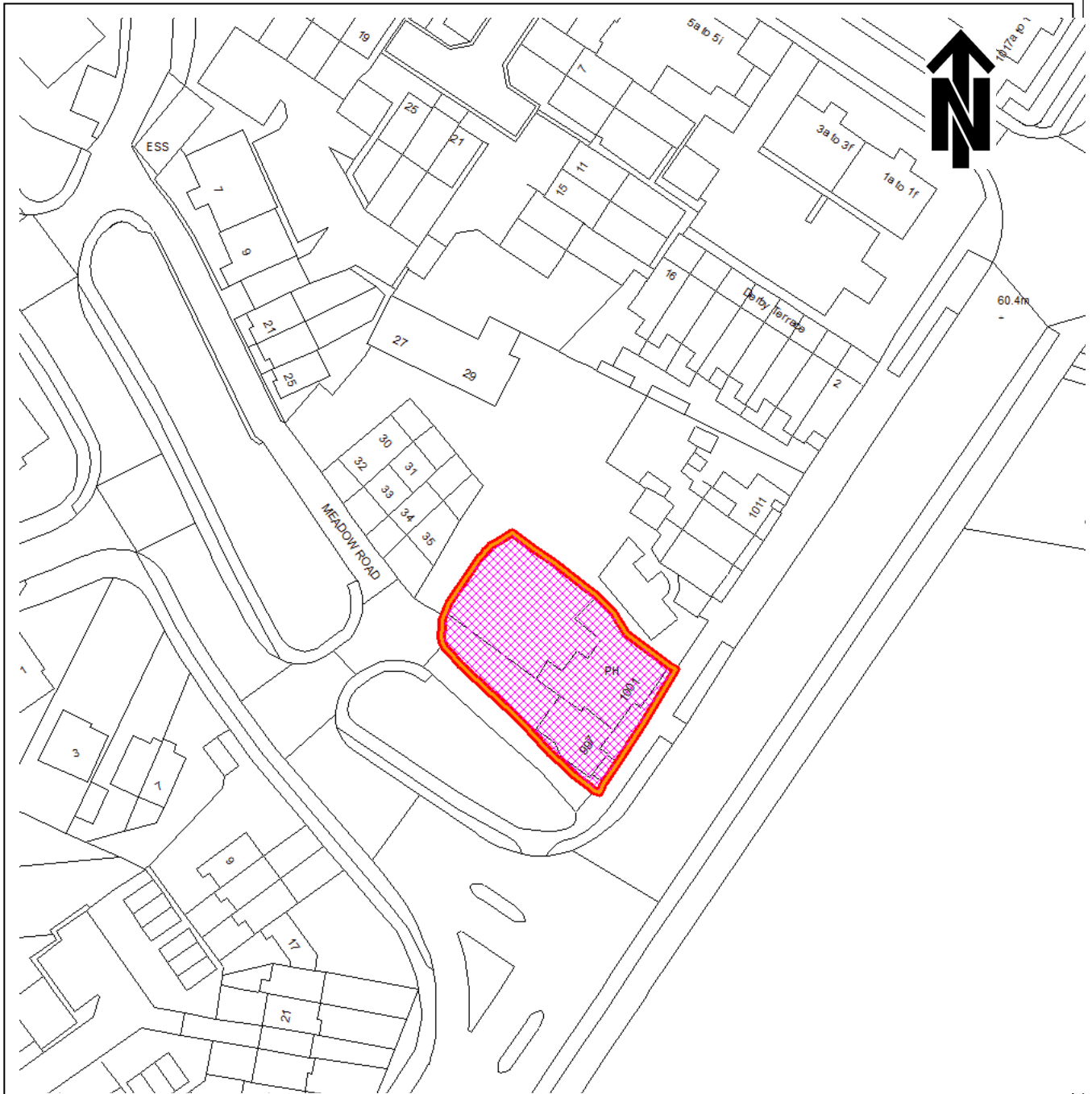
Footnotes:

The developer should be aware of the possible presence of bats in the existing building. Bats and their roosts are protected under the Wildlife and Countryside Act, 1981 and works that affect them would require separate consent. Prior to demolition works/works to the roof, the developer should undertake a bat roost potential survey establishing the presence or otherwise of bat roosts within the existing building and make arrangements for the protection of bats, if necessary through the phasing of development, should the presence of bats be confirmed.

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority. Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

16/04356/FUL

19 October 2016



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ITEM NO. : E

LOCATION:

**Dog And Gun 1001 Harrogate Road
Bradford BD10 0LT**

19 October 2016

Item Number: E
Ward: IDLE AND THACKLEY
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
16/04356/FUL

Type of Application/Proposal and Address:

This is full application for the extension of an existing rear terrace and the formation of access doorway at the Dog and Gun public house, 1001 Harrogate Road, Apperley Bridge, Bradford.

Applicant:

Mr John Whitehead

Agent:

Dave Graham

Site Description:

The application site consists of a grade II listed public house which is constructed of natural stone and surmounted by a slate roof. At the rear of the premises there is an existing outdoor terrace and car park. The surrounding area is predominantly residential.

Relevant Site History:

10/05074/FUL Removal of three front glazed windows and replacement with clear glass and existing first floor rear window and replacement with escape window on existing flat roof and other internal alteration - Refused - 06.12.2010.

10/05076/LBC Removal of existing first floor rear window and replacement with escape window onto existing flat roof and other internal alterations - Granted - 17.01.2011.

11/02247/FUL Retrospective application for decked area to rear of the Dog and Gun public house – Refused - 14.07.2011.

11/02252/LBC Retrospective application for decked area to rear of Public House – Refused - 13.07.2011.

11/03462/FUL Retrospective permission for decked area and smoking shelter to rear of the public house (resubmission) – Granted - 20.09.2011

11/03463/LBC Retrospective application for decked area and smoking shelter to rear of the Public House – Granted - 21.09.2011.

16/03931/LBC Extend existing terrace to rear of property include form access doorway from existing window – Granted - 25.07.2016.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Replacement Unitary Development Plan (RUDP):

Allocation

Unallocated.

Proposals and Policies

UR3 – Local Impact of Development

D1 - General Design Considerations

BH4- Alteration, Extension or Substantial Demolition of Listed Buildings

BH7- New Development in Conservation Areas

P7- Noise

TM11- Parking Standards for Non-Residential Developments

TM19A- Traffic Management and Road Safety

Parish Council:

Not in a Parish.

Publicity and Number of Representations:

The application was publicised by the Council through a site notice and neighbour notification letters. The expiry date for comments in connection with the application was 22 July 2016.

Eight objections were received in connection with the application.

Summary of Representations Received:

Increased traffic congestion

Insufficient parking

Noise disturbance

Littering

Consultations:

Environmental Health - No objection subject to a 10pm 'curfew' on the use of the outdoor area.

Highways Development Control - No objection.

Design and Conservation - No objection subject to the use of stone jambs and lintel and confirmation of details of the door design.

Summary of Main Issues:

Visual Amenity.

Residential Amenity.

Highway and Pedestrian Safety.

Appraisal:

Visual Amenity

The proposed development would involve the insertion of a door into an existing window opening which appears to be a later addition given that it is at a different height to the neighbouring mullioned window. It is considered that the alteration to form a door in this location would not be significantly harmful providing that the existing stone lintel and jambs are retained, as is stated on the submitted plan. The proposed door detail illustrated on the submitted plan is considered to be acceptable and is not considered to result in any adverse visual amenity implications.

In respect of the proposed additional terrace area and planters it is considered that neither aspect of the development will detract from the setting of the listed building or the wider character of the conservation area. The Design and Conservation Officer has noted that the proposed screen fencing could appear inferior in quality to its context but this would not be sufficiently harmful to detract from the historic character of the host building or the wider character of Leeds Liverpool Canal Conservation Area. The proposed development is considered to accord with policies D1, BH4 and BH7 of the Replacement Unitary Development Plan.

Residential Amenity

The application site is a public house which is located in a predominantly residential area. There is a detached residential property, 1003 Harrogate Road, located immediately to the North-East of the site and a terrace of dwellings, 30-35 Meadow Road, located to the North-West of the site. The use of the premises as public house is historic therefore there are no planning conditions limiting the hours of use of the premises. The existing timber decking at the rear of the premises was approved retrospectively in 2011 without any conditions restricting its hours of use. Therefore the existing decked area could feasibly be used until midnight in line with licensed hours of the premises.

This proposal would enlarge the decked area at the rear of the premises alongside the boundary of 1003 Harrogate Road. However acoustic screen fencing is proposed along the common boundary which would limit the level of noise transfer from the terrace area towards the rear private amenity space of 1003 Harrogate Road. Furthermore it is proposed that the use of the terrace would be limited to 10pm in order to prevent any adverse noise implications from occurring during unsociable hours. This could be ensured by a condition in the event that planning permission is granted. An additional benefit of this proposal is that it would also allow for the hours of use of the existing terrace to be controlled, with the same

10pm restriction also imposed. This is considered to constitute a significant improvement in terms of residential amenity as the existing terrace could currently be used until midnight.

In conclusion it is considered that subject to conditions the proposed terrace would not result in any adverse residential amenity implications would accord with the requirements of policies UR3 and P7 of the Replacement Unitary Development Plan.

Highway and Pedestrian Safety

The submitted plan indicates that the premises currently benefits from 12 off-street car parking spaces. The provision of the proposed terrace would reduce this to 9 off-street spaces. The Council's Highways Engineer has indicated that the loss of off-street car parking would not be sufficient to result in any significant highway or pedestrian safety implications, as there is sufficient on-street parking available in the surrounding area. As such the proposed development is considered to accord with policies TM2, TM11 and TM19A of the Replacement Unitary Development Plan.

Further Issues Raised by Representations

A representation has raised concern that the proposal could result in additional littering in the area. It is considered that this cannot reasonably be controlled under planning legislation as it is a criminal offence.

Community Safety Implications:

The application does not present any 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.

Reason for Granting Planning Permission:

The proposed development is considered to be acceptable and accords with the requirements of the National Planning Policy Framework and policies UR3, D1, BH4, BH7, P7, TM11 and TM19A of the Replacement Unitary Development Plan.

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 use of the entirety of the outdoor terrace area as indicated on Drawing No.1412-01D shall be restricted to the hours from 10:00 to 22:00.

Reason: In order to safeguard the amenity of nearby residents and to accord with the requirements of Policies UR3 and P7 of the Replacement Unitary Development Plan.

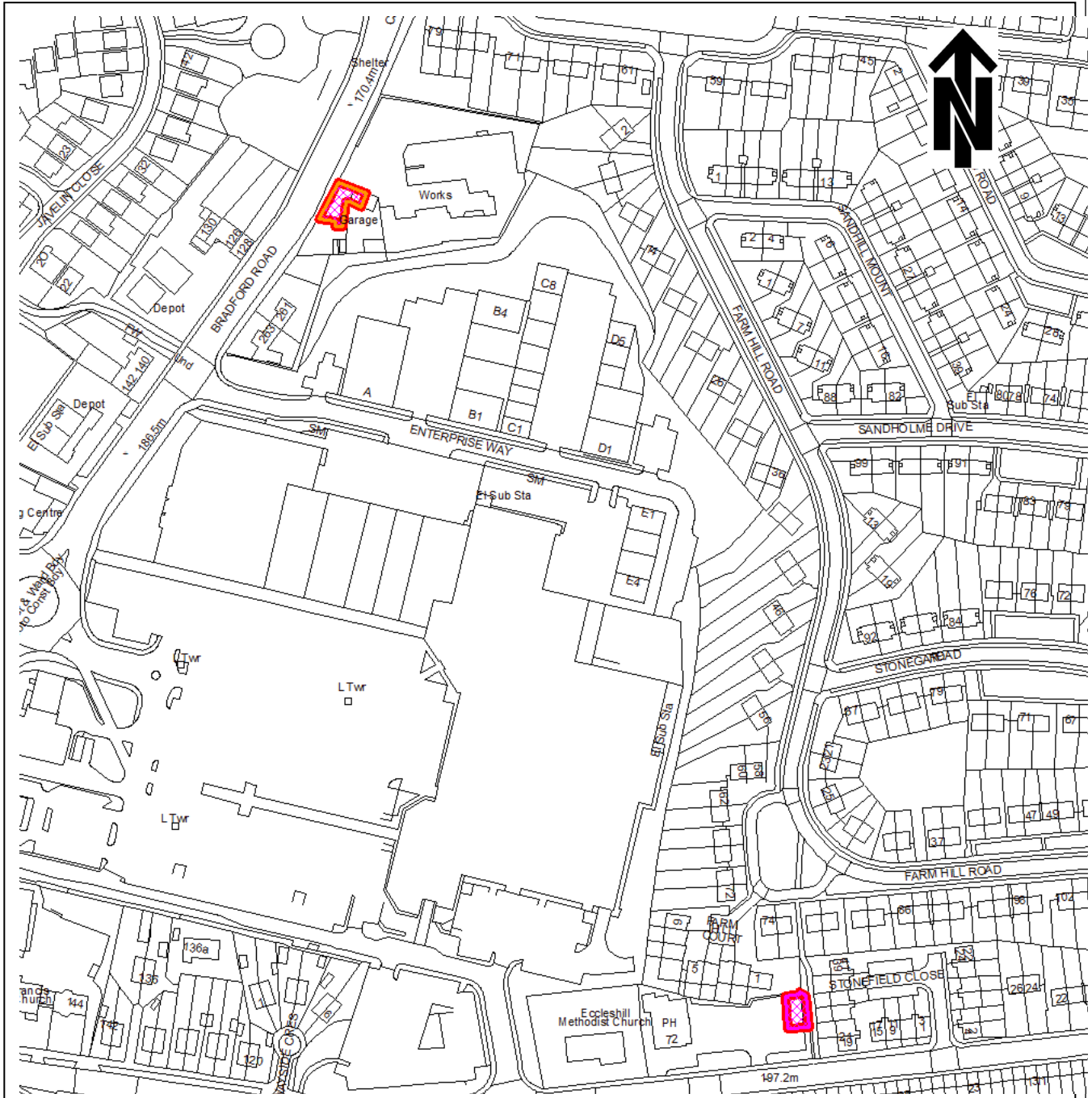
3. Prior to the first use of the terrace hereby permitted an acoustic screen fence shall be constructed as illustrated on Drawing No. 1412-01D dated 16.09.2016. The fence shall then be retained whilst ever the terrace subsists.

Reason: In order to safeguard the amenity of nearby residents and to accord with the requirements of Policies UR3 and P7 of the Replacement Unitary Development Plan.

Area Planning Panel (Bradford)

16/05225/FUL

19 October 2016



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LOCATION:

ITEM NO. : F

Stanley Lowe Garage
Bradford Road Idle BD10 8SQ

19 October 2016

Item Number: F
Ward: ECCLESHILL
Recommendation:
TO REFUSE PLANNING PERMISSION
APPLICATION WITH A PETITION

Application Number:
16/05225/FUL

Type of Application/Proposal and Address:

A full planning application for the change of use of the building from an office to private vehicle hire booking office at Stanley Lowe garage, Bradford Road, Idle, Bradford.

Applicant:

Mr Mohammed Nawaz

Agent:

Jeff Redmile

Site Description:

The site is located on Bradford Road and takes access directly from this highway. The surrounding area is a mixture of commercial buildings with residential properties close to the site on Bradford Road and Rowantree Drive. The building on the site is close to a large car hire business and is a small single storey structure.

Relevant Site History:

16/01982/FUL: Change of use from retail office to private vehicle hire office (withdrawn 31.05.2016).

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Replacement Unitary Development Plan (RUDP):

Allocation

Unallocated.

Proposals and Policies

UR3	The Local Impact of Development
UR2	Promoting Sustainable Development
TM2	Impact of traffic and its mitigation
TM11	Parking standards for non-residential developments
TM19A	Traffic management and road safety
D1	General Design Considerations
P7	Noise

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application was publicised by site notice and individual notification letters. The expiry date of the publicity period was 17 August 2017. To date, the following representations have been received in relation to the application:

One objection petition of nine names from six different addresses.

Email from an Eccleshill Ward Councillor expressing neutral comments but requesting the application be considered by the area planning panel should officers be minded to recommended refusal of the application.

Summary of Representations Received:

Adverse effects upon highway safety and residential amenity due to parking and movement of vehicles and customers at the site.

Consultations:

Highways: Object to the proposal due to highway safety implications.

Environmental Health: No comments received.

Summary of Main Issues:

Principle of use.

Visual impact.

Highway safety.

Residential amenity.

Outstanding issues raised by representations received.

Appraisal:

Principle of use

The site is located within an unallocated area and it appears it was last in use as an office.

The proposed use does not fall into any particular Use Class (so called sui generis) and it is considered that in principle the proposed use would be acceptable, subject to allow relevant material considerations.

Visual impact

The proposal does not involve any external changes to the building or site entrance and it is therefore considered that the proposal will not have a material impact on the street scene.

Residential amenity

The proposed change of use is considered to have potential adverse impacts upon residential amenity. There are a number of residential properties close to the site and given that the proposed use will operate on a 24 hour basis, there is potential for customers to collect outside the site when trying to secure transport. The office is designed to work on a remote basis and will simply coordinate the movements of vehicles and direct them remotely to their pick up points, however, it would prove difficult to prevent people from congregating outside the site, at quiet and unsociable periods, with the use of conditions they would not reasonably extend to, or allow control of, land outside the red lined application site. The proposed use is therefore likely to generate activity at the site at unsociable periods causing disturbance and nuisance to the neighbouring properties. The proposal is therefore considered to be contrary to policy UR3.

Highway safety

The site currently has informal parking for two vehicles and shares access onto Bradford Road with the adjacent site (a car hire centre). The parking area is within the red line of the application site and may be used in connection with the proposed use. However, in line with the RUDP, private vehicle hire offices must provide at least five off-street parking spaces which is not achieved in this case. The application is submitted with a letter from the owner of a public house some 900 metres from the site (located at 72 Norman Lane), which confirms parking is offered to the applicant for up to five vehicles in connection with the use. However, this parking will be remote from the site and is unlikely to be fully utilised by drivers, despite the office operating on a remote basis. Furthermore, its long-term availability can only be secured through the planning system with a legal agreement between all parties involved; no such agreement has been provided. The need for this additional parking also appears to conflict with the proposed way in which the office will operate as a remote coordinating centre for the business. Furthermore, the allocation of parking at the public house would reduce overall parking for the public house itself, potentially leading to additional problems of parking and congestion at busier periods.

It is considered that the proposed use is likely to lead to a situation whereby vehicles wait at or close to the site for customers and problems are likely to occur in terms of vehicles parking on Bradford Road close to an existing bus stop and on the cycle lane within the highway. Vehicles will also be entering and exiting the site where there is limited turning provision, leading to highway safety implications on this busy classified road. Conditions restricting vehicle access to the site are considered to be ineffective in controlling this issue and would have questionable enforceability. Given the above, it is considered that the proposal will result in highway safety implications.

Community Safety Implications:

None.

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 in relation to consideration of this application.

Reasons for Refusal:

1. The proposed change of use to a private vehicle hire office is likely to result in vehicles parking on Bradford Road and entering and leaving the site with inadequate turning provision, resulting in adverse effects upon highway safety on this busy classified road. Furthermore, the site provides inadequate parking provision for the proposed use in line with Appendix C of the Replacement Unitary Development Plan. The proposal is therefore contrary to policies UR3, TM2, TM11 and TM19A of the Replacement Unitary Development Plan.
2. The proposal is likely to result in adverse effects on the amenities of the residential properties close to the site due to general disturbance in connection with the use including vehicle movements and customers congregating close to the site, owing to its proposed 24 hour operation. The proposal is therefore contrary to policy UR3 of the Replacement Unitary Development Plan.