

Report of the Strategic Director, Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 15 March 2017

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Summary Statement - Part One

Applications recommended for Approval or Refusal

The sites concerned are:

<u>Item.</u>	<u>Site</u>	<u>Ward</u>
A	11 Knightsbridge Walk Bradford BD4 6ES - 17/00253/HOU [Approve]	Tong
B	11 McMahon Drive Bradford BD13 1HD - 16/09425/HOU [Approve]	Queensbury
C	Former Car Park to Black Swan PH Frizinghall Road Bradford - 16/02335/FUL [Approve]	Heaton
D	Land South of Woolcombers Way Junction Dick Lane Bradford - 16/08525/FUL [Approve]	Bowling & Barkerend
E	St Marys RC Church East Parade Bradford BD1 5EE - 16/08955/LBC [Refuse]	Bowling & Barkerend
F	St Marys RC Church East Parade Bradford BD1 5EE - 16/08955/LBC [Split Decision]	Bowling & Barkerend

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

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Portfolio:
Regeneration, Planning & Transport

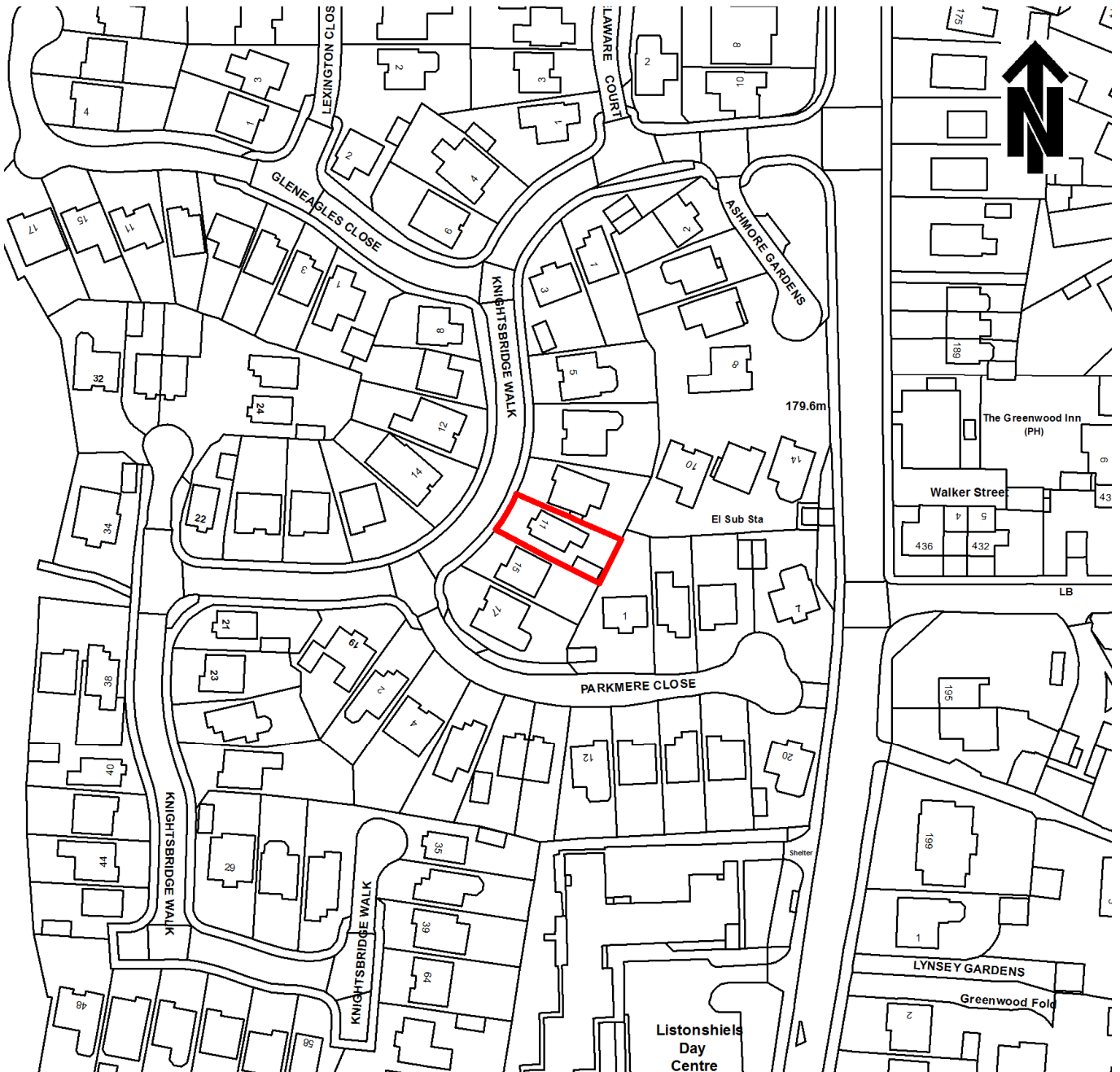
Overview & Scrutiny Committee Area:
Regeneration and Economy



17/00253/HOU

City of Bradford MDC

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11 Knightsbridge Walk
Bradford
BD4 6ES

15 March 2017

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

Application Number:
17/00253/HOU

Type of Application/Proposal and Address:

This is a full planning application for the construction of a two storey side and rear extension, amendments to an existing porch and the removal of an existing garage at 11 Knightsbridge Walk, Bradford.

Applicant:
Mr Suleman

Agent:
Mr Stephen Fisher, SR Design

Site Description:

This is a new-build detached dwelling within a street of similar properties but which vary in design. The land drops away to the south and there is a particularly pronounced drop in levels on the rear boundary of this property adjoining 1 Parkmere Close.

Relevant Site History:

16/06831/HOU - Construction of two-storey side and rear extension and amendment to existing porch and removal of detached garage - Refused on grounds of visual harm, overlooking issues and inconsistent information.

06/08909/FUL - Construction of two storey extension to side of property - Refused on grounds of visual harm but this development was subsequently allowed on appeal.

06/04503/FUL - Two storey side extension – Refused.

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 RUDP.

Proposals and Policies

Policy UR3	The Local Impact of Development
Policy D1	General Design Considerations

Parish Council:

The site is not within a Parish.

Publicity and Number of Representations:

The application was publicised with neighbour notification letters. The publicity period expired on 9 February 2017. To date, seven objections have been received to the proposal.

Summary of Representations Received:

- Parking is already a major problem in this area and this proposal provides only one off-street parking bay.
- On-street parking causes problems for refuse and emergency vehicles.
- The proposal will cause a terracing effect to the neighbouring detached houses and will adversely affect the street scene.
- The proposed roof lights are foreign to the style and character of any of the other houses in this development.
- Proposal will overlook the gardens and habitable room windows of properties to the rear.
- The proposal is not in-keeping with the design of the estate.
- The size of the development will have an over-dominating impact and a daunting, imposing physical appearance.
- The proposed extension will cause difficulty for neighbours to carry out repairs to their property.
- The Council's Householder SPD requires a 1m separation to side boundaries.
- Proposal will affect the amount of light neighbouring properties receive.
- The side extension would make it difficult to access the bathroom window in the side of the neighbouring property.
- Children playing on the road could be put at risk.
- Where would contractors park? Where would the skip be placed during construction?

Consultations:

Highways Development Control - Require at least two car parking spaces for this development. Following receipt of amended drawings no objections are raised subject to conditions.

Summary of Main Issues:

1. Background
2. Visual Amenity
3. Residential Amenity
4. Highway Safety
5. Other Issues Raised in Representations

Appraisal:

1. Background

This site has an extensive site history which includes a recent refusal and also an allowed appeal in 2006 for a very similar development to that proposed here. The most recent application was refused for the following reasons:

- i) The proposed two storey rear extension by reason of its proximity to the rear boundary would result in an unacceptable level of overlooking of the rear private amenity space of 1 Parkmere Close. As a consequence the proposal is considered to be contrary to Policy UR3 of the Replacement Unitary Development Plan and the Council's adopted Householder Supplementary Planning Document.
- ii) The awkward clash in the roof pitch of the proposed porch and the roof pitch of the ground floor projection to the front of the proposed side extension is poor design and would be harmful to the character and appearance of this property and the wider streetscene. As a consequence the proposal is considered to be contrary to Policies UR3 and D1 of the Replacement Unitary Development Plan and the Householder Supplementary Planning Document.
- iii) The submitted drawings contain an inconsistency in the width of the proposed porch. In the absence of consistent and accurate drawings it is not possible to properly and fully assess the impact of the proposal.

The current application has been revised in an attempt to overcome these reasons for refusal. The side extension is now very similar to a proposal which was refused in 2006 on visual grounds but subsequently allowed on appeal by the Planning Inspectorate. It is also noted that the Householder SPD has introduced a new policy background under which this proposal needs to be considered.

2. Visual Amenity

The proposed side extension is very similar in size to what has been previously approved on this site. This extension projects to the side boundary but will not result in a terracing effect. Although the gap between properties will be reduced, around 1.2m will remain to the side of 13 Knightsbridge Walk on which it would not be possible to extend. This issue formed one of the main issues of contention in the previous approval however the Inspector noted that 'the relative spacing between properties on this part of the estate does not appear to form a particularly notable component of its character'. In regards to a potential terracing effect he notes that this would be 'mitigated by the difference in levels between the two properties and the fact that the roof of the extension would be set below that of the main house and the first floor set back from its front face.' These comments are still relevant to the current proposal and as a consequence the side extension is not considered to be harmful to visual amenity.

The rear extension has been amended so that its ground floor is 4m deep but the first floor is only 2.4m deep. It is appropriately designed and would have very limited public visibility.

Previously the main concern in relation to visual impact was in relation to the design of the porch, its relationship with the roof of the attached garage and inconsistencies in the drawings. The proposal has now been designed so that the roof of the garage lines through with the roof of the porch and the existing canopy above the ground floor window. This has now overcome the previous reasons for refusal in regards to visual amenity. Subject to the use of matching facing and roofing materials the proposal is not therefore considered to be harmful to visual amenity.

3. Residential Amenity

The previous application proposed a 4m deep two storey rear extension which retained only 5.4m to the rear boundary of the site. The rear boundary adjoins the rear garden of 1 Parkmere Close which is at a slightly lower level than the site property. The Council normally requires 7m from upper floor habitable room windows to the shared boundaries. The proposal has now been revised to reduce the depth of the first floor element of the rear extension so that the required 7m separation distance is provided. 1 Parkmere Close sits at an oblique angle to the site property and a distance of between 15m and 16m is retained between the first floor bedroom window and the rear of this property. Given the oblique angle this is considered to be sufficient to provide adequate amenity for occupants of 1 Parkmere Close and also the residents of the site property. The proposal is now considered to overcome the previous reason for refusal.

The proposed side extension sits alongside 13 Knightsbridge Walk and there are no habitable room windows in the side of this property. The 2-storey rear element clears a 45 degree line taken from the rear of habitable room windows of both 9 and 13 Knightsbridge Walk. Overall the proposal is not therefore considered to be harmful to residential amenity.

4. Highway Safety

The previous application was not refused on highways grounds however given the number of comments raising concerns about the loss of car parking for this property the Highways Engineer was consulted for a view of the development. Appendix C of the adopted RUDP requires 1.5 spaces across a development however the Highways Engineer has requested at least two off-street car parking spaces to serve this development. As a consequence revised plans have been received which show the provision of three car parking spaces including one within an integrated garage. The proposal is therefore unlikely to be harmful to highway safety.

5. Other Issues Raised in Representations

- The proposed roof lights are foreign to the style and character of any of the other houses in this development.

Response - The introduction of roof lights does not generally require planning permission. In any case their insertion is a relatively low-key method of making use of loft space within dwellings and does not cause any significant harm to visual amenity.

- The proposed extension will cause difficulty for neighbours to carry out repairs to their property.

- The side extension would make it difficult to access the bathroom window in the side of the neighbouring property.

Response - These are private matters beyond the remit of the current planning system. It is noted that the consent of landowners is required before entering their land to carry out maintenance works.

- Children playing on the road could be put at risk.

Response - This proposal is unlikely to generate a significant increase in traffic in the surrounding roads.

- Where would contractors park? Where would the skip be placed during construction?

Response - The construction phase is a temporary period and although some disruption may occur in this time it is not possible to refuse a planning application on these grounds.

Community Safety Implications:

The proposed development 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 as amended would not be harmful to visual amenity, residential amenity or highway safety. It would therefore comply with policies UR3 and D1 of the RUDP, the NPPF and the Householder SPD.

Conditions of Approval:

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

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

2. The development 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. Before the development is brought into use, the off street car parking facility shall be laid out, hard surfaced, sealed and drained within the curtilage of the site in accordance with the approved drawings. The gradient shall be no steeper than 1 in 15 except where otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to accord with Policy TM12 of the Replacement Unitary Development Plan.

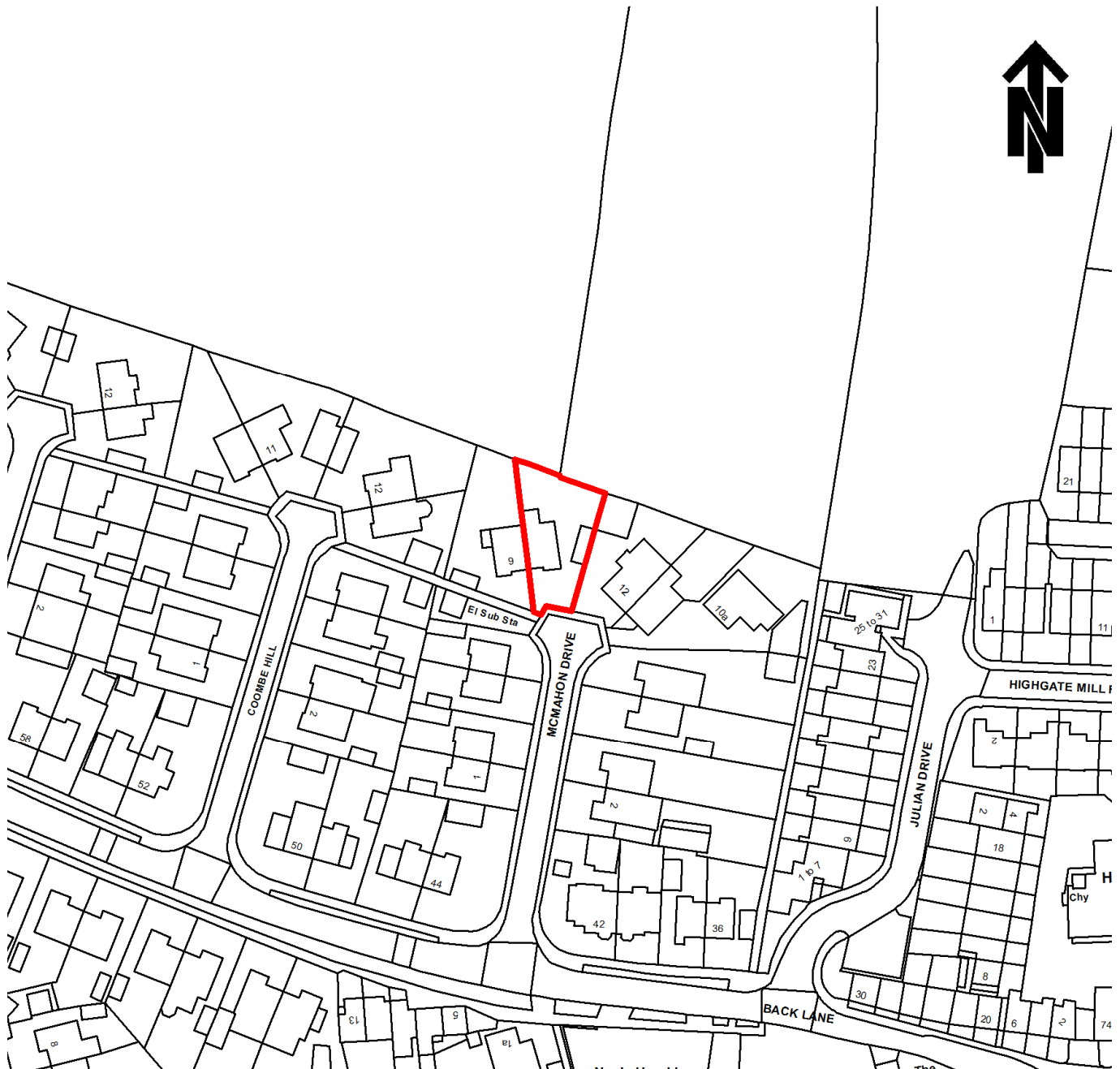
Footnote:

If any aspect of your proposed works affects existing public footways, public highway or public rights of way you must ensure that relevant Highway Legislation and Statutory Notices are complied with and that all relevant fees are paid prior to commencement of your works. Please contact the Network Resilience and Management Team in Jacobs Well, Bradford BD1 5RW - 01274 431000 - network.management@bradford.gov.uk

16/09425/HOU

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11 McMahon Drive
Bradford
BD13 1HD

15 March 2017

Item: B
Ward: QUEENSBURY
Recommendation:
TO GRANT PLANNING PERMISSION
APPLICATION WITH A PETITION

Application Number:
16/09425/HOU

Type of Application/Proposal and Address:

This is a householder application for the construction of a two storey side extension, single storey rear extension and rear dormer windows at 11 McMahon Drive, Bradford, BD13 1HD.

Applicant:
Mr Najab Sultan

Agent:
Mr Shuaib Khan

Site Description:

The application dwelling is a semi-detached property constructed with a brickwork dwarf wall and blockwork render elevations, beneath a tiled roof. The property is positioned at the head of the cul-de-sac and is one of four semi-detached dwellings which include a single storey projection to the front elevation. The surrounding street scene includes further semi-detached dwellings and bungalows.

Relevant Site History:
None relevant.

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

TM2 – Impact of Traffic and its Mitigation

TM19A – Traffic Management and Road Safety

Householder Supplementary Planning Document.

Parish Council:

Not in a Parish.

Publicity and Number of Representations:

The application was publicised by neighbour notification letters. The expiry date for comments in connection with the application was 10 January 2017. Five individual representations were received as well as a petition containing nine signatures.

Summary of Representations Received:

- Inadequate car parking
- HGV Access during construction
- Noise
- Footpath obstruction
- Driveway obstruction

Consultations:

Occupational Therapy - The team are aware that a disabled person resides at the property and have recommended a scheme of internal adaptations to meet the needs of the individual. As an internal scheme of adaptations would adequately cater for the needs of the occupant the proposal cannot be formally supported.

Summary of Main Issues:

Visual Amenity.

Residential Amenity.

Highway and Pedestrian Safety.

Further Issues Raised by Representations.

Appraisal:

Following the initial submission amendments were requested to ensure that the design of the side extension incorporated adequate setbacks to the ground floor, first floor and ridgeline. Further information was also requested in order to clarify the proposed layout of parking spaces to the front of the dwelling.

It is noteworthy that part of the proposed extension would provide ground floor facilities for a disabled person. This is a material planning consideration. However, as the councils Occupational Therapy Team have advised that the needs of the disabled occupant can be adequately met with a scheme of internal adaptations, this is not a factor which would justify the approval of an extension which does not accord with the relevant planning policies.

Visual Amenity

The side and rear extension would be constructed of materials (brick, pebble dashed render, tile) to match the host dwelling. As such the construction materials do not raise any adverse visual amenity concerns.

The width of the side extension would not exceed two-thirds of the width of the host dwelling and the extension would include a 1 metre setback at the ground floor and first floor levels, with a corresponding set-down in the ridgeline. The side extension is therefore considered to achieve a subordinate appearance in relation to the host dwelling in accordance with the requirements of policy D1 of the RUDP and the Householder Supplementary Planning Document.

The single storey rear extension would have a depth of 3 metres and it would be surmounted by a flat roof. This aspect of the proposal would occupy an unobtrusive location and its design is not considered to result in any adverse visual amenity implications.

The rear dormer window to the roof-scape of the existing dwelling would constitute permitted development under the provisions of Class B of the General Permitted Development Order 2015. As such, despite its excessive size and inclusion of fascia cladding, refusal of the application on this basis cannot be justified.

The dormer window to the rear roof-scape of the extension would have a width of 3.2 metres. It is noted that this is marginally wider than the 3 metres advocated by the Householder Supplementary Planning Document. However the marginally enlarged width is not considered to be significantly detrimental in what is an unobtrusive location at the rear of the property.

Residential Amenity

The two storey side extension would be sufficiently separated from neighbouring dwellings to ensure that it would not result in any adverse overbearing, overshadowing or overlooking implications in accordance with policy UR3 of the Replacement Unitary Development Plan and the Householder Supplementary Planning Document.

The single storey rear aspect of the extension would have a depth of 3 metres and it would therefore not result in any adverse overbearing or overshadowing implications for the rear amenity area or habitable room windows of the adjoining property.

The development would not include any habitable room windows with an unrestricted view within 7 metres of the rear boundary of any neighbouring dwelling, or within 17 metres of the habitable room windows of any neighbouring dwelling. In the event that planning permission is granted a condition could be imposed removing permitted development rights for the installation of side windows in the east or west facing elevations of the extension. Subject to the aforementioned condition no adverse overlooking implications are foreseen.

Highway and Pedestrian Safety

The proposal would retain two off street car parking spaces. The level of off-street car parking would therefore exceed the requirements stipulated in Appendix-C-Parking Standards of the Replacement Unitary Development Plan. As such the level of parking provision is not considered to result in any adverse highway or pedestrian safety implications in accordance with the requirements of policy TM19A of the Replacement Unitary Development Plan.

Further Issues Raised by Representations

A representation has raised concerns about HGV's accessing the site during the construction phase of development. It is considered that this proposal is small scale and it is not likely to require a large number of HGV deliveries. In any case such vehicles are required to observe the Highway Code and failure to do so should be reported to the police.

A representation has raised concern that footpaths and driveways may be blocked by vehicles attending the site. It is considered that this matter cannot be controlled by planning legislation and should be reported to the police for investigation.

A representation has raised concern about noise emanating from the site during the construction of the development. It is considered that as the development is small scale any noise generated is likely to be short lived. If noise levels persist at a level that is considered to be a statutory nuisance this matter should be reported to the Council's Environmental Health Department for investigation.

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. The 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.

Reason for Granting Planning Permission:

The proposed side and rear extension and rear dormer window are not considered to result in any adverse implications in respect of visual amenity, residential amenity or highway and pedestrian safety in accordance with the requirements of policies UR3, D1 and TM19A of the Replacement Unitary Development Plan and the Householder Supplementary Planning Document. The rear dormer window to the roof-scape of the existing dwelling would constitute permitted development under the provisions of Class B of the General Permitted Development Order 2015.

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.

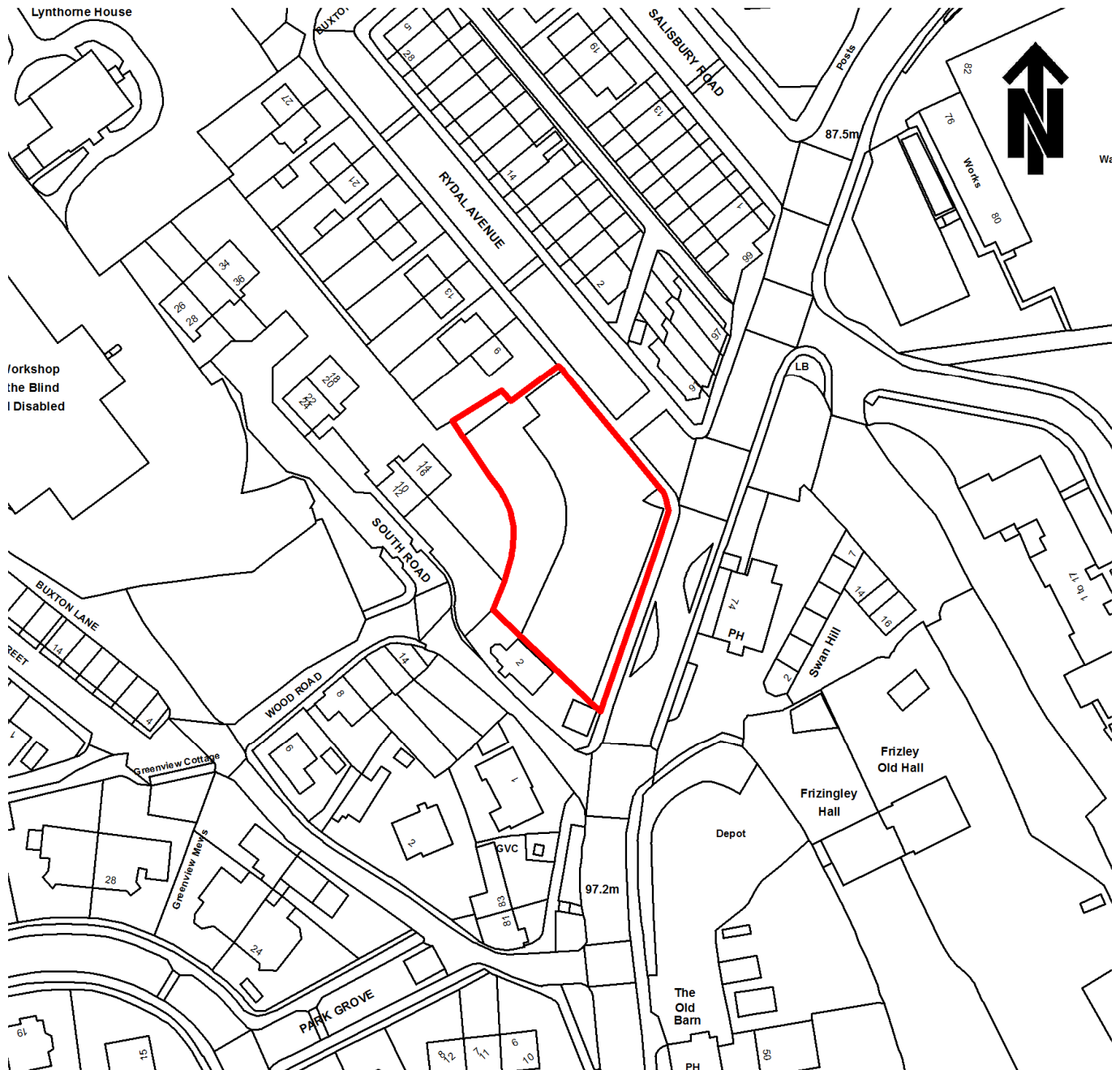
3. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no further windows, including dormer windows, or other openings shall be formed in the side facing elevations of the extension without prior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

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

16/02335/FUL

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**Former Car Park To Black Swan PH
Frizinghall Road
Bradford**

15 March 2017

Item: C
Ward: HEATON
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
16/02335/FUL

Type of Application/Proposal and Address:

Construction of 4 semi-detached dwellings and 2 detached bungalows with associated car parking, at the former car park of the Black Swan public house, Frizinghall Road, Bradford.

Applicant:
Mr Quasim Khan

Agent:
Mr Philip Bakes

Site Description:

The development site is currently a hard surfaced car park which formerly served the Black Swan public house, Frizinghall, Bradford. The car park is detached from the Black Swan being at a lower level and on the opposite side of Frizinghall Road. Specifically the car park is immediately following the junction with Rydal Avenue, albeit measures are in place so these highways are no longer linked for vehicular traffic. A short section of Rydale Avenue remains linked to allow access to the car park.

The car park itself is roughly L shaped extending alongside Frizinghall Avenue and around the junction on to Rydale Avenue. There are notable level changes between the car park and Frizinghall Road and there is a sloping banking to the rear of the site which extends the extent of the site. Established trees are present alongside Frizinghall Road and on the banking to the rear of the site. The wider locality is predominantly residential comprising a variety of housing designs, semi-detached and terraced properties are present along Rydale Avenue and a detached bungalow borders the site along Frizinghall Road.

Relevant Site History:

13/03017/FUL - Construction of 4 semi-detached dwellings, two semi-detached bungalows and associated car parking - Granted - 25.09.2013.

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

UDP1	Promoting Sustainable Patterns of Development
UR2	Promoting Sustainable Development
UR3	The Local Impact of Development
D1	General Design Considerations
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
D3	Access for People with Disabilities
NE4	Trees and Woodlands
NE5	Retention of Trees on Development Sites
NE6	Protection of Trees During Development
NR16	Surface Water Run Off and Sustainable Drainage Systems

Parish Council:

Not in a Parish.

Publicity and Number of Representations:

The application was publicised by site notice and neighbour notification letters. The expiry date for comments in connection with the application was 15 May 2016. Twelve representations were received in connection with the application, comprising of six objections, three letters of support and three general comments.

Summary of Representations Received:

Objections:

- The car park provides a path for floodwater.
- Development would result in flooding of neighbouring properties.
- The application should not be approved until flood prevention measures are installed.
- Any new properties would be at risk of flooding.
- The parking spaces as illustrated cannot be accommodated.
- There is insufficient parking on Rydal Avenue to cater for any overspill.

- Loss of trees.
- The site currently provides overspill parking for residents of Rydal Avenue.
- The site provides a vehicle turning area for residents of Rydal Avenue.
- Increased traffic congestion on Rydal Avenue.
- Access for site traffic on Rydal Avenue would not be practicable.
- The driveways of the semi-detached dwellings would reduce on street parking availability on Rydal Avenue.
- Excessive density of development.
- The access point would cause highway and pedestrians safety issues.

Support:

- The development will improve the appearance of the site.
- The site already has planning permission.
- The development will contribute towards much needed housing.

Consultations:

Highways - The access should be amended to be as far away from the junction of Frizinghall Road and Rydal Avenue, as per the existing car park access and previous approval. The driveway dimensions for two vehicles side by side should be a minimum of 6m long by 5.8m wide if pedestrian access is combined (or 5.5m wide if separate pedestrian access is provided).

Trees - The amended proposal appears to be of a similar footprint to the previously approved application. If minded to approve the application it is requested that conditions are imposed requiring the submission of an arboricultural method statement and tree protection plan and a further condition to ensure that tree protection measures shall remain in place for the duration of the development.

Design and Conservation - Any new dwellings should achieve a subservient appearance in relation to the grade II listed Black Swan public house on the adjacent side of Frizinghall Road. The use of reconstituted stone is unlikely to provide an acceptable finish. The roofing slates should have a slimmer leading edge than the standard interlocking tiles

Historic England - An assessment of the impact of the development on nearby listed buildings and the Heaton Estates Conservation Area should be undertaken to satisfy paragraph 128 of the NPPF. Any construction materials should be of sufficient quality in relation to the surrounding area and heritage assets.

Drainage - The development should not begin until details of a scheme for foul & surface water drainage, including any balancing and off site works have been submitted to and approved in writing by the Local Planning Authority. In order to keep the impermeability of the land to a minimum the applicant should investigate the use of porous materials in the construction of the car parking & hard standing areas. Peak surface water discharge rates from the development should be reduced by a minimum of 30% from the existing rates. Full details and calculations of the pre and post development surface water discharge rates should be submitted to and be approved by the local planning authority.

The developer must also submit details & calculations to demonstrate any surface water attenuation proposals are sufficient to contain flows generated in a 1:30 year event plus climate change within the underground system together with details & calculations to demonstrate flows generated in a 1:100 year event plus climate change will be contained within the site boundary without affecting the proposed dwellings or safe egress & access.

Yorkshire Water- Consideration should be given to preferred hierarchy for surface water disposal. Consideration should firstly be given to discharge to soakaway, infiltration system, then water course, then to public sewer in this priority order. To prevent overloading of the public sewer network, surface water discharges to the network should be restricted to the level of run-off. On-site storage/balancing- or some other means of attenuation of the surface water may be required.

Minerals and Waste- There are no apparent minerals or waste legacy issues.

Summary of Main Issues:

Principle

Visual Amenity

Trees

Residential Amenity

Highway Safety

Drainage

Further Issues Raised by Representations

Appraisal:

Principle

The principle of residential development on this site was established with the approval of application reference 13/03017/FUL, which granted permission for the construction of four semi-detached dwellings and two semi-detached bungalows in 2013. There have been no significant changes in planning policy or site circumstances since this time and therefore the principle of residential development remains acceptable.

The proposal would provide 6 dwellings on a site with an area of 0.17ha. The NPPF has removed the criteria for housing density allowing Local Authorities to take their own approach to housing density in order to reflect local circumstances. The density stipulated in the RUDP is 30-50 dwellings per hectare. The proposal would achieve a density of 24 dwellings per hectare which would fall short of the RUDP standard. However, there are site constraints which warrant the reduced density. Namely, the presence of protected trees on the Frizinghall Road frontage and the changes in land levels across the site. As such the proposed density is considered to be acceptable.

Visual Amenity

The NPPF places an emphasis on good design to help create a strong sense of place and to create safe and accessible environments. Policy D1 of the RUDP also requires development to make a positive contribution to the environment by inter alia, being well related to the locality, allowing flexibility to meet changing needs and retaining important features.

The proposed development is considered to meet these requirements as the scheme is well related to the scale, design and layout of the locality, whilst also providing an accessible development with a mix of housing designs. The proposed semi-detached dwellings fronting Rydal Avenue are comparable with the scale, appearance and layout of the remainder of the row. Frizinghall Road has a less uniform appearance incorporating a variety of housing designs and the pair of detached bungalows proposed will sit unobtrusively in this setting.

It is noted that the proposed construction materials would consist of artificial stone and artificial slate. However, it is considered that subject to a planning condition requiring the submission of samples of a suitable quality the materials would not result in any adverse visual amenity implications in respect of the site, surrounding street scene, or the adjacent grade II listed Black Swan Public House.

It is also noteworthy that whilst some low value trees are to be removed, the development retains a number of the protected trees including those to the front of the site which are the most significant in terms of amenity value and help provide a quality setting for the development.

Trees

The site is enclosed by two groups of protected trees. The group positioned on the south-east boundary of the site are of high amenity value as they are mature specimens which make a valuable contribution to the Frizinghall Road street scene. The second group occupy the north-west boundary in an elevated position at the rear of the site and provide limited amenity value. It is noteworthy that a previously approved scheme for the residential development of this site granted permission for the removal of the vast majority of the trees at the rear of the site.

This proposal would again include the removal of the trees from the north-west boundary of the site. The specimens in question are predominantly trees falling within the lowest retention categories, with the exception of two category B trees. Consequently the trees are considered to be of only limited amenity value and their removal is not considered to result in any significant adverse visual amenity implications. Similarly the removal of three low quality category U trees from the North boundary of the site is not considered to result in any adverse visual amenity implications.

In relation to trees a primary consideration is the impact of the proposed detached bungalows and hard surfaced parking area on the mature sycamores occupying the Frizinghall Road frontage of the site.

It is proposed that all of the sycamores will be retained as part of the development. The submitted Arboricultural Impact Assessment Plan (Revision B) illustrates that the bungalows would be positioned outside of the root protection areas of the trees. As the units proposed are bungalows they would not contain any first or second floor habitable room windows which would be impacted by the crown spreads of the trees. Consequently, it is considered that these properties would be unlikely to result in a significant amount of future pressure for the felling or pruning of the protected sycamores.

The submitted plan indicates that the area of hard standing within the RPA's of the protected sycamores will remain in order to provide off street parking. However, the submitted Tree Report makes reference to the potential resurfacing of this area by retaining the sub-base and removing and re-instating the tarmac surface. In order to ensure that such works are carried out without harm to the nearby trees it is considered necessary to impose a planning condition requiring the submission of an Arboricultural Method Statement, to be approved prior to the commencement of development. Subject to the approval of the aforementioned details it is considered that use of the hard surfaced area for vehicle parking would be unlikely to be harmful to the longevity of the protected trees.

Residential Amenity

The proposed development is not anticipated to result in any adverse residential amenity implications for neighbouring residents. The proposed pairs of semi-detached dwellings are a continuation of the existing pattern of development on Rydal Avenue. These properties would be sufficiently separated from neighbouring dwellings to ensure that no adverse overbearing, overshadowing or overlooking implications would be incurred.

The proposed detached bungalows would front onto Frizinghall Road. The nearest residential properties to the north and west are set at higher levels and would not be adversely impacted by the addition of two bungalows of this scale, design and siting.

In respect of the proposed properties, these are all considered to provide an acceptable level of living accommodation for future residents, and whilst the external amenity space is relatively restricted, due to the level changes, there will be adequate useable space to provide a reasonable degree of amenity for future residents.

Highway and Pedestrian Safety

The site layout plan has been amended to accord with the recommendations of the council's highways officer. Specifically, the access point serving the proposed bungalows is now positioned as per the access to the existing car park. It is considered that use of this point of access to serve three properties would not result in any adverse highway or pedestrian safety implications.

The remainder of the semi-detached dwellings would have direct driveway access onto Rydal Avenue. The dimensions of the driveways are considered to be acceptable as they have been amended to meet with the request of the council's highways officer.

Rydal Avenue is effectively a cul-de-sac as there are measures in place which prevent direct access onto Frizinghall Road. As such it is considered that vehicle speeds along Rydal Avenue are likely to be low and the introduction of direct driveway access serving three properties is unlikely to result in any adverse highway or pedestrian safety implications.

The development would provide a total of 12 off street car parking spaces to serve 6 dwellings. As such the development would surpass the 1.5 spaces per dwelling required by Appendix-C-Parking Standards of the Replacement Unitary Development Plan. The level of off street car parking provision is considered to be acceptable.

It is noted that in providing driveway access onto Rydal Avenue the development would result in the loss of a small amount of existing on street car parking. However, this small reduction in on street car parking is not considered to be sufficient to have a significantly adverse impact on the surrounding highway network and therefore refusal of the application on this basis cannot be justified.

Drainage

The site is located within flood zone 1 and as such not identified as a specific flood risk. That said representations have raised concerns about localised flooding and the impact that this development may have. However it is not anticipated that this development would result in any increase in the risk of flooding.

The site is currently comprised of a large impermeable surface which encourages surface water run-off. It is considered that development of the site in line with the conditions suggested by the council's drainage officer will improve upon this situation.

Specifically, conditions are required for the submission of foul and surface water drainage details, including any balancing and off site works. It is also necessary to condition that peak surface water discharge rates from the development are reduced by a minimum of 30% from the existing rates. Full details and calculations of the pre and post development surface water discharge rates should be submitted to and be approved by the local planning authority. Finally, the developer must also submit details and calculations to demonstrate any surface water attenuation proposals are sufficient to contain flows generated in a 1:30 year event plus climate change within the underground system together with details and calculations to demonstrate flows generated in a 1:100 year event plus climate change will be contained within the site boundary without affecting the proposed dwellings or safe egress & access.

It is considered that subject to the aforementioned conditions the proposed development would not result in any adverse implications in respect of surface water run-off or sustainable drainage.

Other Issues Raised by Representations

A representation has raised concern that the site currently provides overspill parking for residents of Rydal Avenue. On viewing the site it appears that the level of fly tipping and vegetation growth would discourage use of the site for parking at the present time. In any case the site is in private ownership and it is not a public car park for use by residents of Rydal Avenue.

A representation has advised that the site provides a vehicle turning area for residents of Rydal Avenue. It is considered that the site is in private ownership and does not provide a formalised turning area for use by residents of Rydal Avenue.

A representation has raised concern that the development would increase congestion levels on Rydal Avenue. It is considered that the development would provide three dwellings which would be accessed from Rydal Avenue. This small number of properties is not considered to result in any significant increases in congestion.

A representation has raised concern that it would not be practicable for construction traffic to access the site from Rydal Avenue. It is considered that all vehicles accessing the site must do so in line with the requirements of the Highway Code. In the event that this does not occur that matter should be reported to the police.

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 in principle and it is not considered to result in any adverse implications in respect of visual amenity, residential amenity, highway and pedestrian, protected trees or drainage. The proposal is therefore considered to accord with policies UR3, D1, D3, TM2, TM12, TM19A, H7, H8, NE4, NE5, NE6 and NR16 of the Replacement Unitary Development Plan and the National Planning Policy Framework.

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. 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(s) 1 of Schedule 2 of the said Order shall be carried out at any of the dwellings hereby approved without the prior written permission of the Local Planning Authority.

Reason: To accord with Policies UR3, NE4, NE5 and NE6 of the Replacement Unitary Development Plan.

4. No works forming part of or ancillary to the development shall be carried out on the site until an Arboricultural Method Statement for Arboricultural Works has been submitted to and approved in writing by the Local Planning Authority.

The Arboricultural Method Statement for Arboricultural Works shall include a detailed programme of timescales for the carrying out of the works identified in the statement during the period immediately prior to, during and after the proposed development.

The works the subject of this statement shall be carried out in accordance with the timescale set out in the approved statement.

The management statement shall include a detailed tree management programme with timescales.

The programme shall be carried out in accordance with the timescales set out in the approved statement.

Reason: To ensure the future sustainability of the trees being retained on the site in the interests of visual amenity and to accord with Policies UR3 and D5 of the Replacement Unitary Development Plan.

5. The development shall not be begun, nor shall there be any demolition, site preparation, groundworks, tree removals, or materials or machinery brought on to the site until Temporary Tree Protective Fencing is erected in accordance with the details submitted on a tree protection plan to BS 5837 (2012) (or its successor) approved by the Local Planning Authority.

The Temporary Tree Protective Fencing shall be erected in accordance with the approved plan, or any variation subsequently approved, and remain in the location for the duration of the development. No excavations, engineering works, service runs and installations shall take place between the Temporary Tree Protective Fencing and the protected trees for the duration of the development without written consent by the Local Planning Authority.

Reason: To ensure trees are protected during the construction period and in the interests of visual amenity. To safeguard the visual amenity provided by the trees and to accord with Policies NE4, NE5 and NE6 of the Replacement Unitary Development Plan.

6. The Development shall not begin until a plan showing the positions, design and materials of boundary treatments 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 dwellings and shall thereafter be retained.

Reason: In the interests of amenity and to accord with Policy UR3 and D1 of the Replacement Unitary Development Plan.

7. The development shall not begin until details of a scheme for separate foul and surface water drainage, including any balancing works or off-site works, have been submitted to and approved in writing by the Local Planning Authority. Peak surface water discharge rates from the development should be reduced by a minimum of 30% from the existing rates. Full details and calculations of the pre and post development surface water discharge rates should be submitted to and be approved by the local planning authority. The scheme would also be required to demonstrate that any surface water attenuation proposals are sufficient to contain flows generated in a 1:30 year event plus climate change within the underground system together with details and calculations to demonstrate flows generated in a 1:100 year event plus climate change will be contained within the site boundary without affecting the proposed dwellings or safe egress and access. The scheme so approved shall thereafter be implemented in full before the first occupation of the development.

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.

8. Before the development is brought into use, the off street car parking and turning 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, shall be laid out with a gradient no steeper than 1 in 15 unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to accord with Policy TM12 and NR16 of the Replacement Unitary Development Plan

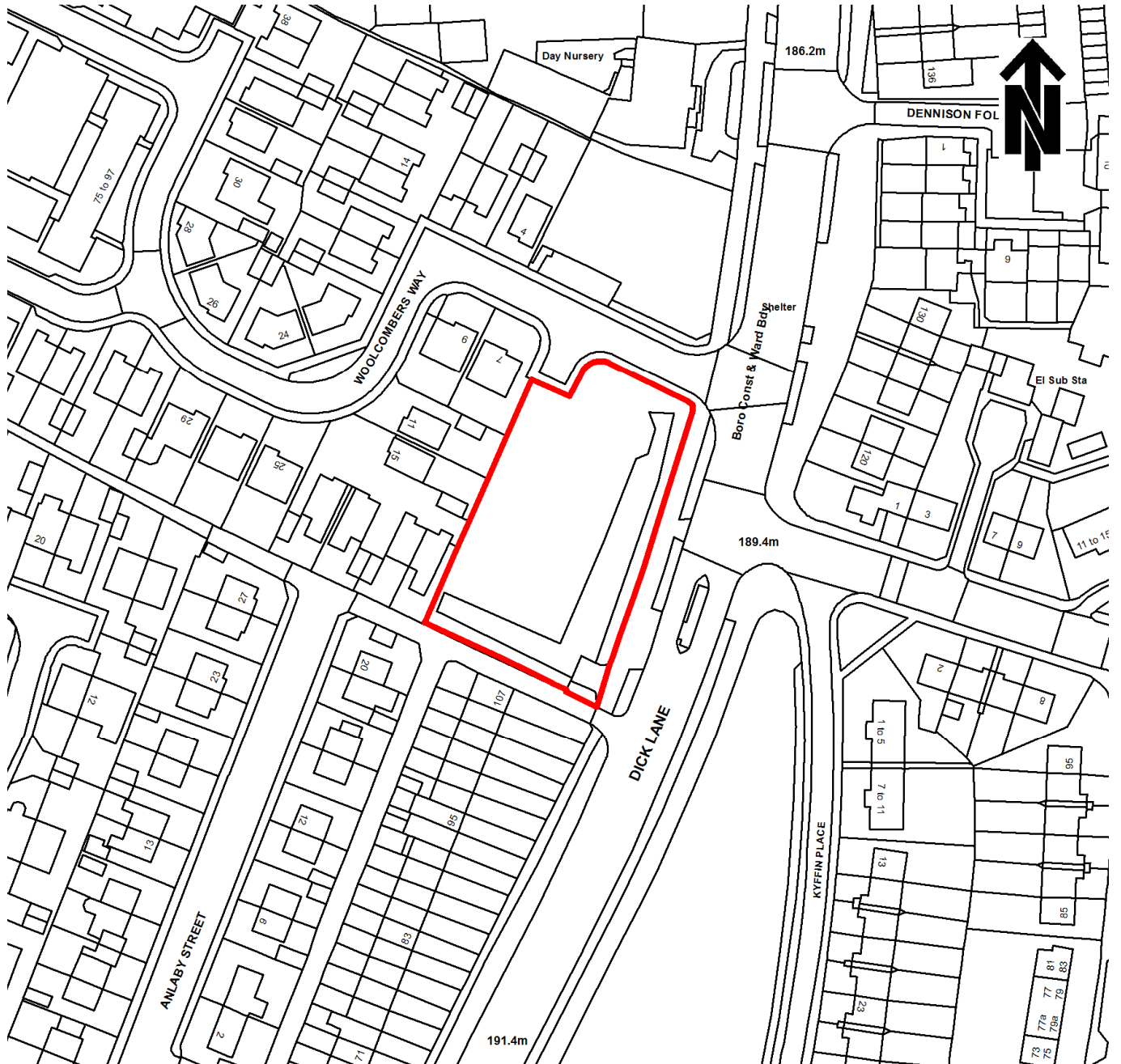
9. Before the development is brought into use, the off street car parking and turning facility, shall be constructed of porous materials, or made to direct run-off water from a hard surface to a permeable or porous area within the curtilage of the site, shall be laid out with a gradient no steeper than 1 in 15 unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to accord with Policy TM12 and NR16 of the Replacement Unitary Development Plan.

16/08525/FUL

City of Bradford MDC

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**Land South Of Woolcombers Way
Junction Dick Lane
Bradford**

15 March 2017

Item: D
Ward: BOWLING AND BARKEREND
Recommendation:
TO GRANT PLANNING PERMISSION
APPLICATION WITH A PETITION

Application Number:
16/08525/FUL

Type of Application/Proposal and Address:

A full application for a car sales business, with associated building and boundary treatment at land south of Woolcombers Way, Dick Lane Bradford.

Applicant:

Mr Hamzah Akif Butt

Agent:

Mr Jonathan Holmes

Site Description:

This is a cleared site, currently derelict and overgrown, enclosed by a galvanised steel palisade fence. The site lies south of Woolcombers Way and is adjacent to Dick Lane which runs to the east. To the west of the site there is a new housing development, and housing is present to the south. A new development consisting of four dwellings has also been approved north of the site on the opposite side of Woolcombers Way. The wider locality includes industrial uses and a variety of supporting community uses.

Relevant Site History:

08/06938/OUT – Construction of office development – Granted 13.01.2009.

09/05312/OUT – Construction of 12 detached houses and garages – Refused 22.01.2010.

10/01198/OUT – Construction of 11 detached houses and garages – Granted 01.06.2010.

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

Mixed Use Area.

Proposals and Policies

UR3	The Local Impact of Development
UR7A	Mixed Use Areas
TM2	Impact of traffic and its mitigation
TM11	Parking standards for non residential developments
TM19A	Traffic management and road safety
D1	General Design Considerations
D10	Environmental Improvement of Transport Corridors

Parish Council:

Not in a Parish.

Publicity and Number of Representations:

The application has been publicised via a site notice and individual neighbour notification letters. The publicity expired on 4 December 2016. A 78 signature petition and 17 individual representations have been received.

Summary of Representations Received:

The representations received are all in objection to the proposal, and do so on the following grounds:

- Highway safety
- Loss of parking
- Impact from deliveries
- Noise and disturbance
- Light pollution
- Crime
- Visual amenity

Consultations:

Highways Development Control – Following receipt of revised plans and the applicant's agreement to widen the entrance and to implement a TRO, it has been verbally confirmed by the Council's highway officer that the proposal is acceptable in highways terms.

Minerals – No minerals legacy.

Drainage – Conditions have been suggested to deal with the surface water drainage at the site, including the use of silt traps and road style gullies.

Environmental Health – No response.

Rights of Way - Public Footpath No. 325 (Bradford South) is adjacent to the southern boundary of the site, as shown above. The proposals do not appear to materially affect the public footpath, which is separated from the site by the existing stone wall (to be repaired) and palisade fence. Informative requested.

Summary of Main Issues:

Principle.

Residential Amenity.

Visual Amenity.

Highway Safety.

Other issues.

Appraisal:

Principle

The site is a cleared former industrial site adjacent to Dick Lane, but accessed via Woolcombers Way. The site is allocated as a mixed use area on the Replacement Unitary Development Plan. The proposal is to add a car sales business with an associated building to provide office, waiting and valeting facilities.

The mixed use allocation is in order to provide stimulation for investment by allowing greater flexibility for a wide range of potential uses. It is noted within the RUDP that each planning application will be considered having regard to its own particular merits. Where a proposal is in general accordance with appropriate policies and proposals contained within the plan it will be permitted unless there are other material planning considerations. A broad indication of the balance of uses envisaged and their disposition within mixed use areas are set out in the proposals for each area, for this site these are identified as B1 Business/light industrial, B2 General industrial and C3 housing. The list is not definitive, so whilst the proposed use falls within no specific use class (it is sui generis), the proposed car sales business is not considered to conflict with the aims of the policy and is therefore considered acceptable in principle. The proposal also has in its favour that it will result in environmental improvements, and has the potential to generate economic benefits.

The proposal remains subject to an assessment of the local impact of the development and the main issues will now be considered:

Residential Amenity

The proposed car sales plot has generated a significant level of objection from local residents. Revisions have been received which would seek to address some of the concerns in respect of the design of the building and the highway arrangements, these are considered below.

In terms of neighbouring amenity it is not anticipated that the use would unduly impact neighbouring amenity. The nature of the use is unlikely to generate a significant level of noise and disturbance, and the hours proposed 09:00 to 20:00 Monday to Friday and 09:00 to 17:00 at weekends are considered acceptable, avoiding what would be considered unsociable hours, and periods where the ambient noise level is at its lowest. The valeting bays are to be used ancillary to the main use and will be restricted as such by way of an appropriately worded planning condition.

It is suggested that vehicle deliveries will be carried out on a vehicle by vehicle basis, but notwithstanding this assertion, provision is made for deliveries to be made via a vehicle transporter. This provision includes allowance for residents or visitors to park on the street, opposite the site entrance where the new dwellings are to be constructed. That said in all likelihood deliveries will occur in normal business hours when the demand for on street parking will be at its lowest.

In terms of the illumination of the site, a condition requiring a detailed scheme is suggested to ensure that light pollution and light spill is kept to a minimum. Furthermore, a limit on the times of illumination is suggested to mitigate any potential impact from the lights.

The proposal satisfies the requirements of policies UR3 and D1 of the RUDP.

Visual Amenity

The site is currently in a derelict state, overgrown and enclosed by a galvanised steel palisade fence. The introduction of a new use would therefore significantly improve its appearance and the character of the area. As Dick Lane is an allocated transport corridor serving the city, it is an objective of policy D10 of the RUDP to secure environmental improvements on sites adjacent to these routes in order create a positive impression of the district, and encourage investment.

The site is roughly rectangular approximately 38m x 62m, the proposed layout sites the new building on the southern boundary facing into the site. The building has dimensions of 10.5m x 25m and provides an office, customer waiting area and facilities for valeting vehicles. Following revisions, the building has an Apex roof with an eaves height of approximately 3.2m and a maximum height of approximately 4.8m. The building will be constructed of coursed art stone surmounted by a concrete tile roof. The buildings form, appearance and materials are now deemed suitable for the location and it is considered that the building will sit comfortably within the street scene.

The new boundary treatment consists of black powder coated fencing in addition to the existing stone walling. The fencing is 3.2m in height along the southern boundary, 2.4m in height adjacent to Dick Lane and 2.1m in height adjacent to Woolcombers Way. The existing 2m timber fence will be retained to the rear of the site. This is a notable improvement on the existing fencing which is industrial in style and generally 3m plus in height.

As noted above, there is also a lighting scheme proposed for the site, the exact details of which are to be agreed by the submission of a detailed lighting scheme. The scheme will be required to limit light pollution and limit the impact on both neighbouring amenity and visual amenity. A further condition is also suggested to limit the hours of illumination which will also serve to limit the impact of the lighting scheme.

It is therefore concluded that the proposed scheme represents a visual and environmental approval and satisfies the requirements of policies D1 and D10 of the RUDP.

Highway Safety

The proposal facilitates 71 sales plots, 4 staff parking spaces and 8 visitor parking spaces. This ratio has been confirmed as acceptable by the council's highway officer. The scale of the operation has raised concerns regarding the likely method of delivery for new vehicles. The applicant has indicated that new vehicles will be delivered individually, however, in order to ensure the site is capable of servicing the likely level of activity that could accompany a cars sales use of the scale proposed, the Local Planning Authority have sought amendments to the scheme to address these concerns. The anticipated highway constraints relate to the site access given the prospect that deliveries may take place on a vehicle transporter, which does not seem an unrealistic proposition for a car sales business of this size. Plans have subsequently been submitted detailing the widening of the access and demonstrating a transporters manoeuvring paths. These tracking paths have taken into account the potential use of Woolcombers Way for on street parking to the front of the dwellings recently approved opposite the site. The imposition of a Traffic Regulation Order (TRO) to Woolcombers Way is also deemed necessary to ensure that tracking paths are kept unobstructed. The applicant has duly confirmed a willingness to carry out the revisions to the site access which would be subject to a section 278 agreement, and agreed to the requirement for a TRO to the site frontage. With these provisions in place the council's highway officer is satisfied the proposed use can operate without compromising highway safety in this location. The proposal thereby satisfies the requirements of policies TM2, TM11 and TM19A of the RUDP.

Other Issues

Crime, it cannot be established that the proposed use would have a direct correlation with a greater risk in crime. The site is proposed to be secured out of hours and occupies a prominent position that will be subject to a good level of natural surveillance.

Community Safety Implications:

There are no apparent community safety implications.

Equality Act 2010, Section 149:

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

Reason for Granting Planning Permission:

The proposed development would not result in any adverse implications in respect of visual amenity, residential amenity, or highway and pedestrian safety. The proposal is therefore considered to accord with policies UR3, D1, D10, TM2, 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. Before the development is brought into use the proposed means of vehicular access hereby approved shall be laid out, hard surfaced, sealed and drained within the site in accordance with the approved plans 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 policies TM2 and TM19A of the Replacement Unitary Development Plan

3. The car sales area and the areas shown allocated for customer and staff parking and the manoeuvring of service vehicles shall be clearly marked out, hard surfaced, sealed and drained within the site and appropriately marked out to identify each separate area in accordance with the approved plan Ref 1320/04 received by the Council in the 24th February 2017.

Reason: To ensure that the site is suitably laid out and adequate parking is made available to serve the development in the interests of highway safety and to accord with policies TM2, TM11 and TM19A of the Replacement Unitary Development Plan

4. The development shall not begin until details of a scheme for foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The scheme so approved shall thereafter be implemented prior to the commencement of the development.

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

5. Surface water from the vehicle parking and/or manoeuvring areas shall be drained using trapped road type gullies which shall be installed before the development is brought into use.

Reason: To ensure proper drainage of the site and in the interests of pollution prevention and to accord with Policy UR3 of the Replacement Unitary Development Plan.

6. Unless otherwise agreed in writing by the Local Planning Authority, the development shall not be brought into use until all reasonable endeavours have been undertaken to implement Traffic Regulation Orders (TRO) to the site frontage as shown on drawing number 1320/05 received by the Council 24th February 2017. The cost of promotion and implementation of the TROs (circa £7000) shall be borne by the applicant/developer.

Reason: In the interest of highway and pedestrian safety and to accord with policies TM2 and TM19A of the Replacement Unitary Development Plan.

7. 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.

8. Details of a scheme to adequately control any glare and stray light produced by artificial lighting at the proposed site shall be submitted to and approved in writing by the Local Planning Authority. The artificial lighting should be installed in accordance with the scheme so approved and retained thereafter.

Reason: In the interests of the amenities of neighbouring residents and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

9. The premises and the means of illumination hereby approved shall not be used outside the hours of 09:00 to 20:00 Monday to Friday and 09:00 to 17:00 on Saturdays, Sundays and Bank Holidays.

Reason: In the interests of the amenities of neighbouring residents and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

10. The valeting bays hereby permitted shall be used solely in connection with and ancillary to the car sales business.

Reason: To prevent the undesirable intensification of use of the site in the interests of amenity and highway safety and to accord with Policies UR3 and TM2, TM11 and TM19A of the Replacement Unitary Development Plan.

11. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, an investigation and risk assessment must be undertaken, details of which must be submitted to the Local Planning Authority for approval in writing before the expiration of 1 month from the date on which the contamination was found. If remediation is found to be necessary, a remediation scheme must be prepared and submitted to the Local Planning Authority for approval in writing; following completion of measures identified in the approved remediation scheme and prior to the commencement of the use of the approved development a verification report must be prepared and submitted to the Local Planning Authority for approval in writing.

Reason: To ensure that risks from land contamination are minimised, in accordance with policies UR3, NR17 and NR17A of the replacement Unitary Development Plan and paragraph 121 of the National Planning Policy Framework.

Footnotes:

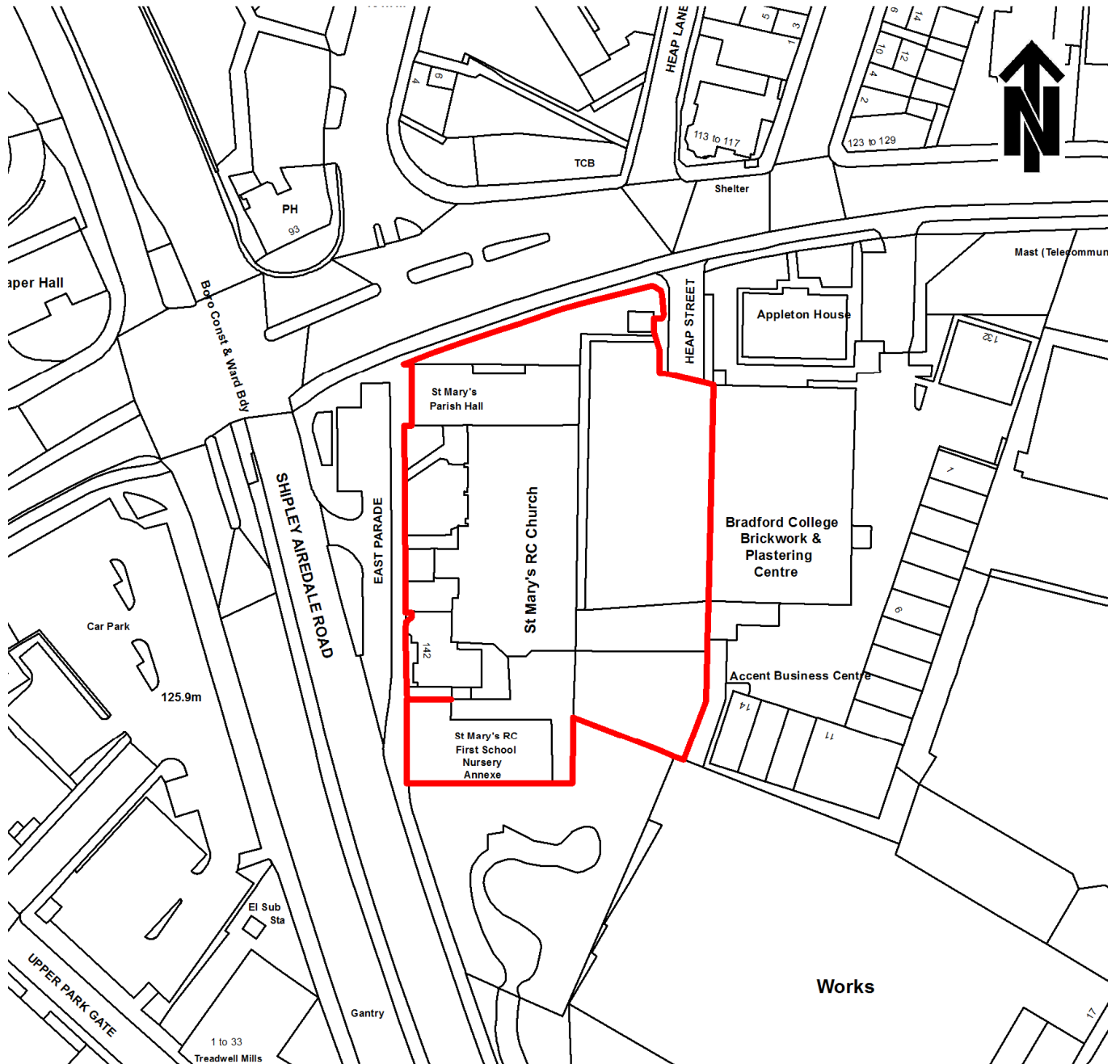
If your development involves the construction of a new junction, or any alteration of an existing road or footway, please contact the Section 278 Coordination office on 01274 437308 before building commences. Please note that Section 278 agreements take 12-18 weeks to process.

Please note that advertisement consent may be needed for any external signs on the building or site. You should contact the Transportation and Planning Service for further information.

16/08955/LBC

City of Bradford MDC

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St Marys RC Church
East Parade
Bradford BD1 5EE

15 March 2017

Item: E
Ward: BOWLING AND BARKEREND
Recommendation:
TO REFUSE LISTED BUILDING CONSENT

Application Number:
16/08955/LBC

Type of Application/Proposal and Address:

This application seeks listed building consent for a number of advertisements including signs to the building, post mounted signs and flag poles to St Mary's RC Church, East Parade, Bradford.

Applicant:
Mrs U Parmar, Sunrise Radio

Agent:
Mr Andrew Redmile, A Redmile Architectural Design

Site Description:

This is a prominently located Church complex at the junction of Barkerend Road and Shipley-Airedale Road. The site is very close to the City Centre and Little Germany is immediately to the west of the site. The area to the north and north-east is generally residential consisting of large apartment blocks and densely constructed terraced dwellings. The area to the east and south is mainly commercial in nature.

Relevant Site History:

16/03543/FUL - Change of use from religious site to mixed use incorporating a restaurant, a conferencing/banqueting/wedding venue, radio station, Private Clinic and the formation of a residential unit – Granted.

16/03544/ADV - Display of signs to include post mounted signs, flag poles and billboards – Refused.

16/06602/LBC - Removal of internal features and single statue externally, and new extensions to the rear as part of change of use – Granted.

16/08954/ADV - Building signs, post mounted signs, flag poles and feature lighting - pending decision.

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 RUDP.

Proposals and Policies

Policy BH6 Advertisements on Listed Buildings

Parish Council:

The site is not within a Parish.

Publicity and Number of Representations:

The application was publicised by a site notice and a notice in the local press. The publicity period expired on 30 December 2016. A Bowling and Barkerend Ward Councillor and a City Ward Councillor have written in support of this application. Both Councillors request that the application is considered by the Area Planning Panel if officers are minded to refuse the application.

Summary of Representations Received:

- The application is in accordance with planning policy.
- There is unlikely to be any detrimental impact on the surrounding area.

Consultations:

Design & Conservation - The bulk of the proposals are considered to be acceptable however the large 'Wall Sign 2' is not acceptable. This has potential to be incongruous and harmful.

Summary of Main Issues:

1. Impact on Character and Appearance of Listed Building.

Appraisal:

This is a very prominent group of listed buildings which includes a former Church, presbytery, nursery and cinema which have recently acquired planning and listed building consent for conversion to a number of uses including a wedding venue, restaurant and a radio station. The current application seeks advertisement consent for a number of signs relating to these uses. The majority of the signs including the large sign to the northern side facing Barkerend Road, the post-mounted sign to the western front elevation and the flagpoles are considered to be acceptable in amenity terms.

The main issue of concern is a large advertisement hoarding type sign proposed to the southern elevation of the nursery building. This elevation is prominently sited alongside the Shipley-Airedale Road which is designated as a Transport Corridor on the RUDP. Policy BH6 of the RUDP allows only the advertisements of the highest quality on listed buildings such as this. The proposal is for a large sign which obscures a significant portion of this elevation and so relates poorly with the host listed buildings. Furthermore this hoarding is to carry rotating posters to advertise events within the premises which results in a lack of control over its final appearance. Officers have suggested that a sign similar, but perhaps slightly smaller, than 'Wall Sign 1' would be acceptable here however the applicant has not agreed to this suggestion. As a consequence as a result of the large size and indeterminate appearance 'Wall Sign 2' is considered to result in significant harm to the character and appearance of this complex of grade II listed buildings and is therefore recommended for refusal.

Equality Act 2010, Section 149:

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

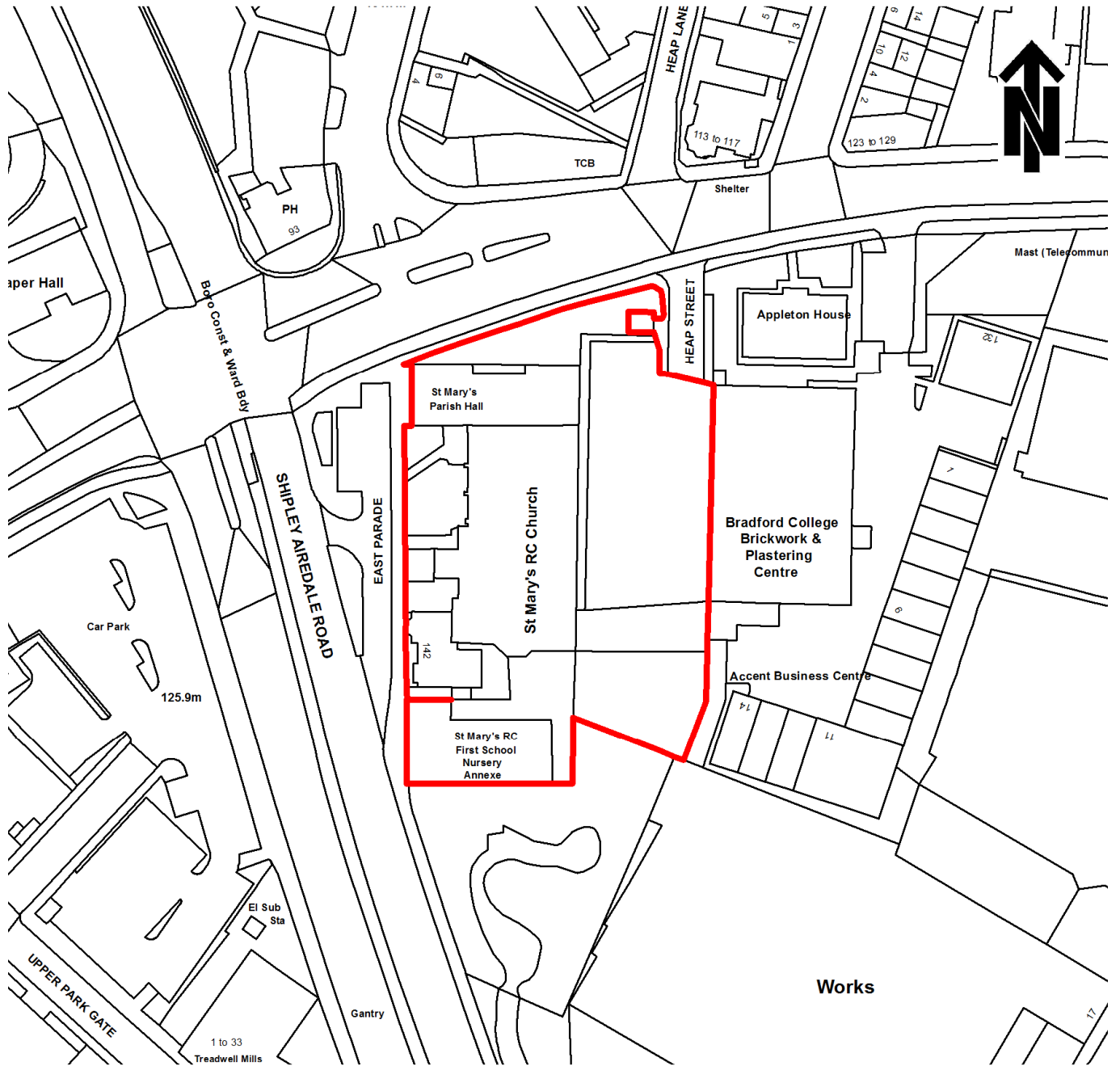
Reasons for Refusing Listed Building Consent:

The proposed 'Wall Sign 2' is inappropriate to the prominent southern elevation of this grade II listed building. As a result of the sign's large size and indeterminate appearance it would not relate well to the host building and would result in significant harm to the listed building's character and appearance. The proposal is therefore contrary to Policy BH6 of the Replacement Unitary Development Plan and the National Planning Policy Framework.

16/08954/ADV

City of Bradford MDC

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St Marys RC Church
East Parade
Bradford BD1 5EE

15 March 2017

Item: F
Ward: BOWLING AND BARKEREND

Recommendation:
TO ISSUE A SPLIT DECISION GRANTING ADVERTISEMENT CONSENT FOR SOME OF THE SIGNAGE AND REFUSING ADVERTISEMENT CONSENT FOR OTHERS

Application Number:
16/08954/ADV

Type of Application/Proposal and Address:

This application seeks advertisement consent for a number of advertisement including signs to the building, post mounted signs and flag poles to St Mary's RC Church, East Parade, Bradford.

Applicant:
Mrs U Parmar, Sunrise Radio

Agent:
Mr Andrew Redmile, A Redmile Architectural Design

Site Description:

This is a prominently located Church complex at the junction of Barkerend Road and Shipley-Airedale Road. The site is very close to the City Centre and Little Germany is immediately to the west of the site. The area to the north and north-east is generally residential consisting of large apartment blocks and densely constructed terraced dwellings. The area to the east and south is mainly commercial in nature.

Relevant Site History:

16/03543/FUL - Change of use from religious site to mixed use incorporating a restaurant, a conferencing/banqueting/wedding venue, radio station, Private Clinic and the formation of a residential unit – Granted.

16/03544/ADV - Display of signs to include post mounted signs, flag poles and billboards – Refused.

16/06602/LBC - Removal of internal features and single statue externally, and new extensions to the rear as part of change of use – Granted.

16/08955/LBC - Signage and lighting - pending consideration.

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 RUDP.

Proposals and Policies

Policy UR3 The Local Impact of Development;
Policy D10 Environmental Improvements of Transport Corridors
Policy BH6 Advertisements on Listed Buildings

Parish Council:

The site is not within a Parish.

Publicity and Number of Representations:

There is no statutory requirement to publicise receipt of this type of application. A Bowling and Barkerend Ward Councillor and a City Ward Councillor have written in support of this application. Both Councillors request that the application is considered by the Area Planning Panel if officers are minded to refuse the application.

Summary of Representations Received:

- The application is in accordance with planning policy.
- There is unlikely to be any detrimental impact on the surrounding area.

Consultations:

Design & Conservation - The bulk of the proposals are considered to be acceptable however the large 'Wall Sign 2' is not acceptable. This has potential to be incongruous and harmful.

Summary of Main Issues:

1. Amenity.
2. Public Safety.

Appraisal:

Paragraph 67 of the NPPF advises that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. The Local Planning Authority's power to control advertisements is limited to the consideration of amenity and public safety. Amenity is defined by the regulations as aural and visual amenity, and public safety is not limited to just road safety.

A recent application for similar signage was refused under application referenced 16/03544/ADV.

1. Amenity

This is a very prominent group of listed buildings which includes a former Church, presbytery, nursery and cinema which have recently acquired planning and listed building consent for conversion to a number of uses including a wedding venue, restaurant and a radio station. The current application seeks advertisement consent for a number of signs relating to these uses. The majority of the signs including the large sign to the northern side facing Barkerend Road, the post mounted side to the western front elevation and the flagpoles are considered to be acceptable in amenity terms.

The main issue of concern is a large advertisement hoarding type sign proposed to the southern elevation of the nursery building. This elevation is prominently sited alongside the Shipley-Airedale Road which is designated as a Transport Corridor on the RUDP. Policy D10 requires the highest standards of design alongside these corridors and Policy BH6 of the RUDP allows only the advertisements of the highest quality on listed buildings such as this. The proposal is for a large sign which obscures a significant portion of this elevation and so relates poorly with the host listed buildings. Furthermore this hoarding is to carry rotating posters to advertise events within the premises which results in a lack of control over its final appearance. Officers have suggested that a sign similar, but perhaps slightly smaller, than 'Wall Sign 1' would be acceptable here however the applicant has not agreed to this suggestion. As a consequence as a result of the large size and indeterminate appearance 'Wall Sign 2' is considered to result in significant harm to visual amenity and the character and appearance of this complex of grade II listed buildings. It is therefore recommended that this sign be refused consent whilst.

2. Public Safety

None of the proposed signs are of a size or type which would distract drivers in the surrounding road network and all illumination to the signage is to be static rather than intermittent. As a consequence no public safety issues are considered to arise.

Recommendation:

It is recommended that a split decision is issued where 'Wall Sign 2' is refused for the reason below and all of the other signs are granted advertisement consent.

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 Refusing Advertisement Consent - Wall Sign 2:

The proposed 'Wall Sign 2' is considered to be inappropriate to the prominent southern elevation of this grade II listed building. As a result of the sign's large size and indeterminate appearance it would not relate well to the host building and would result in significant harm to visual amenity along the adjacent Transport Corridor. The proposal is therefore considered to be contrary to policies UR3, D10 and BH6 of the Replacement Unitary Development Plan and the National Planning Policy Framework.
