

Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 01 November 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	9 Meadowcroft Close Bradford BD10 8UN - 17/03372/FUL [Approve]	Idle and Thackley
B	Land at Grid Ref 409311 433624 Lower Heights Road Thornton Bradford - 17/04061/FUL [Approve]	Thornton and Allerton
C	Mowbray Arms 5 Lily Street Bradford BD8 7PQ - 17/04234/FUL [Approve]	Manningham
D	Wibsey Working Mens Club 6 - 8 Back Market Street Bradford BD6 1LR - 17/03879/FUL [Approve]	Wibsey
E	113 Lister Avenue Bradford BD4 7QS - 17/04918/HOU [Refuse]	Bowling and Barkerend
F	14 Rayner Avenue Bradford BD8 9PP - 17/03295/HOU [Refuse]	Toller
G	Land East Of 125 Harewood Street Bradford - 17/04388/FUL [Refuse]	Bowling and Barkerend

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

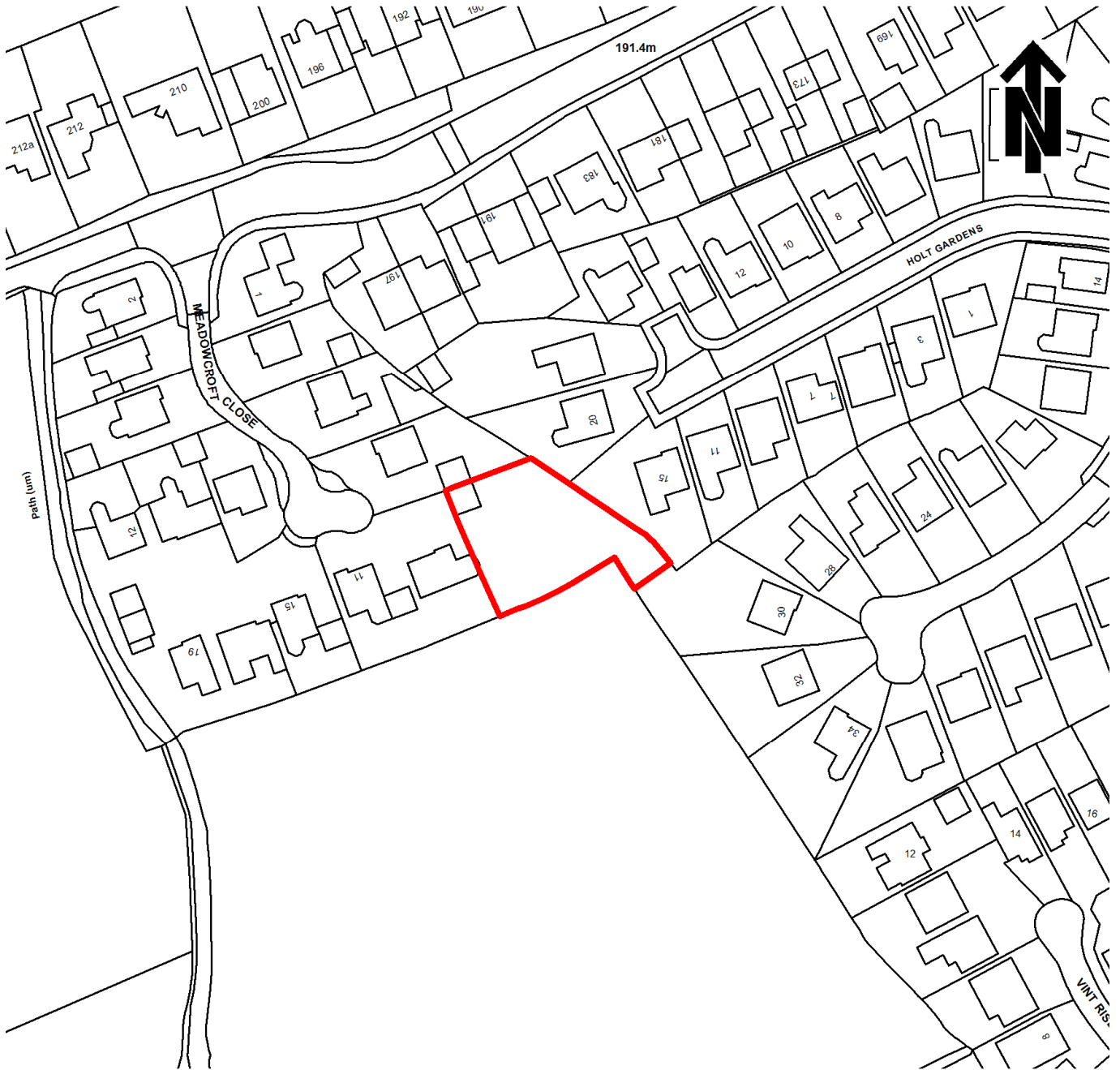
Report Contact: Mohammed Yousuf
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Portfolio:
Regeneration, Planning & Transport

Overview & Scrutiny Committee Area:
Regeneration and Economy

17/03372/FUL



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**9 Meadowcroft Close
Bradford
BD10 8UN**

1 November 2017

Item: A
Ward: IDLE AND THACKLEY
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
17/03372/FUL

Type of Application/Proposal and Address:

A full application for the construction of two dwellings on land to the East of 9 Meadowcroft Close, Bradford, BD10 8UN.

Applicant:

Mr Townend

Agent:

Mr Mark Larham

Site Description:

The site consists of an area of greenfield land which currently forms the side garden of 9 Meadowcroft Close. The development plot extends to 781 square metres and is broadly square with a tapered eastern boundary. Meadowcroft Close is a residential cul-de-sac comprised of stone built detached properties beneath tiled roofs. Many of the properties benefit from detached garages and driveway parking. The surrounding area is of a residential character on Westfield Lane to the North and Holt Gardens to the East, with open fields to the South of the site.

Relevant Site History:

74/03164/OUT - Residential Development Land at Westfield Lane - Refused 26.05.1976.

85/05430/OUT - Residential development Land at Westfield Lane - Granted -09.07.1986.

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.

The Local Plan for Bradford

The Core Strategy for Bradford was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. This site is not allocated for any specific purpose within the RUDP Accordingly the following adopted Core Strategy policies are applicable to this proposal:

Core Strategy Policies

BD1-The Regional City of Bradford Including Shipley and Lower Baildon
SC9-Making Great Places
DS1- Achieving Good Design
DS3- Urban Character
DS5- Safe and Inclusive Places
HO1-The District's Housing Requirement
HO5-Density of Housing Schemes
HO8- Housing Mix
TR1- Travel Reduction and Modal Shift
TR2- Parking Policy
EN7- Flood Risk
EN8- Environmental Protection

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application was publicised by a site notice and neighbour notification letters. The expiry date for comments in connection with the application was 5 July 2017. Nineteen letters of objection were received in connection with the application.

Summary of Representations Received:

- Harmful to the visual amenity of the street scene.
- Height of new properties is out of keeping with surrounding dwellings.
- Overdevelopment of site.
- Disruption during construction.
- Overlooking.
- Overbearing.
- Increased traffic.
- Loss of wildlife habitat.
- Inadequate parking.
- Loss of property value.

- Inappropriate construction materials.
- Inadequate separation from neighbouring properties.
- Inadequate publicity.
- Existing boundary treatments should be retained.
- Harm to foul and surface water drainage.
- Hard standing is out of keeping with neighbouring gardens.
- An application for a dwelling was previously rejected on this site.

Consultations:

Highways - No objections raised subject to conditions requiring that the access and off street parking are provided prior to first occupation of the dwellings.

Drainage - A public sewer crosses the site in the area of the proposed development. The sewerage undertaker (Yorkshire Water) must therefore be consulted for any layout constraints and for a view on the impact of the development on the public sewerage system. 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 and hard standing areas.

Summary of Main Issues:

1. Principle.
2. Density and Housing Mix.
3. Visual Amenity.
4. Residential Amenity.
5. Highway and Pedestrian Safety.
6. Drainage.
7. Other Issues Raised by Representations.

Appraisal:

Following the initial submission concerns were raised with the proximity of plot 2 to the side garden of 15 Holt Gardens. Design concerns were also raised in respect of the appearance of large rear dormer windows and the ridge heights of the properties. Amended plans were submitted in order to provide greater separation between plot 2 and the amenity area of 15 Holt Gardens. The rear dormer windows were removed from the proposal and ridge heights have been reduced to match neighbouring properties.

1. Principle

The development site is currently a residential garden and it is therefore classed as 'greenfield' land by the National Planning Policy Framework. Whilst the priority is to direct development towards 'brownfield' sites this proposal would form an infill development within an existing residential cul-de-sac. The location also accords with a sequential approach to development, directing housing to more sustainable areas with access to existing infrastructure. It is also considered that the development is unlikely to harm the aim of developing housing on 'brownfield' land. It is also notable that the site is located in North-East Bradford where policy BD1 of the core strategy identifies that there is a need for 4400 new homes to be provided by 2030. The proposed development, whilst small in scale, would contribute towards meeting this target.

As the site is unallocated for any specific land use but is located in a sustainable residential area the principle of housing is considered to be acceptable.

2. Density and Housing Mix

The development would provide two dwellings on a site with an area of 0.08ha yielding a density of 25 dwellings per hectare. Policy HO5 of the Core Strategy advises that densities should usually achieve a minimum of 30 dwellings per hectare, but the layout and nature of the site and its surroundings will need to be taken into consideration. In this instance it is considered that whilst the development is marginally deficient of 30 dwellings per hectare, the layout constraints are sufficient to justify the marginally lower density. The proposal is therefore considered to accord with policy H05 of the Core Strategy

Policy HO8 of the Core Strategy deals with housing mix and requires that a range of housing is provided across the district to meet the needs of a growing and diverse population. This proposal would provide two 4 bedroom homes and the development is therefore considered to accord with policy HO8 which, amongst other things, seeks to deliver more family housing across the district.

3. Visual Amenity

The development would consist of two detached dwellings positioned to the East of 9 Meadowcroft Close. The new dwellings would form a continuation of the existing building line across the head of the cul-de-sac and the plot sizes of the properties would be similar to those of existing dwellings within the street which range from 330-400 square metres. It is considered that the layout of the properties would be in keeping with the existing layout of the cul-de-sac and therefore no adverse visual amenity implications are foreseen in this regard.

The proposed dwellings would be constructed of stone beneath tiled roofs to match existing properties within the cul-de-sac. In the event that planning permission is granted a condition can be imposed requiring the approval of samples before development begins. Subject to the aforementioned condition the proposed construction materials are considered to be acceptable and they would not result in any adverse visual amenity implications.

The proposed dwellings would be of a similar width to neighbouring properties and would have matching eaves heights. The ridge heights of the new dwellings would be approximately 200 millimetres higher than neighbouring properties, but it is considered that such an increase in height would not be readily discernible.

The proposed dwellings would incorporate pitched roofs the design, form and pitch of which would match neighbouring properties. The dwellings would also include small gabled features to the front elevations, which are considered to be acceptable as there are a variety of existing gabled elevations fronting onto the street scene.

4. Residential Amenity

The proposed dwellings would not include any habitable room windows with an unrestricted view within 7 metres of the garden of any neighbouring property, or within 17 metres of the habitable room windows of any neighbouring property. As such no adverse overlooking implications are foreseen.

The proposed dwellings would be sufficiently separated from neighbouring properties to ensure that there would be no adverse overbearing, overshadowing, or loss of outlook from any neighbouring private amenity areas of habitable room windows.

The proposed dwellings would benefit from a sufficient level of outdoor amenity space to adequately cater for the occupants.

5. Highway and Pedestrian Safety

Appendix 4 of the Core Strategy requires that new dwellings are served by an average of 1.5 parking spaces per property across a development. This proposal is for two 4 bedroom dwellings which would be served by 6 off street car parking spaces, including garages. Consequently it is considered that the level of car parking provision is sufficient to cater for the proposed dwellings. It is also notable that all existing properties within the cul-de-sac benefit from a similar level of off street car parking provision. As such no adverse highway or pedestrian safety implications are foreseen.

The proposed properties would be accessed via a shared driveway arrangement, which given the anticipated low vehicle speeds, is not considered to result in any adverse highway or pedestrian safety concerns.

In the event that planning permission is granted it is recommended the conditions are imposed requiring the provision of the driveway access and parking areas prior to first occupation of the dwellings.

6. Drainage

The Council's Drainage Officer has noted that a public sewer exists within the site boundary which would be affected by the proposed development. The submitted plans indicate that it is the developer's intention to divert the sewer to the east of plot 2, providing a 6 metre easement. Whilst the indicated easement would ordinarily be acceptable the developer is advised to consult Yorkshire Water prior to commencement of development for a view on the impact of the development on the public sewerage system. In the event that planning permission is granted the developer can be made aware of this requirement via a footnote on the decision notice.

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 and hard standing areas. In the event that planning permission is granted a condition can be imposed to ensure that all new areas of hard standing are constructed of permeable materials or alternatively they are drained to a porous area within the site boundary.

7. Other Issues Raised by Representations

A representation has raised concern that the development would result in disruption of neighbouring residents during construction works. It is considered that given the small scale of the development any disruption would most likely be short lived. However, in the event that noise emanating from the site is sufficient to be classified as a statutory nuisance the matter should be reported to the Environmental Health Department for investigation under the applicable legislation.

A representation has raised concern that the development would result in a loss of habitat for wildlife. The development site does not contain any trees protected by preservation orders and the existing planting is of a domestic or ornamental nature. As such the site is not considered to be of any significant habitat value.

A representation has raised concern that the development would result in a reduction in surrounding property values. As property value is not a material planning consideration this matter would not justify refusal of this application.

A representation has raised concern that the development was not adequately publicised. The application was publicised by site notice and neighbour notification letters with an expiry date for comment of 25 July 2017. It is considered that sufficient publicity was carried out in accordance with the requirements of the Development Management Procedure Order.

A representation has raised concern that an application for a single dwelling was refused previously at this site. The Council has no record of any full planning applications for the residential development of the application site.

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 safety or drainage. The proposal is therefore considered to accord with policies, BD1, SC9, DS1, DS3, DS5, HO1, H05, HO8, TR1, TR2, EN7 and EN8 of the Core Strategy 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 DS1 and DS3 of the Core Strategy.

3. Before the first occupation of the dwellings, the access and off street car parking, 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 Policies TR2 and EN7 of the Core Strategy.

4. 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.

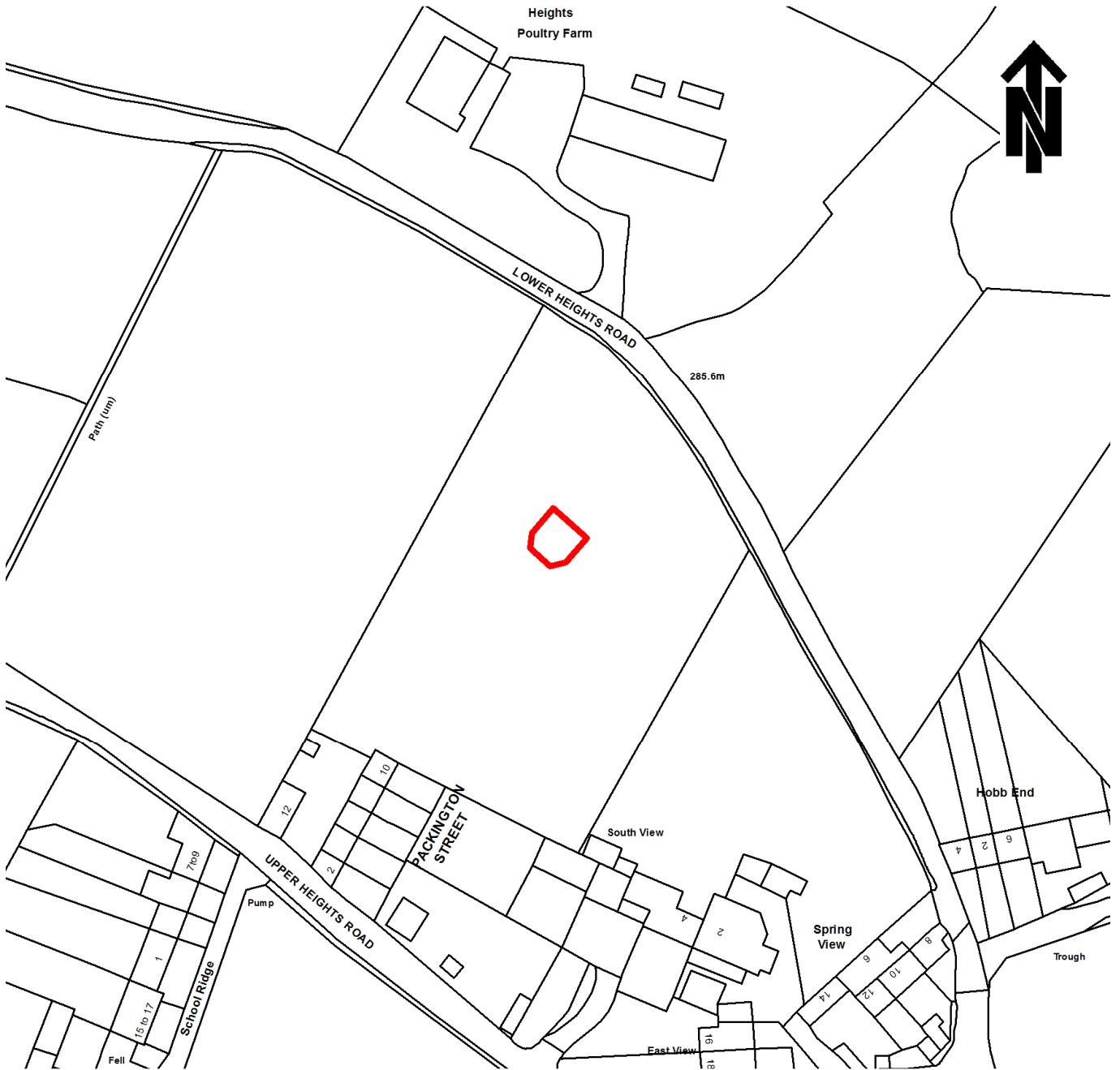
Reason: To ensure that risks from land contamination are minimised, in accordance with policy EN8 of the Core Strategy and paragraph 121 of the National Planning Policy Framework.

5. 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. 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 would also be required to demonstrate that there is no resultant unacceptable risk to controlled waters. 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 policy EN7 of the Core Strategy.

Footnote: A Public sewer exists close to the site boundary. The sewer undertakers (Yorkshire Water) must therefore be consulted for a view of the impact of the development on the public sewerage system.

17/04061/FUL



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Land At Grid Ref 409311 433624
Lower Heights Road
Thornton
Bradford

1 November 2017

Item: B
Ward: THORNTON AND ALLERTON
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
17/04061/FUL

Type of Application/Proposal and Address:
A retrospective application for the formation of an animal watering hole at Land at Lower Heights Road, Thornton, Bradford.

Applicant:
Mr T Brightwell

Agent:
Mr Oliver Barker

Site Description:
The land extends to 2.63 hectares and is positioned between Upper and Lower Heights Road. The land to the west is used for meadow land and the land to the east is used as pasture lane. The watering hole is located in the middle of a north facing field slope. The field slopes down from the properties on Upper Heights Road to Lower Heights Road. A number of residential properties are located to the south of the site. The surrounding area is rural in character.

Relevant Site History:
17/02471/FUL - Retrospective planning application for the formation of stone access track and animal watering hole - Withdrawn 26.06.2017.

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:-

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- 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.

Local Plan for Bradford:

The Core Strategy for Bradford was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is not allocated for a specific land use but is located within the designated Green Belt. Accordingly, the following adopted Core Strategy policies and saved RUDP policies are applicable to this proposal.

Core Strategy Policies

DS1 Achieving Good Design
DS2 Working with the Landscape
EN4 Landscape
EN7 Flood Risk

Saved Policies

GB1 New Buildings in the Green Belt
GB2 Siting of New Building in the Green Belt

Other relevant legislation

Landscape Character Supplementary Planning Document Volume 6: Thornton and Queensbury

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application was publicised through individual neighbour notification letter and the posting of a site notice. The statutory publicity date expired on 18 of August 2017. At the time the report was written one representation had been received from a local ward councillor.

Summary of Representations Received:

Clear discrepancy in the planning statement in terms of the access track.
Clear concerns around the animal watering hole.
The dimensions of the animal watering hole need to be checked.

Consultations:

Drainage: No objection however it is noted a further consent would be required from the Lead Local Flood Authority for the area.

Summary of Main Issues:

1. Background.
2. Principle.
3. Visual amenity.
4. Residential amenity.
5. Drainage.
6. Other issues raised in representations.

Appraisal:

1. Background

This application has been received following an enforcement investigation into various developments at the application site. Action was taken against a metal storage container, an access track and against an engineering operation that was taking place in the field. At the time this action was taken it was unclear what the site was being used for. Now it is clear the site is being used for agricultural purposes, it is likely the access track can be constructed by using permitted development rights available on agricultural land. The metal storage container has been removed from the site and this application has been submitted for the watering hole.

2. Principle

The site is being used for agricultural purposes and forms part of a larger farming area used by the applicant. The applicant owns 5 hectares of land and has farmed pigs and cattle for the last 10 years with farming being the main source of income. The applicant currently owns 40 pigs and the intention is to purchase a number of cows. The land comes with a number of agricultural buildings including a stone barn. The applicant uses the land and buildings to accommodate 40 pigs.

The buildings on site have a limited water supply that does not have any spare capacity. The applicant wishes to use the land for grazing. An existing small stone trough was fed by a spring and when it was full it discharged into a land drain. The existing stone trough was too small to support the proposed number of cows and therefore a larger watering hole was created. This consists of a stone built structure set in to the sloping ground within the field. It is 1.5m deep and 9m by 9m metres in size. An existing spring feeds into the watering hole at a higher level and exits back into the land drain when full.

The Council's animal welfare officer has visited the site and it was determined there is a clear need for a water supply at the site for the animals.

In terms of policy the site is located within the designated Green Belt where the overall aim is to ensure that there is no harm to openness. The applicant has carried out an engineering operation by forming the watering hole. Paragraph 90 of the NPPF confirms that certain forms of development, including engineering operations, are not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The formation of the watering hole was an engineering operation and the purpose is to supply a watering hole for agricultural purposes, which is an appropriate use within the Green Belt and is a development which clearly preserves the openness of the Green Belt.

The watering hole is not considered to affect openness nor does it result in a harmful impact in terms of visual amenity. The hole has been lined with natural stone and when filled with water it will have a minimal impact on the character of the area.

Based on the above national and local policy, the development of the watering hole is considered to be acceptable in principle.

3. Visual amenity

The watering hole measures roughly 9m by 9m in size and has a depth of 1.5m and is lined with stone. The watering hole is located within an agricultural field and is not considered to be harmful in terms of appearance. The development is not considered to affect the character and appearance of the landscape character area. The development is considered to comply with policies EN4, DS1 and DS2 of the Local Plan for Bradford.

4. Residential amenity

The watering hole is ancillary to the agricultural use of the land and will not result in any increase in noise or disturbance. The development is set away from the residential properties located to the south of the site and therefore it is not considered there is any harm in terms of residential amenity and so policy DS5 of the Local Plan for Bradford is satisfied.

5. Drainage

The details provided by the developer indicate underground pipework provides a constant surface water flow to feed an existing stone trough and this will be used to serve the watering hole. A constant surface water flow will be classed as a watercourse, consequently, a land drainage consent will be required for the proposed works. The developer will be made aware of this through a footnote attached to the decision notice. There is no objection to the development in terms of how it is filled and drained. Further consent would be required from the Lead Local Flood Authority and this would require full and comprehensive details being submitted.

6. Other matters raised in representations

A local Ward Councillor has raised concern that information within the design and access statement is incorrect. The design and access statement has since been amended twice to remove reference to an access track which serves the site. This application and red site outline is for the watering hole only and does not relate to the access track which has been created to provide access to the agricultural buildings. The local Ward Councillor was also concerned that the watering hole may not be the same size as the plans and requested it was measured. The recommendation for approval relates to the submitted plans and the watering hole constructed on site appears to reflect these plans. Any approval of this application would relate to the development shown on the proposed plans.

Community Safety Implications:

None foreseen.

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 development hereby approved is considered to be an appropriate use within the Green Belt and one which retains its openness and character. The development is acceptable in terms of visual and residential amenity and does not raise any concerns in terms of drainage. The development complies with policies GB1, GB2, EN4, DS1, DS2, DS5 and EN7 of the Local Plan for Bradford and guidance contained within the National Planning Policy Framework.

Conditions of Approval:

No conditions are required.

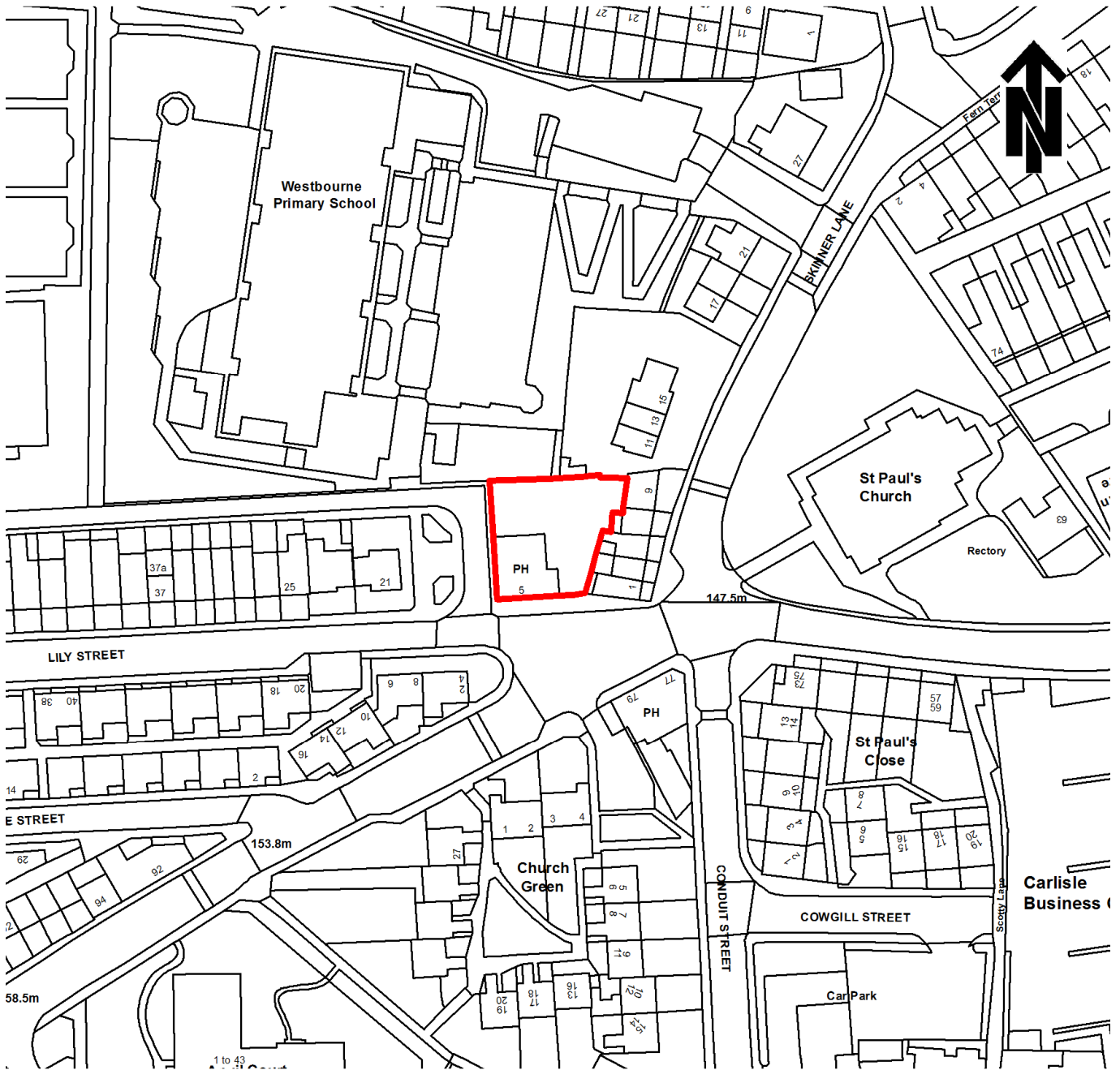
Footnote:

A constant surface water flow will be classed as a watercourse, consequently, a land drainage consent will be required for the proposed works. From 6 April 2012 the responsibility for granting consent for works in an ordinary watercourse has transferred from the Environment Agency to the Lead Local Flood Authority for the area, in this case Bradford Council. The developer must therefore apply to Bradford Council Land Drainage Department for consent to undertake works to the watercourse. The developer must provide full & comprehensive details of their proposals for consent prior to any works commencing on the watercourse. For advice regarding works to the watercourse please contact Edward Norfolk on 01274 433905 or via e-mail at edward.norfolk@bradford.gov.uk.

17/04234/FUL



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

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Mowbray Arms
5 Lily Street
Bradford BD8 7PQ

1 November 2017

Item: C
Ward: MANNINGHAM
Recommendation:
TO GRANT PLANNING PERMISSION
APPLICATION WITH PETITIONS

Application Number:
17/04234/FUL

Type of Application/Proposal and Address:

This is a full planning application seeking planning permission to convert and extend the former Mowbray Arms Public House, 5 Lily Street, Bradford in order to create seven residential flats.

Applicant:

Mr Younis Choudhry

Agent:

Mr Jonathan Holmes

Site Description:

The former Mowbray Arms is a detached building situated in a prominent location at the junction between Lily Street and Church Street in the St Pauls Conservation Area. The building is situated in the South West corner of a roughly square curtilage. The building abuts the footpaths of the respective highways. The remainder of the site is open, and primarily given over to what was the old car park associated with the former use. Access is taken from Lily Street. To the East of the site the boundary is shared with the rear of a row of residential terrace dwellings, and to the north the boundary is shared with a local primary school.

Relevant Site History:

04/01102/FUL - Change of use of public house to dwelling and alterations including two storey rear extension to property – Granted 28.06.2004

04/03241/FUL - Construction of dwelling house – Refused on grounds of highway safety and harm to neighbouring amenity 27.10.2004

05/01417/FUL - Construction of one dwelling – Refused as above 25.07.2005

06/02723/COU - Change of use to bedsits and two storey Extension – Refused on design, highway safety and insufficient information 10.07.2006

06/05246/COU - Change of use to bedsits and construction of two storey extension to rear – Refused on impact on neighbours and overdevelopment 22.11.2006

The National Planning Policy Framework (NPPF):

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- 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.

The Local Plan for Bradford:

The Core Strategy for Bradford was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is within the St Paul's Conservation Area on the RUDP. Accordingly, the following adopted Core Strategy and saved RUDP policies are applicable to this proposal.

Core Strategy Policies:

DS1 - Achieving Good Design
DS3 - Urban character
DS5 - Safe and Inclusive Places
EN3 - Historic Environment

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 period expired on 1 September 2017.

There has been one individual representation from a local Ward Councillor and a 56 signature petition in support, and there have been three individual representations and a 44 signature petition in objection to the proposal.

Summary of Representations Received:

The representations in support do so on the grounds that the proposal will bring positive benefits for the local environment, and will help address current anti-social behaviour issues.

The representations in objection cite the following concerns:

- Overbearing
- Noise and disturbance
- Highway safety and parking
- Overlooking
- No demand for additional flats
- Inadequate waste storage facilities
- Failure to meet housing standards

Consultations:

Design and Conservation – The proposal is considered to be a positive for the building and wider conservation area, subject to the use of appropriate materials as indicated. As such the proposal is deemed to satisfy the requirements of the NPPF and policy EN3 of the Local Plan for Bradford.

Highways Development Control – Adequate parking is provided, and on street parking is available. No objections raised.

Drainage – No comments.

Summary of Main Issues:

1. Principle.
2. Residential Amenity.
3. Visual Amenity.
4. Highway Safety.
5. Other Issues.

Appraisal:

1. Principle

The former Mowbray Arms is located within the St Paul's conservation area, the property is in a dilapidated and deteriorating condition, and despite measures to secure the premises appears to have been subject to a variety of forms of anti-social activity. The proposal seeks to add a small side extension, and divide the existing building in order to create 7 residential flats over two floors. The existing car park and grounds will be used for parking, bin storage and amenity space.

The property falls within the St Paul's conservation area boundaries, but is subject to no policy restrictions in terms of its use, and it could be brought back in to use as a drinking establishment or restaurant without the need for planning permission. The proposal to convert the premises to residential accommodation is therefore acceptable in principle, and in keeping with predominant land use in the locality.

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

2. Residential Amenity

The proposal is for 7 modest residential flats, and despite some of the flats having limited floor area, they are able to provide facilities to meet modern living standards. All habitable rooms have a reasonable level of outlook and natural light. A communal external amenity area and designated off street parking spaces are also available to the occupants.

In terms of neighbouring amenity the main alteration is the addition of the single storey extension. This extension builds on an existing boundary wall, infilling a space between the building and a neighbouring property. The neighbouring property has a blank elevation, and the extension only projects marginally beyond the rear elevation this property. New windows in the extension have an outlook over the development site. The windows in the existing building are in the main existing, but only one would be deemed to offer a specific threat to neighbouring amenity. This is a first floor bedroom window facing the rear of neighbouring properties. Whilst this window could have formed part of the residential accommodation above the pub, in the interests of mitigating any overlooking threat the window has been obscure glazed as part of this development.

The proposed use is not considered to result in harm through noise and disturbance, and in many respects in what is an established residential locality, the use should result in less chance of conflict that when the building was in use as a public house.

The requirements of policy DS5 of the Local Plan for Bradford are considered to be satisfied.

3. Visual Amenity

Notwithstanding, its current run down appearance, the building retains its original form and much of its character. It is subsequently identified as having a neutral impact on the character and appearance of the conservation area, but with sympathetic renovation the Design and Conservation officer considers that the building would make a positive contribution. In this regard natural stone and slate are proposed for construction, and the scheme has been amended to include timber windows of suitable design. The extension proposed is of a modest scale and has been designed sympathetically to the design and appearance of the main building, and given the presence of a large boundary wall which will be integrated into the extension the impact on the wider locality is negligible. The scheme is therefore viewed favourably and considered to result in discernible benefits to the appearance of the building and wider locality satisfying the requirements of policies DS1, DS3 and EN3 of the Local Plan for Bradford.

4. Highway Safety

The proposal comes with off street parking provision for 7 vehicles equating to 1 space per flat. This provision includes 2 possible disabled parking bays. The development consists of 7 modest flats, comprising 2, 2 bedroom flats and 5, 1 bedroom flats. The provision of 1 space per flat is considered sufficient by the Council highway officer. The access and manoeuvring space are also acceptable and would appear largely in keeping with how the former public house car park would have been laid out. The Council highway officer also notes the availability of on street parking, and the site is well served by public transport being a short distance from the local centre of Carlisle Road and Whetley Hill. The proposal is thereby considered to be acceptable when measured against the requirements of the NPPF and policies DS4 and TR2 of the Local Plan for Bradford.

5. Other Issues

Demand, whilst demand is not something that would be necessarily considered as part of the appraisal, there is a shortage of suitable housing sites within the district, and the proposal is therefore considered to contribute, albeit modestly, to the need for new housing.

Accompanied with the housing shortage, there is a need to improve the variety of housing stock and this application will also contribute to that requirement.

Housing Standards, three of the proposed flats have a floor space of around 30 sqm and one has a floor space of 34 sqm. This does fall short of the 37 sqm indicated in the Government's Technical Standards, but these standards have not been adopted by the Council and cannot therefore be insisted upon. Furthermore, as indicated above whilst the accommodation is clearly modest in scale, the layouts demonstrate the available living space will be adequate with all habitable rooms also benefitting from good access to natural light and outlook. The proposal also has associated environmental benefits bringing the building and site back into use.

Community Safety Implications:

None foreseen.

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 proposal is considered to be a suitable use for the building that will relate satisfactorily with neighbouring properties, and will result in environmental improvements for the St Pauls Conservation area. The proposal as such accords with the requirements of the National Planning Policy Framework and policies DS1, D3, DS5 and EN3 of the Local Plan for Bradford.

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 first floor window(s) in the east facing elevation(s) serving flat 6 shall be glazed in obscure glass and non-opening, unless the parts of the window which are transparent and can be opened are more than 1.7 metres above the floor of the room in which the window is installed, prior to the first occupation of the building/extension and thereafter retained.

Reason: To prevent overlooking or loss of privacy to adjacent occupiers and to accord with Policy DS5 of the Local Plan for Bradford.

3. Before any part of the development is brought into use, the proposed car parking spaces and turning area shall be laid out, hard surfaced, sealed, marked out into bays and drained within the curtilage of the site in accordance with the approved plan numbered 1262/03. The car park so approved shall be kept available for use while ever the development is in use.

Reason: In the interests of highway safety and to accord with the requirements of the NPPF and policy TR2 of the Local Plan for Bradford

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 DS1, DS3 and EN3 of the Local Plan for Bradford

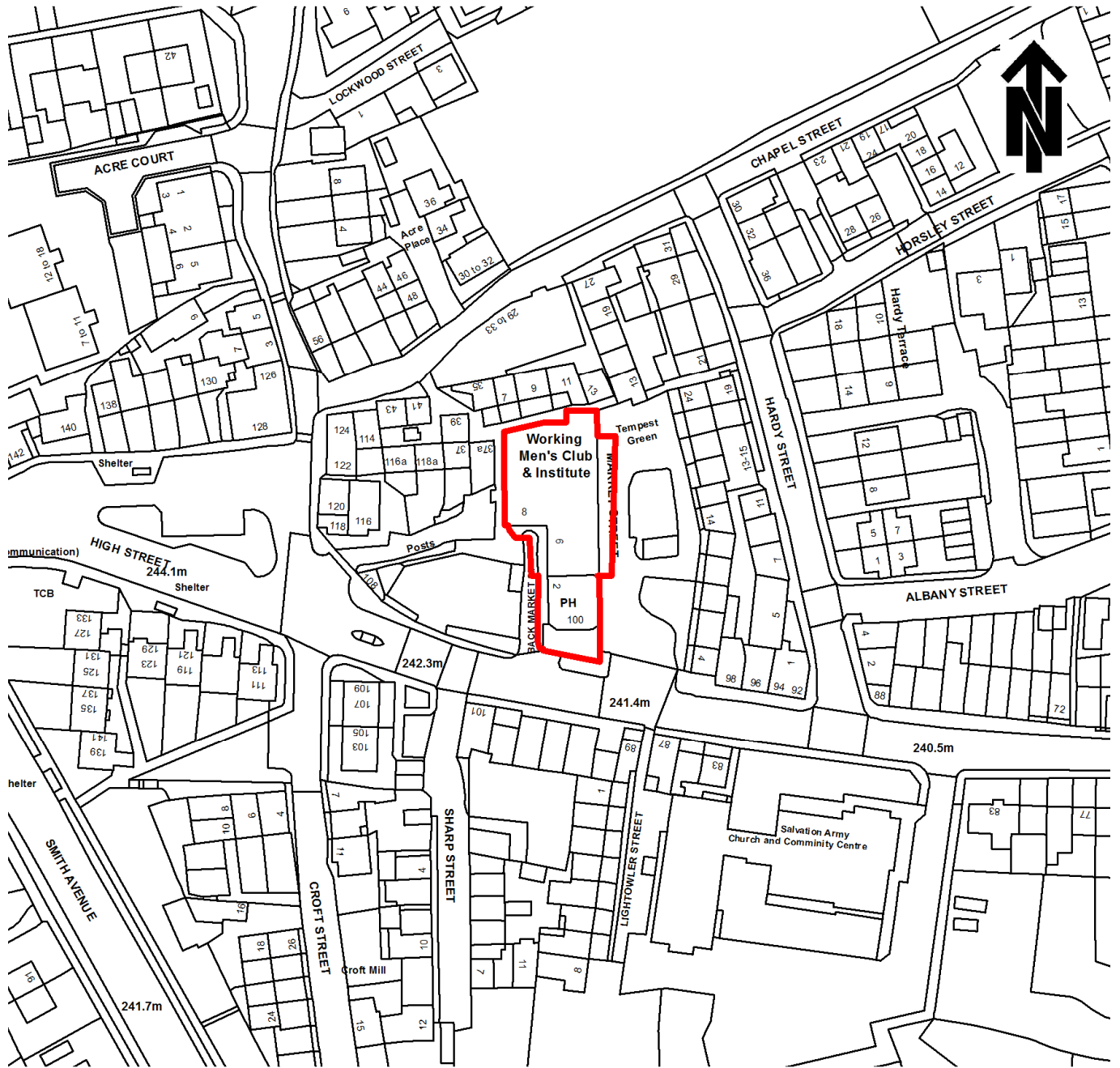
5. Notwithstanding the details on the approved plan, the positions, design and materials of boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The treatments so approved shall then be provided in full prior to the first occupation of flats and shall thereafter be retained.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies DS1, DS3 and EN3 of the Local Plan for Bradford.

17/03879/FUL



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



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Wibsey Working Mens Club
6 - 8 Back Market Street
Bradford BD6 1LR

1 November 2017

Item: D
Ward: WIBSEY
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
17/03879/FUL

Type of Application/Proposal and Address:

External alterations to 100 High Street (Market Tavern) and 6-8 Back Market Street (Wibsey Sports and Social Club). New glass feature entrance to 100 High Street and render to be repaired and re-painted. Existing entrance to 6-8 Back Market Street to be walled up and new bi-fold doors installed on the side elevation. Works also include some existing arched windows to be walled up and made good.

Applicant:
Mr Mark Lawn

Agent:
Miss Melissa Evans

Site Description:

The application site is comprised of an existing public house (A4) at 100 High Street and a Social Club (D2) at 6-8 Back Market Street. The surrounding area is mixed use, with a terrace of residential properties located to the east on the opposing side of a poorly surfaced access and parking area. To the north and west of the site there is a mixture of terraced residential properties and commercial units.

Relevant Site History:

85/07246/COU - Theatrical Agents Office - Granted - 20.01.1986.

87/00450/COU - Renewal of temporary change of use from dwelling to office - Granted - 18.02.1987.

91/06405/COU - Change of use of premises to dwelling and office - Refused - 14.02.1992.

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.

The Local Plan for Bradford

The Core Strategy for Bradford was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. This site is located within Wibsey Local Centre, but is not allocated for any specific purpose within the RUDP. Accordingly the following adopted Core Strategy policies are applicable to this proposal:

Core Strategy Policies

DS1- Achieving Good Design

DS3- Urban Character

DS5- Safe and Inclusive Places

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 25 July 2017. The application received 17 letters of objection, including letters from all three Ward Councillors and 27 letters of support.

Summary of Representations Received:

Objection:

- Noise and disturbance as a result of late opening hours.
- Anti-social behaviour.
- No noise attenuation measures are proposed.
- Insufficient parking.
- Blocking access to adjacent dwellings.
- Premises would be used as a nightclub rather than a public house.
- Property damage.
- Harm to visual amenity.
- Littering.
- Inadequate bin storage.

Support:

- There is a shortage of pubs in the area.
- Positive investment in the area.
- Local employment opportunities.
- Improved choice of venue.

Consultations:

Environmental Health Noise Nuisance - No objections to the merging of the 2 premises to form one pub/bar however, have concerns about noise from the proposal. The applicant has not provided any information to show how they will control noise breakout through the proposed bi-fold doors at the side elevation. As the premises are located in an area with existing residential properties it is crucial that this is considered at the planning stage to prevent a loss of amenity to those living nearby.

Highways Development Control - No objection.

Summary of Main Issues:

1. Visual Amenity.
2. Residential Amenity.
3. Highway and Pedestrian Safety.
4. Other Issues Raised by Representations.

Appraisal:

It should be noted that the initial proposal was to merge 100 High Street with 6-8 Back Market Street to create a single public house (A4), with opening hours of 0:800-03:00, seven days per week. After concerns were raised regarding the potential for harm to neighbouring amenity the scheme was amended so that both premises are to remain separate and within their existing use classes (i.e. A4 Public House, D2 Working Men's Club). The hours of opening are also to remain in line with the existing licensing requirements, which allow for midnight closure at 100 High Street and 02:00 at 6-8 Back Market Street. This application seeks planning permission for external alterations to the buildings only.

1. Visual Amenity

The proposed external alterations including the addition of a front entrance porch to 100 High Street, repairing existing render and the addition of bi-fold doors to the west facing elevation of 6-8 Back Market Street are considered to be acceptable as they would serve to improve the appearance of the existing buildings and would be in keeping with the character of the surrounding area. The alterations would not result in any adverse visual amenity implications and would accord with policies DS1 and DS3 of the Core Strategy.

2. Residential Amenity

The proposed development is for external alterations only to the existing public house (A4) and Working Men's Club (D2). The blocking up of existing openings in the east facing elevation of 6-8 Back Market Street is considered to constitute a positive improvement for neighbouring amenity as it would assist in limiting the transfer of noise to the adjacent residential properties to the east.

The proposal includes the addition of bi-fold doors to the west elevation of 6-8 Back Market Street. The bi-fold doors would replace two large windows on the east elevation. The bi-fold doors would provide a marginal increase in opening size, in relation to the previous windows and this would be likely to result in some additional transfer of noise emanating from the building. However, the increase in noise transfer is likely to be only marginally greater than the existing situation and therefore it is unlikely that the development would result in any significantly adverse residential amenity implications beyond those which already exist.

The bi-fold doors would also act as the primary entrance to 6-8 Back Market Street and the existing entrance, which is closer to the neighbouring residential properties to the North-West, would be blocked up. Moving the entrance away from the neighbouring residential properties is considered likely to have a positive impact, as the greater degree of separation may serve to reduce the level of noise and disturbance incurred by neighbouring residents when people are leaving the premises late in the evening.

In conclusion the proposal is not considered to result in any adverse residential amenity implications and it would accord with policy DS5 of the Core Strategy.

3. Highway and Pedestrian Safety

The proposal is for external alterations to the buildings only and it would not alter the existing parking or access arrangements. The councils Highways Development Control Team have not raised any objections to the proposal. As such no adverse highway or pedestrian safety implications are foreseen.

4. Other Issues Raised by Representations

A representation has raised concern that the proposed development would result in increased anti-social behaviour. The proposed development consists of external alterations only and that this would not have any impact on anti-social behaviour.

A representation has raised concern that the development would result in an increase in littering. The proposed development is for external alterations to the buildings only and therefore the development is not considered to have any impact on littering. In any case this matter is not a material planning consideration and should be enforced by the local authority with the issuing of fixed penalty notices to offending parties.

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 not considered to result in any adverse implications in respect of visual amenity, residential amenity. The proposal would therefore accord with policies DS1, DS3 and DS5 of the Core Strategy 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).

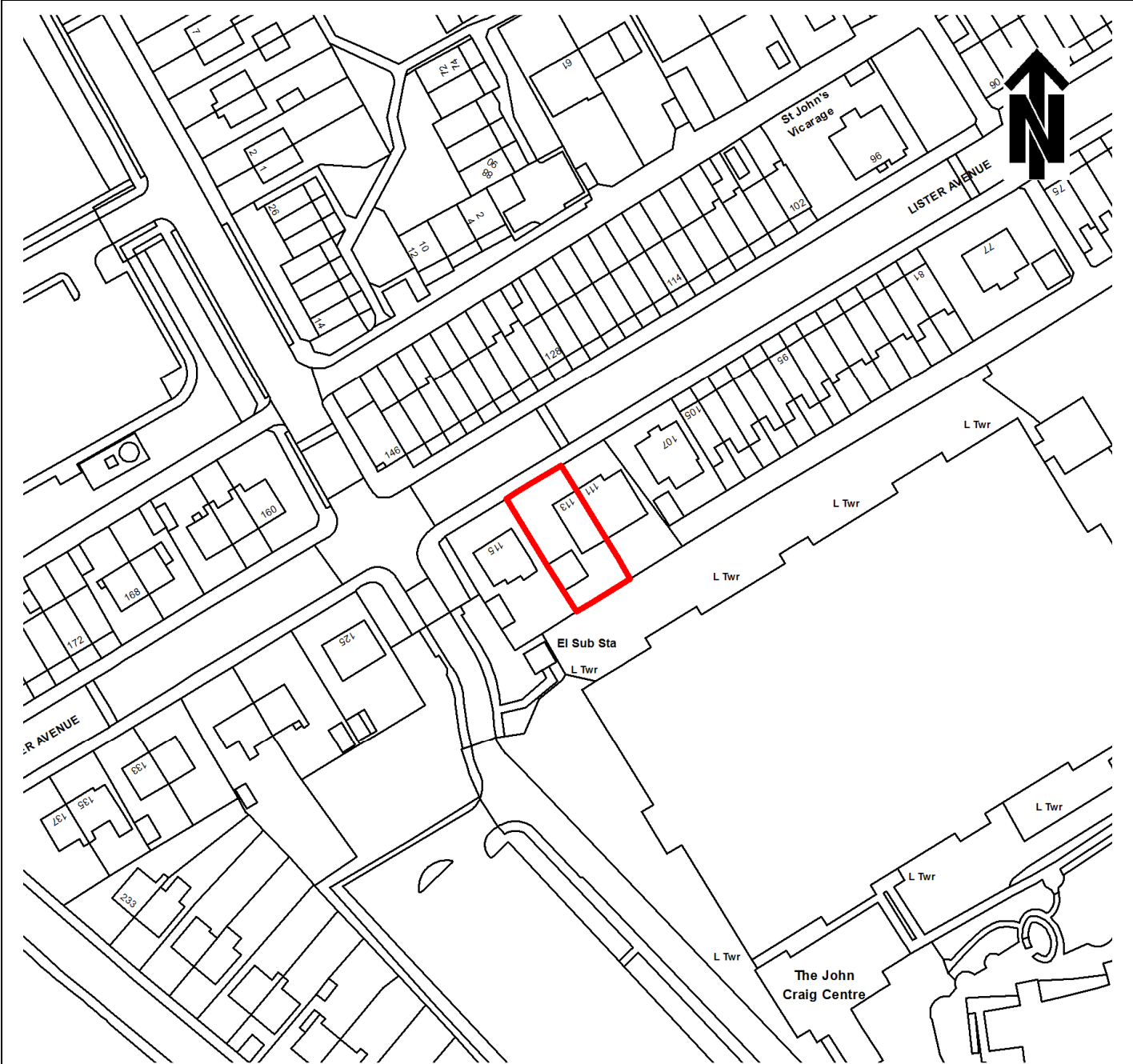
2. The development hereby permitted shall be constructed of materials as specified on submitted drawing No.1050-11 A

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

Footnote:

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

17/04918/HOU



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**113 Lister Avenue
Bradford BD4 7QS**

1 November 2017

Item: E
Ward: BOWLING AND BARKEREND
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
17/04918/HOU

Type of Application/Proposal and Address:

This is a householder planning application seeking retrospective planning permission for the retention of the front boundary wall constructed at 113 Lister Avenue, Bradford, BD4 7QS.

Applicant:

Ms Robina Kosar

Agent:

Mr Shoyeb Nana

Site Description:

113 Lister Avenue is a semi-detached residential dwelling set within an established residential street scene. The dwellings are set at a higher level than the highway, which can be seen by the sloping drive on the properties. 113 Lister Avenue have sought to level the front garden at the higher level, and the associated ground works have resulted in the requirement for the boundary wall subject of this application.

Relevant Site History:

17/03350/HOU - Retrospective application for boundary wall treatment - Granted 25.07.2017.

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.

The Local Plan for Bradford:

The Core Strategy for Bradford was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is unallocated on the Replacement Unitary Development Plan (RUDP). Accordingly, the following adopted Core Strategy and saved RUDP policies are applicable to this proposal.

Core Strategy Policies:

DS1 - Achieving Good Design
DS3 - Urban character
DS5 - Safe and Inclusive Places

Householder Supplementary Planning Document (HSPD)

Parish Council:

Not in a Parish.

Publicity and Number of Representations:

The application has been publicised via individual neighbour notification letters, the publicity period expired on the 11 September 2017. One representation has been received from the local Ward Councillor.

Summary of Representations Received:

The representation received from the local ward councillor was in support of the application and included the request for the application to be referred to the planning panel. The reasons provided in support are related to the safety of the residents, improved security and the limited visual impact.

Consultations:

Not applicable.

Summary of Main Issues:

The impact of the boundary wall on local amenity and highway safety.

Appraisal:

The boundary wall subject of the application consists of two sections either side of the driveway. To the front of the house, between two pillars (2.5m and 2.75m in height respectively), the wall extends 6.3m. This is at an initial height of approximately 1.75m, but this increases to a height of around 2m taken from pavement level. To the opposite side of the driveway the pillars are both around 2.75m in height with the walling 2.1m in height. This section has a width of 3.75m. 2.4m high gates are proposed for the drive entrance.

This is the second application received by the LPA seeking to regularise the boundary wall. As part of the first application a compromised scheme was agreed whereby the height of the walling was reduced to a maximum of 1.65m, with the 4 pillars reduced to a height of 2.35m. This approved scheme still exceeds what would normally be permissible, and in similar situations adjacent to highways, the general requirement, which is reflected in the General Permitted Development Order 2015 and is evident within the wider street scene, is that boundary treatments should not exceed a height of 1m.

The current application again seeks to gain planning approval for the wall as built (described above). The requirement for the wall is seemingly a direct consequence of landscaping works carried out within the curtilage, where the site levels have been increased at the boundary. The result is a boundary wall which is excessive in height, appears physically imposing from the footpath and forms a strident and out of character feature within the street scene given that the prevailing character is dominated by low boundary walls. The boundary wall thereby fails to meet the requirements of policies DS1, DS3 and DS5 of the Local Plan for Bradford and the requirements of the Householder Supplementary Planning Document, which all, in part, seek to ensure development respects and is well related to the character and appearance of their setting.

Within the representation it is sited that the wall is required for safety and security purposes. However, without the works to the garden the wall would not be required to such a height, and it is unlikely that the front garden will be used extensively as amenity space with more private and suitable amenity areas available within the curtilage. The previously agreed scheme would also provide a barrier at the edge of the garden. In terms of security, no evidence has been supplied to substantiate this requirement and the character and appearance of neighbouring boundary treatment would indicate as a security feature the measures are excessive.

Community Safety Implications:

As above.

Equality Act 2010, Section 149:

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

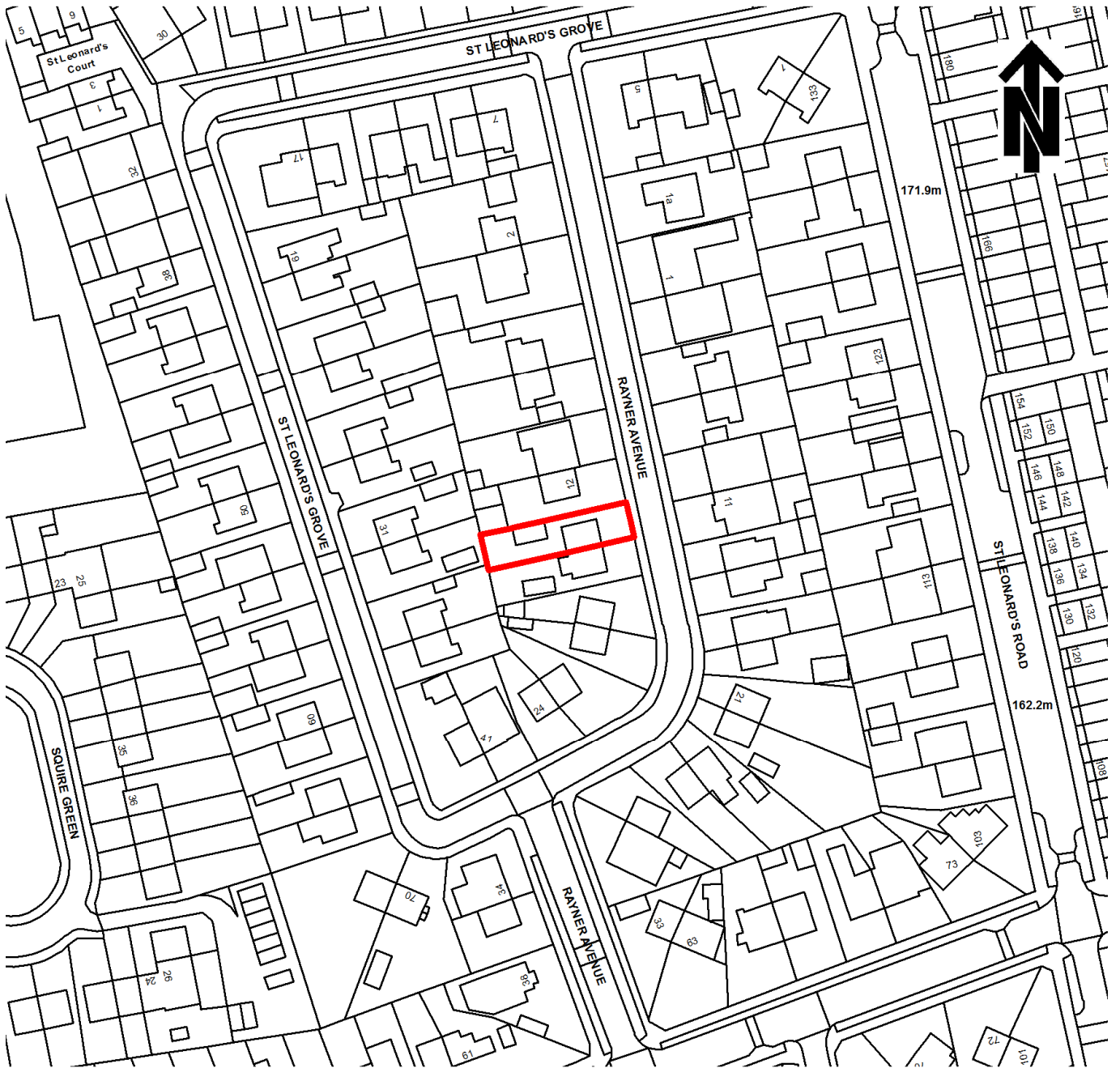
Reasons for Refusal:

1. The boundary wall located to the front of the dwelling, by reason of its height and position, represents an unwelcome and strident feature visually incongruous with the character and appearance of the wider street scene and physically imposing when viewed from the footpath. The boundary wall is therefore harmful to the visual amenity and unacceptable when measured against policies DS1, DS3 and DS5 of the Local Plan for Bradford and the requirements of the Householder Supplementary Planning Document.
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17/03295/HOU



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14 Rayner Avenue
Bradford BD8 9PP

1 November 2017

Item: F
Ward: TOLLER
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
17/03295/HOU

Type of Application/Proposal and Address:
A householder planning application for the construction of a two storey side and rear extension at 14 Rayner Avenue, Bradford, BD8 9PP.

Applicant:
Mr Arfeen and Miss Akhtar

Agent:
Mr Paul Manogue

Site Description:
The application dwelling is a semi-detached property constructed of stone at the ground floor level and pebble dashed render to the first floor, beneath a slate roof. The surrounding area is wholly residential and is comprised of properties of a similar design and construction.

Relevant Site History:
16/09284/HOU - Construction of two storey side and rear extension for disabled persons - Refused - 08.02.2017.

17/01396/HOU - Construction of two storey side and rear extension for disabled persons - Refused - 09.05.2017.

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.

The Local Plan for Bradford

The Core Strategy for Bradford was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. This site is not allocated for any specific purpose within the RUDP Accordingly the following adopted Core Strategy policies are applicable to this proposal.

Core Strategy Policies:

DS1- Achieving Good Design

DS3- Urban Character

DS5- Safe and Inclusive Places

Planning policy for the proposal is also considered in the adopted 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 28 June 2017. A letter of support was received from a local Ward Councillor.

Summary of Representations Received:

The applicant has two disabled children. The additional space is required for physiotherapy sessions and to store physiotherapy equipment in order to support the disability needs.

Consultations:

Occupational Therapy - There are two disabled people residing at the property. A recommendation has been made for adaptations to meet their needs and a Disabled Facilities Grant applied for. Housing Services offered a scheme consisting of an extension with 2 wheelchair accessible bedrooms and an appropriate room for bathing facilities. This was felt to be the most reasonable scheme to meet the needs and it did not include a therapy room. For this reason the extension was not as large as the current proposal.

Occupational Therapy cannot formally support this application as it is larger than the necessary requirements. However, the scheme would meet the needs of the disabled occupants.

Summary of Main Issues:

1. Visual Amenity.
2. Residential Amenity.
3. Other Issues for Consideration.

Appraisal:

This application is an identical resubmission of a proposal that has been refused twice previously. The most recent application (17/01396/HOU) was refused for the following reason:

“The extension by virtue of its scale and massing would be out of keeping with the host dwelling and harmful to visual amenity. The impact of the rear extensions would cause unacceptable harm to the living conditions of neighbouring occupants at 16 Rayner Avenue by reason of over-domination, overshadowing, loss of outlook and loss of natural daylight. This would conflict with Design principle 3 of the Councils Approved Householder SPD and Policies D1 and UR3 of the Bradford Replacement Unitary Development Plan.

It should be noted that as of the 18th July 2017 policy D1 of the RUDP has been superseded by policies DS1 and DS3 of the Core Strategy. Policy UR3 of the RUDP has been superseded by policy DS5 of the Core Strategy.

1. Visual Amenity

Design principle 1 of the Householder Supplementary Planning Document requires that extensions should not appear to dominate the original house and they should improve the character and quality of the property.

The proposed extension is considered to be of an excessive scale in relation to the host dwelling to the detriment of visual amenity. Accordingly the extension is considered to be contrary to the Householder Supplementary Planning Document and policies DS1 and DS3 of the Core Strategy.

2. Residential Amenity

The Householder Supplementary Planning Document limits the depth of single storey rear extensions to 3m to terraced or semi-detached dwellings. The proposed extension would have a depth of 7 metres at the ground floor level and a depth of 3.6 metres at the first floor level. The ground floor of the extension would be sited directly adjacent to the common boundary of 16 Rayner Avenue, which is positioned at a lower level.

Consequently it is considered that the ground floor level of the extension by reason of its excessive depth and siting adjacent to the boundary would have an adverse overbearing and overshadowing impact on the rear private amenity space and rear habitable room windows of 16 Rayner Avenue, as well as resulting in a loss of outlook from the rear habitable room windows of the property. The extension is therefore considered to be contrary to the Householder Supplementary Planning Document and policies DS1 and DS3 of the Core Strategy.

The first floor level of the extension, although large, would not intersect a 45 degree line as measured from the nearest ground floor habitable room windows of either neighbouring property. As such this aspect of the extension is not considered to result in any adverse residential amenity implications.

3. Other Issues for Consideration

Information has been submitted and verified confirming that there are two disabled children residing at the property. The Council's Occupational Therapy Department have advised that internal adaptations to the existing property, including a lift installation, would not be appropriate to meet the disability needs of the children in this case. Occupational Therapy have advised that it is necessary for the extension to be of a size which can accommodate 2 separate bedrooms and bathing facilities at the ground floor level of the property, with sufficient space for wheelchair access.

The aforementioned requirements have been included within the proposed floor plan and the necessity for these aspects of the proposal is not contested.

However, the ground floor level of the extension includes a treatment area. The Council's Occupational Therapy Department do not consider that the treatment area is essential to meet the needs of the disabled occupants. For this reason it is considered that whilst the welfare of the disabled occupants is paramount a smaller extension would be suitable to meet their needs and this would also limit the adverse impact of the proposal on the occupants of 16 Rayner Avenue.

As a smaller extension would be sufficient to meet the needs of the disabled occupants it is considered that approval of the extension at its current size cannot reasonably be justified on disability grounds, particularly in light of the significant adverse residential amenity implications for neighbouring occupants.

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.

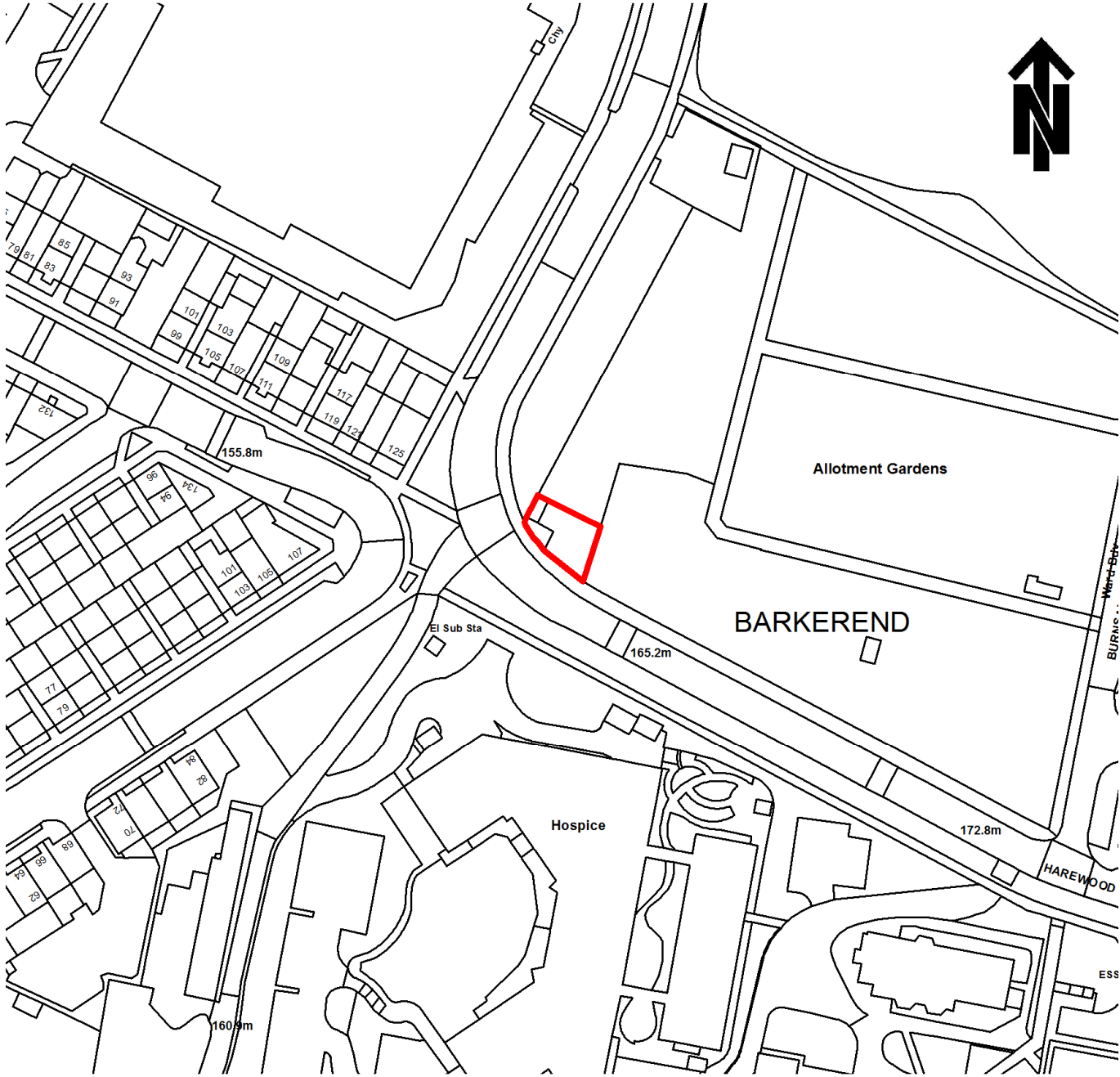
Reasons for Refusal:

1. The proposed rear extension would be of a scale which would be out of keeping with the host dwelling and surrounding street scene to the detriment of visual amenity. The ground floor level of the rear extension by reason of its size and proximity to the common boundary would have an adverse overbearing and overshadowing impact on the rear habitable room windows and the rear private amenity space of 16 Rayner Avenue, as well as resulting in a loss of outlook from the rear habitable room windows of the property. The proposal is therefore considered to be contrary to the Householder Supplementary Planning Document and policies DS1 and DS3 of the Core Strategy.
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17/04388/FUL



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**Land East Of 125 Harewood Street
Bradford**

1 November 2017

Item: G
Ward: BOWLING AND BARKEREND
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
17/04388/FUL

Type of Application/Proposal and Address:

A full planning permission is sought for the construction of a domestic storage building, Land east of 125 Harewood Street, Bradford.

Applicant:

Ihsan Rehman

Agent:

Khawaja Planning Services

Site Description:

The site lies at the inside of a sharp road bend connecting Gilpin Street and Harewood Street. The application site is at the edge of a field designated for allotment gardens.

Relevant Site History:

There is no directly relevant planning history.

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.

The Local Plan for Bradford:

The Core Strategy for Bradford was adopted on 18 July 2017 though some of the policies contained within the preceding Replacement Unitary Development Plan (RUDP), saved for the purposes of formulating the Local Plan for Bradford, remain applicable until adoption of Allocations and Area Action Plan development plan documents. The site is allocated as Open Land in Settlements on the RUDP. Accordingly, the following adopted Core Strategy and saved RUDP policies are applicable to this proposal.

Core Strategy Policies:

DS1 – Achieving good design
DS3 – Urban character
SC9 – Making great places
TR2 – Parking policy

Saved RUDP Policies:

OS6 – Allotments

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application was publicised by way of site notices. The overall expiry date was 3 September 2017. One supporting letter from a Ward Councillor was received.

Summary of Representations Received:

This land has been an eye sore for a number of years and constantly attracts fly tipping. Development would stop this on-going problem.

Consultations:

Coal Authority - The applicant has submitted some coal mining information to accompany the planning application, however, the Coal Authority does not consider this adequately addresses the impact of coal mining legacy on the proposed development. The Coal Authority therefore objects to this planning application, and consider that the applicant needs to submit the required Coal Mining Risk Assessment Report, or equivalent, to the Local Planning Authority.

Drainage - No objections subject to conditions.

Yorkshire Water - No objections

Highways - Due to off street parking the proposal could lead to conditions prejudicial to highway and pedestrian safety.

Summary of Main Issues:

1. Principle of the Development
2. Design/appearance
3. Highway safety
4. Land stability
5. Other matters raised by representations.

Appraisal:

1. Principle of the Development

Whilst the application is described as a domestic storage building in connection with the occupiers of 125 Harewood Street the proposed building is significantly larger than the house it is intended to serve. The proposed structure is 15.5m wide and 7m tall and is therefore clearly not an ancillary structure. Under normal circumstances such a structure would be ancillary to the building it serves. This would normally be a subservient structure within the curtilage of the building it serves. It is not clear from the submitted information why a building of this size and scale and which is divided in two is required for 'domestic' storage. The elevation drawings show high level windows which appear to show a first floor.

Furthermore, the site is allocated as open land in settlements in the RUDP. Policy OS6, in order to ensure that allotments are protected, there is a presumption against development unless alternative provision can be made or community support for the allotments is demonstrably negligible. Given that the application does not make an argument under these exceptions the proposed scheme for a domestic storage building would conflict with policy OS6 of the Council's RUDP which seeks to protect allotments. The principle of the development is therefore not acceptable.

2. Design/Appearance

The Strategic Core Policy SC9 and Policy DS1 and DS3 of the Core Strategy require planning decisions to create high quality places through good design and use of materials and taking opportunities to improve areas to make them as good as they can be.

The proposed building is a bland virtually featureless structure of a low quality design. Render finish is proposed for the walling and corrugated roofing sheets are proposed for the roofing. This significantly contrasts against backdrop of nearby Victorian housing with their characteristic use of stone and slates.

The proposed building through use of substandard use of material would appear unduly strident materially harming the visual amenities within its setting and therefore would conflict with Policy DS1, DS3 and SC9 of the Councils Core strategy.

3. Highway Safety

There is no off street parking proposed as part of the development and given the scale of the building proposed it is likely loading and unloading would take place from the street on a sharp bend which could lead to conditions prejudicial to highway and pedestrian safety. This is a particular issue as there is conflict between the claimed end use of the building and its scale.

4. Land Stability

The Coal Authority records indicate that within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application, specifically recorded historic underground coal mining activity at shallow depth.

The Applicant has submitted some coal mining information to accompany the planning application however, the Coal Authority does not consider this adequately addresses the impact of coal mining legacy on the proposed development.

It is a requirement of the National Planning Policy Framework, paragraphs 120-121 that the applicant demonstrates to the satisfaction of the Local Planning Authority that the application site is safe, stable and suitable for development. In addition the National Planning Practice Guidance in section 45 makes it clear that planning applications in the defined Development High Risk Area must be accompanied by a Coal Mining Risk Assessment.

In accordance with the agreed risk-based approach to development management in the defined Development High Risk Areas, the Applicant need to submit a Coal Mining Risk Assessment Report as part of this application, prepared by a suitably qualified person. Without such a risk assessment, the Coal Authority advises that the submitted Coal Mining Report provides insufficient information to determine this application and therefore objects to this proposal. The Coal Mining Report provides the basic coal mining information in relation to the application site; it does not provide an assessment of the risks to any proposed new development on the site.

In the absence of an adequate Coal Mining Risk Assessment the Council has insufficient information in regards to the stability of the site to fully assess this proposal.

5. Other matters raised by representations.

It is contended that the site has been an eye sore for a number of years and constantly attracts fly tipping and the proposed development would stop this problem. It is Officers view that an allotment use, as designated in the RUDP proposals map, would also achieve the same purpose of preventing fly tipping. Furthermore there are other less intrusive ways of securing the site in order to prevent fly tipping.

Community Safety Implications:

There are no apparent community safety implications. The safety implications expressed via representations have been addressed.

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 quality of opportunity between different groups and foster good relations between different groups. It is not however considered that any issues with regard thereto are raised in relation to consideration of this application.

Reasons for Refusal:

1. The site is allocated for open land in Settlements in the RUDP. Under Policy OS6, in order to ensure that allotments are protected there is a presumption against development unless alternative provision can be made or community support for the allotments is demonstrably negligible. The application does not make an argument under these exceptions and therefore the proposed scheme for a domestic storage building would conflict with policy OS6 of the Councils RUDP which seeks the protection for allotments.

2. The proposed building is a bland virtually featureless structure of a low quality design. Render finish is proposed for the walling and corrugated roofing sheets are proposed for the roofing. This significantly contrasts against backdrop of nearby Victorian housing with their characteristic use of stone and slates. The proposed building through use of substandard design and materials would appear unduly strident, materially harming the visual amenities within its setting and therefore would conflict with Policy DS1, DS3 and SC9 of the Councils Core strategy.
 3. There is no off street parking proposed as part of the development and given the scale of the building particularly, as in terms of footprint it is larger than the house it is intended to serve, it is likely loading and unloading would take place from the street on a sharp bend which could lead to conditions prejudicial to highway and pedestrian safety contrary to policy TR2 of the Core Strategy.
 4. In the absence of an adequate Coal Mining Risk Assessment, the application has not demonstrated to the satisfaction of the Local Planning Authority that the application site is safe, stable and suitable for development. This is contrary to paragraphs 120-121 of the National Planning Policy Framework.
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