

Report of the Strategic Director of Place to the meeting of the Area Planning Panel (BRADFORD) to be held on 10 September 2019

E

Summary Statement - Part One

Applications recommended for Approval or Refusal

The sites concerned are:

<u>Item</u>	<u>Site</u>	<u>Ward</u>
A.	204 Moore Avenue Bradford BD7 4HP - 19/02743/HOU [Approve]	Great Horton
B.	246 - 250 Manningham Lane Bradford BD8 7BZ - 19/02633/FUL [Approve]	Manningham
C.	5 Elmwood Place Fagley Road Bradford BD2 3NA - 19/02133/OUT [Approve]	Eccleshill
D.	5 Grouse Moor Lane Queensbury Bradford BD13 1NS - 19/02628/HOU [Approve]	Queensbury
E.	2 Idle Road Bradford BD2 4QB - 19/02671/FUL [Refuse]	Bolton And Undercliffe
F.	516 Thornton Road Bradford BD8 9NA - 19/02979/FUL [Refuse]	Toller

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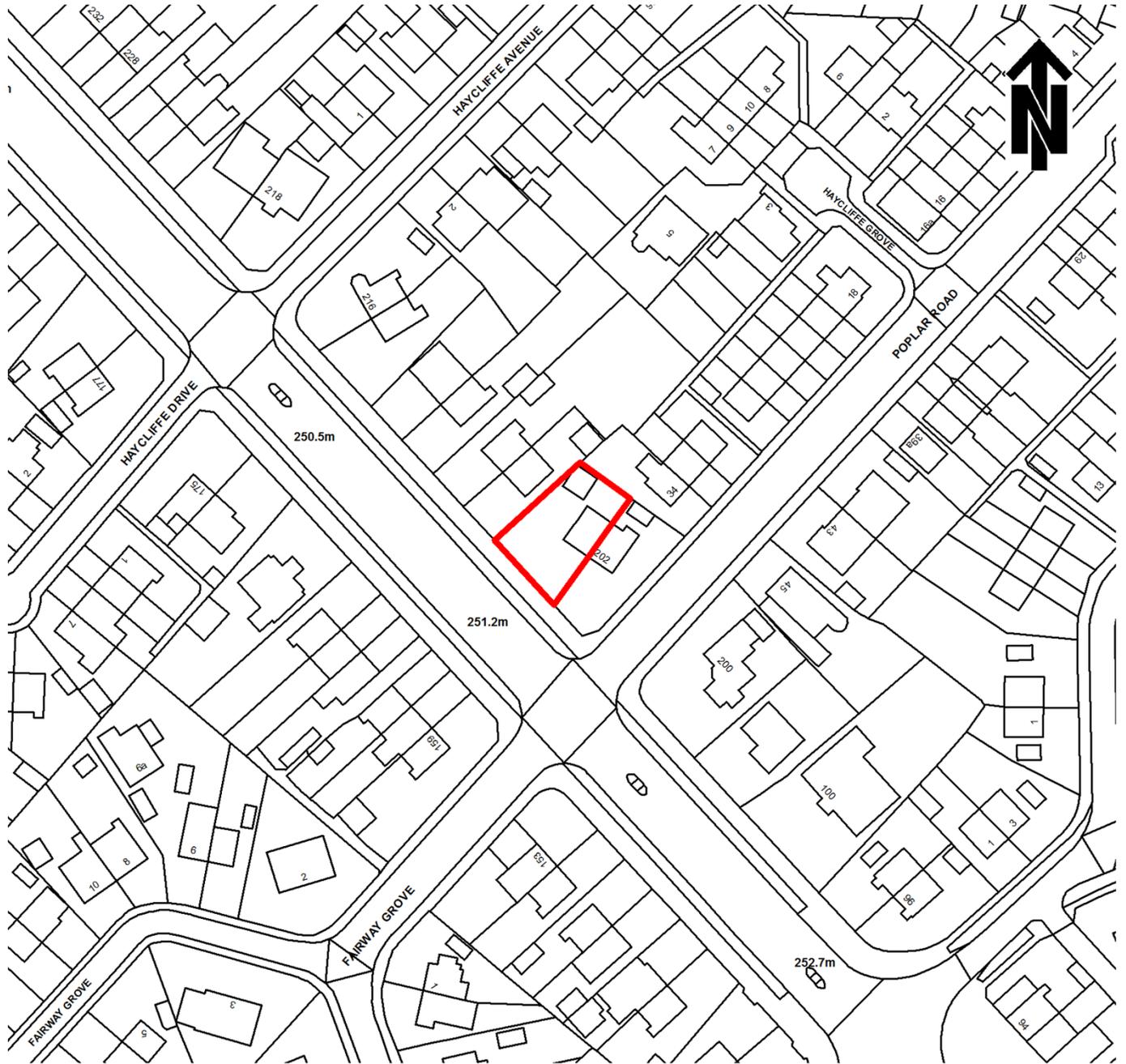
Portfolio:
Regeneration, Planning & Transport

Overview & Scrutiny Committee Area:
Regeneration and Environment

19/02743/HOU



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



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204 Moore Avenue
Bradford
BD7 4HP

10 September 2019

Item: A
Ward: GREAT HORTON
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
19/02743/HOU

Type of Application/Proposal and Address:

This is a householder planning application for the construction of two storey side extension with garage, and front and rear dormer windows at 204 Moore Avenue, Bradford.

Applicant:

Mr I Ahmed

Agent:

Paul Manogue

Site Description:

The application relates to the left hand half of a two storey semi-detached house that faces towards Moore Avenue. The dwelling is set behind a 2m high hedge and has a driveway up the side of the house. Number 204 and its other half, 202, are on the corner of Moore Avenue and Poplar Road.

The house is set in a good sized plot with garden to the front, rear and side. A garage formerly stood on the land to side of the house. Planning permission has previously been granted for a two storey side extension but this has not been constructed.

The proposal is to erect a two storey side extension and install dormer windows to the front and rear roof slopes.

Relevant Site History:

13/00141/HOU – Demolition of double garage and proposed two storey side extension with attached single garage and rear dormer window under permitted development. Refused 12.03.2013.

13/02900/HOU - Demolition of double garage and construction of two storey side extension with attached single garage. Refused 12.09.2013.

14/00364/HOU - Demolition of double garage and construction of two storey side extension with attached single garage. Granted 25.03.2014.

The National Planning Policy Framework (NPPF):

The NPPF is a material planning consideration on any development proposal. The NPPF 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 NPPF 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

Policy DS1: Achieving Good Design

Policy DS3: Urban Character

Policy DS5: Safe and Inclusive Places

The Householder Supplementary Planning Document

Parish Council:

Not applicable.

Publicity and Number of Representations:

Application was publicised by neighbour notification letters. The publicity period expired on 18 July 2019. Four representations have been received including one from a Ward Councillor which requests referral to the Area Planning Panel if officers are minded to approve the application.

Summary of Representations Received:

- Private gardens will be overlooked.
- Extension will cause a loss of sunlight to surrounding neighbours.
- Car parking on Moore Avenue junction with Poplar Road is already dangerous an increase in the number of cars would make this worse.
- Dormer windows are not appropriate and would overlook neighbouring properties.
- Extension is close to boundary of property.

- Garden is hard landscaped and heavy rainfall could flood neighbouring properties.
- The extension is not necessary.
- Extension would reduce the number of 3 bedroom houses in the area.

Consultations:

None.

Summary of Main Issues:

1. Visual amenity.
2. Residential amenity.
3. Impact on highway safety.
4. Other matters.

Appraisal:

1. Visual amenity

In relation to the design of the proposed development, Core Strategy Policy DS1 states that development “should contribute to achieving good design and high quality places.”

Policy DS3 states that development “layout, scale, density, details and materials” should be appropriate in their context.

A side extension is a relatively common addition to houses in suburban areas such as this. The proposed extension is similar in size and design to the one approved in 2014, except dormer windows are now proposed to the front and rear extension.

The Householder SPD sets out the design criteria for domestic extensions such as the one proposed. In this case the side extension is designed with a 0.5m set back from the front face of the house in order for the extension to appear subservient in scale and size. The Householder SPD sets out that a set back from the front elevation should be 1.0m. In this case the planning permission from 2014 showed a 0.5m set back and work to implement that permission has commenced on as the garage has been demolished and footings have been dug. Building Control records show that building work started on the 26th January 2017. The 2014 is an extant permission and is a material consideration in the determination of this application.

In relation to the dormer windows, four dormers are proposed however the one to the rear elevation on the original part of the house does not require planning permission as it is permitted development. The other three dormer windows all require planning consent.

They are all designed as box dormer windows with flat roofs. They occupy a significant proportion of the roof slope but have been designed within the parameters set out in the guidance contained in the Householder SPD as they are 3m wide and in excess of 0.75m from the verges. Directly opposite the site on the other side of the Moore Avenue are examples of box dormer of similar design and appearance to those proposed here. As such, the proposed dormers are considered appropriate in the street scene.

The other element of the proposal is an attached single bay garage to the side of the extension. This is positioned to abut the side boundary with 206 Moore Avenue and does not cause any harm to visual amenity.

2. Residential amenity

Criterion F of Core Strategy Policy DS5 states that development should “not harm the amenity of existing or prospective users and residents.”

The two storey aspect of the extension would have a width of 3.8 metres and would extend 1 metre beyond the rear elevation of the host dwelling. This aspect of the extension would be separated from the rear boundary of the site by a distance of approximately 5.5 metres. The first floor rear windows of the extension have been designed to be small in size and located at a high level in order to reduce the possibility of overlooking of the property to the rear.

The dormer window in the extension is to serve a bedroom. The 3m wide dormer is 1.5m back from the rear wall of the extension and 7m from the rear boundary of the property which backs onto the garden of 34 Poplar Road. The Householder SPD sets out that windows in extension should be a minimum of 7m from the boundary of the property. In this case, the separation distances between the extension and the surrounding properties is satisfactory and complies with policy. That being the case it is not considered that the proposed development would result in significant overlooking or a loss of privacy for the nearby residents.

The extension would be positioned to the North-West of No.34 Poplar Road and therefore given the separation distance and orientation of the proposal no adverse overshadowing implications are foreseen. The side window to serve the first floor bedroom would face towards the number 206 Moore Avenue. However, the separation distance and the angle between the two houses means that the window would not cause a significant level of overlooking.

The single storey garage aspect of the extension would be positioned close to the common boundary of 206 Moore Avenue. It is designed with a low gable roof with a height of 3.5m to the ridge. There was previously a garage on this plot and the size of the proposed garage is appropriate and not considered to cause any significant dis-amenity for the adjacent neighbour.

The application site is positioned at a slight angle in relation to 206 Moore Avenue however the proposed side extension would sit between the application dwelling and the side elevation of No. 206 Moore Avenue. As there are no primary habitable room windows in the side elevation of No. 206 Moore Avenue the proposal is not considered to result in any adverse overbearing or overshadowing implications.

It is considered that each element of the proposed development complies with policies DS1, DS3 and DS5 of the Core Strategy and the detailed guidance contained in the Householder SPD.

3. Impact on highway safety

The proposed development is unlikely to have any impact on highway safety. The existing access point from the dwelling onto Moore Avenue is acceptable and would not be altered by the proposed development. Following the construction phase of the extension sufficient parking shall be retained. Comments from nearby residents have highlighted the amount of on street parking currently experienced around the junction of Moore Avenue and Poplar Road. However, it is not considered that the proposed development would have a direct

impact on the highway network since there remains adequate off street parking spaces within the site which is commensurate to the size of the resultant dwelling.

4. Other matters

The comments received from local residents have been noted. However, following assessment of the application and for the reasons set out above, it is considered that the proposed development is appropriate in terms of its size, design and appearance and would not have a significant impact on the amenity and living conditions of nearby residents.

Community Safety Implications:

There are no apparent community safety implications.

Equality Act 2010, Section 149:

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

Reason for Granting Planning Permission:

The proposal is acceptable in principle and would have no significant adverse impact on nearby residents. The size and design of the proposed development complies with the relevant policies and guidance contained in Core Strategy Policies DS1, DS3 and DS5 Householder SPD and the NPPF,

Conditions of Approval:

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

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

2. The development shall be completed in accordance with approved drawing:

19-075 (A1) Revision E

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The development hereby permitted shall be constructed of facing and roofing materials to match the existing building as specified on the submitted application.

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any subsequent equivalent legislation) no further windows, including dormer windows, or other openings shall be formed in the extension without prior written permission of the Local Planning Authority.

Reason: To safeguard the privacy and amenity of occupiers of neighbouring properties and to accord with Policy DS5 of the Core Strategy.

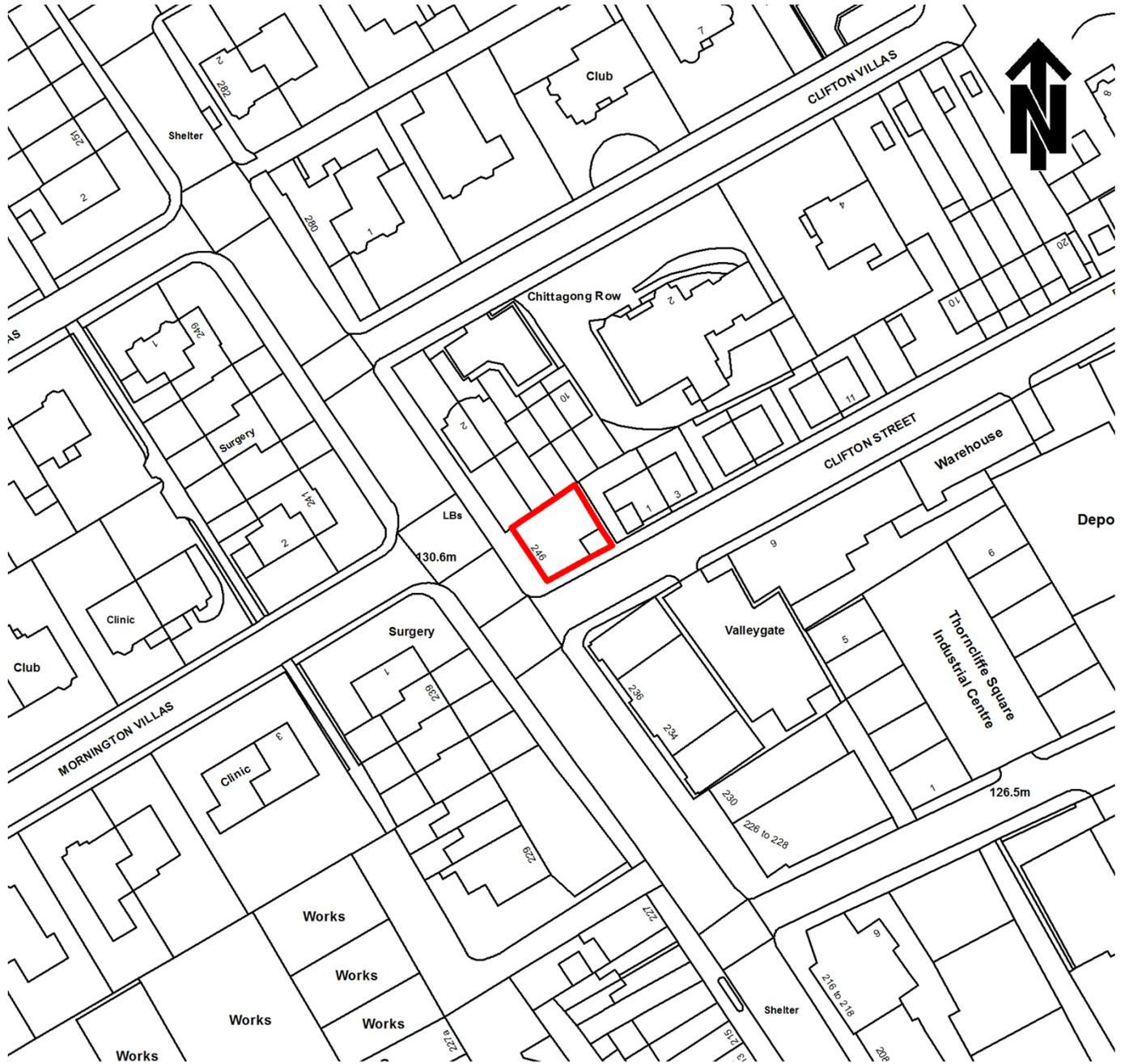
5. The first floor windows in the rear elevation of the extension hereby permitted shall be high cill windows positioned a minimum of 1.7 metres above the finished floor area, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the privacy and amenity of occupiers of neighbouring properties and to accord with Policy DS5 of the Core Strategy.

19/02633/FUL



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246 - 250 Manningham Lane
Bradford
BD8 7BZ

10 September 2019

Item: B
Ward: MANNINGHAM
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
19/02633/FUL

Type of Application/Proposal and Address:

Change of use of upper floors from vacant offices to five flats (Class C3) and associated works at 246-250 Manningham Lane, Bradford, BD8 7BZ. Initially the proposal was to create six flats however; amended plans were received on 6 August 2019 that reduces the number from six to five.

The applicant is related to a Councillor and so in accordance with the Scheme of Delegation has to be determined by the Planning Panel.

Applicant:
Mr Amjid Hussain

Agent:
Faum Architecture

Site Description:

The application relates to a two storey (three floor) detached building located on the corner of Manningham Lane and Clifton Street around 1 mile north of Bradford city centre. The ground floor is in A3 (Restaurant/café) use and the upper floors are presently vacant having previously been used in association with the ground floor. The front elevation faces directly onto the pavement on Manningham Lane.

The building is constructed in stone under a slate roof and has a historic two storey extension to the rear which appears as a subservient addition to the primary element of the building.

This part of Manningham Lane is characterised by a mixture of uses such as retail (A1), restaurants (A3) hot food takeaways (A4) and residential (C3).

Clifton Villas which is the next road along Manningham Lane and runs parallel to Clifton Street has a number of impressive mid 19th century Grade II Listed Buildings along it. These are located around 30+ meters from application building.

Relevant Site History:

17/05588/FUL - Change of use from A1 Retail to A3 Restaurant/Café - Granted 17.01.2018.

The National Planning Policy Framework (NPPF):

The NPPF is a material planning consideration on any development proposal. The NPPF 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 NPPF 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

Policy HO1: The District's Housing Requirement
Policy HO3: Distribution of Housing Development
Policy HO5: Density of Housing Schemes
Policy HO6: Maximising the Use of Previously Developed Land (PDL)
Policy HO9: Housing Quality
Policy DS1: Achieving Good Design
Policy DS3: Urban Character
Policy DS5: Safe and Inclusive Places
Policy TR2: Parking Policy

Other Relevant Legislation

Planning (Listed Buildings and Conservation Areas) Act 1990
Housing Act 1985

Parish Council:

Not applicable.

Publicity and Number of Representations:

Application was publicised by neighbour notification and site notice displayed on 28 June 2019 with an expiry date of 23 July 2019.

Summary of Representations Received:

None.

Consultations:

Environmental Health: Expresses a concern about the potential noise from the A3 use on the ground floor. Therefore, a condition is recommended requiring a noise mitigation measures to be installed before occupation of the flats.

Highways: The location is relatively sustainable; it is close to the city centre and has good public transport links. Therefore, on balance there are no highway objections to raise about the proposed development.

Design and Conservation: No objections to the proposals. The change of use of the upper floors to residential apartments and the minor associated external alterations to the property are unlikely to impact to any significant degree upon the setting of the conservation area nor the setting of the nearby listed buildings and therefore the proposal is considered to accord with Core Strategy Policy EN3.

Summary of Main Issues:

1. Principle of development.
2. Residential amenity.
3. Impact on Highway safety.
4. Impact on Manningham Conservation Area (Apsley Crescent) and Listed Buildings.

Appraisal:

1. Principle of development

The NPPF in paragraph 11 states that 'Plans and decisions should apply a presumption in favour of sustainable development.' For decision-taking this means: where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date granting permission unless:

- i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'. This includes applications for housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

In relation the 5 year supply of housing land; as of March 2019 the Council can demonstrate 2.06 years. This means that there is a presumption in favour of granting this application unless any adverse impacts in doing so would significantly and demonstrably outweigh the benefits. The proposed 5 flats would make a beneficial, if modest, contribution to the supply of housing in the District.

5 dwellings in this location falls below the affordable housing threshold and is located in Community Infrastructure Levy zone 4 meaning that no CIL is payable on this development.

Core Strategy Policy HO1 sets out the housing requirements for the District, although this has to be read in conjunction with NPPF paragraph 11, above.

2. Residential amenity

In relation to the layout and quality of the proposed flats, in respect of the amenity of future occupiers, Core Strategy Policy HO9 relates to housing quality. Criterion E in particular is pertinent to this case, it states:

“New homes should be well laid out internally and should provide suitable space standards appropriate to the type of home. Rooms should receive adequate levels of daylight.”

Policy DS5 of the Core Strategy is a more general policy and states “Plans and development proposals should make a positive contribution to people’s lives through high quality, inclusive design”.

In relation to this application criterion F of DS5 states that development should “Not harm the amenity of existing or prospective users and residents.” This is consistent with the NPPF which states in paragraph 127 that decisions should ensure that developments have “a high standard of amenity for existing and future users” (criterion F).

In respect of the size of the proposed flats the Government’s nationally described space standard, which set out detailed guidance on the minimum size of new homes, sets out that for 1 bedroom flats the minimum gross internal floor area is 37m². Each of the 5 proposed flats are 1 bedroomed units.

Flats 2 and 4 are laid out with one room that comprises the lounge, kitchen and bedroom with a separate shower room. Flats 1 and 3 are designed to have a separate bedroom and Flat 5 is laid out with a combined lounge/bedroom with separate kitchen and shower room.

In paragraph 5.3.155 “For residential developments the Council will apply the national space standard as a benchmark for assessing the suitability of the proposed space standards of new homes. This will allow particularly small homes to be identified, and where necessary, the Council will seek to understand the reasons for any significant variation from the national space standard.”

Flats 1, 2, 3 and 5 all exceed the 37m² internal floor area, Flat 4 falls marginally below at 35m². Clearly each of the flats is small in size, however, such dwellings contribute to the housing mix in the District and provide a reasonable standard of amenity for future residents. It is acknowledged that Flat 4 does fall below the benchmark 37m² however, whilst this figure is used a starting point it has not been formally adopted by the Council.

The floor plans demonstrate that each of the flats has a reasonable outlook and level of day light serving each room. The proposed new windows and roof lights are located to maximise the level of day light to each room whilst respecting the architectural and historic interest of the building and its contribution to the adjacent Conservation Area.

There is no policy reason to refuse this application on amenity grounds given the flats are within benchmark figure of 37m² and cannot be realistically redesigned, given the parameters of the building, without reducing the number of units to four. However, given the need for low cost housing in the District it is considered that the benefits of the scheme carry significant weight which proves decisive in the consideration of this application.

The other consideration in relation to the amenity of future residents is the A3 use of the ground floor and possible nuisance caused by noise and odour. Whilst the Environmental Health Officer has raised a concern, it is the case that this can be addressed by condition which requires a noise mitigation measures installed during the works and maintained thereafter.

3. Impact on highway safety

There are no allocated off street parking spaces provided as part of the application. Future residents who own private vehicles will, most likely, park them on street. The site is close to the city centre and well served by public transport. The sustainable location of the development means that, in this case, there is no requirement to provide allocated parking and there is no objection raised to the proposal by the Council's Highways Section.

4. Impact on Manningham Conservation Area (Apsley Crescent) and Listed Buildings

The boundary of the conservation area runs along the northern wall of the building, meaning that the site sits outside of the conservation area but is immediately adjacent to it. In respect of the nearby listed buildings, these are the mid 19th century villas on Clifton Villas which are around 30m to the north east of the site.

In determining applications that have the potential to impact designated heritage assets, decision makers have a statutory duty, as set out in sections 66 and 72 of the Listed Buildings and Conservation Areas Act 1990, to give special regard and attention to the desirability of preserving and enhancing the character and appearance of the heritage assets and their settings when considering this proposal.

NPPF paragraph 190 incorporates this duty into planning policy and states that the local planning authority "should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal." At the local level policy EN3 of the Core Strategy relates to the 'Historic Environment' and requires planning decisions to "preserve, protect and enhance the character, appearance, archaeological and historic value and significance of the District's designated and undesignated heritage assets and their settings

The external alterations are limited to five new rooflights to serve the flats in the upper floor and two new window openings to the side (south) elevation and 5 windows to the side (north) elevation. These new windows are required to facilitate the change of use and give the flats a reasonable standard of amenity in terms of natural light and outlook. They are unlikely to have a negative impact on the heritage value of the building or the setting of either the conservation area or the nearby listed buildings.

Internally, the works amount to the partitioning of the first and second floor. The proposed use of the upper floors will not have a negative or prejudicial impact on the heritage value of the adjacent Conservation Area or the nearby Grade II Listed Buildings.

Finally, the benefits of the scheme, in this case the additional five residential units, outweighs any potential harm to the Conservation Area or Listed Buildings that may occur. However, in this instance the harm is considered to be less than significant.

Community Safety Implications:

There are no apparent community safety implications.

Equality Act 2010, Section 149:

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

Reason for Granting Planning Permission:

The proposal is acceptable in principle and would have no adverse impact on any planning related-matter and so accords with the above-noted policies and the NPPF.

Conditions of Approval:

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

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

2. The development shall be completed in accordance with approved drawings:

- 19010-P-01
- 19030-P-03B Revision B

Reason: For the avoidance of doubt of the terms under which this planning permission is granted.

3. Prior to the first occupation of any of the flats, hereby approved, a detailed scheme of noise insulation measures shall be submitted to and approved in writing by the Local Planning Authority. The scheme of noise insulation measures shall be prepared by a suitably qualified consultant/engineer and shall take into account the provisions of BS 8233: 2014 Guidance on sound insulation and noise reduction for buildings. The approved scheme shall be implemented prior to the commencement of the use and be permanently retained thereafter.

Reason: To safeguard the amenities of adjoining residential occupiers and to accord with policies DS5 and EN8 of the Core Strategy Development Plan Document.

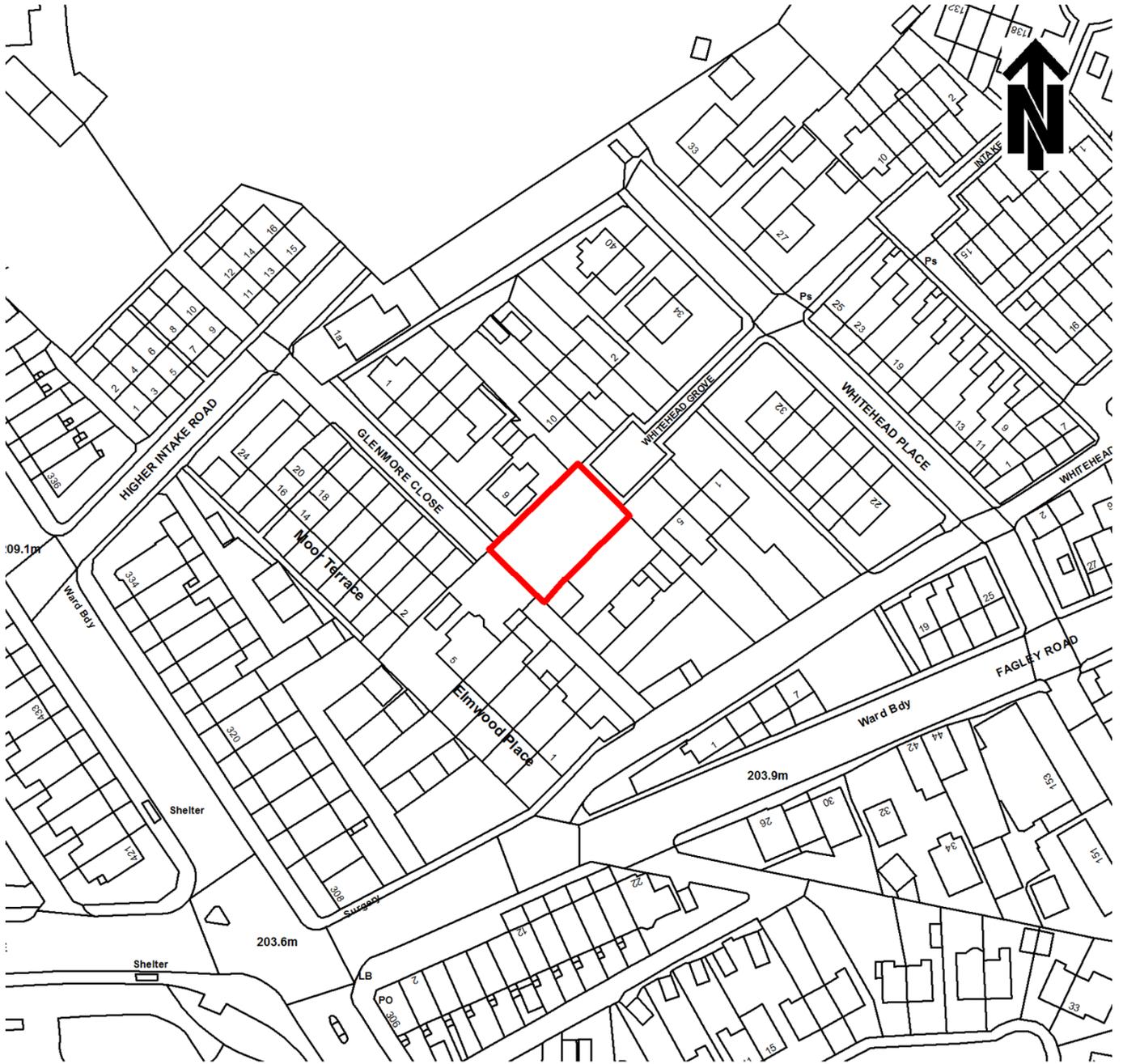
4. The new windows to the gable ends of the build shall match the existing ones in terms of design and style as shown on the approved plan drawing 19030-P-03B Revision B

Reason: To ensure the development harmonises with the existing building and in the interests of visual amenity and to accord with Policies DS1 and DS3 of the Core Strategy Development Plan Document.

19/02133/OUT



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**5 Elmwood Place
Fagley Road
Bradford BD2 3NA**

10 September 2019

Item: C
Ward: ECCLESHILL
Recommendation:
TO GRANT OUTLINE PLANNING PERMISSION

Application Number:
19/02133/OUT

Type of Application/Proposal and Address:

Outline planning application for a residential development consisting of a detached dwelling with all matters reserved on land to the rear of 5 Elmwood Place, Fagley Road, Bradford, BD2 3NA.

Applicant:

Mr David Mundy

Agent:

None.

Site Description:

5 Elmwood Place is a stone built, end terrace property which has an extensive garden running north-east of the plot where it adjoins with Whitehead Grove a small residential cul de-sac. It is from Whitehead Grove that access to the site is proposed. The site itself is fairly level and is currently overgrown with vegetation. The site is not located in a conservation area and there are no protected trees on the plot.

Relevant Site History:

84/8/02859: Construction of a detached dwelling – outline permission. Granted - 16.07.84.

85/01468/FUL: Two storey extension. Granted - 16.04.1985.

The National Planning Policy Framework (NPPF):

The NPPF is a material planning consideration on any development proposal. The NPPF 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 NPPF 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 in the Replacement Unitary Development Plan. Accordingly, the following adopted Core Strategy policies are applicable to this proposal.

Core Strategy Policies

HO5 Density of Housing Schemes
DS1 Achieving Good Design
DS3 Urban Character
DS4 Streets and Movement
DS5 Safe and Inclusive Places
EN7 Flood Risk

Parish Council:

Not applicable.

Publicity and Number of Representations:

A site notice and neighbour notification letters advertised the application. The publicity period expired on 18 June 2019. Seven letters of objection have been received.

Summary of Representations Received:

Currently no available parking on Whitehead Grove and the development will lead to further parking on the street which will block access and block existing parking.
Additional traffic will be harmful and prevent children playing safely on the street.
New gate already made in wall to create access onto Whitehead Close which is opposed to.
Loss of light.
Loss of privacy.
Loss of habitats.
Public footpath to the rear which is being used for throwing rubbish and drug dealing.
Additional opening will allow this to happen more frequently.

Consultations:

Highways – No objection in principal. The site however is reached via a narrow Cul-De-Sac street which has very limited room for parking or turning. Provision for 2 No parking spaces plus a visitor space will be required as well as a turning space on site.

Coal Authority - The application site falls within the defined Development Low Risk Area. In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative.

Summary of Main Issues:

1. Principle of development.
2. Means of access/highway safety.
3. Other matters
4. Drainage.
5. Other matters raised in representations.

Appraisal:

1. Principle of development

The application seeks outline consent for a residential development consisting of one dwelling on land to the rear of 5 Elmwood Place with access to the site from Whitehead Grove. As originally submitted the proposal was for a pair of semi-detached dwellings but was later reduced to one detached dwelling following comments from the Council's highway officer.

Paragraph 59 of the Revised NPPF continues to stress the need for Local Planning Authorities to boost significantly the supply of new housing. The Core Strategy reiterates this strong policy support for delivering new housing and emphasises that housing delivery is one of the key issues facing the district.

Paragraph 73 of the NPPF directs that Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against the identified housing requirement as set out in adopted strategic policies, or against the local housing need where strategic policies are more than five years old. Where there has been a record of persistent under-delivery of housing the LPA should identify an additional 20%.

The Council's Five Year Housing Land Statement (2018-2023) indicates that there is a substantial shortfall in housing land relative to the aforementioned requirements with a current supply of 2.06 years. Under these circumstances paragraph 11 of the NPPF confirms that the relevant policies for the supply of housing should not be considered up-to-date.

The proposed development would provide 1 dwelling on a site of 0.04 hectares, providing a housing density of approximately 25 dwellings per hectare. Core Strategy Policy HO5 advises that densities should normally achieve a minimum of 30 dwellings per hectare, with higher densities possible in areas well served by public transport and/or close to the city centre and principal town centres. The site occupies a relatively sustainable location within an established residential area, where shops and services are accessible on foot or public transport. Although slightly below the minimum requirement, this is due to access and site constraints which has resulted in the proposal being reduced from a proposal for a pair of semi-detached dwellings to a detached dwelling following comments from the Council's highway officer.

The NPPF has introduced a presumption in favour of sustainable development. The site is located in a primarily residential area, where there is a mix of semi-detached and terraced dwellings. The site is unallocated on the Replacement Unitary Development Plan and is therefore not protected for any uses other than those that accord with the general policies of the RUDP.

The site is situated in a sustainable location, relatively close to services and facilities which could be accessed on foot and there are good public transport links in the form of regular bus routes on Killinghall Road and Fagley Road. These factors weigh significantly in favour of the proposed residential development and it is therefore unlikely to cause demonstrable and significant harm to the aims and objectives of the RUDP, Core Strategy DPD, and NPPF. Taking into account the above, the principle of housing development on this site is considered acceptable.

2. Means of access/highway safety

The proposal reserves approval for access and layout. However, the submitted plan identifies that access to the site will be taken from Whitehead Grove, a small residential cul-de-sac north east of the site and from which there is presently a double gate serving the land in question.

The Council's highway officer advises that due to the narrow width of Whitehead Grove, off-street parking for two vehicles plus one visitor car parking space will be required. In addition, adequate space for manoeuvring of vehicles within the site will be required so that vehicles can exit the site in a forward gear. Based on the location plan submitted, the site appears capable of accommodating a (one) residential dwelling with appropriate access and sufficient off-street parking.

It is worth noting that the proposal was originally submitted as a pair of semi-detached dwellings but reduced to one detached dwelling during the course of the application following concerns by the Council's highway officer, who considered that the site was too small to accommodate two dwellings, the required parking levels and space for the manoeuvring of vehicles within the site. Reducing the number of dwellings on this plot has overcome the concerns and the Council's highway officer can now offer support of the application.

The addition of one dwelling on this plot will not result in a significant increase in vehicular movements on Whitehead Grove and subject to achieving appropriate off street parking arrangements as detailed above, the proposal should not lead to an increase demand for on street parking or lead to pedestrian safety issues.

The comments raised with regard to the creation of a new opening from the land onto the Whitehead Grove are noted. As this road is not classified, an access point can be created without the need for planning permission. There are no grounds to resist an opening onto this highway.

The details submitted with the application provide sufficient confidence to the Local Planning Authority that a development for one dwelling can be accommodated on the site without resulting in harm to highway and pedestrian safety and subject to the specific arrangements being agreed as part of a reserved matters application, there is compliance with policies DS4 and TR2 of the Core Strategy Development Plan.

3. Other matters

The proposal reserves approval of layout, scale, appearance and landscaping for later approval.

The reserved matters application would need to consider the surrounding area and built form to ensure that the layout, scale, design, choice of materials and landscaping are appropriate.

Furthermore, a future application would also need to take on board the potential impact on neighbouring amenity and ensure that the scale, siting and window openings of the new dwelling are carefully considered to avoid a resulting impact on neighbouring amenity and to ensure there is no loss of outlook, light or resulting dominance issues as a result.

Having visited the site and taking on board the character of the area, as well as the mix of property types, there is sufficient confidence that a dwelling can be constructed without causing undue harm to amenity and therefore compliance with policies DS1, DS3 and DS5 of the Core Strategy Development Plan.

4. Drainage

There are no insurmountable drainage concerns with the development. A condition will be attached to cover foul and surface water drainage to ensure that there would be no conflict with policy EN7 of the Core Strategy Development Plan.

5. Other matters raised in representations

- The matters raised with regard to illegal activities on a nearby public footpath are not a planning consideration for this site and should be reported to the police. It is not agreed that an additional dwelling on this plot would result in increased illegal activities but may indeed help to reduce opportunities for crime by providing an opportunity for greater surveillance from the new property, thereby reducing opportunities.
- There are no known protected habitats on this land and no protected trees. Further, ample space on the plot will likely remain with a detached dwelling in situ for additional planting if deemed necessary at the reserved matters stage - landscaping.

Community Safety Implications:

There are no apparent community safety implications.

Equality Act 2010, Section 149:

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

Reason for Granting Planning Permission:

The site makes effective use of this sustainably located site for housing purposes and appears capable of achieving a safe and satisfactory means of access for one new dwelling. Subject to full details to be submitted in the reserved matters application, the proposal accords with the objectives of the National Planning Policy Framework and relevant Policies in the Core Strategy Development Plan.

Conditions of Approval:

1. Application for approval of the matters reserved by this permission for subsequent approval by the Local Planning Authority shall be made not later than the expiration of three years beginning with the date of this notice.

Reason: To accord with the requirements of Section 92 of the Town and Country Planning Act, 1990 (as amended).

2. The development to which this notice relates must be begun not later than the expiration of two years from the date of the approval of the matters reserved by this permission for subsequent approval by the Local Planning Authority, or in the case of approval of such matters on different dates, the date of the final approval of the last of such matters to be approved.

Reason: To accord with the requirements of Section 92 of the Town and Country Planning Act, 1990 (as amended).

3. Before any development is begun, plans showing the:-

- i) Access
- ii) Layout
- iii) Scale
- iv) Appearance, and
- ii) Landscaping

of the development (the reserved matters) must be submitted to and approved in writing by the Local Planning Authority.

Reason: To accord with the requirements of Article 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

4. The development shall not begin until details of a scheme for separate systems of foul and surface water drainage, including any balancing or off site works, have been submitted to and approved in writing by the Local Planning Authority. Surface water should be disposed of using sustainable drainage techniques unless site conditions are demonstrated to be unsuitable. The details approved shall thereafter be implemented prior to the occupation of the development.

Reason: To ensure proper drainage of the site and to accord with Policy EN7 of the Core Strategy Development Plan.

Informative:

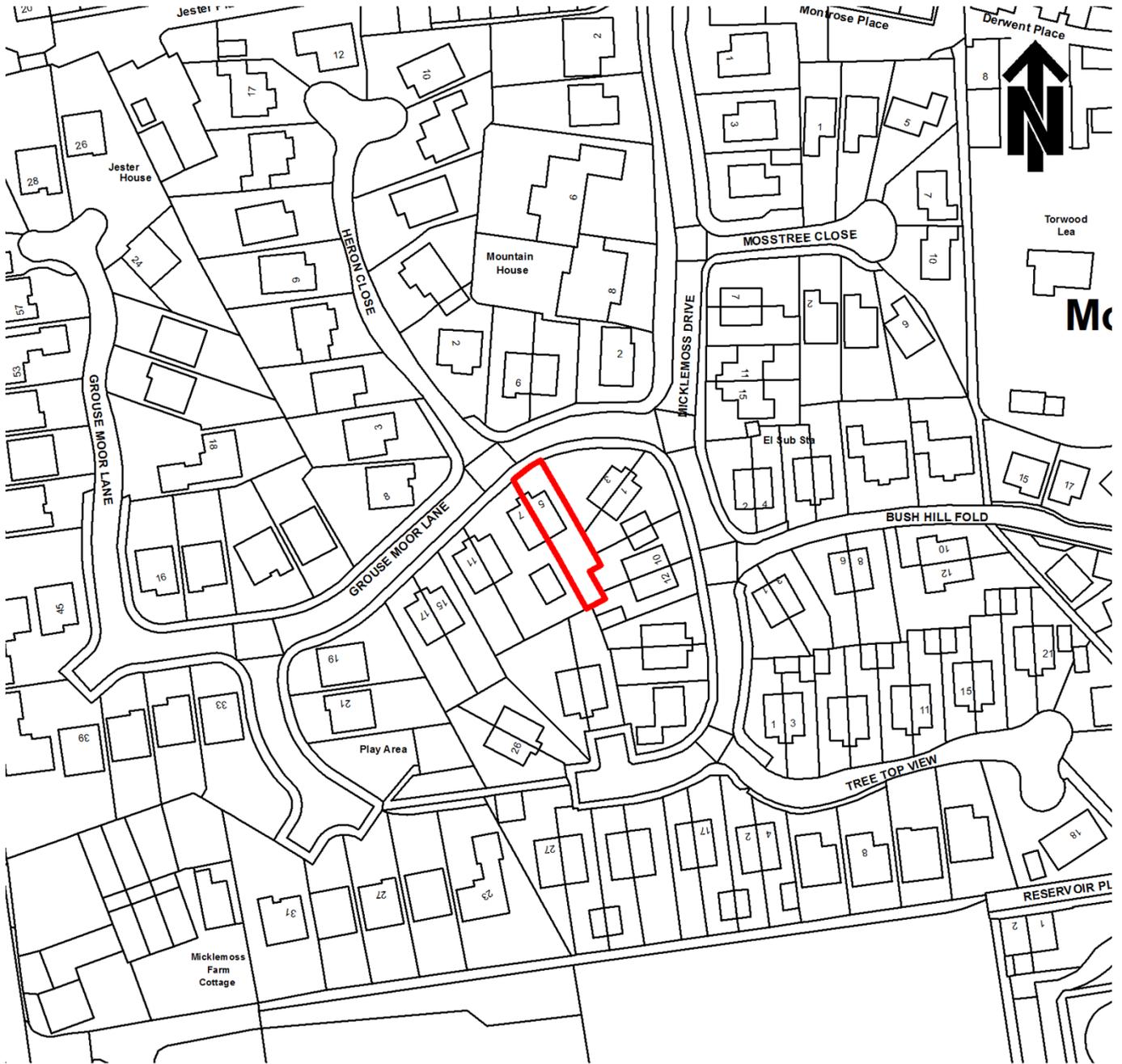
The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 7626848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

19/02628/HOU



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

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5 Grouse Moor Lane
Queensbury
Bradford BD13 1NS

10 September 2019

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

Application Number:
19/02628/HOU

Type of Application/Proposal and Address:

This is a householder application for a single storey rear extension at 5 Grouse Moor Lane, Queensbury, Bradford, BD13 1NS.

Applicant:

Mr Brooksbank

Agent:

Mr Philip Bakes

Site Description:

The application dwelling is a semi-detached property constructed in reconstituted stone under a concrete tile roof with brown UPVC windows located in a residential area of similar property types which vary in appearance and design.

Relevant Site History:

93/03170/FUL- Construction of 16 semi-detached houses - GRANT 25.04.1994.

The National Planning Policy Framework (NPPF):

The NPPF is a material planning consideration on any development proposal. The NPPF 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 NPPF 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 any specific land-use in the RUDP. Accordingly, the above 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 (SPD)

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application was publicised with neighbour notification letters. The publicity period expired on 11 July 2019. No comments were received.

Summary of Representations Received:

Not applicable.

Consultations:

None.

Summary of Main Issues:

1. Visual amenity.
2. Residential amenity.

Appraisal:

The proposal is for a single storey rear extension. The proposal is for a domestic extension within the curtilage of a dwelling-house that is neither a listed building nor within a conservation area and so is not statutorily protected from such works. The principle of development is therefore acceptable.

1. Visual Amenity

The proposed 6 metre extension is designed with a flat roof and lantern in materials to match the host dwelling located on the rear elevation which will replace the current 3 metre conservatory. Although located primarily on the rear elevation, the extension will protrude out to the side by 1.7 metres from the original rear wall of the property. As such, the ramp and entrance to the proposed extension will be visible from a public vantage point. The original dwelling will remain dominant and the extension appears as a sympathetic addition. Taking this into account, the proposed extension is not considered to have any detrimental impact on the character of the dwelling or the wider street scene and so there are no concerns with visual amenity. Therefore, the proposal is considered acceptable and complies with policies DS1 and DS3 of the Core Strategy Development Plan Document and the adopted Householder Supplementary Planning Document.

2. Residential Amenity

Whilst no objections have been received from the neighbouring occupants, the proposal does highlight some concern with the effect on residential amenity. The proposed extension measures a depth of 6metres which is contrary to the adopted Householder Supplementary Planning Document whereby a maximum 3metre extension is permitted for a semi- detached property. However, the adjoining neighbour property has a 3metre conservatory in situ. With this in mind, the additional 3metres on the extension from the depth of the neighbouring conservatory is within the policy guidelines. For that reason, the proposal is not considered to have an over dominating presence on the outlook or have a significant impact on the loss of daylight on the neighbouring property. The close proximity to the boundary poses some issues in regard to privacy between the extension and habitable room windows of the neighbouring properties at no1 and no3 Grouse Lane. Both properties have conservatories to the rear elevations that are visible from the rear garden of the application dwelling. The placement of the conservatories reduces the 7 metre distance required between the habitable room windows and boundary in order to protect the neighbouring occupants from overlooking and loss of privacy. As a result, the proposed windows in the side elevation are to be conditioned to be obscure glazed and top opening to overcome the issue and protect the residential amenity of neighbouring occupants. Furthermore, the existing fencing will assist in protecting the privacy of the neighbouring occupants as the window will be partially covered by fencing.

Overall no significant harm to residential amenity is anticipated.

Community Safety Implications:

The proposal 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:

Factoring in the above-mentioned, the proposal does not strictly comply with DS5 of the Core Strategy Development Plan and Householder SPD in relation to residential amenity; but the concerns have been satisfactorily addressed. For that reason, the proposed development is recommended for approval.

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 using external facing materials to match the existing building as is specified on the submitted application.

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.

3. Notwithstanding the details shown on the approved plans, the windows at ground level in the side elevation of the extension hereby approved shall be glazed in obscure glass and shall be top opening only. Thereafter, these windows shall be retained as such.

Reason: To prevent overlooking and loss of privacy to occupiers of adjacent properties and to accord with Policy DS5 of the Core Strategy Development Plan Document.

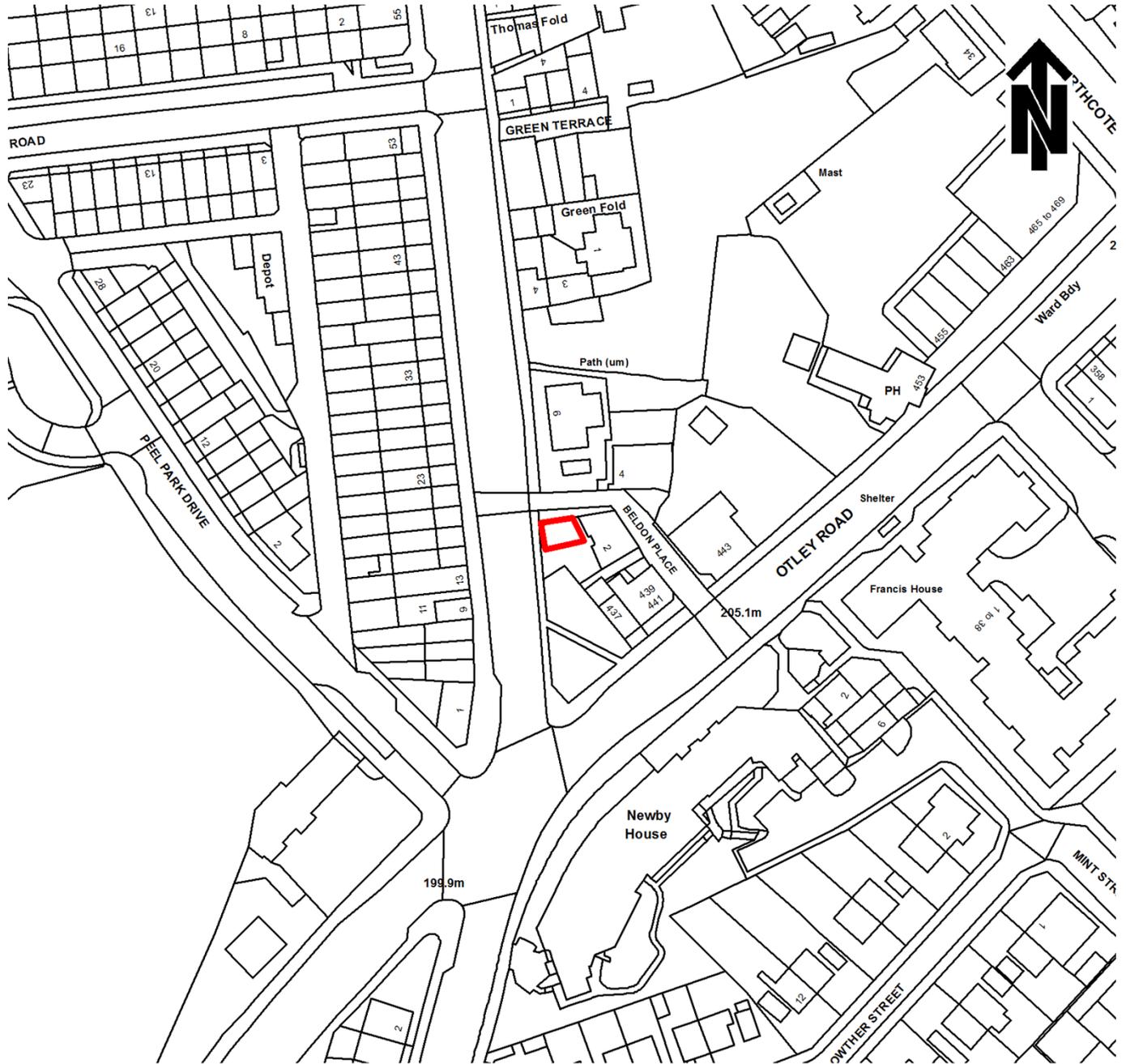
4. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no alterations comprising the addition of further windows or other openings shall subsequently be formed in the side elevations of the extension hereby permitted without the express written permission of the Local Planning Authority.

Reason: To safeguard the privacy and amenity of occupiers of neighbouring properties and to accord with Policy DS5 of the Core Strategy Development Plan Document.

19/02671/FUL



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

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**2 Idle Road
Bradford
BD2 4QB**

10 September 2019

Item: E
Ward: BOLTON AND UNDERCLIFFE
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
19/02671/FUL

Type of Application/Proposal and Address:
Change of use from store to bakery and shop (A1) and extension to front at 2 Idle Road, Bradford.

Applicant:
Mr M Sohail

Agent:
MDA

Site Description:

The site comprises a single-storey building constructed of natural stone beneath a flat roof with a pronounced fascia/soffit of white UPVC, located on the east side of Idle Road close to its junction with Otley Road. To the rear and at a higher level is a stone dwelling [2 Idle Road] accessed by steps to the side of the building; to the other side the unmade Beldon Place leads past a detached dwelling before turning to connect into Otley Road. Access is taken directly from Idle Road, which is straight as it passes the site, with elongated parking bays on both sides. The surrounding area includes a mix of small-scale retail/commercial premises and housing.

Relevant Site History:

14/03251/FUL Change of use of domestic garage to A1 retail and retention of the existing garage, refused 13.11.2014 for the following reasons:-

1. The proposed development will lead to a requirement for signage and advertising that would cause an obtrusive feature in the streetscene to the detriment of visual amenity and would therefore be contrary to policies D1, D15 and UR3 of the adopted Replacement Unitary Development Plan.
2. By reason of its design, external materials and prominent position in front of the parent dwelling, the building is an obtrusive feature in the street scene that causes a detriment to visual amenity. As such, the development is contrary to policies D1, UDP3 and UR3 of the adopted Replacement Unitary Development Plan, as well as to planning policy in the National Planning Policy Framework and the adopted supplementary planning document for householders.
3. The application as submitted provides insufficient information to enable its proper consideration by the Local Planning Authority. In particular, there is inadequate information on the number, frequency and type of deliveries to the shop.

4. The creation of a shop within this residential area will generate additional traffic movements and parking requirements which, in addition to the lack of off-street parking and delivery areas for the shop, will add unacceptably to existing traffic levels and cause a detriment to neighbouring amenity. As such, the proposal would be contrary to policies D1 and UR3 of the adopted Replacement Unitary Development Plan.

14/05118/FUL Change of use of a domestic garage to A1 retail and retention of the existing garage, refused 27.01.2015 for the following reasons:-

1. By reason of its prominent position in front of the parent dwelling, poor design and use of inappropriate external materials, the resultant building forms an obtrusive feature in the street scene that causes a detriment to visual amenity. Furthermore, the security shutter and storage box would, by reason of their external fixing, bare metal finish and solid design, form a discordant and intrusive feature that detracts from the visual amenity of the building and wider street scene. The proposal as a whole is therefore contrary to saved policies UR3 and D1 of the Replacement Unitary Development Plan and the Council's adopted supplementary planning documents 'Shopfront Design Guide' and 'Shopkeepers Guide to Securing their Premises'.
2. The proposed development will lead to a requirement for signage and advertising that would cause an obtrusive feature in the street scene to the detriment of visual amenity and would therefore be contrary to saved policies D1, D15 and UR3 of the Replacement Unitary Development Plan.
3. The creation of a shop will generate additional traffic movements, parking and delivery requirements that, combined with the lack of off-street parking and delivery provision for the shop, will add unacceptably to existing traffic levels and cause a detriment to neighbouring amenity. As such, the proposal would be contrary to saved policies D1 and UR3 of the Replacement Unitary Development Plan.
4. Notwithstanding the above reason, the application as submitted provides insufficient information to enable its proper consideration by the Local Planning Authority. In particular, there is inadequate information on the number, frequency and type of deliveries to the shop.

15/00846/HOU Retrospective application for retention of domestic garage, refused 11.06.2015 for the following reasons:-

1. By reason of its prominent position in front of the parent dwelling and its flat-roofed, featureless design, the building forms an obtrusive structure in the street scene to the detriment of visual amenity. The proposal is therefore contrary to saved policies UR3 and D1 of the Replacement Unitary Development Plan and the Council's adopted Householder Supplementary Planning Document.
2. The proposed development would remove any provision within the domestic curtilage of the dwelling at 2 Idle Road for the accommodation of motor vehicles and so would result in greater on-street car parking to the detriment of the safe and free flow of traffic on the highway. For this reason the proposal is unacceptable when measured

against policies TM12 and TM19A of the Council's adopted Replacement Unitary Development Plan and the Householder Supplementary Planning Document.

15/05881/HOU Retrospective application for construction of outbuilding, refused 30.12.2015 with a subsequent appeal being allowed.

The National Planning Policy Framework (NPPF):

The NPPF is a material planning consideration on any development proposal. The NPPF 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 NPPF 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. 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

EN8 - Environmental Protection Policy

DS4 - Streets and Movement

DS5 - Safe and Inclusive Places

TR2 - Parking Policy

Shopfront Design Guide Supplementary Planning Document

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application was publicised by way of site notices and neighbour notification letters. The overall expiry date has now expired.

One supporting letter has been received from a Bolton and Undercliffe Ward Councillor.

Summary of Representations Received:

The application has no detrimental impact in the local area.

Consultations:

Highways: The proposal would be likely to lead to an intensification of use of the site with no off street parking with possible parking on Beldon Place which would obstruct access to these dwellings resulting in reversing off this private drive, close to the busy signalised junction, which would be likely to lead to conditions prejudicial to highway safety.

Environmental Protection: Require schemes for odour control.

Drainage: No principle objection.

Summary of Main Issues:

1. History.
2. Principle of retail development.
3. Visual Amenity.
4. Amenities of occupiers of adjacent land.
5. Highway safety.
6. Level access.
7. Conclusion.

Appraisal:

1. History

This application is a resubmission of that previously refused under references 14/03251/FUL and 14/05118/FUL noted above, a summary of the reasons for refusal being:-

1. A requirement for signage and advertising would harm visual amenity;
2. Generation of additional traffic, and parking and delivery needs would harm residential amenity;
3. Inadequate information on deliveries to the shop; and
4. The poor design, external materials and prominent position harms visual amenity.

The retrospective application, 15/05881/HOU, for the retention of a domestic garage was allowed under appeal. The Planning Inspector considered it was acceptable in terms of its impact on visual amenity and highway safety.

2. Principle of Retail Development

The NPPF supports sustainable development and opportunities to assist in creating a stronger economy through appropriate development. Planning decisions should help create the conditions in which businesses can invest, expand and adapt. The proposed floor area of the building is well within 150sqm. limit for small shops. In terms of size, a shop of this coverage is not likely to take trade from any established local centre and as such, it is acceptable in principle in terms of retail policy.

3. Visual Amenity

Taking into account the appeal Inspector's comments on 15/05881/HOU, the proposed extension would not be an incongruous feature that would be detrimental to the street scene. The proposal would not significantly harm the character and appearance of the area and, notwithstanding the refusal on the grounds of potential signage under application 14/03251/FUL and 14/05118/FUL, this issue would have to be assessed on its own merits on a separate express advertisement consent application.

4. Amenities of Occupiers of Adjacent Land

It is acknowledged that Idle Road is a public highway and all members of the public are entitled to park vehicles on it, subject to any restrictions, and that local traffic levels are high and demand for on-street car parking is high. The creation of a shop will generate some additional traffic movements and demand for on-street parking and delivery as there is no off-street provision made as part of the proposal. Any additional traffic noise would be minimum compared to existing levels.

The building extension is of a scale, height a position such that it would not have any adverse overshadowing or overbearing effect on any neighbouring properties.

The proposed opening hours of 8am to 8pm each day would be commensurate with higher ambient noise levels so operation of the shop is not likely to cause a disturbance. As ambient noise levels decrease in the evening, noise from the shop will become more pronounced. However, in view of the position of the site next to a road and the fact that adjacent properties are set back, noise from the shop will not be detrimental to neighbouring amenity.

However, no details of the means of access, or number, of deliveries have been submitted as part of the application and so this aspect of the proposal cannot be fully assessed. Likewise, a full assessment of odour or noise nuisances from the proposal is not possible as no details of ventilation or extraction of fumes have been submitted.

5. Highway safety

The proposal would lead to an intensification of use of the site and parking demand. This would be materially more so than the scheme under 15/05881/HOU, for the retention of a domestic storage outbuilding, which was allowed on appeal. No off-street parking is proposed, however the scale of the development is small and it is likely that the level of parking generated could be accommodated on Idle Road. Notwithstanding this, the site is located immediately adjacent to Beldon Place, a private road serving a number of dwellings. If parking on Idle Road is unavailable, customers and/or delivery vehicles may seek to park on Beldon Place, which would obstruct access to these dwellings. Parked vehicles would then need to reverse off this private drive, close to the busy signalised junction, which would be likely to lead to conditions prejudicial to highway safety in conflict with the NPPF.

6. Level Access

The entrance to the unit has level access thereby meeting the requirements set out in the Shopfront Design Guide for an equitable and unobstructed access for all visitors.

7. Conclusion

Whilst the benefits of creating employment by way of the proposed shop is acknowledged it would not overcome the harm on the grounds of highway and lack of details to fully assess this application.

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:

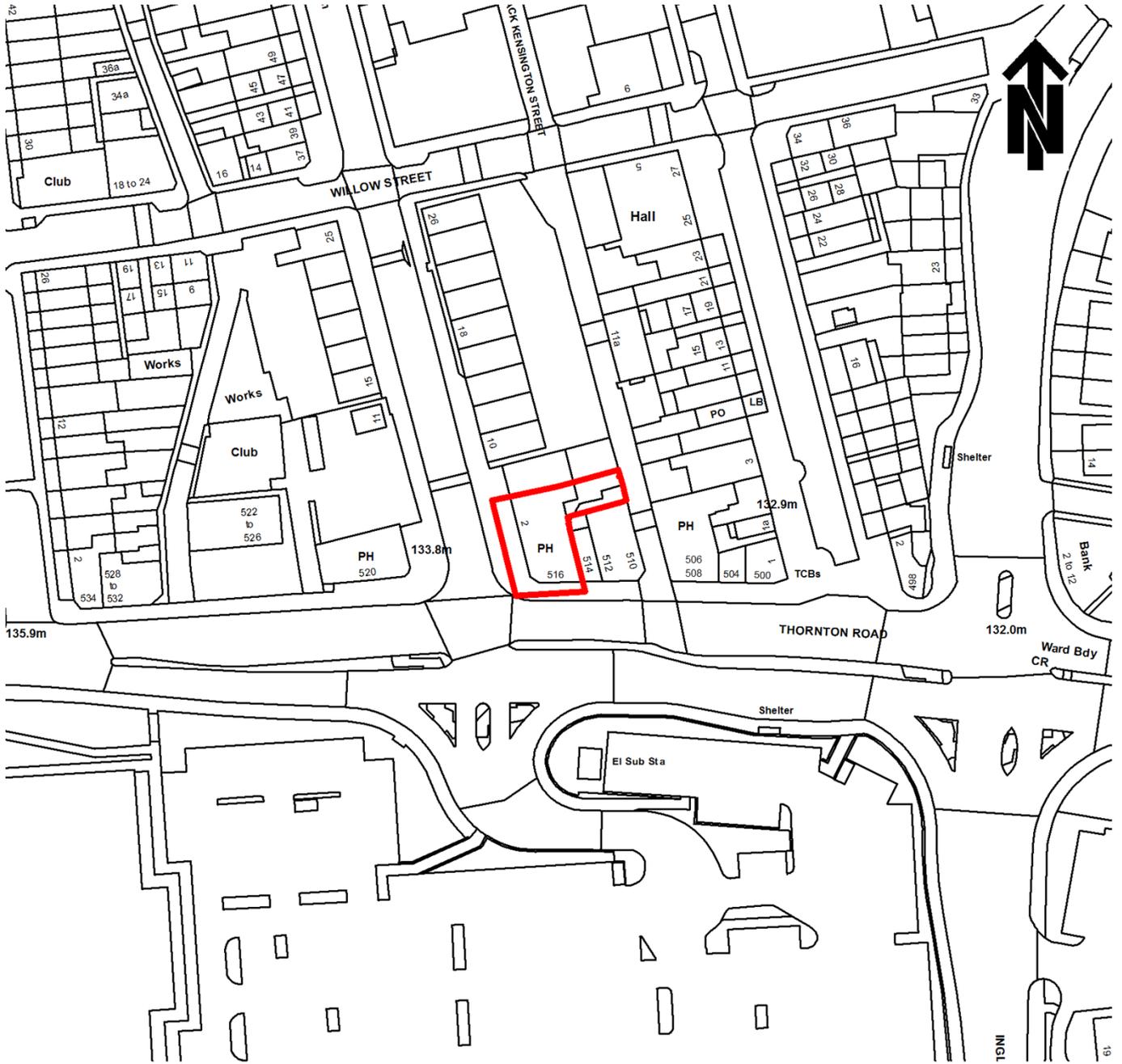
1. The creation of a shop will generate additional traffic movements, parking and delivery requirements, which will exacerbate highway safety issues associated with an existing lack of off-street parking and delivery provision. Furthermore, the proposed development is likely to lead to parking on Beldon Place which would obstruct access for nearby dwellings resulting in reversing off this private drive close to the busy signalised junction. For these reasons the proposal would have insufficient parking provision and lead to conditions prejudicial to highway safety contrary to Policy TR2 of the Core Strategy Development Plan Document and the National Planning Policy Framework.
2. Notwithstanding the above reason for refusal, the application as submitted provides insufficient information to enable its proper consideration by the Local Planning Authority. In particular, there is inadequate information on:-
 - (i) the number of, or means of access for, delivery vehicles, and
 - (ii) ventilation or extraction systems, including noise mitigation measures, to abate bakery fumes at these premises.

As such the application cannot be fully assessed with regards to policies DS4 and EN8 of the Core Strategy Development Plan Document.

19/02979/FUL



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL



1:1,250

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**516 Thornton Road
Bradford
BD8 9NA**

10 September 2019

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

Application Number:
19/02979/FUL

Type of Application/Proposal and Address:
Full application for installation of three rear extract flues to rear (Retrospective) at 516 Thornton Road, Bradford, West Yorkshire, BD8 9NA.

Applicant:
Bradford Catering

Agent:
Mr J Redmile

Site Description:
The application site is located at the corner of Thornton Road and Girlington Road, backing onto Back Kensington Street. The building is a substantial stone built former public house, in use by "Bradford Catering" as a restaurant and takeaway.

Relevant Site History:
14/04017/FUL - Change of use from public house to restaurant and take away – Granted – 21.1.2015.
19/00124/FUL -Installation of three rear extract flues to rear (Retrospective) – Withdrawn – 8.4.2019; following consideration by the Bradford Area Planning Panel on 3.4.19.

The National Planning Policy Framework (NPPF):
The NPPF is a material planning consideration on any development proposal. The NPPF 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 NPPF 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 in the RUDP. The following adopted Core Strategy policies are applicable to this proposal.

Core Strategy Policies

DS1 – Achieving good design

DS3 – Urban character

Parish Council:

Not applicable.

Publicity and Number of Representations:

The proposal was publicised with a site notice and neighbour letters with an expiry date of 19 August 2019. One representation in support has been received from a Ward Councillor which includes a request for referral to the Planning Panel if officers are minded to refuse the application.

Summary of Representations Received:

- Proposal would not have a detrimental effect on neighbouring properties or the street scene.
- Similar developments in the vicinity have been approved by the planning department.

Consultations:

Environmental Health – No response was received to the consultation on the previous application however the Council's environmental health department have commented on this scheme. They advise that they have concerns about the proposal as the site is surrounded by residential properties however the department has not received any complaints about odour or noise from the extraction flues in operation.

Without any further details about the air extraction system they are using or the proposed operating hours they are unable to provide any detailed comments.

Summary of Main Issues:

1. Background and principle of development.
2. Visual amenity and design.
3. Amenities of occupiers of adjacent land.
4. Highway issues.
5. Other Matters Raised by Representations.

Appraisal:

1. Background and Principle of Development

This application is retrospective following an investigation by the planning enforcement team. Three large flues have been installed on the rear elevation of the building facing Back Kensington Street. Whilst it is accepted that adequate extraction facilities must be installed to ensure that smells and grease from cooking are properly dealt with, the impact of the development on the surrounding area must be considered.

This is a resubmission of a similar application which was withdrawn on 8 April 2019 following consideration by the area planning panel. The scheme is substantially the same as previously, as this is a retrospective application however the applicant has submitted a revised design and access statement. This statement puts forward justification for retention of the flues in their current form as well as proposed changes to the colour.

2. Visual Impact and design

The three large flues are located on the rear elevation facing onto Back Kensington Street which links Thornton Road and Willow Street. The properties to the rear are residential and their yards face onto the property. The flues are excessive in size and height; they project from the rear of the building by some distance and above ridge level. They are also visible from the front of the property on Girdlington Road, but screened from Thornton Road by higher buildings.

The design and access statement puts forward justification for the external location of the flues as being that the maintenance engineer needs to gain access to conduits to service them and this cannot be done internally. However this is not accepted as justification, the Council's building control have advised that it is possible to route flues internally and it also noted that this is achieved on other premises. It is understood that the flues are external to maintain additional space within the building. The flues were installed without first gaining planning permission and the application does not contain adequate justification to outweigh the significant visual harm that has been caused.

The statement also advised that the flues will be painted a sand colour, they are currently black and project quite significantly about the roofline. Regardless of the colour they will still be an intrusive feature on the rear elevation and in the roofscape detrimental to visual amenity.

The additional information and proposed alterations to the colour scheme have been considered. However the flues are still considered to be an over dominant, unattractive and incongruous feature with an overly industrial appearance exacerbated by their number and prominent siting. The proposed colour scheme will do little to mitigate their impact. The justification put forward is not considered to be convincing or outweigh the harm.

As such the development is considered to be a harmful feature in the street scene and contrary to Core Strategy policies DS1 and DS3.

3. Residential amenity

The environmental health department have advised that they have not received any complaints from neighbours with regards to the flues but without full details they cannot comment on whether the flues will result in noise and disturbance. It is also accepted that they do act to prevent cooking smells affecting neighbours.

However their appearance is such that they will harm the outlook from private amenity spaces at the rear of residential properties.

4. Highway Safety

The proposal does not raise any highway safety issues.

5. Outstanding matters raised by representations

The comments made by the ward councillor are noted, however it is considered that the proposal does have a harmful impact on the appearance of the building and wider area as discussed above.

Community Safety Implications:

There are no apparent community safety implications.

Equality Act 2010, Section 149:

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

Reasons for Refusal:

1. The flues are considered to be an over dominant, unattractive and incongruous feature with an overly industrial appearance exacerbated by their number. The proposed colour will do little to mitigate their impact and no convincing justification or special circumstances have been provided that outweigh the harm caused. The development is considered to detract from the building, street scene and outlook from nearby dwellings, contrary to Policies DS1 and DS3 of the Core Strategy Development Plan Document.