

# Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 03 October 2018

**E**

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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.	16 - 18 Leylands Lane Bradford West Yorkshire BD9 5PX - 18/01481/FUL [Approve]	Heaton
B.	16 Kingswood Terrace Bradford West Yorkshire BD7 3DT - 18/02698/FUL [Approve]	Great Horton
C.	The Pastures Tong Lane Tong Bradford West Yorkshire BD4 0RP - 18/02717/FUL [Approve]	Tong
D.	149 Wilmer Road Bradford West Yorkshire BD9 4AG - 18/02655/HOU [Refuse]	Heaton
E.	27 Durham Terrace Bradford West Yorkshire BD8 9JH - 18/02457/HOU [Refuse]	Toller
F.	Land At Grid Ref 413866 433641 Thornton Road Bradford West Yorkshire - 17/05964/OUT [Refuse]	City

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Julian Jackson  
Assistant Director (Planning, Transportation and Highways)

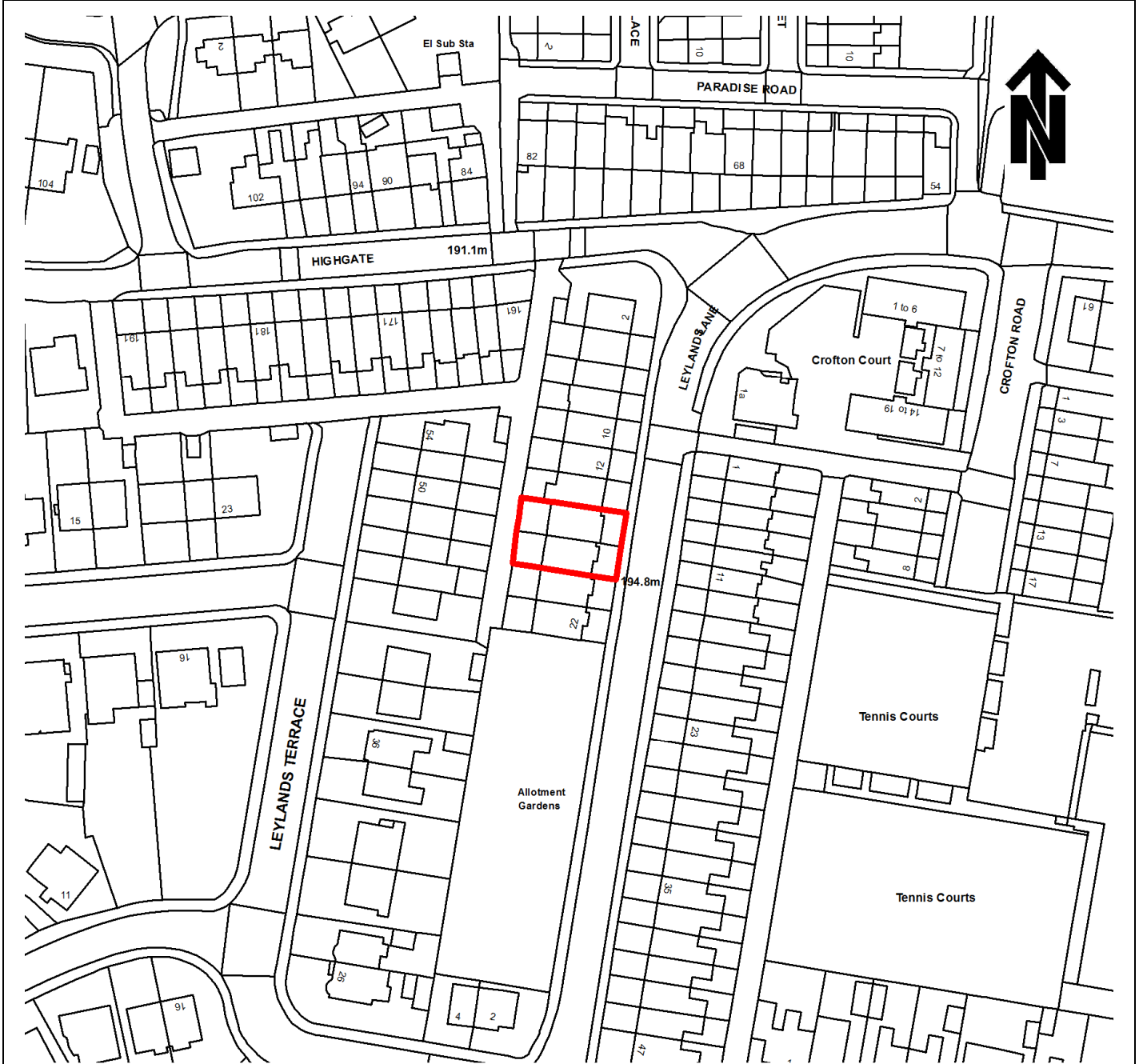
Report Contact: Mohammed Yousuf  
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**Portfolio:**  
Regeneration, Planning & Transport

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

18/01481/FUL



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**16 - 18 Leylands Lane**  
**Bradford**  
**BD9 5PX**

**3 October 2018**

**Item: A**  
**Ward: HEATON**  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
18/01481/FUL

**Type of Application/Proposal and Address:**  
A full application for the change of use of 16-18 Leylands Lane, Bradford from a nursing home (Use Class C2) to a house in multiple occupation (HMO) (*Sui Generis*)

**Applicant:**  
Mr Agrawal

**Agent:**  
N/A

**Site Description:**  
16-18 Leylands Lane forms part of a terrace row of like design stone built properties. The property was clearly two large residential dwellings in the past, and the properties to either side remain in a residential use. 16-18 has been merged and converted into a residential care home. The properties retain their original character with the only discernible sign of the change an access ramp constructed to the front of the properties. The property has a small yard to the front and rear. No off street parking is available.

**Relevant Site History:**  
N/A

**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.

**Local Plan for Bradford:**

The Core Strategy Development Plan Document 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. 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  
TR2 – Parking Policy

**Parish Council:**

Not in a Parish

**Publicity and Number of Representations:**

The application has been publicised by site notice and individual neighbour notification letter. The publicity period expired on 10.06.2018. 24 individual representations have been received and a 28 signature petition in objection.

**Summary of Representations Received:**

The representations received are all in objection to the proposed development, based on the following concerns:

Traffic and parking concerns  
Litter  
Anti-social behaviour

**Consultations:**

Highways – The highway officer concludes the proposal would not result in any greater demand for on street parking than as a result of the previous use.

Environmental Health – No response

Drainage – No response

**Summary of Main Issues:**

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

**Appraisal:**

1. Principle

The property was previously in use as a residential care home, the proposal seeks to retain the residential aspect, and the internal layout will remain similar, the main alteration will be the nature of the occupancy. As a house of multiple occupation the residents will be

unrelated individuals sharing facilities. As the use remains residential in nature which is in keeping with the predominant land use in the locality, and the historic origins of the property there is no policies that would seek to resist the principle of the proposed change.

## 2. Residential Amenity

The properties will remain in a residential use, whilst this is more intensive than if the dwellings were to be reverted to two dwellings, the level of accommodation (15 occupants) is not dissimilar to that provided in the property's most recent use as a care home. Given that the neighbouring properties are also within a residential use the use itself would not be anticipated to be harmful to the neighbouring occupant's amenity. As a house in multiple occupation the property is also subject to the requirement of a HMO licence that ensures the property is well managed and meets certain standards. This should alleviate some concerns in respect of the anti-social behaviour as, a more typical residential property would be unregulated. Any nuisance that may occur can also be controlled by other legislation or, would be a matter for the police.

## 3. Visual Amenity

There are no external alterations associated with the proposal and so no harm to visual amenity is anticipated.

## 4. Highway Safety

In terms of highway safety it is apparent that there is no off street parking facilities associated with the property, and this has seemingly always been the case, and is similar for many of the properties within the locality. There are no parking restrictions on the local highway, but it is apparent from the representations that these spaces are in demand. However, it is unlikely that there will be a high level of car ownership within the occupants of the HMO, and the locality would be considered sustainable within close proximity to local amenities and well served by public transport. It is also notable that whilst the previous use may not have had a high level of car ownership associated with the occupants, it would have resulted in demand from staff and visitors and would generally have had a requirement for 6 spaces. The council's parking standards would require the proposed use to provide 7 spaces. Given the small disparity in parking requirements between the respective uses, the council's highway officer concludes that the proposal is unlikely to represent a significant change to the existing situation, and does not therefore object to the proposed change of use.

## 5. Other issues

Littering has been touched upon in the representations, it appears there may have been a previous problem with the collection of rubbish within the site, but this has seemingly been resolved by the applicant and there is no reason to suggest that the proposed use would result in a specific litter problem. The site certainly provides adequate space for bin storage.

### **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 any issues with regard thereto are raised in relation to consideration of this application.

**Reason for Granting Planning Permission:**

The proposed change of use is considered to be acceptable and is not considered to be harmful to residential amenity, visual amenity or highway safety. It is therefore considered to accord with the requirements of Policies DS1, DS3, DS5 and TR2 of the Core Strategy Development Plan Document and the NPPF.

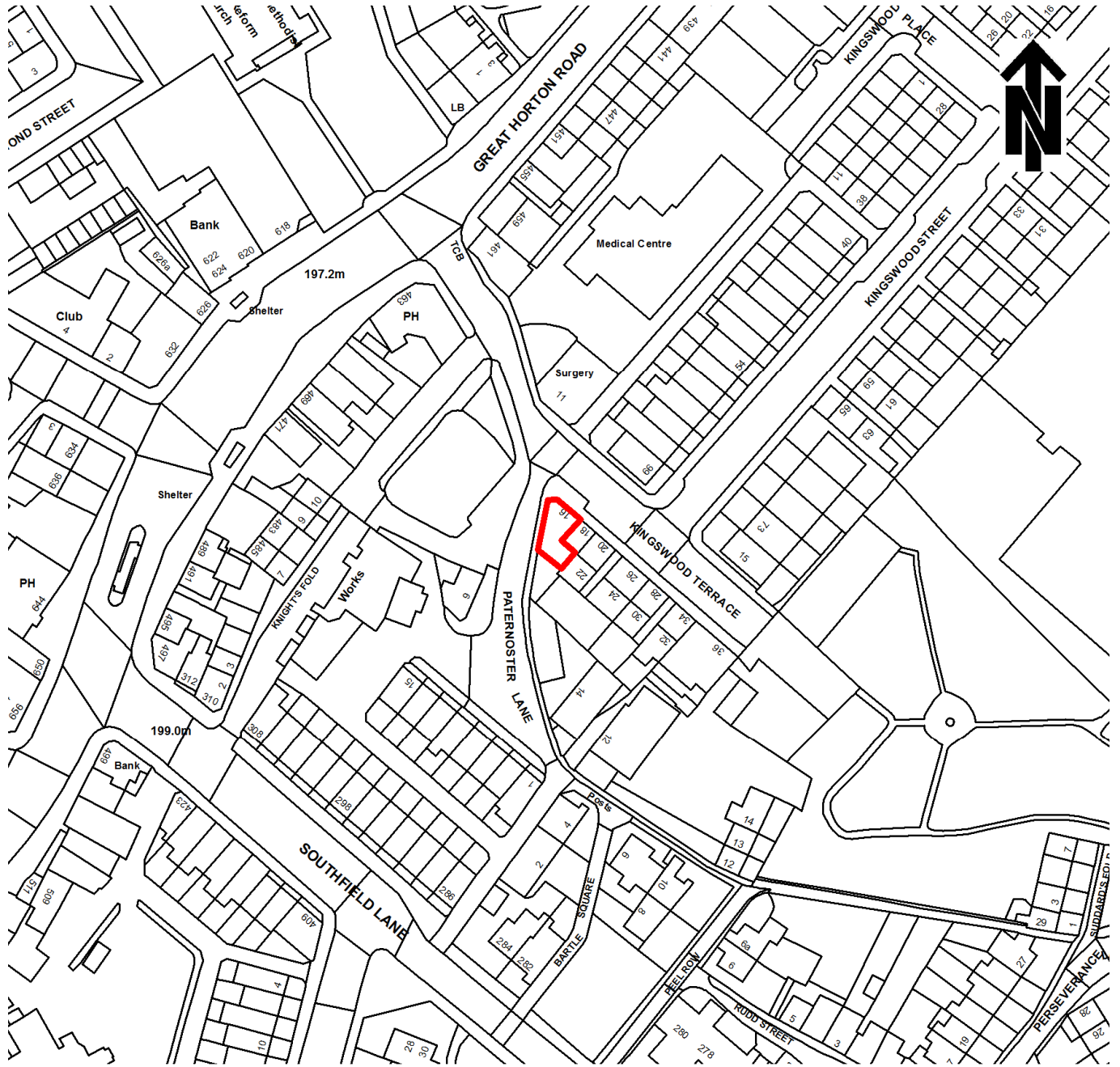
**Conditions of Approval:**

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

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

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18/02698/FUL



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**16 Kingswood Terrace**  
**Bradford**  
**BD7 3DT**

**3 October 2018**

**Item: B**  
**Ward: GREAT HORTON**  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
18/02698/FUL

**Type of Application/Proposal and Address:**

This is a full application seeking to change the use of 16 Kingswood Terrace from an A1 Beauty Shop to a C3(b) residential use offering supported accommodation and emergency refuge

**Applicant:**

Strong Foundations - Miss Claire Burrowes

**Agent:**

N/A

**Site Description:**

16 Kingswood Terrace is an end terrace property. The property has an appearance consistent with the remainder of the terrace row which appear to all be in a residential use, but no.16 has been subject to a change of use and was most recently a hair dressing salon/beauty shop. The associated fascia signs remain in position. The property is stone built surmounted by a slate roof and sits at the junction between Kingswood Terrace and Paternoster Lane. The property has a small external yard to the rear, but otherwise abuts the public footpath.

**Relevant Site History:**

08/00415/COU - Change of use from light industrial to proposed offices A2/B1 – Granted 13.03.2008

14/03500/FUL - Class A1 to the ground floor hairdressing studio, and sui generis to the first and second floor beauty treatments, incorporating tanning, nails, waxing and massage – Granted 10.10.2014

14/05210/FUL - Perforated security shutters - Refused 24.03.2015

**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.

**Local Plan for Bradford:**

The Core Strategy Development Plan Document 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 Great Horton Conservation Area but is otherwise unallocated on 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  
TR2 – Parking Policy  
EN3 – Historic Environment

**Parish Council:**

Not in a Parish

**Publicity and Number of Representations:**

The application has been publicised via individual neighbour notification letters, site notice and in the local press. The publicity period expired on 17.08.2018. Five individual letters of representation have been received and an 80 signature petition.

**Summary of Representations Received:**

The representations received are all in objection to the proposal and cite the following reasons:

Drugs, Crime and anti-social behaviour  
Litter pollution  
Noise and disturbance  
Community conflict  
Traffic congestion  
Decrease in property value

**Consultations:**

Design and Conservation – No objections to the proposed change of use, which will not impact on the character or appearance of the conservation area to any significant degree. The proposal is considered to accord with Core Strategy Policy EN3.

Environmental Health - In terms of sound transmission between 14 Kingswood Terrace and 16 Kingswood Terrace, I recommend that a sound insulation test is carried out to ensure the

property that is to be developed i.e. 16 Kingswood Terrace, meets Part E of the Building Regulations 2008.

**Summary of Main Issues:**

1. Principle
2. Visual Amenity
3. Neighbouring Amenity
4. Highway Safety

**Appraisal:**

1. Principle

16 Kingswood Terrace is an end terrace property, where the remainder are occupied as residential dwellings. The residential nature of the terrace row, uniform layout and appearance make it apparent that the entire row will have historically been in a residential use. No.16 however has seemingly been subject to a variety of uses with the most recent being a hair dressing salon and beauty shop. The property is currently vacant, and the supporting information indicates this has been the case for 2 years. It is proposed to change the use of the property back to a residential use in order to provide safe, temporary refuge and accommodation to women who are homeless or, vulnerable. The programme is designed to work towards self-sufficiency and independent living in a supported and safe environment. It is proposed to house up to 4 tenants in the property.

The proposed use falls within use class C3. The Town and Country Planning (Use Classes) Order 1987 (as amended) details the C3 use class as follows:

C3(a) covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child.

C3(b): up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.

C3(c) allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger.

A typical residential dwelling would fall under the use class C3, but this use class is divided into 3 parts (as detailed above), so specifically a typical dwellinghouse would fall within part C3 (a). The proposed use also falls within use class C3, but given the variation in how it will be occupied it falls within part (b). The use remains in the same use class as a more typical domestic dwellinghouse as it is aimed at enabling people who need some support to live as normal lives as possible in touch with the community. The property has the common facilities afforded for day to day private domestic living as a single household. The proposed use is therefore considered to be acceptable in principle as it is in keeping with the prevailing use class within the locality and the historic use of the building.

In light of the above it is worthy of note that any domestic dwelling falling within the C3 use class could be used in the manner proposed without the need for express planning consent.

## 2. Visual Amenity

The visual alterations externally are negligible, but bringing the property back into an active use is likely to have discernible benefits for the up keep and maintenance of the building and rear yard. It would also be envisaged that the traditional appearance of the building would be somewhat restored with the removal of the business signs and roller shutters. The roller shutters are subject to enforcement proceedings, having been refused planning permission so it would be expected that these would be removed in due course regardless.

## 3. Neighbouring Amenity

In terms of neighbouring amenity the proposal is not deemed to raise any concerns. The residential use as noted above is consistent with the predominant land use, and that of the neighbouring property. If anything the level of activity around the site would be likely to be reduced as a result of the change given the previous use was reliant on visiting members of the public. The issue of noise insulation between the properties has touched on in the Environmental Health consultation response and would be covered by the building regulations procedure. The applicant has provided evidence that these, and other related issues are already under consideration.

It is notable that there has been a significant level of representation raising concerns in respect of this development, but the concerns appear to be stemming from a misconception of the proposed use, and as noted above, the use is akin to a single domestic household with some level of support, and it is likely that any of the neighbouring properties can be used in this manner. To resist the development would be effectively resisting a residential use in the property, as the use is so clearly aligned to a typical residential property it has been categorised within the same use class. The local planning authority cannot control who goes in to the property in much the same way they cannot control who resides in any residential property. This being the case it is difficult to conclude that the proposal will have a significantly greater impact on such matters as anti-social behaviour, litter pollution, noise and disturbance or, community conflict than any residential occupancy of the property. In some cases the proposed use is likely to be an improvement from the potential implications of the commercial activities that could occur at the premises under the existing use class. The proposal is therefore not deemed to be a significant threat to neighbouring amenity and satisfies the requirements of policy DS5 of the Core Strategy Development Plan Document.

## 4. Highway Safety

The proposed use would be entirely reliant upon on street parking as the site offers no possibility for the provision of on-site parking within the curtilage. This is not uncommon within the locality given the number of terraced dwellings. The change of use would likely see a reduction in demand for off street parking, and given the sustainable nature of the locality and the proximity to amenities and good public transport services the lack of off street parking would not be seen as a threat to highway safety.

### **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.

**Reason for Granting Planning Permission:**

The proposed change of use is considered acceptable resulting in no significant harm to the amenity of the locality or highway safety. The proposal is thereby considered to accord with the requirements of the National Planning Policy Framework and policies DS1, DS3 and DS5 of the Core Strategy Development Plan Document.

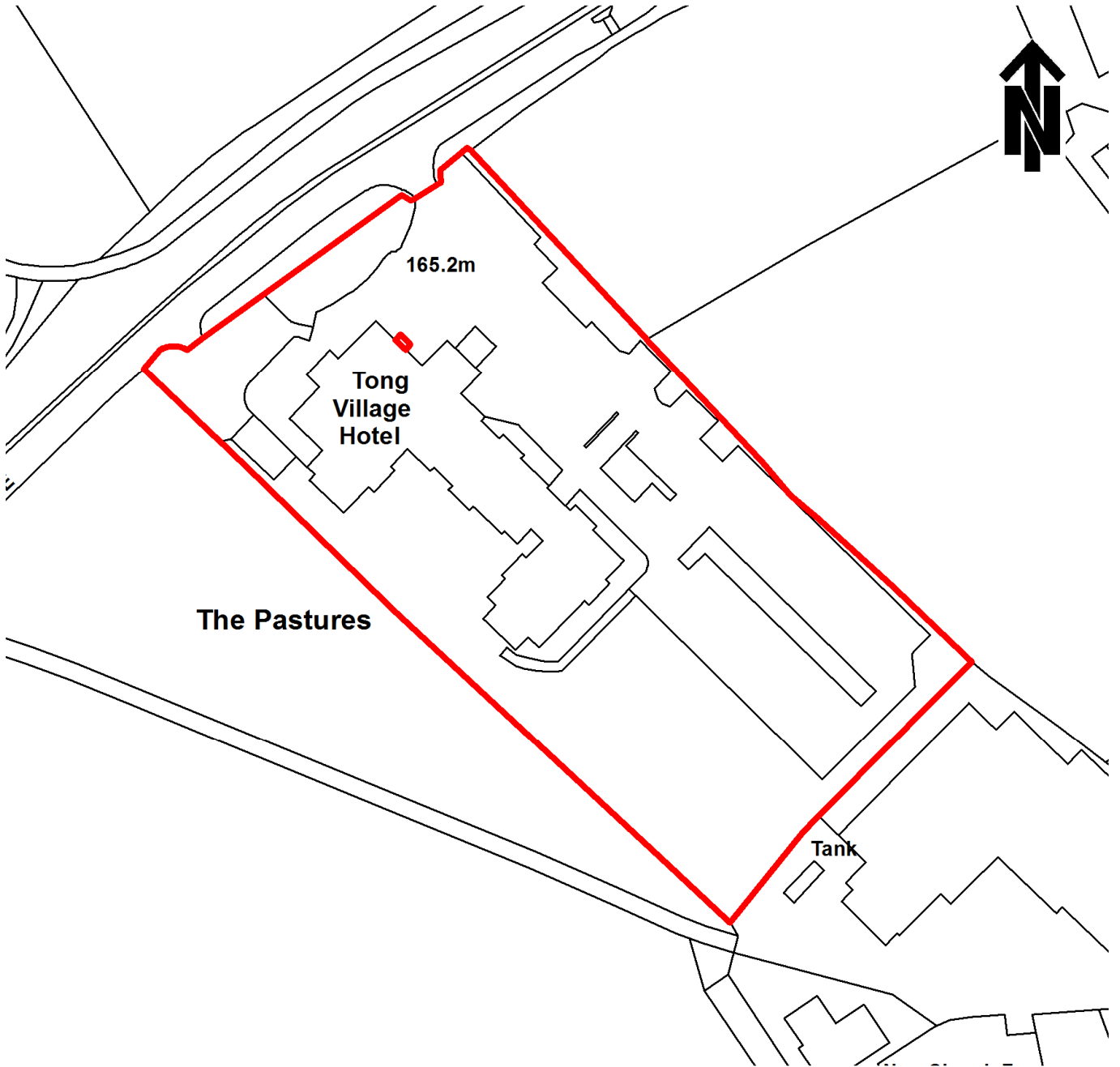
**Conditions of Approval/Reasons for Refusal:**

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).

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18/02717/FUL



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**The Pastures**  
**Tong Lane**  
**Tong**  
**Bradford BD4 0RP**

**3 October 2018**

**Item: C**  
**Ward: TONG**  
**Recommendation:**  
**TO GRANT PLANNING PERMISSION**

**Application Number:**  
18/02717/FUL

**Type of Application/Proposal and Address:**

This is a full planning application for an extension to the reception area and the addition of a pavilion style orangery at The Pastures, Tong Lane, Bradford.

**Applicant:**  
Mr Anish Bir

**Agent:**  
Jordi Campo Bria - Yeme architects

**Site Description:**

The Pastures is a large hotel complex set in sizeable grounds on the approach to Tong Village. The building is stone built surmounted by a slate roof. There is extensive parking available to the front of the building. The building appears to originate from a large detached residential property, but has been subject to extensive extensions to facilitate the current use. The form and appearance of the original property is still discernible, and this to some degree has been reflected in the extensions.

**Relevant Site History:**

87/06978/FUL – Extension to approval 86/8/01700 to include six additional bedrooms and dining room and five new bedrooms to main house – Granted 25.11.1987

86/01700/CON - Change of use from house and works to hotel and restaurant with parking for 56 cars Tong Lane Tong Bradford – Granted 23.04.1986

89/09200/OUT - Four storey extension to include 42 new bedrooms and ancillary accommodation – Granted 18.01.1990

89/04226/FUL - Extension to form reception with toilets and access to first floor function room – Granted 24.07.1989

90/06266/FUL - Alterations to building to provide upgraded staff and banqueting facilities – Granted 11.02.1991

90/06666/FUL - Three storey extension to hotel to provide 26 bedrooms and meeting and leisure function – Granted 07.03.1991

96/02873/FUL - Removal of existing canopy and erection of external covered porte cochere to the main entrance – Granted 04.11.1996

99/00902/FUL - Construction of replacement porte cochere – Granted 02.06.1999

18/01614/FUL - Extension to reception area and pavilion style orangery extension to existing building and marquee – Refused 18.06.2018

**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.

**Local Plan for Bradford:**

The Core Strategy Development Plan Document 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 Green belt. Accordingly, the following adopted Core Strategy policies and saved RUDP policies are applicable to this proposal.

**Core Strategy Policies**

SC7 – Green belt  
SC9 - Making Great Places  
DS1 – Achieving Good Design  
DS3 – Urban Character  
DS5 – Safe and Inclusive places  
TR2 – Parking Policy

**Saved RUDP Policies**

GB1 – Green belt

**Parish Council:**

Not in a Parish

**Publicity and Number of Representations:**

The application has been publicised via the display of a site notice and within the local press. The publicity period expired on 17.08.2018. Seven representations have been received.

**Summary of Representations Received:**

The representations received are all in objection to the proposed development, based on the following concerns:

- Design and materials are out of keeping with the host building and wider locality
- The application may result in additional parking and traffic issues
- Impact on trees
- Noise and disturbance

**Consultations:**

N/A

**Summary of Main Issues:**

1. Principle
2. Residential Amenity
3. Visual Amenity
4. Highway Safety

**Appraisal:**

The proposal is for two extensions an extension to the reception and a new orangery. The reception extension has a footprint of 3.4m x 3.8m and has the appearance of a small timber clad box and facilitates an expansion of the bathroom facilities in this area. The orangery has a larger footprint approximately 10m in width with a projection ranging from 6m to 8.5m creating a floor space of 64sqm. The orangery has a modern appearance and is predominantly glazed and increases the size of the bar/restaurant area. The extensions are to take place in conjunction with an overall refurbishment of the hotel complex which is a franchise of a global hotel chain.

1. Principle

The Pastures has developed into a sizeable hotel complex through a number of previous extensions to the property. The current proposal seeks to add two modest additions. Within the green belt it could be argued that the previous extensions have resulted in a disproportionate extension to the original property. The planning history is limited on these historical applications, but it would be anticipated that appropriate justification was established in their regard. The current proposal is therefore considered on its own merits.

The extensions are required to facilitate a new layout in conjunction with a refurbishment of the hotel. This is stated as a requirement of the parent organisation, and as part of a refurbishment and reorganisation of the hotel in order to support the businesses relevance and continued success. It is stated in that the proposal will create an additional 40 jobs, this is highly unlikely and appears to be a figure carried over from a previous application. It can however be envisaged that the development will have some positive implications for additional employment, and at a minimum will serve to secure existing jobs and jobs during construction work. The operation of the hotel complex is also likely to have additional economic benefits for the wider district, and the proposal could be considered intrinsic to improving the venues facilities. The scale, position and design of the respective extensions are also viewed favourably as they will result in a negligible impact on the openness of the green belt.



It is therefore considered that the proposed development is acceptable in principle and would not conflict with the aims and objectives of local and national green belt policies.

## 2. Residential Amenity

The proposed orangery is situated towards the top of the site, in this position there are no immediate neighbours. The nearest residential property is to the south in the form of a newly constructed agricultural workers dwelling, and further afield there are the residential properties within Tong Village. Given the scale of the proposed orangery where the increase in floor space created is a modest 64sqm it would not be envisaged that the proposal would have a significant impact on the level of activity at the site, and whilst the bi-fold doors can clearly be opened, given the distances involved it would not be envisaged that this would lead to a marked increase in any noise and disturbance above and beyond what may already be experienced from the existing activities at the hotel.

The reception area extension offers no potential implications in this regard. The proposal is thereby considered to satisfy the requirements of policy DS5 of the Core Strategy.

## 3. Visual Amenity

The reception extension is a modest addition situated behind the existing reception projection. Only limited views of the extension will be possible, and these will, in the main, be from within the site. The box style form is accompanied with a timber clad finish which creates a modern appearance. The appearance will be in contrast with that of the existing building, but would not be seen as harmful to the buildings appearance or character. In terms of the wider locality the siting, scale and design ensure a negligible impact.

The orangery is a more notable addition and the design of this aspect is seemingly the primary concerns of the representations received. This aspect is also modest in scale, and of a modern design incorporating a flat roof and large amounts of glazing to the elevations and roof. Whilst the design is seen as a concern within the representations received, and specific mention is made to the wider impact on the Tong Village conservation area, it is not considered that the proposed orangery will form a harmful addition to the property, and if anything it adds visual interest. The host building is of no particular architectural or, historical merit and as such is not subject to any special protection. The orangery will be visible from Tong Lane on the approach to Tong Village conservation area, but will not be seen in the context of the conservation area, and given the scale and amounts of glazing the form and character of the original property will remain apparent. The number of protected trees within the site and wider locality offer further mitigation against any visual harm as these restrict wider views of the site. The proposal is therefore found to comply with the requirements of policies DS1 and DS3 of the Core Strategy Development Plan Document.

## 4. Highway Safety

As noted above, the proposed extensions facilitate a modest expansion of the floor space which is unlikely to have significant implications for the level of activity at the site, and are predominantly aimed at improving the layout and existing facilities. The existing access and parking remain unchanged. It would therefore not be envisaged that this proposal would result in a significant increase in demand or any highway safety issues. The proposal is therefore found to be in accordance with the National Planning Policy Framework.

### **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 any issues with regard thereto are raised in relation to consideration of this application.

**Reason for Granting Planning Permission:**

The proposal will not harm the openness of the green belt or conflict with the purposes of including the land within the green belt. No harm to neighbouring amenity or highway safety is envisaged and the design is considered to maintain the appearance and character of the host property and wider locality. The requirements of the National Planning Policy Framework, policy GB1 of the Replacement Unitary Development Plan, and policies SC7, SC9, DS1, DS3 and DS5 of the Core Strategy Development Plan Document are considered to be satisfied.

**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.

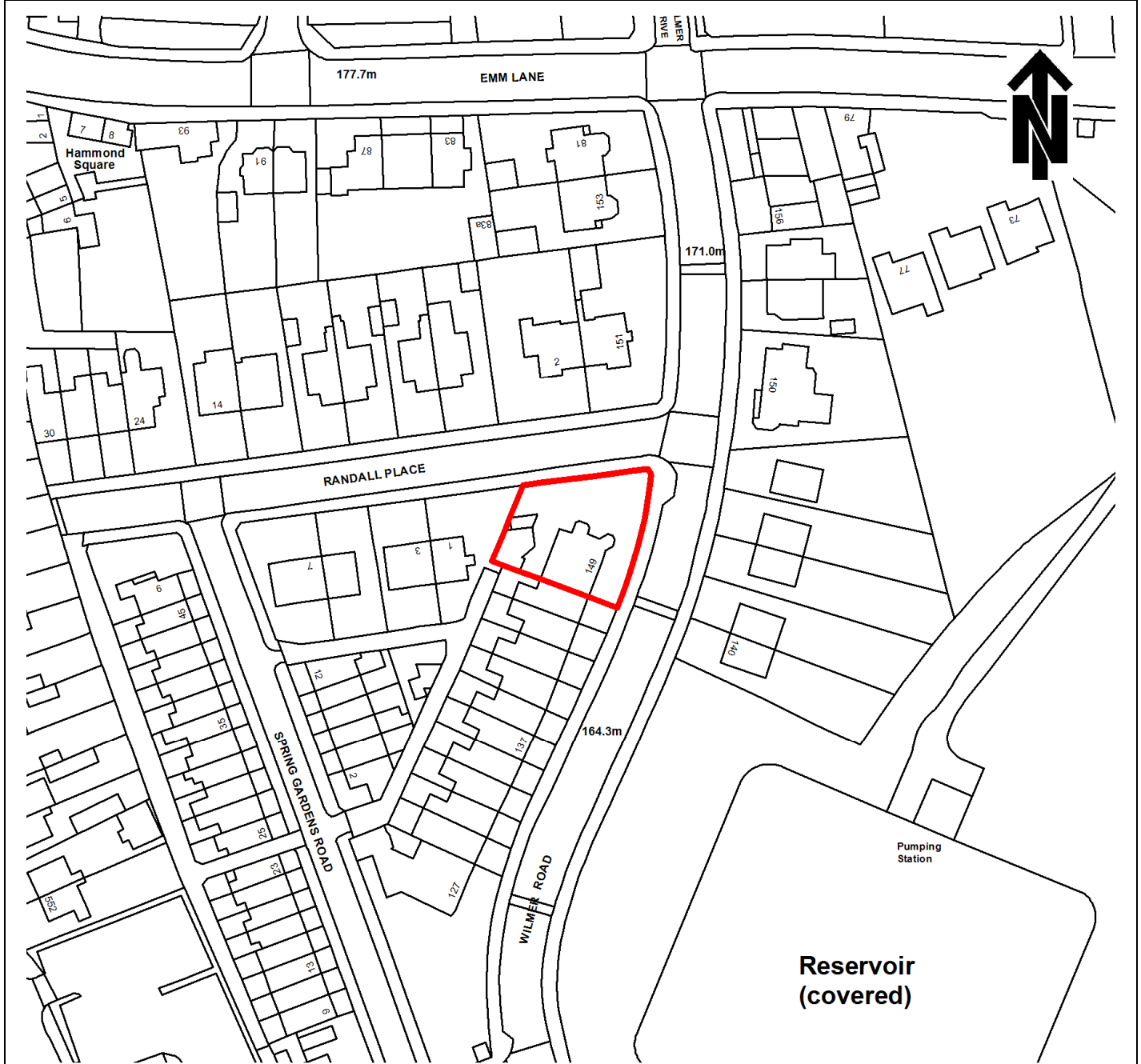
Reason: To accord with the requirements of Section 91 of the Town and Country Planning Act, 1990 (as amended).

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 Development Plan Document.

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18/02655/HOU



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**149 Wilmer Road**  
**Bradford**  
**BD9 4AG**

**3 October 2018**

**Item: D**  
**Ward: HEATON**  
**Recommendation:**  
**TO REFUSE PLANNING PERMISSION**

**Application Number:**  
18/02655/HOU

**Type of Application/Proposal and Address:**  
This is retrospective planning applications seeking permission for the construction of a single storey extension to the rear of 149 Wilmer Road, Bradford.

**Applicant:**  
Mr Z Rahim

**Agent:**  
Paul Manogue

**Site Description:**  
The site consists of a two-storey end terrace dwelling constructed of stone walls and slate roof. The site is located on a corner plot at the junction of Wilmer Road and Randall Place, with the surrounding area being largely residential and characterised by predominantly terrace and semi-detached dwellings.

**Relevant Site History:**  
N/A

**The National Planning Policy Framework (NPPF):**  
The National Planning Policy Framework is 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.

**Local Plan for Bradford:**

The Core Strategy Development Plan Document 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 but is located within the Heaton Estates conservation area. 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 Place  
EN3 Historic Environment

**Other Relevant Legislation**

Householder Supplementary Planning Document (HSPD)

**Parish Council:**

N/A

**Publicity and Number of Representations:**

The application was advertised by neighbour notification letters. The publicity period expired on 19<sup>th</sup> July 2018. One representation has been received from a Ward Councillor.

**Summary of Representations Received:**

The representations offers support for the scheme on the basis that it has no overbearing impact on the adjacent property and that its design and materials are sympathetic to the style of the building.

**Consultations:**

Design and Conservation – The size, design, and location of the extension will not harm the character or appearance of the host building or conservation area.

**Summary of Main Issues:**

1. Impact on neighbouring occupants
2. Impact on local environment
3. Other planning matters

**Appraisal:**

1. Impact on neighbouring occupants

The extension projects 4 metres beyond the original rear wall of the dwelling, which is further than generally accepted by the Householder Supplementary Planning Document, which restricts rear extensions to a depth of no more than 3 metres in order to avoid adverse impact on neighbouring occupants. The adjoining property, No.147 Wilmer Road, has a habitable room window in its rear elevation, close to the proposed extension; this window sits at a lower level and as such, the height of the extension appears much higher when viewed from the neighbouring property. The depth and overall height of the extension results in an adverse impact on the private amenity space and habitable room window of the neighbouring property by way of an overbearing impact, overshadowing, and a loss of outlook. The host property also has an outbuilding within the rear garden, which abuts the common boundary

with No.147 Wilmer Road. The size and position of this outbuilding further adds to the impact caused by the rear extension, resulting in an overbearing mass of buildings along the common boundary. For these reasons, the proposed extension would adversely affect neighbouring occupants, thereby contrary to the requirements of policy DS5 of the Core Strategy DPD and the Householder Supplementary Planning Document.

## 2. Impact on local environment

The rear extension is single storey with a simple lean-to roof design, which has been constructed of materials that are sympathetic to those used in the existing building and which therefore help to maintain the appearance of the building. Although the extension is located to the rear of the property, it is partly visible when viewed from the adjacent street, Randall Place. Nevertheless, the size, design, choice of materials, and position of the extension ensure that it does not appear visually dominant or incongruous in the local area or harmful to the setting or character of the Heaton Estates Conservation Area. Therefore, the overall visual impact is acceptable and compliant with the requirements of policy DS3 and EN3 of the Core Strategy Development Plan Document.

## 3. Other planning matters

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

### **Community Safety Implications:**

The proposal poses no apparent community safety implications.

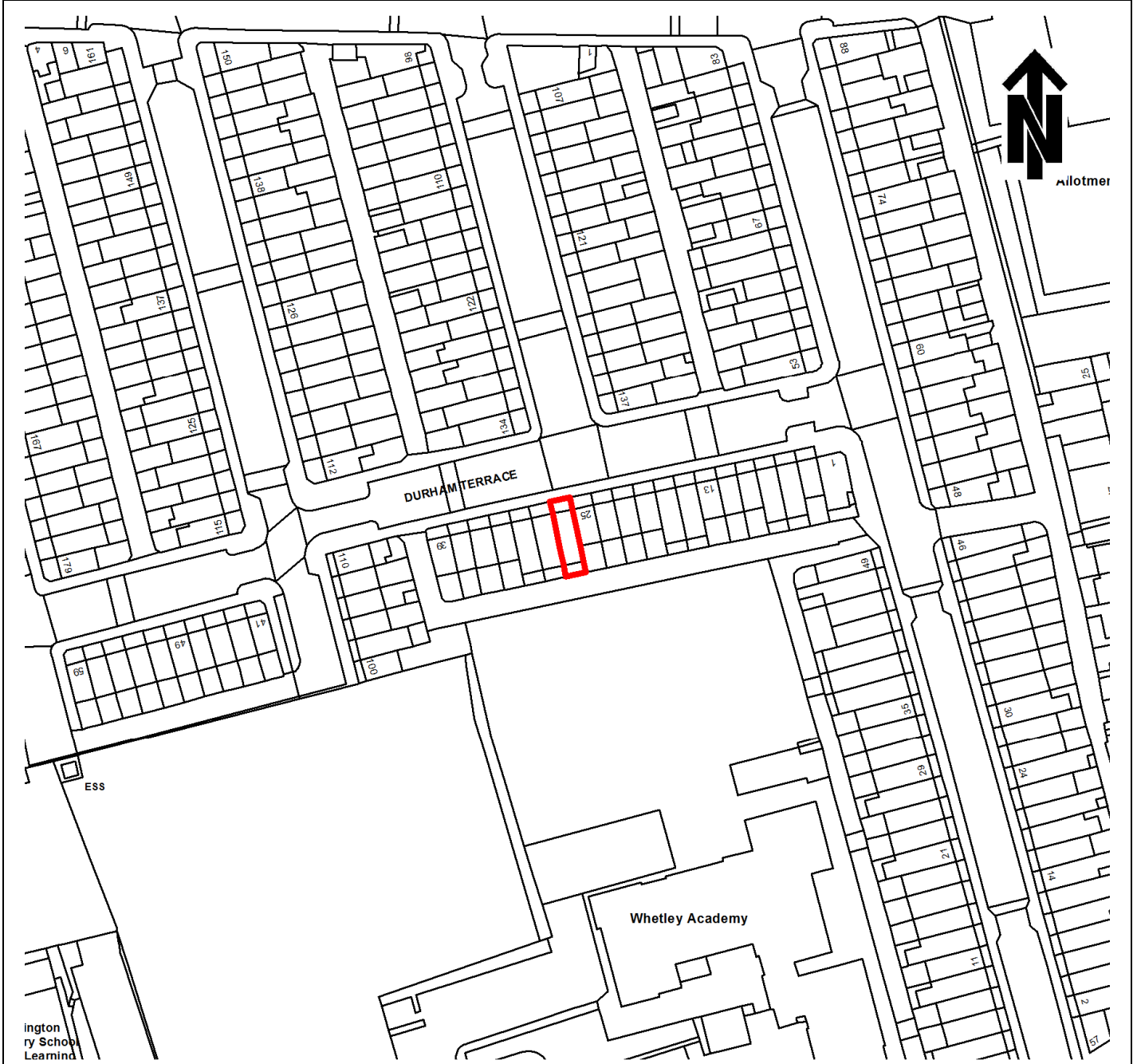
### **Equality Act 2010, Section 149:**

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

### **Reasons for Refusal:**

1. The rear extension is contrary to policy DS5 of the Core Strategy Development Plan Document and the Supplementary Planning Guidance contained within the Council's Householder Supplementary Planning Document, as the extension has an adverse impact on the amenities of the occupants of No.147 Wilmer Road by reason of the size and position of the extension in relation to the neighbour's amenity space and nearest habitable room window, which would result in overbearing, overshadowing, and a loss of outlook.
-

18/02457/HOU



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**27 Durham Terrace**  
**Bradford**  
**BD8 9JH**

**3 October 2018**

**Item: E**  
**Ward: TOLLER**  
**Recommendation:**  
**TO REFUSE PLANNING PERMISSION**

**Application Number:**  
18/02457/HOU

**Type of Application/Proposal and Address:**  
Construction of decking and driveway to rear at 27 Durham Terrace, Bradford BD8 9JH

**Applicant:**  
Mr Qadir Mohsin Ali

**Agent:**  
Mr Mohammed Amjid of A1-Cad-Design

**Site Description:**  
The site is a mid-terrace dwelling, built of stone. To the rear, it has an extension, which lines through with extensions to properties either side of the site. Beyond the extension, a balcony and garage have been built. The rear of the terrace takes access from a narrow road, single track road.

**Relevant Site History:**  
13/04523/HOU- Proposal: Rear extension, internal alterations and dormer extension to provide disabled facilities and access - Granted 20.01.2014.

09/02109/HOU- Proposal: Construction of dormer windows and single storey extension to rear of property with basement - Granted 30.10.2009.

**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.



**Local Plan for Bradford:**

The Core Strategy Development Plan Document 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. 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  
SC9 – Making Great Places

**Other Relevant Legislation**

SPD08 – Householder Supplementary Planning Document

**Parish Council:**

Not applicable

**Publicity and Number of Representations:**

Advertised by neighbour notification letters. Expiry date 16 July 2018.

**Summary of Representations Received:**

No representations received

**Consultations:**

None

**Summary of Main Issues:**

1. Background and Principle of Development
2. Visual Amenity
3. Residential Amenity
4. Highway Safety

**Appraisal:**

1. Background and Principle of Development

The application form for this proposal states that it is for the "proposed construction of timber decking to ground floor and car parking at lower ground floor level to rear side".

Aside from the fact that the development has been completed and hence it is retrospective, rather than proposed, the dwelling includes a basement. This means that the ground floor decking is effectively at first floor level, forming a balcony, surrounded by a timber balustrade. Underneath, the submitted plans indicate that the space is open sided, in the manner of a car port, though this may be because the drawing is sectional. For clarification, the space is enclosed, not open sided.

In general, the provision of decking and car parking is acceptable in principle, but in this case, the principle is unacceptable, because of the detrimental effect of the development.

## 2. Visual Amenity

The detriment is firstly visual. The general nature of the balcony, including the block of its side walls, its white finished entrance columns and its proximity to the edge of the footway, combine to produce a feature that is both over prominent and out of scale with the parent dwelling, despite the presence of single storey rear extensions on nearby houses.

Bearing in mind the stone of the houses and nearby boundary walls, it is not considered that the use of render would be visually acceptable for the walls of the development.

## 3. Residential Amenity

Secondly, concern arises over the effect of the balcony on neighbouring amenity. To one side, it will overlook the rear yard of 25, Durham Terrace. This area is small and open to public view, but it is nevertheless the only amenity space available to number 25. Its openness to public view is tempered because as a rear access, the adjacent road is unlikely to serve many pedestrians and even fewer vehicles. Preventing overlooking by the provision of a screen would not be acceptable, since this would result in a high wall on the common boundary, with a potential overbearing effect on number 25.

Similarly, the balcony will overlook the rear yard of the adjacent house to the other side (29). Like number 25, the rear yard of number 29 is small and open, though again, it is the only amenity space available to the rear. The development will be set back slightly from the common boundary with number 29, but overlooking will still be possible and the overbearing effect arising from the provision of screening will still be adverse.

From its third side, facing south, the balcony will overlook school grounds, which is not considered to be problematic.

The development will have an overshadowing effect on the rear of both 25 and 29. However, since these two dwellings have been extended (as well as number 27) and the depth of the extension is 3.0 metres, the effect will be very similar to that of a single storey rear extension, which policy would allow.

## 4. Highway Safety

In the absence of a drawing showing swept paths for turning manoeuvres, it is unclear whether there is enough space for a vehicle to enter the garage/parking. Yet even if this should take several manoeuvres, the absence of traffic on the rear access road and potential low speed of any passing vehicle means that even if access to the area should take several manoeuvres, this will not cause a detriment to highway safety.

### **Community Safety Implications:**

The proposal has no community safety implications.

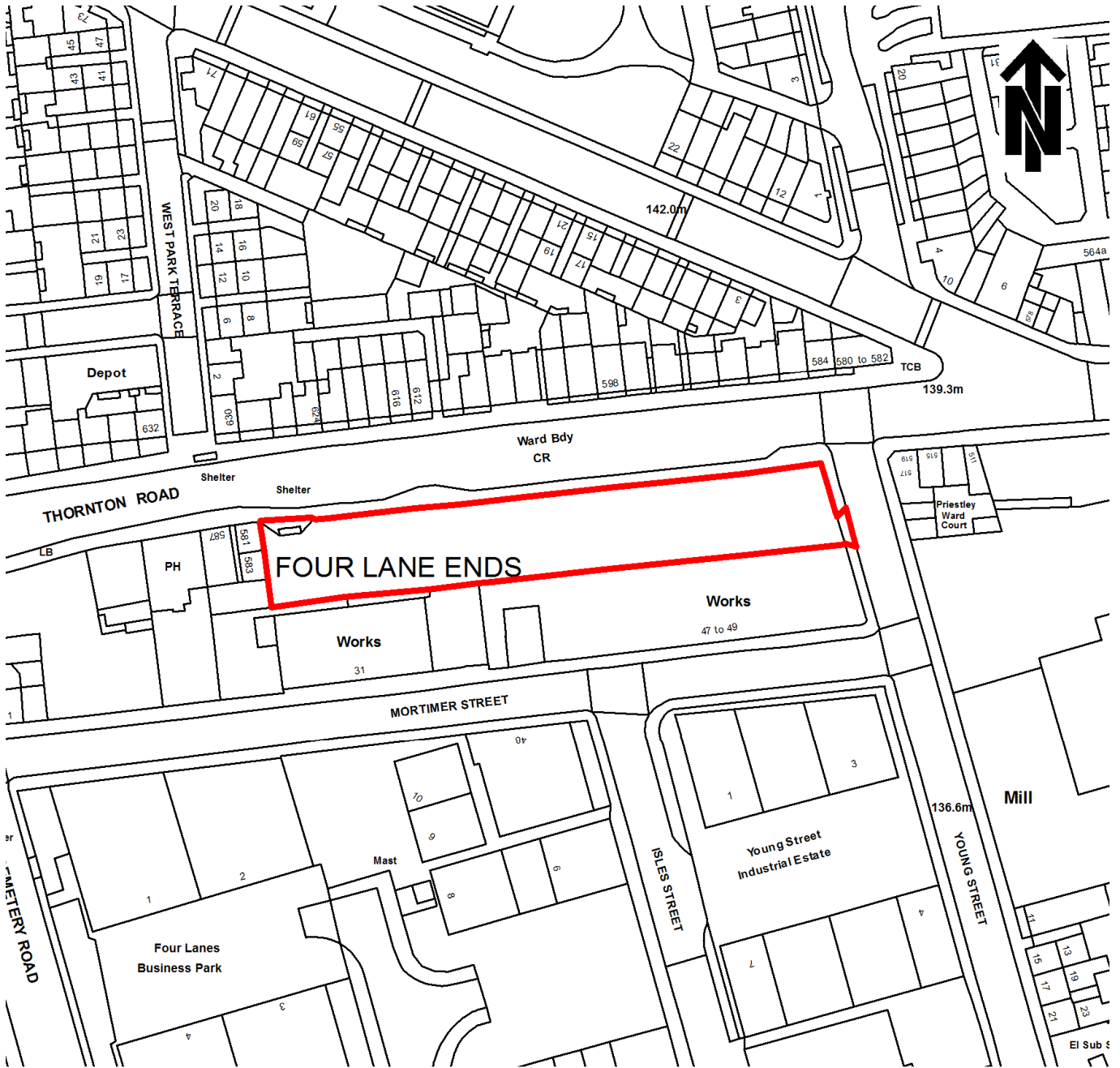
### **Equality Act 2010, Section 149:**

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

**Reasons for Refusal:**

1. By reason of its height, lack of screening and proximity to common boundaries, the development overlooks the rear yard areas of numbers 25 and 29, Durham Terrace, to the detriment of the occupants of those houses. As such, the development is contrary to policies DS5 and SC9 of the adopted Core Strategy for the Local Plan for the Bradford District and the planning policy of the "Householder Supplementary Planning Document".
  
  2. By reason of its height, depth, finish and proximity to the adjacent public highway, the development forms an obtrusive feature in the wider street scene to the detriment of visual amenity. As such, the development is contrary to policies DS1, DS3 and SC9 of the adopted Core Strategy for the Local Plan for the Bradford District and the planning policy of the "Householder Supplementary Planning Document".
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17/05964/OUT



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**Land At Grid Ref 413866 433641**  
**Thornton Road**  
**Bradford**

**3 October 2018**

**Item: F**  
**Ward: CITY**  
**Recommendation:**  
**TO REFUSE PLANNING PERMISSION**

**Application Number:**  
17/05964/OUT

**Type of Application/Proposal and Address:**

An outline application for the construction of eight retail units with eight apartments above at Land adjacent to 581-583 Thornton Road Bradford, BD8 9RA. The outline application includes access, appearance, layout and scale.

**Applicant:**

Mr Sukhjit Singh Dua

**Agent:**

Zeshan Khawaja

**Site Description:**

The site is located at Thornton Road and was previously grassed over with a number of trees. The site has now been dug up with a wall removed to allow access from Mortimer Street. The site is in close proximity to the busy Four Lane Ends junction. The site sits at the junction of Thornton Road with Young Street. Opposite the site on Thornton Road there is a terrace row which is largely residential with some retail at ground floor. Bordering the site to the south are industrial units which make up part of a larger industrial area.

**Relevant Site History:**

There is no relevant planning history on this site.

**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.

**Local Plan for Bradford:**

The Core Strategy Development Plan Document 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 located within the Thornton Road employment zone. Accordingly, the following adopted Core Strategy policies and saved RUDP policies are applicable to this proposal.

**Core Strategy Policies**

EC4: Sustainable Economic Growth

EC5: City, Town, District and Local Centres

TR2: Parking Policy

DS1: Achieving Good Design

DS3: Urban Character

DS5: Safe and Inclusive Places

EN8: Noise and Nuisance

**Saved RUDP Policies**

E6: Employment Zones

**Parish Council:**

Not in a parish.

**Publicity and Number of Representations:**

The application was publicised by way of site notice and individual neighbour notification letter. The statutory publicity date expired on the 04 December 2017. There has been a petition submitted with 42 signatures and four individual letters of support and 9 objection letters and one general comment letter.

**Summary of Representations Received:**

Comments in Support:

The development has loads of parking

Beneficial for local business

Positive development for the local area

Never noticed a traffic issue

Comments in Objection:

Enough unoccupied shops

Traffic on Thornton Road is atrocious

More traffic at the junction with Young Street

Can't see why any person would want to live in an apartment overlooking an ugly mill and illegally operated shisha lounge

This side of the road is not residential

Immediately opposite there is a parade of smaller shops with many being vacant

Already got Morrison's, Range and the Bazaars on Cemetery Road

General comments:

There has been considerable time elapsing within BD8 for commercial units to let so is there a need?

Concern with traffic/parking

Recommend a one way system on Young Street so this is not used as a rat run

**Consultations:**

Highways Development Control: no objections subject to conditions.

**Summary of Main Issues:**

1. Principle
2. Residential amenity
3. Visual amenity
4. Highway safety
5. Drainage

**Appraisal:**

1. Principle

The proposal relates to the construction of eight retail units with eight apartments above. The development site is located within a designated employment zone. Within the employment zones other uses other than industrial or commercial uses will not be permitted unless it can be demonstrated that the proposal relates to a use which supports the function of the employment zone as a predominantly industrial and commercial area and the development would bring a positive environmental improvement. Other uses may be permitted if they accord with the plans retail policies.

The development is for retail uses in the form of eight small shops in two blocks of four units. The development will have four flats at first floor above each block. These uses are not compatible with an employment zone as they do not support the function of the employment zone. Furthermore the residential use proposed may impact on the existing uses within the employment site which can operate on a 24 hours basis. The functioning of the employment zone would be affected if people living in the flats began complaining about noise and general disturbances from existing businesses. The boundary to the employment zone is clear and this site is located within it and subsequently the development is considered to be unacceptable in principle being contrary to saved policy E6 of the RUDP and policy EC4 of the Core Strategy Development Plan Document.

The second issue is that the development would introduce 354 sqm of retail floor area divided across 8 units. The site is not located within a designated retail area, it is not within the district centre, local centre or city centre therefore this level of retail is contrary to policy EC5 of the Core Strategy Development Plan Document which aims to focus retail development in the aforementioned areas. The site is located a short distance from the Girlington District Centre therefore this designated centre would be affected the most by the proposed development. There are numerous empty retail units within the city centre and within designated district and local centres. This development is therefore likely to add further pressure on these existing retail units which is contrary to the aims of policy EC5 of the Core Strategy Development Plan Document. The National Planning Policy Framework states that when assessing application for retail development outside town centres which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold. This should include an assessment of the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal. Based on the above the proposed retail development would be contrary to policy

EC5 of the Core Strategy Development Plan Document based on the adverse effect of the retail use on existing local and district centres and the city centre. The additional retail units would see people travelling outside the existing designated centres in order to obtain goods and services and this would naturally reduce footfall within the established centres which would affect their viability and vitality which is clearly a concern in the current climate. An individual development of 150 sqm of retail could be acceptable but the current proposal is more than double this amount and therefore its impact on designated centres is a significant consideration.

## 2. Residential amenity

The proposal would see residential flats being located in an employment zone where there are existing industrial and commercial units which can operate on a 24 hour basis. As such it is not considered this site is appropriate for residential use. As mentioned earlier in the report there is also concern that this residential use would prejudice the functionality of the employment zone. The development is considered to be unacceptable when assessed against policies DS5 and EN8 of the Core Strategy Development Plan Document. Policy DS5 states that development proposals should make a positive contribution to people's lives through high quality, inclusive design and ensure that development does not harm the amenity of existing or prospective users and residents. Whilst policy EN8 looks at development which could cause nuisance in terms of noise, vibration, odour, light and dust arising from surrounding existing uses clearly the principle is transferred to this development in that planning decision should not be allowing residential uses in an area that will clearly be subject to these types of impacts. The residential aspect of the development would be unacceptable in terms of residential amenity and contrary to policies DS5 and EN8 of the Core Strategy Development Plan Document.

## 3. Visual amenity

The proposed development consists of the construction of two blocks of terraced units with shop fronts at ground floor with the first floor having a residential appearance. The ground floor shop fronts are considered to be acceptable in terms of proportions and the residential units would be standard glazing with door and fascia advertisement above. The advertisement would be considered under separate advertisement consent legislation. The materials proposed include natural stone and blue slate which would be appropriate for this area which includes predominantly stone built properties along Thornton Road. The parking would be located to the eastern section of the site which would be hard surfaced. A 600 mm natural stone wall is proposed along the Thornton Road frontage. A 1.8 metre high timber fence is proposed to the rear boundary of the site. The development is considered to be acceptable in terms of visual amenity and complies with policies DS1 and DS3 of the Core Strategy Development Plan Document.

## 4. Highway safety

The proposed development will result in the creation of a total of 354sqm of gross new floor space. The use type for each unit is not specified therefore based on the higher parking level requirement of one space per 35sqm for an A1 Food Retail Use (under 500sqm) the proposal would require:

$354 / 35 = 11$  parking spaces.

The proposed apartments are four one-bed apartments and four two bed apartments and as a worst case could require one space each i.e. a total of 8 parking spaces.



Therefore a total of 19 spaces would be required for the proposed development and 29 are being provided. The development therefore complies with policy TR2 of the Core Strategy Development Plan Document in that sufficient off-street parking is provided.

Given that the individual retail units are small and therefore likely to be serviced using a private car or transit van the proposed servicing arrangements are acceptable.

The main concern with the development is the access onto Young Street which is heavily used as a cut through onto Thornton Road to avoid the traffic lights. Young Street can see traffic backed up past the proposed entrance. This could result in the site entrance being blocked and traffic wanting to turn into the site causing vehicles backing up onto Thornton Road and potentially affecting the free flow of traffic on this busy route in and out of the city.

In spite of this the Highways Officer has not objected to the proposal and on that basis no reason for refusal relating to highway safety is proposed.

#### 5. Drainage

There are no insurmountable drainage considerations with the above development. If minded to approve conditions relating to drainage would be recommended to be attached to ensure details of foul and surface water drainage are provided. The development complies with policy EN7 of the Core Strategy Development Plan Document.

#### 6. Other Issues

Bin storage would be located within a secure compound in the car park area. The area would be secured through lighting and an access control barrier into the site.

The application proposes parking which is remote and not visible from the proposed development. This is likely to lead to opportunities for crime and anti-social behaviour centred around the proposed car parking area. This is contrary to policy DS5 of the Core Strategy Development Plan Document which requires development proposals to be designed to ensure a safe and secure environment and reduce the opportunities for crime.

#### **Community Safety Implications:**

There are no foreseen community safety implications.

#### **Equality Act 2010, Section 149:**

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

#### **Reasons for Refusal:**

1. The development site is within a designated employment zone and remains an appropriate site for employment uses as there has been no material change since the adoption of the Replacement Unitary Development Plan. Consequently, the proposed residential use, which does not support the role of the employment zone and is likely to prejudice the long term functioning of the surrounding businesses, is considered to be contrary to saved policy E6 of the Replacement Unitary Development Plan and policy EC5 of the Core Strategy Development Plan Document.

2. This development for eight units within the A1 use class would conflict with Policy EC5 of the Core Strategy Development Plan Document which states that the designated centres should be the focus for convenience retail and limited comparison retail and a range of non-retail services such as banks. The proposed development would prejudice the vitality and viability of the nearby Girlington District Centre contrary to the above policy.
  3. The proposed development would result in residential apartments located within a designated employment zone close to existing industrial and commercial units. These surrounding units, which can operate 24 hours a day would result in conditions which would likely cause harm to the future occupants of these premises by way of noise and general disturbance. This development would therefore be contrary to policies DS5 and EN8 of the Core Strategy Development Plan Document.
  4. The application proposes parking spaces which are remote from the proposed development, with the parking spaces for the proposed residential apartments being particularly remote. This results in parking spaces which are not visible from the proposed development thus making them vulnerable to crime and anti-social behaviour. This is considered to be contrary to Policy DS5 of the Core Strategy Development Plan Document.
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