

Report of the Strategic Director of Regeneration to the meeting of the Area Planning Panel (BRADFORD) to be held on 14 October 2015

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Summary Statement - Part One

Applications recommended for Approval or Refusal

The sites concerned are:

<u>Item No.</u>	<u>Site</u>	<u>Ward</u>
1.	133 Carr Bottom Avenue Bradford BD5 9BD - 15/03440/HOU [Approve] (page 1)	Wibsey
2.	Ashfield House 269 Thornton Road Thornton Bradford - 15/01966/FUL [Approve] (page 6)	Thornton and Allerton
3.	Ashfield House Thornton Road Thornton Bradford BD13 3LN - 15/02769/LBC [Approve] (page 13)	Thornton and Allerton
4.	Horsfall Athletic Stadium Cemetery Road Low Moor Bradford BD6 2JZ - 15/03441/FUL [Approve] (page 18)	Royds
5.	Rear Of 8 Walmer Villas Bradford BD8 7ET - 15/03003/FUL [Approve] (page 25)	Manningham
6.	Recreation Ground Fair Road Bradford - 15/03060/FUL [Approve] (page 35)	Wibsey
7.	434 Huddersfield Road Bradford BD12 8BG - 15/02801/FUL [Refuse] (page 41)	Wyke
8.	50 And 52 Harlow Road Bradford BD7 2HS - 15/03232/HOU [Refuse] (page 46)	Great Horton
9.	Land Adjacent To 9 Back Heights Road Thornton Bradford BD13 3RP - 15/02781/FUL [Refuse] (page 51)	Thornton and Allerton
10.	The Old Water House Low Lane Queensbury Bradford BD13 1LH - 15/03216/HOU [Refuse] (page 57)	Queensbury

Julian Jackson
Assistant Director (Planning, Transportation and Highways)

Portfolio:
Housing, Planning and Transport

Report Contact: Mohammed Yousuf
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Overview & Scrutiny Committee Area:
Regeneration and Economy

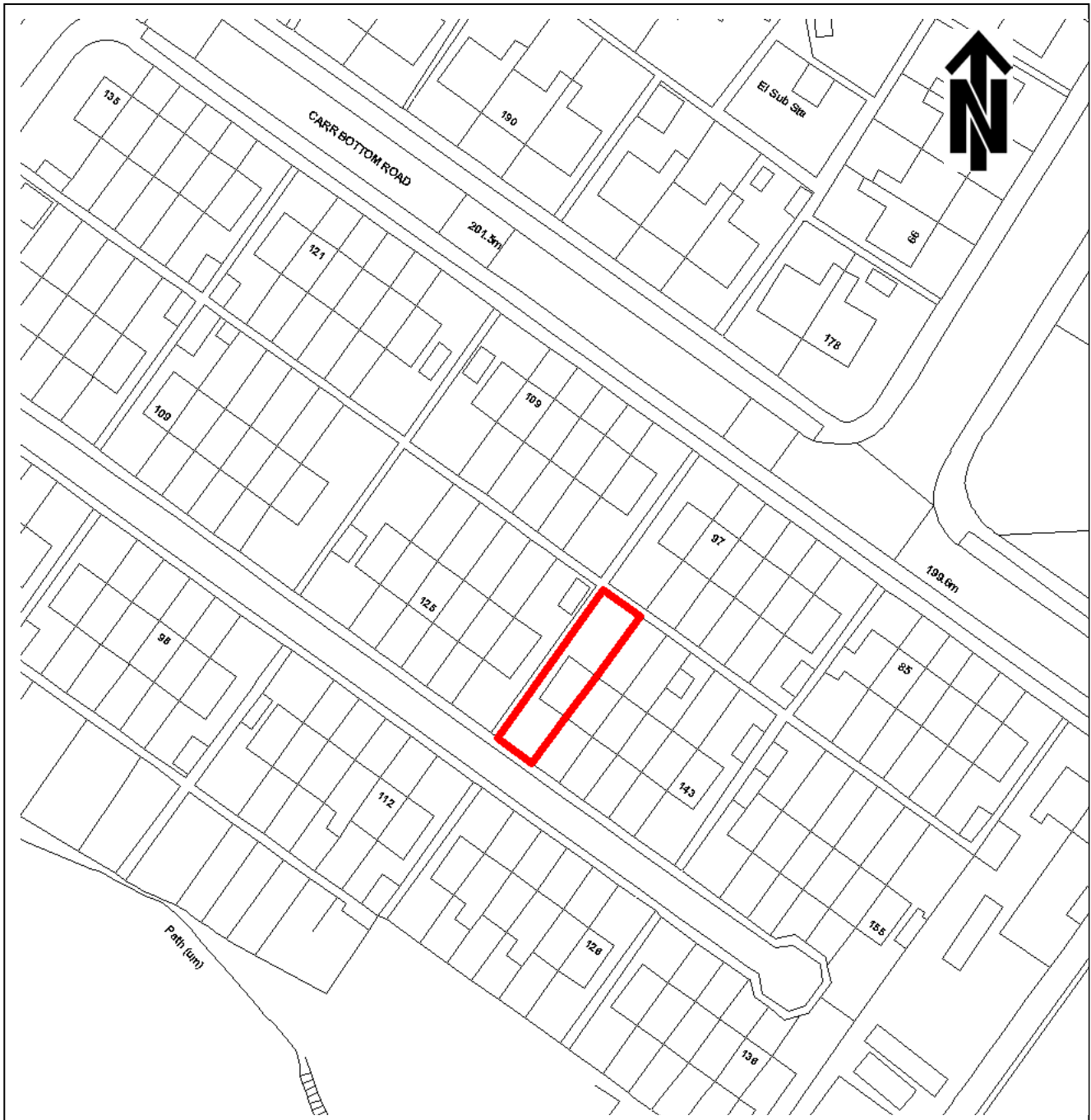
Email: mohammed.yousuf@bradford.gov.uk



Area Planning Panel (Bradford)

15/03440/HOU

14 October 2015



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ITEM NO. : 1

LOCATION:
**133 Carr Bottom Avenue
Bradford**

14 October 2015

Item Number: 1
Ward: WIBSEY
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
15/03440/HOU

Type of Application/Proposal and Address:
This is a householder planning application for the construction of a dormer window to the front of 133 Carr Bottom Avenue, Little Horton, Bradford.

Applicant:
Mrs Khan

Agent:
Khawaja Planning Services

Site Description:
The site is an end terraced property constructed of stone walls under a slate roof. The local area is primarily residential, Carr Bottom Avenue being a cul-de-sac comprising rows of stone built terraced dwellings.

Relevant Site History:
15/02607/PNH - Construction of single storey rear extension - Prior Approval Not Required
27.07.2015

Replacement Unitary Development Plan (RUDP):
Allocation
The site is unallocated on the RUDP.

Proposals and Policies
UR3 The Local Impact of Development
D1 General Design Considerations
TM19A Traffic Management and Road Safety

Householder Supplementary Planning Document (SPD)

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.

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application was advertised by neighbour notification letters. The publicity period expired on 9th September 2015.

The Local Planning Authority has received seven objections and one representation in support. Subsequently, the applicant submitted letters from four of the seven objectors stating that they have no knowledge of their objection and wish to have it removed. It has not been possible to verify whether the objections or the subsequent letters are genuine.

Summary of Representations Received:

- Dormer windows already built.
- Other properties previously refused permission for dormer windows.
- Loss of privacy (overlooking of habitable rooms).
- Application form states work not started when in fact work had already begun.
- Gable wall and rear dormer window erected before application submitted but were not 'existing' as shown on plans.
- Only property on the street with dormer windows.
(The above issues will be taken into account in the assessment below).

- Noise disturbance during building works.
(This is not a material planning consideration and cannot be taken into account).

Consultations:

None.

Summary of Main Issues:

Impact on the local environment.
Impact on residential amenity.
Impact on highway safety.
Other matters.

Appraisal:

The application seeks permission for the construction of a front dormer window. A hip-to-gable roof conversion and rear dormer window have been constructed at the property prior to the submission of this application. Nevertheless, the construction of a hip-to-gable roof conversion and rear dormer window would constitute permitted development by virtue of Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015, if built separately to the front dormer window. Although the rear dormer window and hip-to-gable conversion appear to have been built concurrently with the front dormer window and UPVC cladding installed on its rear face, it would be unreasonable to refuse the application for the front dormer window on the basis of works which would otherwise not require planning permission. The use of UPVC cladding can be investigated separately via the planning enforcement process if necessary. However, this issue should not prejudice the consideration of the front dormer window, which will be assessed on its own planning merits and in accordance with relevant planning policies.

Impact on Local Environment

The front dormer window measures 3 metres wide and retains a 750mm gap to the common boundary with No.135 Carr Bottom Avenue and a 1.2 metre gap to the gable wall. It is finished with blue slates to match the existing roofing material and its size, design and position is considered acceptable and will not appear visually dominant on the property or detrimental to the street scene.

Although several neighbours have commented that previous applications for dormer windows on nearby properties have been refused, the Householder SPD, adopted in 2012, now allows the construction of dormer windows on the front of dwellings, even if there are no other dormers in the same row of dwellings.

For these reasons, the front dormer window complies with the requirements of the Householder SPD and policies UR3 and D1 of the RUDP.

Impact on Neighbouring Occupants

The proposed front dormer window will not introduce any windows that would be closer to neighbouring properties than the existing windows. In any case, the distance between the window and neighbours' properties exceeds the 7 metre and 17 metre distances required by the Householder SPD. As such, the dormer window would not result in any adverse impact on neighbouring occupants through overlooking, overbearing or overshadowing, thereby acceptable and compliant with policies UR3 and D1 of the RUDP and the Householder SPD.

Impact on Highway Safety

The application does not include any alterations to the existing parking and access arrangements, and therefore poses no apparent harm to highway safety, compliant with Policy TM19A of the RUDP.

Other Planning Matters

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

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 not considered harmful to visual amenity, residential amenity or highway safety and is therefore considered to comply with policies UR3, D1 and TM19A of the RUDP and the Householder SPD.

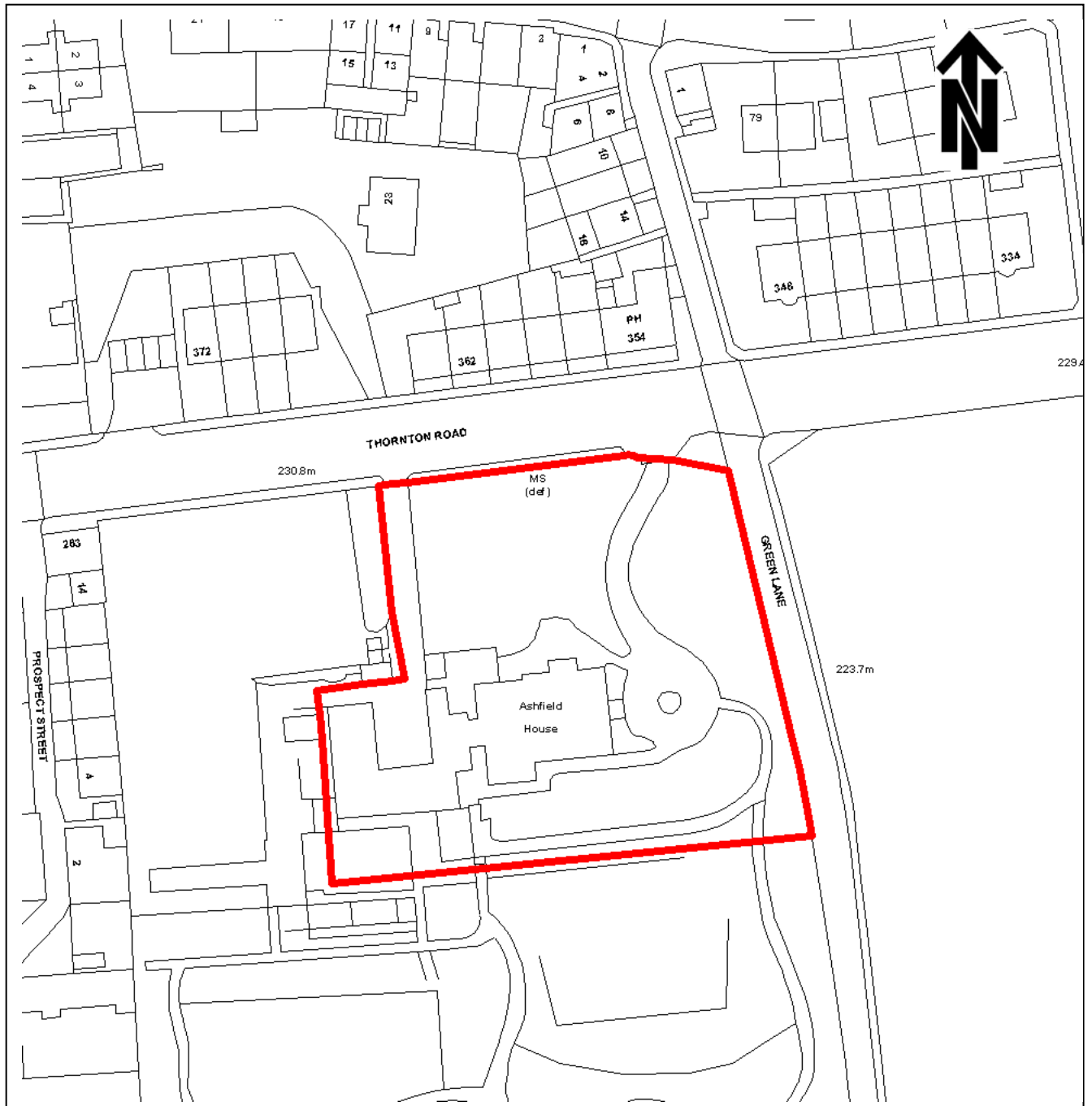
Conditions of Approval:

None.

Area Planning Panel (Bradford)

15/01966/FUL

14 October 2015



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ITEM NO. : 2	LOCATION: Ashfield House 269 Thornton Road Thornton Bradford
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14 October 2015

Item Number: 2
Ward: THORNTON AND ALLERTON
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
15/01966/FUL

Type of Application/Proposal and Address:

A full planning application for the change of use of a nursing home to form four separate flats and retention of existing house as residential dwelling at Ashfield House, 269 Thornton Road, Thornton, Bradford.

Applicant:
Mr Amjid Hussain

Agent:
SR Design

Site Description:

The site consists of a substantial Victorian built villa located within large grounds off Thornton Road which is to the north. The site has a significant number of large trees located to the south, east and north of the main house some are outside the ownership of the applicant but provide a setting for the house. Parking currently exists to the east of the house and access is from Thornton Road. The property was formally a nursing home.

Relevant Site History:

97/03656/FUL: Erection of lean-to extension to property to provide ramp GRANT 19.02.1998.

97/03657/LBC: Erection of lean-to extension to property to provide ramp GRANT 11.02.1998.

01/01243/FUL: Single storey extension to rear of property to provide bedroom REFUSE 09.07.2001.

01/01511/LBC: Construction of single storey bedroom extension and connect to existing REFUSE 09.07.2001.

01/03903/FUL: Two storey extension GRANT 30.05.2002.

01/03909/LBC: New bedroom extension to nursing home GRANT 30.05.2002.

03/01703/LBC: Alterations to ground floor bedroom to provide two bedrooms and store GRANT 10.07.2003.

05/01462/LBC: Installation of replacement doors and windows GRANT 21.06.2005.

05/07005/FUL: Construction of temporary tool storage building REFUSE 14.11.2005.

15/02769/LBC: Change of use of nursing home to form 4 no separate flats and retention of existing house as residential dwelling. Concurrent Listed building consent application.

Replacement Unitary Development Plan (RUDP):

Allocation

The site is unallocated for a specific land use but is located within the Thornton Conservation Area. The host property is grade II listed.

Proposals and Policies

UDP3: Quality of the Built and Natural Environment

UR3: The Local Impact of Development

TM2: Impact of Traffic and its Mitigation

TM12: Parking Standards for Non-Residential Developments

TM19A: Traffic Management and Road Safety

D1: General Design Considerations

D3: Access for People with Disabilities

D4: Community Safety

BH1: Change of Use of Listed Buildings

BH4: Alteration, Extension or Substantial Demolition of Listed Buildings

BH4A Setting of Listed Buildings

BH7: Conservation Areas

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.

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application was advertised by way of a site notice and individual neighbour notification letters. The statutory publicity date expired on 31 of July 2015. One letter of representation was received.

Summary of Representations Received:

Questions of ownership and the fact the owner of land within the red outline had not been served notice of the application.

Response: This issue has since been resolved with the agent serving notice on the owners and as such, procedurally the planning application is now correct. The red outline extends over an access track into the site which the applicant has advised he has right of access over.

A second point was raised that the proposed residential use of the extended parts of the building would prejudice future development to the south of the site.

Response: The nursing home would have the same level of overlooking to the south than the proposed residential use and the same facing distances of 17metres would be required between properties.

Consultations:

Design and Conservation: As originally submitted the scheme lacked detail in terms of how the site would be divided up, parking arrangements and the impact on trees and also detail in terms of internal and external alterations to the buildings.

Trees: The parking areas would affect protected trees and should be moved.

Highways: No objection, conditions recommended relating to access and parking.

Drainage: No comment

Summary of Main Issues:

Principle.

Visual Amenity and the Impact on the Thornton Conservation Area.

Residential Amenity.

Highway Safety.

Appraisal:

The application relates to the change of use of a nursing home to four flats and a single dwelling at Ashfield House, Thornton. The continued use of Ashfield House as a single dwelling is appropriate and in line with the original use and the proposed sub-division of the ancillary structures and extensions would not harm the heritage assets. As such the principle of the scheme is acceptable.

Visual Amenity and Impact on the Thornton Conservation Area

Ashfield House is a substantial Victorian villa built as the residence of the Craven family who operated Prospect Mills to the west. The mill, associated workers' housing on Prospect Street and the owner's villa all survive presenting an important historic group. The house is an imposing 2-storey structure in ashlar sandstone with Italianate influences. The main entrance front faces east with the south front also being afforded significant architectural attention. The house stands in mature grounds with significant trees and terraced gardens descending the hillside to the south. During institutional use in the 20th century the house has been extensively extended to the west, partially in character but to a quality rather

inferior to the parent building. Some of the linking structures have a rather temporary, institutional appearance which although not causing physical harm to the listed building, detract from its setting.

Some parts of the structures to the west of the house appear to have served as contemporary ancillary accommodation to the main house. These have significance, and all parts of the structure should be considered as listed. All areas of the grounds are assessed as making a positive contribution to conservation area character, although the modern extensions to the house are concluded as making a neutral contribution.

The formation of limited new openings will not harm significance, but no information is provided on internal features in the older parts of the ancillary structures, in spaces which may be affected by adaptation to new uses. The specification of new door and window openings have now been provided on plan to overcome concerns over the lack of detail.

In addition a revised plan has been submitted showing the intention for how the amenity space within the grounds would be used and it is not intended to divide the curtilage up other than provide a fence to the south of the building to give Flat 4 a private garden area.

The parking within the main entrance area has been scaled back so it is contained within the existing hard-standing and as such there is no further impact on the protected trees. Parking for the previous nursing use would have had a similar impact to the proposed residential development and as such there are grounds for concern in terms of the parking.

As the building is listed any further changes to the plan would require consent and as such the Local Planning Authority (LPA) would retain control over future developments.

Based on the amended plan which shows there will be no internal or external alterations to the main house and limited changes which have been detailed to the ancillary accommodation the proposed scheme would have a neutral impact on the character of the Thornton Conservation Area and will not adversely impact on the setting of the host listed building. The proposed development complies with policies UDP3, UR3, D1, BH1, BH4, BH4A, BH7 of the RUDP.

Residential Amenity

The proposed change of use to flats and a single dwelling does not raise any significant concerns in terms of overlooking or overbearing impacts. No new windows will be added that result in a significant level of overlooking. There would be overlooking between the conservatory and bedrooms of Flat 4 and as such a condition is recommended that obscure glazing is added to the bedroom windows which are secondary windows only to prevent overlooking between occupants of this unit and the main dwelling. The development would provide communal amenity space apart from Flat 4 which would have its own garden.

Highway Safety

The proposed development would see two access points from Thornton Road. The existing main drive serving Ashfield House would provide the access for the main dwelling, Flat 1, Flat 3 and Flat 4, with two spaces being provided for each dwelling. A second access point off Thornton Road would serve Flat 2 and this would include two spaces and a turning area. This access is within the red outline and although not owned by the applicant the LPA have been advised the applicant has a right of access over it. The proposed access and parking is considered to be acceptable in terms of highway safety and complies with policies TM2, TM12 and TM19A of the RUDP.

Community Safety Implications:

The proposed development does not raise any community safety concerns, thus Policy D4 of the RUDP is satisfied.

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 to four flats and retention of Ashfield House as a single dwelling is considered to be acceptable in principle and is considered to maintain the character and appearance of the Thornton Conservation Area and preserves the character of the Ashfield House with an appropriate use. In addition the scheme does not raise any concerns in terms of drainage, residential amenity or highway safety.

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. All new windows and doors shall be timber and installed in accordance with the details on plan SR-1665-3 A received by the Council on the 21st of August 2015.

Reason: To ensure the use of appropriate materials in the interests of visual amenity of the conservation area and setting of the adjacent listed building and to accord with policies BH1 and BH4A of the Replacement Unitary Development Plan.

3. Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site in accordance with the approved plan numbered SR-1665-2 A and completed to a constructional specification approved in writing by the Local Planning Authority.

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

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

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

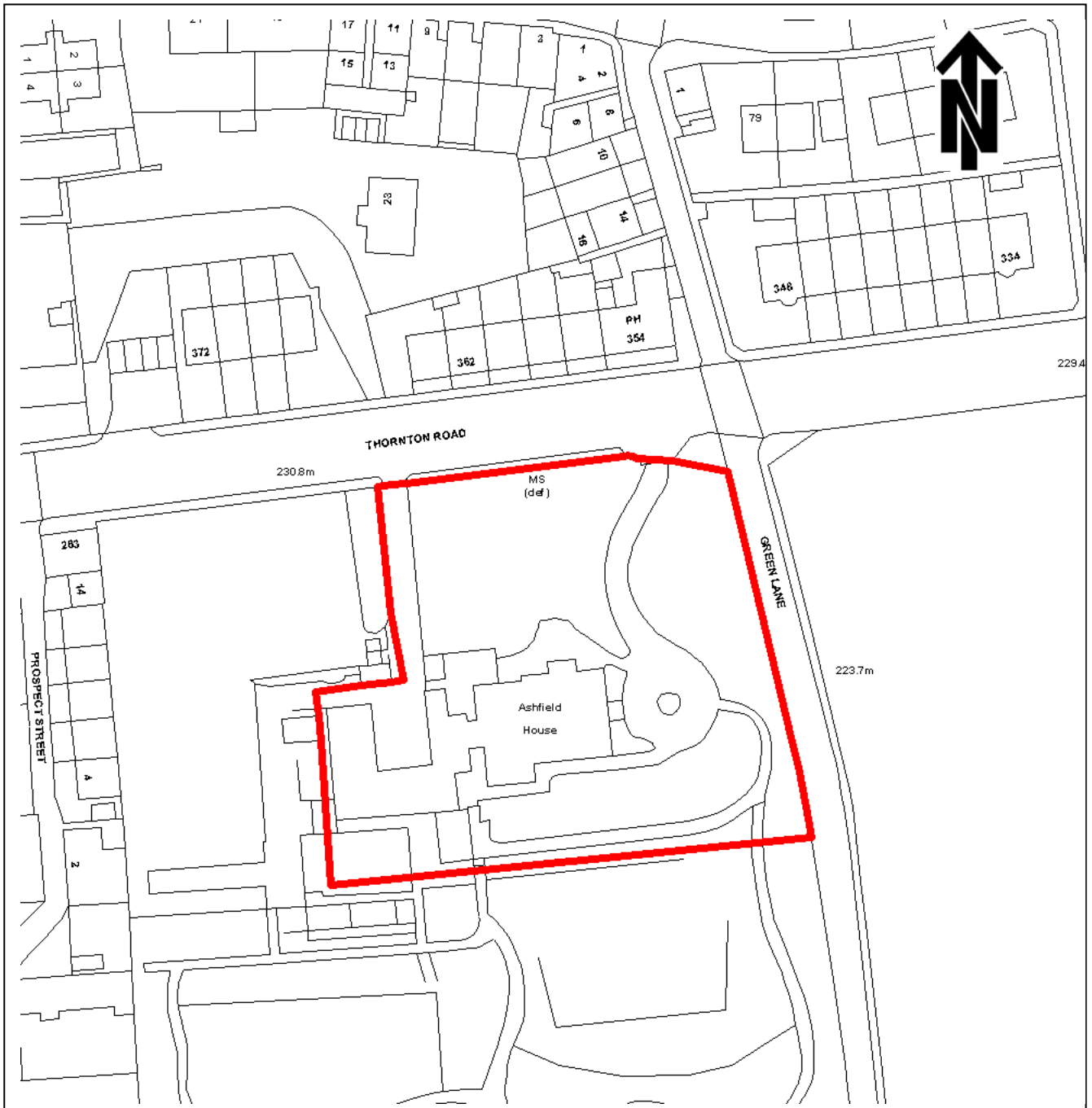
5. The dining room windows in the east facing elevation of Flat 4, looking towards the conservatory hereby permitted shall be glazed in obscure glass prior to the first occupation of the building/extension and thereafter retained.

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

Area Planning Panel (Bradford)

15/02769/LBC

14 October 2015



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ITEM NO. : 3	LOCATION: Ashfield House Thornton Road Thornton Bradford
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14 October 2015

Item Number: 3
Ward: THORNTON AND ALLERTON
Recommendation:
TO GRANT LISTED BUILDING CONSENT

Application Number:
15/02769/LBC

Type of Application/Proposal and Address:

An application for listed building consent for the change of use of a nursing home to form four separate flats and retention of existing house as residential dwelling at Ashfield House, 269 Thornton Road, Thornton, Bradford.

Applicant:

Mr Amjid Hussain

Agent:

SR Design

Site Description:

The site consists of a substantial Victorian built villa located within large grounds off Thornton Road which is to the north. The site has a significant number of large trees located to the south, east and north of the main house some are outside the ownership of the applicant but provide a setting for the house. Parking currently exists to the east of the house and access is from Thornton Road. The property was formally a nursing home.

Relevant Site History:

97/03656/FUL: Erection of lean-to extension to property to provide ramp GRANT 19.02.1998.

97/03657/LBC: Erection of lean-to extension to property to provide ramp GRANT 11.02.1998.

01/01243/FUL: Single storey extension to rear of property to provide bedroom REFUSE 09.07.2001.

01/01511/LBC: Construction of single storey bedroom extension and connect to existing REFUSE 09.07.2001.

01/03903/FUL: Two storey extension GRANT 30.05.2002.

01/03909/LBC: New bedroom extension to nursing home GRANT 30.05.2002.

03/01703/LBC: Alterations to ground floor bedroom to provide two bedrooms and store GRANT 10.07.2003.

05/01462/LBC: Installation of replacement doors and windows GRANT 21.06.2005.

05/07005/FUL: Construction of temporary tool storage building REFUSE 14.11.2005.

15/01966/FUL: Change of use of nursing home to form 4 no separate flats and retention of existing house as residential dwelling. Concurrent planning application.

Replacement Unitary Development Plan (RUDP):

Allocation

The site is unallocated for a specific land use but is located within the Thornton Conservation Area. The host property is grade II listed.

Proposals and Policies

BH1: Change of Use of Listed Buildings

BH4: Alteration, Extension or Substantial Demolition of Listed Buildings

BH4A Setting of Listed Buildings

BH7: Conservation Areas

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.

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application was advertised by way of a site notice and individual neighbour notification letters. The statutory publicity date expired on 14 of August 2015. One letter of representation was received.

Summary of Representations Received:

Questions of ownership and the fact the owner of land within the red outline had not been served notice of the application.

Response: This issue has since been resolved with the agent serving notice on the owners and as such, procedurally the planning application is now correct. The red outline extends over an access track into the site which the applicant has advised he has right of access over.

A second point was raised that the proposed residential use of the extended parts of the building would prejudice future development to the south of the site.

Response: The nursing home would have the same level of overlooking to the south than the proposed residential use and the same facing distances of 17metres would be required between properties.

Consultations:

Design and Conservation: As originally submitted the scheme lacked detail in terms of how the site would be divided up, parking arrangements and the impact on trees and also detail in terms of internal and external alterations to the buildings.

Summary of Main Issues:

Visual Amenity and Impact on the Thornton Conservation Area.

Appraisal:

The application relates to the change of use of a nursing home to four flats and a single dwelling at Ashfield House, Thornton. The continued use of Ashfield House as a single dwelling is appropriate and in line with the original use and the proposed sub-division of the ancillary structures and extensions would not harm the heritage assets. As such the principle of the scheme is acceptable.

Visual Amenity and Impact on the Thornton Conservation Area

Ashfield House is a substantial Victorian villa built as the residence of the Craven family who operated Prospect Mills to the west. The mill, associated workers' housing on Prospect Street and the owner's villa all survive presenting an important historic group. The house is an imposing 2-storey structure in ashlar sandstone with Italianate influences. The main entrance front faces east with the south front also being afforded significant architectural attention. The house stands in mature grounds with significant trees and terraced gardens descending the hillside to the south. During institutional use in the 20th century the house has been extensively extended to the west, partially in character but to a quality rather inferior to the parent building. Some of the linking structures have a rather temporary, institutional appearance which although not causing physical harm to the listed building, detract from its setting.

Some parts of the structures to the west of the house appear to have served as contemporary ancillary accommodation to the main house. These have significance, and all parts of the structure should be considered as listed. All areas of the grounds are assessed as making a positive contribution to conservation area character, although the modern extensions to the house are concluded as making a neutral contribution.

The formation of limited new openings will not harm significance, but no information is provided on internal features in the older parts of the ancillary structures, in spaces which may be affected by adaptation to new uses. The specifications of new door and window openings have now been provided on plan to overcome concerns over the lack of detail.

In addition a revised plan has been submitted showing the intention for how the amenity space within the grounds would be used and it is not intended to divide the curtilage up other than provide a fence to the south of the building to give Flat 4 a private garden area.

The parking within the main entrance area has been scaled back so it is contained within the existing hard-standing and as such there is no further impact on the protected trees. Parking for the previous nursing use would have had a similar impact to the proposed residential development and as such there are grounds for concern in terms of the parking.

As the building is listed any further changes to the plan would require consent and as such the Local Planning Authority (LPA) would retain control over future developments.

Based on the amended plan which shows there will be no internal or external alterations to the main house and limited changes which have been detailed to the ancillary accommodation the proposed scheme would have a neutral impact on the character of the Thornton Conservation Area and will not adversely impact on the setting of the host listed building. The proposed development complies with policies BH1, BH4 and BH7 of the RUDP.

Community Safety Implications:

There are no apparent community safety implications.

Equality Act 2010, Section 149:

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

Reason for Granting Listed Building Consent:

The proposed change of use to four flats and retention of Ashfield House as a single dwelling is acceptable in principle and would maintain the character and appearance of Ashfield House with an appropriate use. The development complies with policies BH1 and BH4 of the Replacement Unitary Development Plan.

Conditions of Approval:

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

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

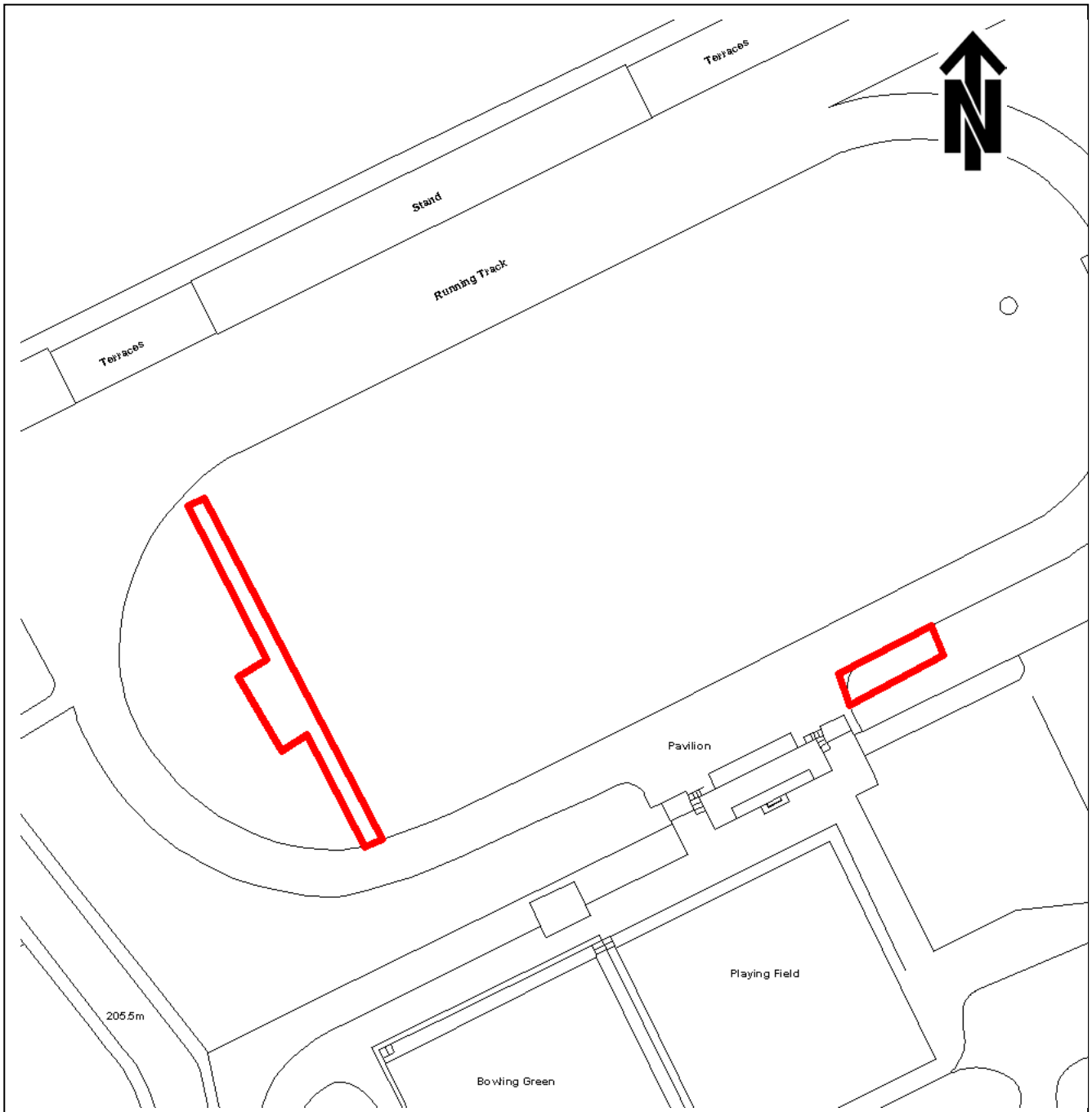
2. All new windows and doors shall be timber and installed in accordance with the details on plan SR-1665-3 A received by the Council on the 21st of August 2015.

Reason: To ensure the use of appropriate materials in the interests of visual amenity of the conservation area, setting of the listed building and to accord with policies BH1, BH4, BH4A and BH7 of the Replacement Unitary Development Plan.

Area Planning Panel (Bradford)

15/03441/FUL

14 October 2015



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ITEM NO. : 4

LOCATION:

**Horsfall Athletic Stadium
Cemetery Road Low Moor**

14 October 2015

Item Number: 4
Ward: ROYDS
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
15/03441/FUL

Type of Application/Proposal and Address:

A full planning application for installation of a standing and a seating unit with associated fencing at Horsfall Athletic Stadium, Cemetery Road, Low Moor, Bradford.

Applicant:

Mr Joe Mosley, Bradford (Park Avenue) AFC

Agent:

Mr Andrew Burningham, Seven Architecture Ltd, Harrogate

Site Description:

The site of about 300m² comprises two separate areas within the sports stadium; the first is set behind the western goal line of the football pitch, the second is close to a traditional pavilion building to the southern boundary. The site forms a small part of a much larger athletics, sports and football stadium with formally laid out pitch, running track, spectator terracing, metal clad clubhouse buildings and pavilions. To the north is an extensive outdoor recreation space enclosed by fencing and railings that is subject to Queen Elizabeth II 'Fields in Trust' status. To the west is Cemetery Road with a large North Bierley Cemetery beyond and to the south Harold Park. An established access to the stadium is available from Cemetery Road.

Relevant Site History:

None specific to the application site, though the stadium has a number of recent planning permissions mainly relating to the retention of the clubhouse.

Replacement Unitary Development Plan (RUDP):

Allocation

The site is not allocated for any specific land-use however it is included within the Urban Greenspace and Protected Playing Fields. Taking account of policies saved for the purposes of formulating the Local Plan for Bradford, the following RUDP policies are applicable to the proposal.

Proposals and Policies

UR3: The Local Impact of Development
D1: General Design Considerations
D2: Energy Efficiency and Sustainable Design
D3: Access for People with Disabilities
D4: Community Safety
D5: Landscaping

TM2: Impact of Traffic and its Mitigation
TM11: Parking Standards for Non-Residential Developments
TM19A: Traffic Management and Road Safety
OS1: Urban Greenspace
OS3: Protection of Playing Fields
NE10: Protection of Natural Features and Species
NR16: Surface Water Run Off and Sustainable Drainage Systems
P7: Noise

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.

Parish Council:

The site is not in a parish.

Publicity and Number of Representations:

Receipt of the planning application was publicised by means of site notices and neighbour notification letters. The publicity period expired on 14 September 2015. One objection from a Royds Ward Councillor has been received with a request that the application be referred to the Bradford Area Planning Panel should officers recommend its approval.

Six letters of support have been received.

Summary of Representations Received:

In Objection

- 1. Horsfall is a Queen Elizabeth II (QEII) Field; it must be an open field accessible to the public at all times.
- 2. It is believed the Bradford Council department that agreed to this becoming a QEII Field might object to the plans.
- 3. There is a requirement that any plans submitted must also go through planning via 'Fields in Trust'.
- 4. Have any Council departments been involved prior to the submission of the plans?

5. Have all the departments involved in the QEII status been notified/consulted?
6. The proposed stands as located will interfere with (i) the physical use of athletics at the facility, (ii) viewing of the athletics; as such the site will be less attractive for athletics use by schools and clubs.
7. The plans for the proposed 'associated' fencing are too vague.
8. The purple line for 'new fencing' on the plan includes the whole site to its perimeters and is not limited to the use of the stadium itself.
9. New security fencing will interfere with public use which is an essential aspect of a QEII Field.

In Support

1. This would be a welcome and long-overdue additional facility for the comfort and safety of spectators, including disabled spectators at no cost to the Council or tax-payers.
2. Stronger perimeter fencing would assist in improving security and reducing vandalism.
3. The proposal will benefit the community as well as for the football club.
4. Although not a material planning consideration the site is part of a QEII Field site; the proposal is in keeping with the aims and objectives of QEII Field criteria, which seek to retain the site for sports use.
5. The stadium is, and will remain, in public ownership.
6. The stadium has been gradually improved over a number of years by both the Local Authority and the tenant football club.
7. The club averages about 400 spectators; the proposal will have no impact on the capacity of the ground, which will remain about at 2,500.
8. There will be no significant impact on the occupants of residential properties; there will be no overshadowing or overlooking.
9. There will be no harmful effect on the openness of the site.
10. The proposal has no significant impact on visual amenity and does not conflict with any of the Council's planning policies or the NPPF.
11. The units will be removed to storage at the end of the football season.

Consultations:

Building Control - Drainage: No comments required.

Highways Development Control: No objections or suggested conditions.

Minerals and Waste Team: No comments received.

Parks and Landscape Team: No comments received.

Summary of Main Issues:

Principle of development.

Visual amenity.

Amenities of occupiers of adjacent land.

Other planning matters.

Outstanding Matters Raised by Representations.

Appraisal:

Principle of Development

The proposal would add two relatively small covered seating and standing units, the former being about ten metres wide with 29 seats for spectators, the latter having seven tiered steps and being 12.5 metres wide, both having an area for wheelchair users. The standing unit would be separated from the goal line by low a railing. The units would be located closer to the football pitch than the main stand enhancing the view for spectators and are intended to be demountable so that they could be moved and stored elsewhere outside of the football season.

When seen in combination with the existing built form of the stadium the two stands and railing would have little tangible impact on the wider Urban Greenspace that the site forms a part. Equally, the stands would be ancillary to the sports use of the stadium without affecting their use or the quality or quantity of pitch availability. For these reasons the proposal complies with RUDP Policy OS1 and criterion 5 of Policy OS3 and so is acceptable in principle.

Visual Amenity

Whilst having a utilitarian, functional appearance in terms of their design, scale and construction materials, the stands and railing would be similar in character to other elements of the built form within the stadium, notably the large main stand and the clubhouse buildings. The stands would not be particularly visible from outside the stadium. The proposal complies with policies UR3 and D1 of the RUDP and is therefore acceptable in visual amenity terms.

Amenities of Occupiers of Adjacent Land

The stand behind the goal line would be set on the inside of the athletics track, which would interrupt spectators' views of runners when seen from some parts of the stadium. The stands would not physically occupy any part of the stadium that is actively used for sport, either football or athletics. As noted above, the applicant suggests that the stands are demountable and would be removed outside of the football season, which generally ends in early-May and re-starts in mid-August. It is confirmed by an on-site track official that the stadium does not hold any major athletics events anymore; schools events would not be affected as these are only low key. The only spectators with an interrupted view would be those watching a football match from the bar area of the clubhouse.

Given the intermittent and short-term nature of the interrupted view of the running track and that the proposal would generally offer a better view for spectators of football matches, the adverse effect on views of the running track are not considered to be excessively harmful.

The proposal is wholly contained within the stadium and is some distance from adjacent land. Furthermore, the relatively small scale of the development is such that it would have no detrimental impact on occupants of neighbouring land compliant with RUDP policies UR3 and D1.

Other Planning Matters

The proposal raises no adverse implications for any other planning-related issues, such as highway safety, drainage, accessibility, contamination, etc., which cannot be addressed by conditions as necessary.

Outstanding Matters Raised by Representations

Horsfall is a Queen Elizabeth II (QEII) Field; it must be an open field accessible to the public at all times.

It is believed the Bradford Council department that agreed to this becoming a QEII Field might object to the plans.

There is a requirement that any plans submitted must also go through planning via 'Fields in Trust'.

Have all the departments involved in the QEII status been notified/consulted?

Comment: The QEII field is beyond the application site and so is not affected by the proposal.

Have any Council departments been involved prior to the submission of the plans?

Comment: The Local Planning Authority has a well-established procedure for providing pre-application advice; no such inquiry was made in this case. Otherwise, informal advice was offered to the Council's Sport and Leisure Department on the need for compliance with the relevant planning legislation and Building Regulations. The Local Planning Authority is not privy to any other correspondence from Council departments.

The plans for the proposed 'associated' fencing are too vague.

Comment: The detailed plans of the fence are shown on a series of scaled plans with dimensions, which are sufficient for the planning application to be assessed.

The purple line for 'new fencing' on the plan includes the whole site to its perimeters and is not limited to the use of the stadium itself.

New security fencing will interfere with public use which is an essential aspect of a QEII field.

Comment: The new fencing indicated by a purple line is separate and excluded from the planning application site identified by a red line on the submitted plans. This fence is therefore not part of the formal submission and cannot be assessed by the Local Planning Authority.

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. The issues with regard thereto are noted above in relation to this application but do not raise any matters that would outweigh the material planning considerations.

Reason for Granting Planning Permission:

The proposed stands and fencing would have no significant adverse implications for the Urban Greenspace, use of the sports facility, visual amenity, highway safety, residential amenity or any other planning matters. As such, the development complies with policies UR3, D1, D2, D3, D4, D5, TM2, TM11, TM19A, OS1, OS3, NE10, NR16 and P7 of the RUDP.

Conditions of Approval:

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

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

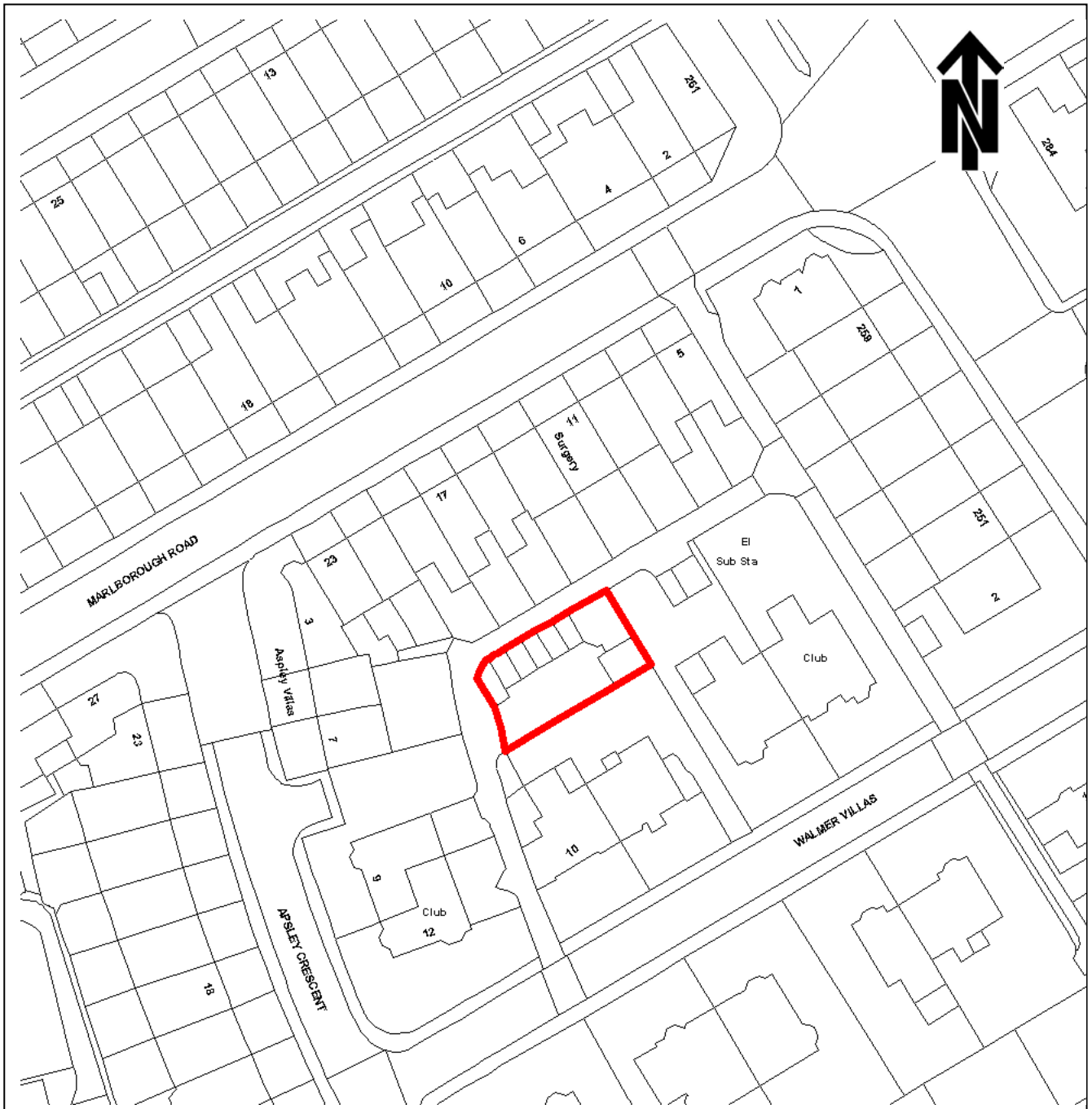
2. Before the first use of the stands hereby granted planning permission, details of their means of removal, storage, repositioning and the time periods of such works shall be submitted to the Local Planning Authority for its written approval. The development shall then proceed in full accordance with the details so approved.

Reason: To ensure that the stands allow a reasonable appreciation of other sporting activities taking place at the stadium and to accord with policies UR3 and D1 of the Replacement Unitary Development Plan.

Area Planning Panel (Bradford)

15/03003/FUL

14 October 2015



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ITEM NO. : 5	LOCATION: Rear Of 8 Walmer Villas Bradford
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14 October 2015

Item Number: 5
Ward: MANNINGHAM
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
15/03003/FUL

Type of Application/Proposal and Address:

This is a full planning application for the demolition of existing garages and the construction of a pair of semi-detached dwellings on land the rear of 8 Walmer Villas, Manningham, Bradford.

Applicant:
Mr S Shah

Agent:
Mr Andrew Redmile, A Redmile Architectural Design

Site Description:

This is a rectangular plot of land to the rear of 8 and 10 Walmer Villas currently occupied by lock-up garages and a former motor vehicle repairs garage. There is a large metal gate to the western boundary and the red brick and partially metal clad rear wall of the lock up garages forms the northern boundary. The part rendered, part stone rear wall of the garage structures form the western boundary and the southern boundary is partly stone and partly palisade metal fencing. The surrounding area is mainly residential consisting of substantial stone-built Victorian era buildings reaching up to four storeys in height. Vehicular access is via a narrow service road which has junctions with Walmer Villas between 2 and 4 Walmer Villas and 10 and 12 Walmer Villas. The site is fairly level but the surrounding area slopes down to the east.

Relevant Site History:

93/01217/FUL - Installation of new front on garage/workshop - Granted

Replacement Unitary Development Plan (RUDP):

Allocation

The site is not allocated for any specific land use but is within the Apsley Crescent Conservation Area and a Community Priority Area on the RUDP.

Proposals and Policies

Policy UDP1	Promoting Sustainable Patterns of Development
Policy UDP3	Quality of Built and Natural Environment
Policy UR2	Promoting Sustainable Development
Policy UR3	The Local Impact of Development
Policy BH7	Conservation Areas
Policy D1	General Design Considerations
Policy D5	Landscaping

Policy H7	Density Expectation
Policy H8	Density Efficient Use of Land
Policy CF6	Development of Unallocated Land in Community Priority Areas
Policy TM2	Impact of Traffic and its Mitigation
Policy TM12	Parking Standards for Residential Developments
Policy TM19A	Traffic Management and Road Safety

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.

Parish Council:

The site is not in a Parish.

Publicity and Number of Representations:

The application has been publicised with neighbour notification letters, a press advertisement and a site notice. This publicity period expired on 28 August 2015. Six letters of objection have been received to the proposal.

Summary of Representations Received:

- Proposal would invade the privacy of neighbouring residents.
- The proposal will decrease the value of properties in the area.
- Proposal will block natural light into neighbouring properties and their gardens due to the height of the dwellings.
- Proposal will cause parking issues on this narrow road
- Proposal will increase traffic in the area and it will not be safe for children to play outside.
- Proposal will result in a loss of peace and quiet in the area due to additional noise and pollution.
- Access to the road will be compromised should the work go ahead.
- The design of the proposed dwellings is out of sync with the surrounding buildings.
- The surrounding area is already densely populated and more people will add to the already over-crowding situation and will not improve the lives of people already living in the area.

Consultations:

Highways Development Control - Accept that the number of traffic movements into and out of the site for a pair of semi-detached dwellings may be similar to the former use. There are concerns in regard to the servicing of the dwellings due to the substandard access. Therefore, cannot support the application from a highways point of view.

Drainage - No objections subject to approval of drainage details. Also note that a public sewer exists close to the site boundary.

Design & Conservation - No comments received.

Environmental Health - No comments received.

Summary of Main Issues:

Principle of the Development.

Visual Amenity.

Residential Amenity.

Highway Safety.

Land Contamination.

Other Issues Raised in Representations.

Appraisal:

Principle of the Development

The site is within the Apsley Crescent Conservation Area and a Community Priority Area on the RUDP but is otherwise unallocated on the RUDP. The site has previously been used as lock up garage and a vehicle repairs garage. The surrounding area is mainly residential and so the proposed land use would be appropriate; the development would also remove a potentially unrestricted industrial operation (car repairs) from the site. The site is in a sustainable location and the District's under-supply of housing land is also an important factor. The proposed development results in a housing density of 62 dwellings per hectare which is well above the 50 dwellings per hectare required by Policies H7 and H8 of the RUDP. The principle of the development is therefore acceptable subject to its local impact.

Visual Amenity

The application proposes a pair of four storey dwellings on this rectangular plot of land replacing a number of derelict lock-up garages which have in the past been used for motor vehicle repairs. The site is within the Apsley Crescent Conservation Area and is surrounded by tall stone built Victorian era properties. Though the proposed dwellings have a ridge height of 12 metres and eaves height of around 9 metres the surrounding properties are substantial and the proposed height is considered appropriate. Revised plans have been received which show that the development will be constructed in natural Ashlar stone under a natural slate roof. Though UPVC windows are proposed the openings are of an appropriate scale and the site is not particularly prominent in the conservation area. The proposed site plan shows that the proposed drives to the front of the properties would be surfaced with paving slabs and sets, details of these can be secured through an appropriately worded condition.

Subject to the approval of facing, roofing and surfacing materials and details of the proposed garage door and boundary treatments the development would result in a significant improvement to the character and appearance of the Apsley Crescent Conservation Area compliant with the relevant RUDP policies.

Residential Amenity

The site is surrounded by residential properties. A distance of around 23 metres is retained to the rear wall of 7 Apsley Villas to the west and minimum distance of 10.5 metres is retained to this property's rear boundary. These distances are sufficient to prevent any significant overlooking, overshadowing or over-dominance of this neighbour.

Generally, a distance of 12 metres is required between an elevation containing habitable room windows and an elevation which does not contain any habitable room windows. A distance of around 18 metres is retained to the rear wall of 17 Marlborough Road to the north. There are no habitable room windows in the side elevations of the proposed building and so this separation distance is adequate to avoid causing any significant harm to the residential amenity of this property. Similarly to the south a distance of 13 metres is retained between the side elevation of the proposed development and the rear elevation of 10 Walmer Villas. This distance is also sufficient to avoid causing any significant harm to amenity.

Finally to the east there is the rear amenity space of 6 Walmer Villas and the proposed development retains a distance of 7.3 metres to the rear boundary which is also sufficient to avoid causing any significant overlooking in this direction.

The site is within a wholly residential setting and so it is reasonable to limit the hours in which construction work takes place. This would give some respite from construction activity on this site to the surrounding neighbours.

Overall, subject to a condition which requires all windows in the side elevations to be obscure glazed and another which limits the hours in which construction work can take place the proposal is unlikely to result in any significant harm to residential amenity.

Highway Safety

The site is accessed via a narrow service road which has junctions with Walmer Villas adjacent to 10 Walmer Villas and 6 Walmer Villas. The nearest junction from this site is around 30 metres to the south adjacent to 10 Walmer Villas. The site is currently unused but has historically been used as lock-up garages and for motor vehicle repairs. The Highways Officer accepts that the number of traffic movements into and out of the site for a pair of semi-detached dwellings would likely to be similar to the former use. Concerns are however raised with regard to the servicing of the proposed dwellings due to the substandard access.

It is very unlikely that refuse vehicles would enter this small service road due to its condition and narrow width. It is more likely that existing residents take their bins to Walmer Villas on collection days. Given the significant visual improvement to this site within a conservation area the proposal is unlikely to result in a level of harm which would outweigh this. It is recommended that together with conditions to secure the proposed car parking spaces a condition requiring details to identify the refuse bin collection point should be attached to any approval of this application. Subject to this the proposal would not result in significant harm to highway safety.

Land Contamination

As the site has previously been used for motor vehicle repairs and its proposed residential end use is particularly sensitive to potential contamination. Consequently, a series of condition which required the submission of a phase 2 intrusive site investigation of the site and details of any necessary remedial works should be attached to any approval of the site. This will enable the full and proper consideration of the potential contamination risks of the site.

Other Issues Raised in Representations

The proposal will decrease the value of properties in the area.

Response - This not a material planning consideration.

Proposal will result in a loss of peace and quiet in the area due to additional noise and pollution.

Response - The proposed residential use is unlikely to generate greater noise or pollution than the authorised garage/workshop use of the site.

Access to the road will be compromised should the work go ahead.

Response - Any disruption during the construction phase would be temporary and a planning application cannot be refused on these grounds.

The surrounding area is already densely populated and more people will add to the already over-crowding situation and will not improve the lives of people already living in the area.

Response - The proposal would see the redevelopment of an existing unused and unsightly site within this area. Two additional dwellings would also improve the appearance of this area.

Community Safety Implications:

The proposed development does not present any community safety implications.

Equality Act 2010, Section 149:

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

Reason for Granting Planning Permission:

The proposed development is an appropriate alternative use for this former garage site and would represent a significant visual improvement. The proposal would improve the character and appearance of this site within the Apsley Crescent Conservation Area without causing any significant harm to neighbouring amenities or highway safety. It would therefore comply with policies UDP1, UDP3, UR2, UR3, D1, D5, BH7, H7, H8, CF6, TM2, TM12 and TM19A of the RUDP and the NPPF.

Conditions of Approval:

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

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

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

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to safeguard the appearance of the Apsley Crescent Conservation Area in which it is located and to accord with policies UR3, D1 and BH7 of the Replacement Unitary Development Plan.

3. Prior to the first occupation of the buildings hereby permitted, details of the finishes and colour of the surfacing materials to the front of the proposed dwellings, shall have been submitted to and approved in writing by the Local Planning Authority and so carried out in accordance with those approved details.

Reason: To ensure a satisfactory appearance in the interests of visual amenity, historic context and to accord with policies UR3, D1 and BH7 of the Replacement Unitary Development Plan.

4. Prior to the commencement of development full details of the proposed garage doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: In the interest of visual amenity, historic context and to comply with policies UR3, D1 and BH7 of the Replacement Unitary Development.

5. The Development shall not begin until a plan showing the positions, design and materials of boundary treatments has been submitted to and approved in writing by the Local Planning Authority. The treatments so approved shall then be provided in full prior to the first occupation of dwellings hereby permitted and shall thereafter be retained.

Reason: In the interests of amenity, historic context, privacy and to accord with policies UR3, D1 and BH7 of the Replacement Unitary Development Plan.

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

Reason: To accord with Policy UR3 of the Replacement Unitary Development Plan.

7. All windows in the side elevations of the dwellings hereby permitted shall be glazed in obscure glass prior to the first occupation of the building and thereafter retained.

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

8. Before development commences on site, a plan showing the position of the refuse collection point shall be submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in accordance with the approved details.

Reason: To ensure the site can be serviced in a safe manner and to comply with policies TM2 and TM19A of the Replacement Unitary Development Plan.

9. Construction work shall only be carried out between the hours of 0730 and 1800 on Mondays to Fridays, 0730 and 1300 on Saturdays and at no time on Sundays, Bank or Public Holidays, unless specifically agreed otherwise in writing by the Local Planning Authority.

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

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

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

11. Prior to development commencing, a Phase 2 site investigation and risk assessment scheme based on a Phase 1 desk study in addition to that already submitted, to assess the nature and extent of any contamination on the site, whether or not it originates on the site, must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to comply with Policy UR3 of the Replacement Unitary Development Plan.

12. Prior to development commencing the Phase 2 site investigation and risk assessment, must be completed in accordance with the approved site investigation scheme. A written report, including a remedial options appraisal scheme, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with Policy UR3 of the Replacement Unitary Development Plan.

13. Prior to development commencing a detailed remediation strategy, which removes unacceptable risks to all identified receptors from contamination shall be submitted to and approved in writing by the Local Planning Authority. The remediation strategy must include proposals for verification of remedial works. Where necessary, the strategy shall include proposals for phasing of works and verification. The strategy shall be implemented as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with Policy UR3 of the Replacement Unitary Development Plan.

13. Unless otherwise agreed in writing with the Local Planning Authority, a remediation verification report prepared in accordance with the approved remediation strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of each phase of the development (if phased) or prior to the completion of the development.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with Policy UR3 of the Replacement Unitary Development Plan.

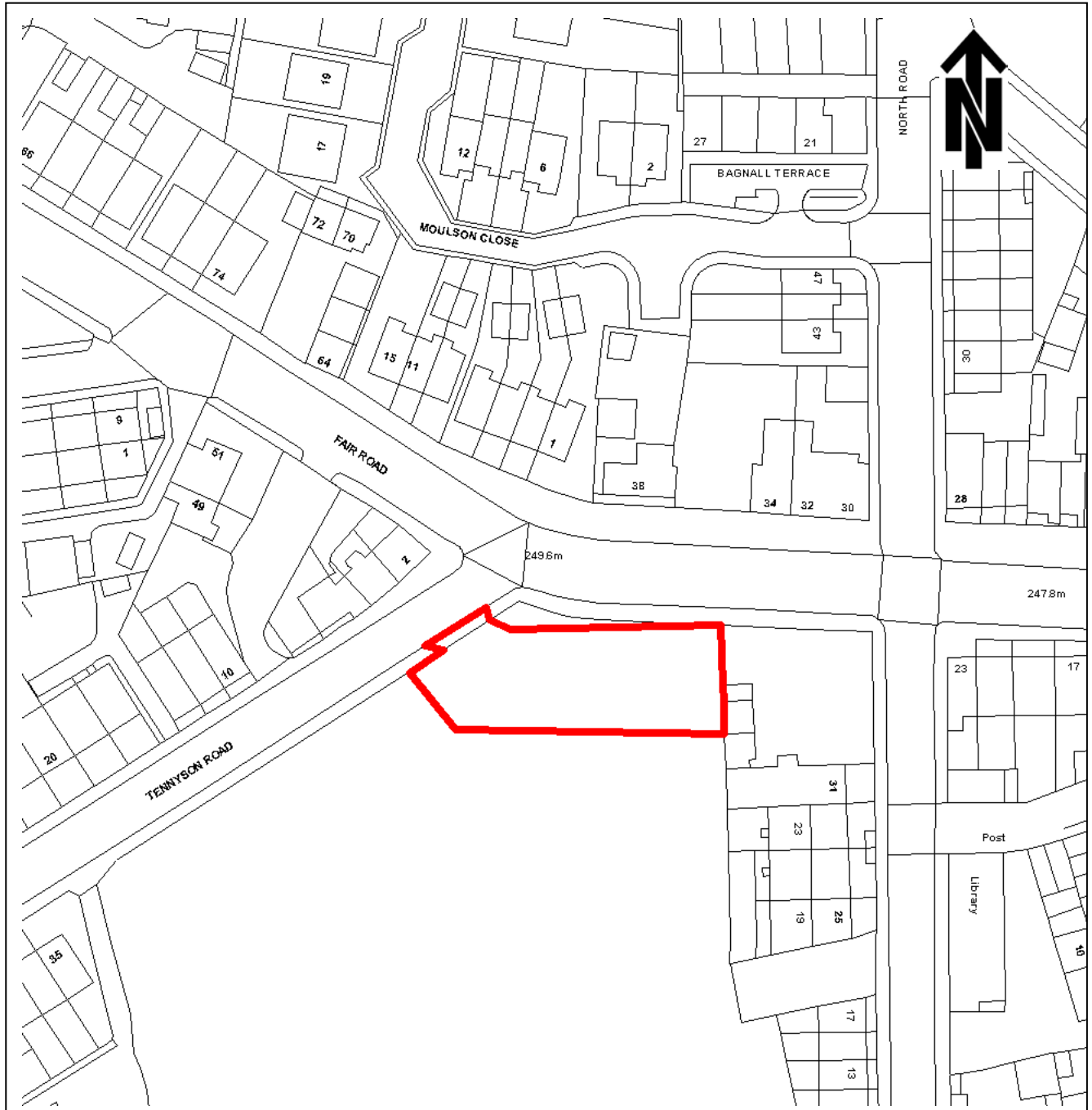
14. If, during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is remediated appropriately for its intended use and to comply with Policy UR3 of the Replacement Unitary Development Plan.

Area Planning Panel (Bradford)

15/03060/FUL

14 October 2015



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<p>ITEM NO. : 6</p>	<p>LOCATION: Recreation Ground Fair Road Bradford</p>
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14 October 2015

Item Number: 6
Ward: WIBSEY
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
15/03060/FUL

Type of Application/Proposal and Address:

A full planning application to create a new car park on recreational open space to the south of Fair Road, Wibsey, Bradford.

Applicant:

Mr Mike Cowlam, City of Bradford Metropolitan District Council

Agent:

Mrs Christine Hopkinson, City of Bradford Metropolitan District Council

Site Description:

The site is an area of open informal recreational land on the fringe of Wibsey local centre, specifically the application relates to a 20 metre x 47.5 metre proportion in the north east corner adjacent to the junction of Fair Road and Tennyson Road.

Relevant Site History:

None.

Replacement Unitary Development Plan (RUDP):

Allocation

Recreational Open Space.

Proposals and Policies

OS2 - Protection of Recreation Open Space
UR3 - The Local Impact of Development
D1 - General Design Considerations
TM2 - Impact of Traffic and its Mitigation
TM18 – Parking for People with Disabilities
TM19A - Traffic Management and Road Safety
NR16 – Drainage

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.

Parish Council:

Not in a parish.

Publicity and Number of Representations:

The application has been publicised via site notice and individual neighbour notification letters. The publicity period expired on 26th August 2015. 14 objections have been received.

Summary of Representations Received:

Noise and light pollution.

Out of character.

Loss of greenery.

The proposal will exacerbate parking issues; will the residents of Tennyson Road be issued with parking permits?

No requirement for the car park.

Impact on house prices.

Highway safety and a potential conflict between users.

The development may contradict a legal direction.

Inadequate consultation with residents.

Contrary to paragraphs 74 and 75 of the NPPF.

Consultations:

Highways Development Control – No objections to the proposal, initial drainage concerns where satisfied by the construction details.

Drainage – Conditions suggested in respect of surface water drainage.

Summary of Main Issues:

The principle of the development.

Neighbouring residential amenity.

Visual amenity.

Highway safety.

Other Issues raised in the representations.

Appraisal:

The application deals with the planning merits of the proposed car park only. The matter of appropriation of the land is a separate legal process.

The proposal will create 28 parking spaces including 3 spaces for disabled drivers. There is an existing vehicular access on to the land off Tennyson Road which will be improved and used providing access to both the car park and wider site. The car park will be a combination of bituminous construction and plastic grid paving system enclosed by a 0.9m high timber rail.

The Principle of the Development

The site is an allocated recreation open space on the RUDP and as such the proposal is subject to assessment against Policy OS2, which stipulates that development will not be permitted unless:

1. The loss of the recreation open space does not lead to or exacerbate a local deficiency and the site could not be used to help to meet any deficiency in another type of open space, or
2. The development proposal provides for equivalent alternative provision in terms of size and quality which is close to existing users
3. and in either case it does not result in a significant loss of amenity.
4. The development proposal is ancillary and supports the recreational use, and would not significantly affect the quantity and quality of open space, its recreational function or its character and appearance.

The above is also reflected in paragraph 74 of the NPPF.

The recreational open space subject of the application is approximately 6450m² the proposal will result in the loss of 950m² of this space separating off the north-east corner from the main site. There is not a deficiency of open space within the locality, as in addition to the majority of the site remaining as functional recreational open space, within the vicinity there are playing fields off Northfield Road, Fair Road and at Wibsey Park. Access to recreational open space provision in the locality is therefore not compromised by the development. It is also notable that a proportion of the site to be developed has been treated with gravel to improve the entrance which limits its functionality.

The car park improves the accessibility of the recreation area, particularly to those residents with disabilities with 3 dedicated parking spaces provided. The proposal therefore satisfies Point 1 of Policy OS2. The principle remains subject to Point 3 of Policy OS2 relating to amenity and this is addressed separately below.

In addition to the above the proposal is also likely to be used by visitors to Wibsey local centre. As such it will support the vitality and viability of the local centre in keeping with a sustainable and integrated approach to development as detailed within the NPPF.

Neighbouring Residential Amenity

The proposal will increase the vehicular activity within the locality and within the representations an increase in light and noise pollution has been raised as a concern.

The site is not proposed to be illuminated so any impact will be as a consequence of the vehicles activity only. Given that the site will be partially illuminated by existing street lights positioned on the footway of Fair Road, and the proximity of the car park to the highways of Fair Road and Tennyson Road any increase in light and noise is not anticipated to be significantly detrimental. Furthermore, vehicles using the site are unlikely to have their engines, or, lights on for prolonged periods and habitable room windows will not be directly impacted as the site does not abut a residential dwelling. It can also be anticipated that the car park will mainly be used within daylight hours when the potential for disturbance is lower. The proposal therefore complied with policies OS2 (Point 3), UR3 and D1 of the RUDP.

Visual Amenity

The car park has been designed to minimise the visual impact on the locality. It is proposed to use plastic grid with soil and seed for the parking areas which should result in an appearance sympathetic to the green appearance of the wider site. The means of enclosure is also respectful of the existing arrangements and the open character of the site. The proposal therefore satisfies policies UR3 and D1 of the RUDP.

It is noteworthy that a tree will be removed as part of the proposal, but this tree is not protected and could be removed without prior consent of the Local Planning Authority.

Highway Safety

The Council's Highways Engineer raises no objections to the proposal. The development would utilise an existing access, which will be improved as a part of the proposal, and the visibility splays are already protected by double yellow lines. The car park has been laid out to retain vehicular access to the wider recreation open space and allow on-site turning so vehicles can enter and exit in a forward gear.

The representations mention of existing parking issues within the locality and many request the introduction of parking permits. The car park would be envisaged to alleviate parking issues reducing the reliance upon on-street parking. The introduction of residential parking permits is outside the remit of the planning application. The proposal satisfies the requirements of policies TM2, TM18 and TM19A of the RUDP.

Other Issues Raised in the Representations

Consultation with residents has been raised in several of the representations. In terms of the planning application the publicity given to the application has exceeded the publicity requirements for this type of development. The process of appropriation of the land and consultation associated with this is a separate issue outside the remit of the planning process.

Impact on house prices is not a material planning consideration and as such cannot be considered as part of the appraisal.

Whether the application site should be subject to legal direction or covenant is again beyond the remit of the planning process. The granting of planning permission would not supersede any legal direction or covenant on the land.

Community Safety Implications:

None foreseen.

Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. The issues with regard thereto are noted above in relation to this application but do not raise any matters that would outweigh the material planning considerations.

Reason for Granting Planning Permission:

The proposal is considered to represent a suitable form of development that will not result in an unacceptable loss of recreational open space. The proposal will sit comfortably within the locality and will not result in significant harm on neighbouring amenity or prejudice highway safety. The proposal as such satisfies the requirements of policies OS2, UR3, D1, TM2, TM18, TM19A and NR16 of the RUDP and the NPPF.

Conditions of Approval:

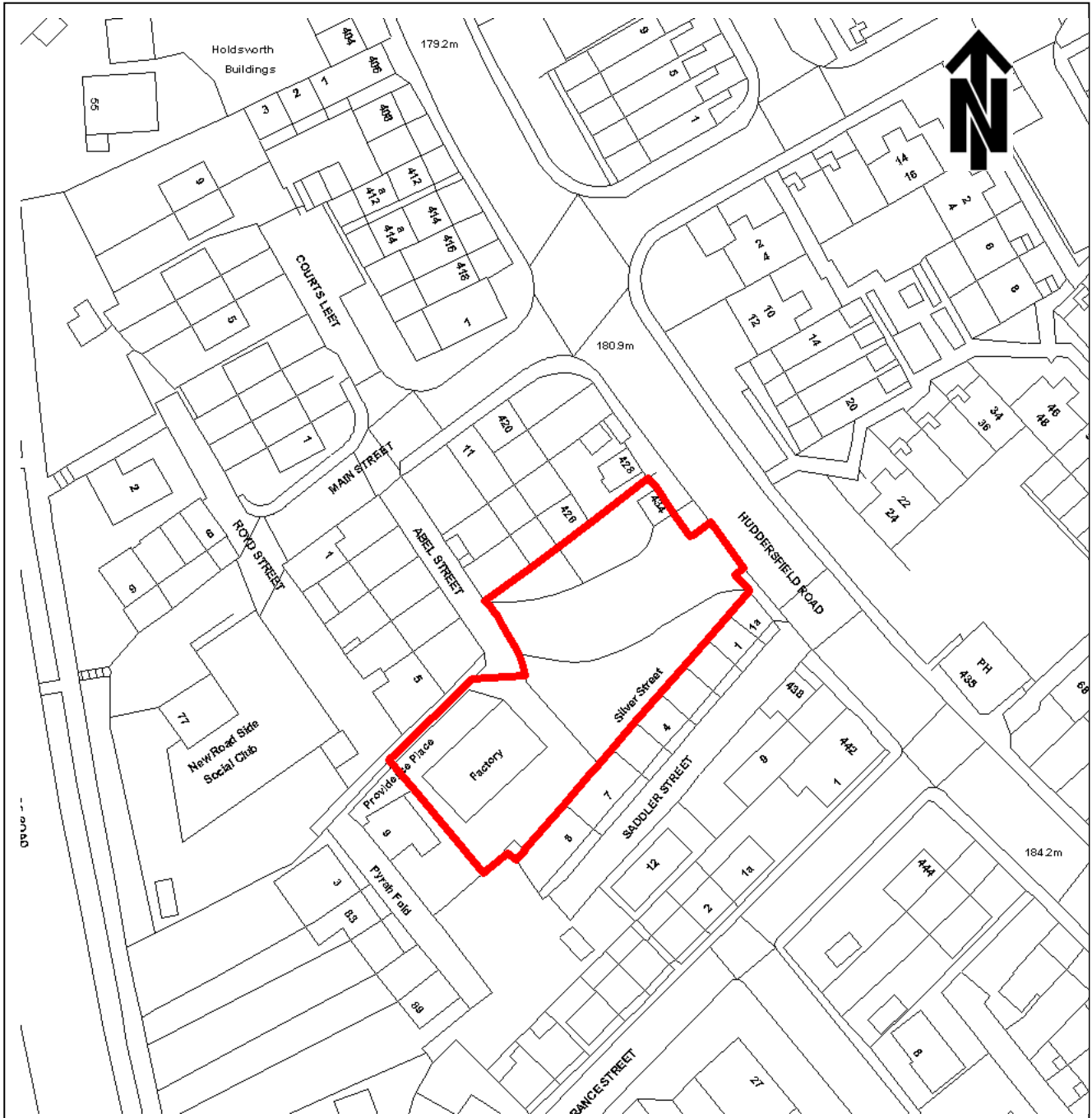
1. The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

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

Area Planning Panel (Bradford)

15/02801/FUL

14 October 2015



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ITEM NO. : 7	LOCATION: 434 Huddersfield Road Bradford
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14 October 2015

Item Number: 7
Ward: WYKE
Recommendation:
TO REFUSE PLANNING PERMISSION
APPLICATION WITH A PETITION

Application Number:
15/02801/FUL

Type of Application/Proposal and Address:

A full planning application for the change of use of the site from a private hire office and car tinting workshop to hand car wash with car valeting in existing building to the rear of the site at 434 Huddersfield Road, Wyke, Bradford. This is a resubmission of a previous withdrawn application, 15/02098/FUL.

Applicant:
Mr Kevin Johnson

Agent:
Belmont Design Services

Site Description:

The site is a small parcel of land located in a mainly residential area, though there are a number of small retail and commercial properties close to the site. Access to the site is from Huddersfield Road but there is also a poorer access via Abel Street. The site had been in use as a private hire tax base with vehicles parking on the site and with the presence of a small tax office building. A larger building to the rear of the site had been in use as a car tinting workshop, this use not benefiting from planning permission.

Relevant Site History:

15/02098/FUL: Change of use from private vehicle hire office and car tinting workshop to hand car wash, withdrawn 08/07/2015

12/03330/FUL: Change of use of vacant land to a hand car wash, refused 04/10/2012 due to (1) adverse impact on highway safety, (2) visual amenity, (3) impact on residential amenity and (4) lack of information in relation to drainage.

Replacement Unitary Development Plan (RUDP):

Allocation
Unallocated.

Proposals and Policies

UR2	Promoting Sustainable Development
UR3	The Local Impact of Development
TM2	Impact of traffic and its mitigation
TM11	Parking standards for non residential developments
TM19A	Traffic management and road safety

D1	General Design Considerations
P7	Noise
NR16	Surface Water Run Off and Sustainable Drainage Systems
NR17	Groundwater Protection

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.

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application was publicised by site notice and individual notification letters. The expiry of the publicity period was 15th August 2015. To date, 37 letters, including one from a Wyke Ward Councillor, and a petition of 99 names objecting to the proposal have been received. 16 letters and a 41-signature petition in support have also been received.

Summary of Representations Received:

In Objection:

1. Concerns regarding highway safety and possible congestion from the proposed use.
2. Potential drainage issues.
3. Concerns regarding noise and the impact on residential amenity, particularly at weekends.
4. Poor visibility at the site entrance and insufficient off-street parking.
5. Increased possibility for crime as a result of the proposal.

In support:

1. The car wash will provide a good local service and enhance the area.
2. The proposed scheme will be environmentally friendly.

Consultations:

Highways: No objections subject to the necessary visibility splays being achieved at the site entrance.

Drainage: Confirmation of the method of surface water management needed - cover this by conditions.

Environmental Health: Some concerns expressed in terms of the potential impact on amenity of the surrounding properties.

Summary of Main Issues:

Principle of use.

Residential amenity.

Highway safety.

Visual impact.

Drainage.

Outstanding issues raised by representations.

Appraisal:

Principle of Use

The site is unallocated and in principle there would be no policy objection to the use of the site as a hand car wash and valeting business. This is subject to all relevant detailed material planning considerations and policies discussed below.

Residential Amenity

The site is surrounded at close quarters by residential properties. Abel Street runs close to the site and a row of properties back right onto the site from Saddler Street. The proposed hand car wash is likely to result in additional noise and general disturbance on residents of these properties, due in the most part to the commonplace activities associated with the use, i.e. jet-wash noise, vehicles movements and engine noise, radios, voices of staff. The car valeting use, to be located to the rear of the site in the existing building, is also likely to result in harm to the surrounding properties.

The plans shows a 2-metre high fence to be installed within the site, but such a fence is unlikely to adequately retain and control noise disturbance and is likely to be limited in its effectiveness. No specific details have been provided in relation to this fence and its likely effectiveness in controlling noise, which serves to reduce its ability to militate against the impacts on residential amenity.

It is possible to partly mitigate noise disturbance through hours of operation, however, this would not adequately protect the surrounding properties and the actual manner in which the use is executed and operates cannot be effectively controlled. Given all of the above factors, the proposal is unacceptable in terms of its impact upon residential amenity and fails to accord with policies UR3 and P7 of the RUDP.

Highway Safety

The proposed scheme will rely on access from Huddersfield Road to serve both the hand car wash and car valeting building. There is sufficient circulation space within the site to accommodate vehicles within a one-way system and the access to the valeting building is sufficient to allow vehicles to manoeuvre within the site. Parking provision is adequate since there will be limited demand for parking at the site owing to the nature of the use.

A condition can reasonably control the visibility splays to be provided at the site entrance, which was demonstrated on the withdrawn application 15/02098/FUL and sufficient splays can be provided to maintain safe access into the site. It should also be noted that the existing private vehicle hire booking office use will be removed from the site reducing the need for off-street and on-street parking in the area.

Visual Impact

There will be limited visual impact resulting from the proposal as the only development proposed is the 2-metre high fence noted above. The materials for this fence are not confirmed but are likely to be timber boarding which would be acceptable in this location. It is also possible that this boundary treatment could be installed under permitted development rights. Given the current condition of the site, the proposed scheme may lead to an improvement to its appearance through enhanced surfacing of the land.

Drainage

More information would be needed in regard to the drainage proposals for the site, however this can be secured by way of appropriate conditions.

Outstanding Issues Raised by Representations

Increased possibility for crime as a result of the proposal

Comment: It is considered that there would not be any significant increase in the potential for crime or unsociable behaviour at the site – the new layout would improve the safety of the site and may serve to improve surveillance and create defensive space, particularly with the proposed fence line.

Community Safety Implications:

None significant.

Equality Act 2010, Section 149:

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

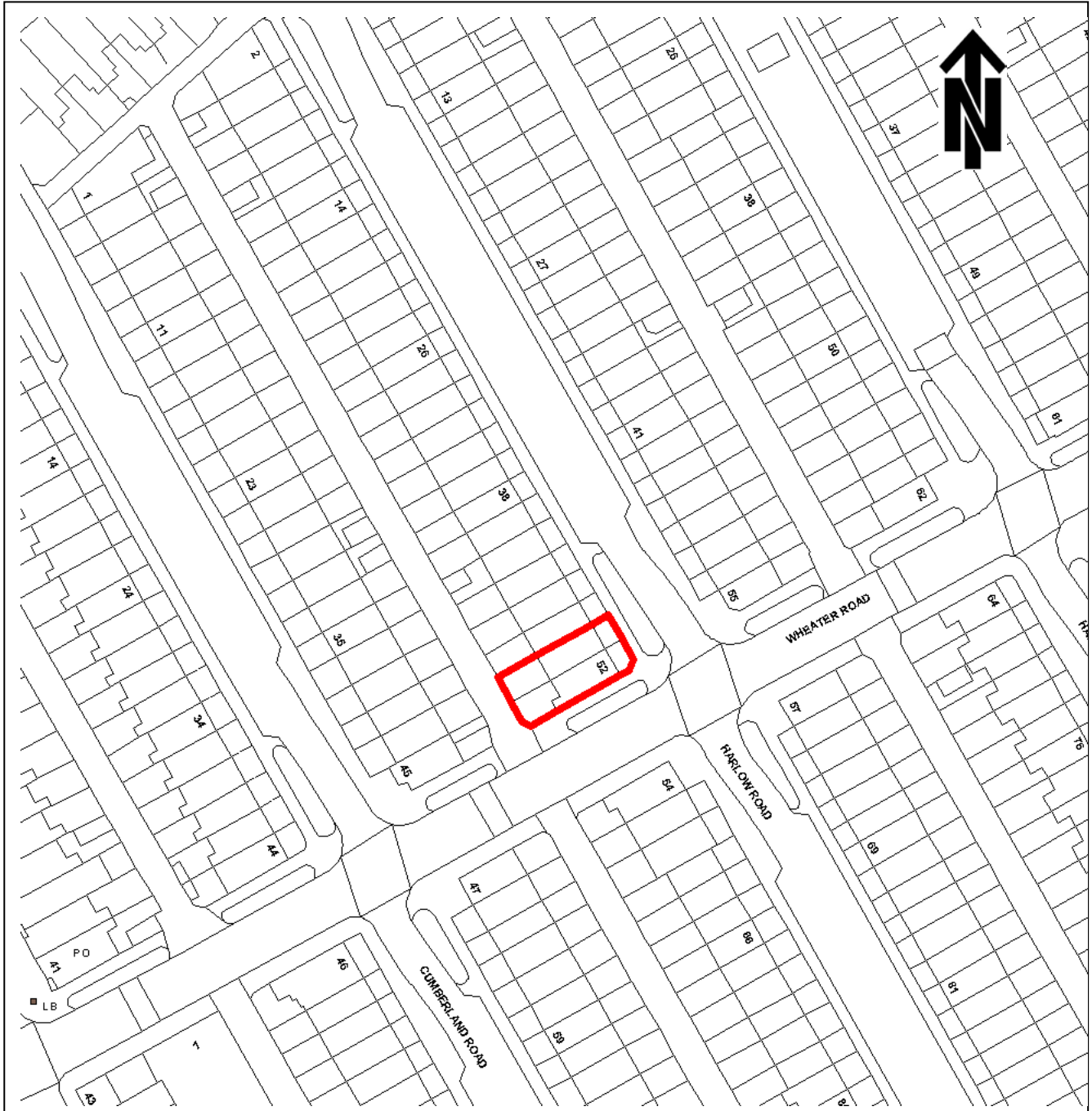
Reasons for Refusal:

The proposed uses (hand car wash and valeting), in close proximity to residential properties on Saddler Street and Abel Street, will result in adverse implications for the amenities of existing residents due to the nature of the activities likely to occur as a result of the proposals and the general nuisance and disturbance caused by the activities at the site. The proposal is therefore contrary to policies UR3 and P7 of the Replacement Unitary Development Plan.

Area Planning Panel (Bradford)

15/03232/HOU

14 October 2015



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<p>ITEM NO. : 8</p>	<p>LOCATION: 50 And 52 Harlow Road Bradford</p>
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14 October 2015

Item Number: 8
Ward: GREAT HORTON
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
15/03232/HOU

Type of Application/Proposal and Address:

The application is a householder planning application which seeks retrospective application for single-storey extensions to the rear of 50 and 52 Harlow Road, Lidget Green, Bradford.

Applicant:

Mr Sadique and Mrs Parveen

Agent:

Mr Mo Ali

Site Description:

The application relates to 50 and 52 Harlow Road traditional terraced-style properties at the junction with Wheater Road. The wider locality is an established residential area characterised by rows of terraced dwellings. The properties are uniformly laid out with small front yards and larger rear yards generally enclosed by low stone walls.

Relevant Site History:

10/05466/HOU Dormer windows to the front and rear with front external stairs GRANT
29.12.2010
13/03683/HOU Rear extension REFUSE 28.10.2013

Replacement Unitary Development Plan (RUDP):

Allocation

Unallocated

Proposals and Policies

UR3 The Local Impact of Development
D1 General Design Considerations

The Householder Supplementary Planning Document

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.

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application has been advertised by individual neighbour notification letters. The publicity period expired on 26 August 2015. One representation has been received from a Great Horton Ward Councillor.

Summary of Representations Received:

The representation received supports the application as it is for a disabled person and it is not considered to harm local amenities.

Consultations:

Occupational Therapy Team – Are not aware of a resident with a disability at either property.

Appraisal:

Appraisal:

The application is for matching extensions to the rear of 50 and 52 Harlow Road. The extensions comprise three identifiable elements. The kitchen extension has a depth of 3 metres and extends across the width of the dwellings. This part of the extension is constructed with natural stone walling and surmounted by a mono-pitch slate roof. The kitchen extension is adjoined by a conservatory or atrium type structure which has a further depth of 2.1 metres and is constructed with a part natural stone wall. The remainder of the conservatory is comprised of a UPVC framework surmounted by a polycarbonate roof. This is adjoined by a further projection which has a depth of 1.5 metres and a width of 2.1 metres. This aspect of the extension is constructed of natural stone and is also surmounted by a pitched roof.

The extension to number 50 has been in place for some time and was subject to enforcement action prior to a planning application in 2013. This application was refused due to the harm to the amenity of the occupants of No 48 and 52 Harlow Road. The extension to No 52 has been constructed between the refusal and the current application.

The addition of an extension to No 52 alleviates the threat to the amenity of the occupants of this property. Obscure glazing is also proposed in the side elevation of the extension to No 50, which will serve to mitigate some of the harm to the residents of No 48 Harlow Road.

However, the proposed extension to the rear of No 50 Harlow Road still has a total depth of 7.2 metres and abuts the shared boundary with No 48. As such the extension by reason of its excessive depth and proximity to the common boundary still results in an adverse level of overbearing and overshadowing on the rear amenity space and rear habitable room window of No 48 Harlow Road to the detriment of the present and future occupiers of the property. As such the extension remains contrary to policies UR3 and D1 of the RUDP and the Householder Supplementary Planning Document.

The addition of the extension to No 52 has also increased the prominence of the extensions within the Wheater Road street scene, and the composite design and scale of the extension results in a strident and incongruous feature poorly related to the strong traditional character of the locality. The use of good quality matching materials is noted, but this does not outweigh the harm to visual amenity. The proposal as such fails to meet the requirements of policies UR3 and D1 of the RUDP and the Householder Supplementary Planning Document.

The application has been submitted with supporting information to justify an exception to the Council's adopted policies in respect of rear extensions to adjoined properties. The Council's Occupational Therapy Officer is unaware of the resident in question and as such cannot support the proposal. Whilst weight can still be given to the resident's requirements, the evidence submitted fails to establish adequate justification for an extension of the scale and design proposed. The information fails to demonstrate how the extension will meet the needs of the disabled occupant. A disabled toilet is shown on the layout for No50 Harlow Road, but this is remote from the main living accommodation and there is no reason to suggest that this cannot be provided by internal adaptations to the main dwelling, or, within a 3 metre rear extension. Notwithstanding this, the evidence submitted would also only justify the extension to No 50 Harlow Road.

Community Safety Implications:

None foreseen.

Equality Act 2010, Section 149:

In writing this report due regard has been taken of the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups. The issues with regard thereto are noted above in relation to this application but do not raise any matters that would outweigh the material planning considerations.

Reasons for Refusal:

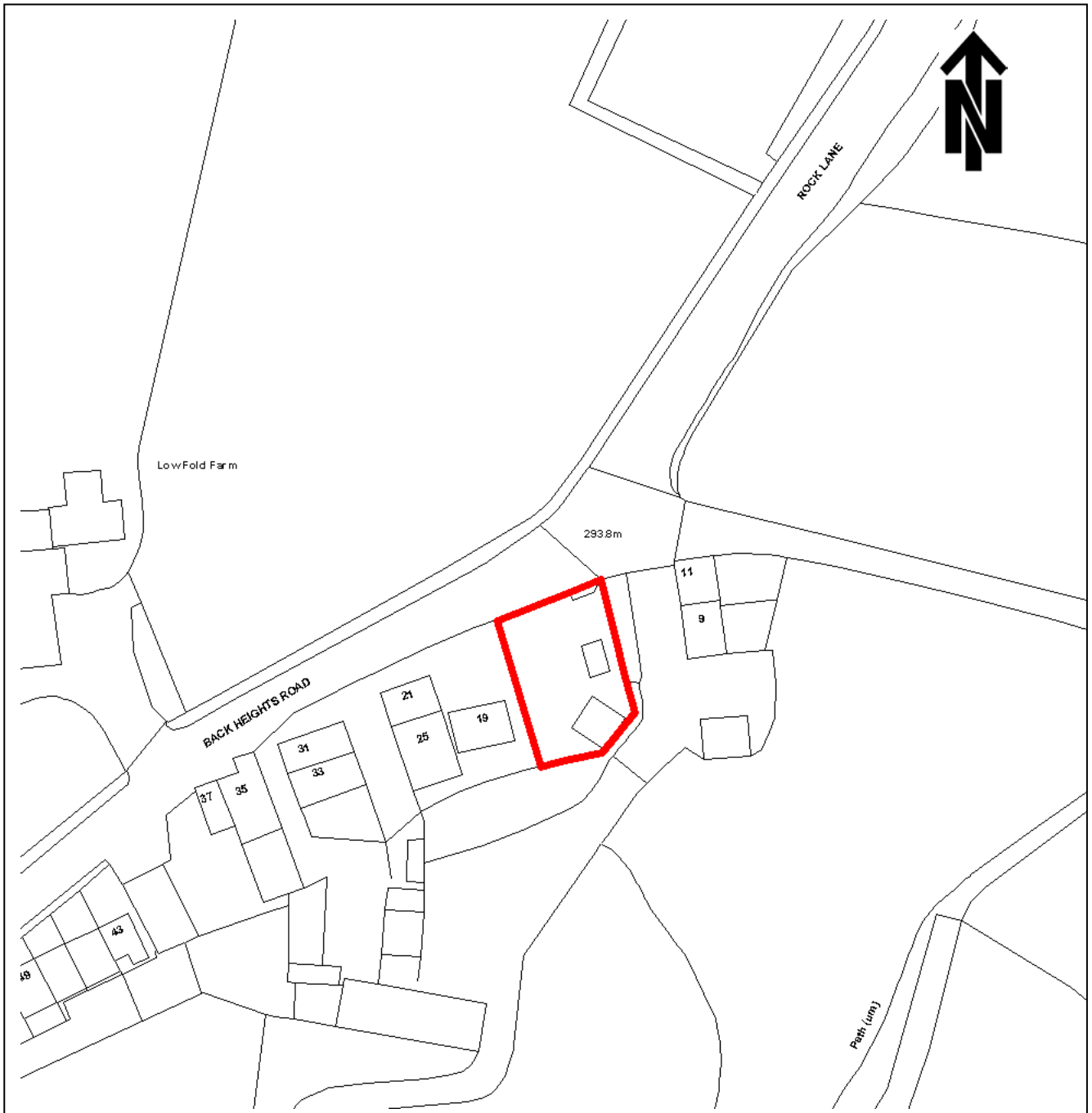
1. The extension by reason of its size and siting in proximity to the common boundary results in an adverse level of overbearing and overshadowing on the rear private amenity space and rear habitable room window of 48 Harlow Road to the detriment of the residential amenity of the present and future occupiers of the aforementioned property. The proposal is therefore contrary to policies UR3 and D1 of the Replacement Unitary Development Plan and the Householder Supplementary Planning Document.

2. The proposed extensions would, by reason of their design, scale and prominent siting, represent an unwelcome and strident feature, visually incongruous with the existing dwellings, and therefore harmful to the visual amenity and character of the street scene. For this reason the proposal is unacceptable when measured against policies UR3 and D1 of the Replacement Unitary Development Plan and those contained within the Householder Supplementary Planning Document.
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Area Planning Panel (Bradford)

15/02781/FUL

14 October 2015



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<p>ITEM NO. : 9</p>	<p>LOCATION: Land Adjacent To 9 Back Heights Road Thornton Bradford</p>
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14 October 2015

Item Number: 9
Ward: THORNTON AND ALLERTON
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
15/02781/FUL

Type of Application/Proposal and Address:
This is a full planning application for the construction of a detached dwelling on land adjacent to 9 Back Heights Road, Thornton, Bradford.

Applicant:
Mr Allan Hobbs

Agent:
Mr Simon Russell, SAR Architects

Site Description:
This is a plot of land between 9 Back Heights Road to the east and 19 Back Heights Road to the west. The site has a small workshop and wood store on it but there no substantial buildings. The levels rise from the Back Heights Road boundary to the back of the site. The site is in the Green Belt and is part of a small group of residential properties. Vehicular access is from the north-eastern corner of the site.

Relevant Site History:
98/00038/FUL - Construction of four bedroom detached dwelling – Refused.

Replacement Unitary Development Plan (RUDP):
Allocation
The site is in the Green Belt on the RUDP.

Proposals and Policies

Policy UDP1	Promoting Sustainable Patterns of Development
Policy UDP3	Quality of Built and Natural Environment
Policy UR2	Promoting Sustainable Development
Policy UR3	The Local Impact of Development
Policy GB1	Green Belt
Policy D1	General Design Considerations
Policy D5	Landscaping
Policy H7	Density Expectation
Policy H8	Density Efficient Use of Land
Policy TM2	Impact of Traffic and its Mitigation
Policy TM12	Parking Standards for Residential Developments
Policy TM19A	Traffic Management and Road Safety

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.

Parish Council:

The site is not in a Parish.

Publicity and Number of Representations:

The application has been publicised with neighbour notification letters, a press advertisement and a site notice. This publicity period expired on 09 October 2015. Two letters of objections and an e-mail in support of the development from a Thornton and Allerton Ward Councillor have been received; the latter asks for the application to be determined by the Area Planning Panel if officers are minded to refuse it. Any further representations received after the report preparation will be reported verbally to the Area Planning Panel.

Summary of Representations Received:

In objection

- Proposal would overshadow the neighbouring gardens.
- Concerns about the ground levels to the rear of the proposed development. The ground floor level is shown as being at the existing road level then the rear would need to be raised above that of 19 Back Heights Road. This would result in overlooking and overshadowing.
- Proposal would hem in 19 Back Heights Road between existing properties at numbers 21-25 and the proposed dwelling.
- Is it really reasonable to try justify development on this site based on the presence of previous historic development?
- Would appreciate some further information around the overall height of the proposed development in relation to the neighbouring property and the ground levels of its surrounding land.
- Access to this plot is dangerous.
- Proposal would not be in keeping with the surroundings.
- Proposal would result in traffic congestions and pollution from delivery vehicles.
- Insufficient time given to neighbours to respond.

In support

- Acknowledges site is within the Green belt but there are special circumstances which Members should be made aware of and a decision should not be made under Officer delegated powers.
- The relaxation of some of the planning regulations in respect of the Green Belt should be examined in some detail.

Consultations:

Highways Development Control - No objections subject to conditions to secure the access and car parking.

Rights of Way - No objections.

Drainage - No objections subject to condition requiring separation drainage system for foul and surface water and the use of an impermeable surface for car parking and hard standing areas.

Summary of Main Issues:

1. Principle of the Development.
2. Visual Amenity.
3. Residential Amenity.
4. Highway Safety.
5. Other Issues Raised in Representations.

Appraisal:

Principle of the Development

The site is within the Green Belt on the RUDP in which there is a presumption against inappropriate development. By its very nature development not associated with agriculture, forestry or outdoor recreation is considered to be inappropriate development. There is also provision within paragraph 89 of the NPPF for the replacement of existing buildings or the development of brownfield sites provided that the new development has no greater impact on the openness of the Green Belt.

The application indicates that this site previously accommodated large stone houses similar to those on land neighbouring this site. These are present on Ordnance Survey before 1956 but are not present on the maps showing data from 1956 to 1975. The site has regenerated and no sign of these dwellings now remains on site. There is a small workshop and storage building on this site but the dwelling proposed in this application would have a significantly greater impact on the openness of the Green Belt and so the proposal is contrary to Policy GB1 of the RUDP and the NPPF. The principle of the development is not therefore acceptable.

Notwithstanding Officer's recommendation to refuse this application, were members minded to grant planning permission it would need to be referred to the Regulatory and Appeals Committee as a departure from Green Belt policy under Town and Country Planning (Development Plans and Consultation) (Departure) Directions 1999 ("the Directions").

Visual Amenity

The application proposes a split level property which appears two storeys to the front elevation and single storey to the rear. The ground floor level provides a double garage and bedroom with the main living areas spread across the first and second floors. The property is to be constructed in stone under a tiled roof and sits to the front of 19 Back Heights Road and is of a significantly greater width than this property. No drawings have been provided which show the relationship of the proposed dwelling with the adjacent properties and so it is not possible to properly assess its visual impact in relation to its setting. It is noted that number 19 does not appear as tall as this proposed dwelling. The large hard standing to the front of the proposed dwelling could appear out of place without well designed boundary treatments. From the limited information submitted there is some concern that the proposed dwelling could appear out of place.

Residential Amenity

There are residential properties to the east and west of the site. A distance of 12 metres is retained to the back wall of 9 Back Heights Road which is sufficient given that no windows are proposed in the side elevation of this property.

The main area of concern is the relationship of the proposed dwelling with 19 Back Heights Road. The proposed dwelling is set to the front of this which has habitable room windows to its front elevation and a patio door to the east elevation. The proposed dwelling is only 3 metres from the side wall of this property and it is set around 5.6 metres beyond the front wall of this property. No sectional drawing showing the relative heights of these properties have been submitted however it would appear that the proposed dwelling projects beyond a 45-degree line taken from the nearest habitable room window of number 19. It is therefore likely to result in significant loss of light and outlook to this property.

Highway Safety

The existing vehicular access is to be used to access the site and the proposal includes two off-street parking spaces and a turning area within the site. Subject to conditions the proposal would not harm highway safety in the area.

Other Issues Raised in Representations

Objections:

Have concerns about the ground levels to the rear of the proposed development. The ground floor level is shown as being at the existing road level then the rear would need to be raised above that of 19 Back Heights Road. This would result in overlooking and overshadowing.

Response - It would appear that the ground levels to the rear of the property are to remain as existing but this lack of information forms one of the reasons for refusal.

Proposal would result in traffic congestions and pollution from delivery vehicles.

Response - Traffic and pollution caused during the construction works cannot be determining factors in an application of this type or scale. The thing to consider is the impact of the completed development and this is including within the appraisal.

Insufficient time given to neighbours to respond

Response - The application was advertised via neighbour notification letters, a press advertisement and a site notice which gave neighbours at least 21 days to respond. The site notice was posted on 22 July 2015 and requested comments by 14 August 2015. The application has therefore been notified in line with the local and national policy in relation to publicising planning applications.

Supporting Comments:

The relaxation of some of the planning regulations in respect of the Green Belt should be examined in some detail.

Response - It is not clear what is being referred to here.

Community Safety Implications:

The proposed development does not present any community safety implications.

Equality Act 2010, Section 149:

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

Reasons for Refusal:

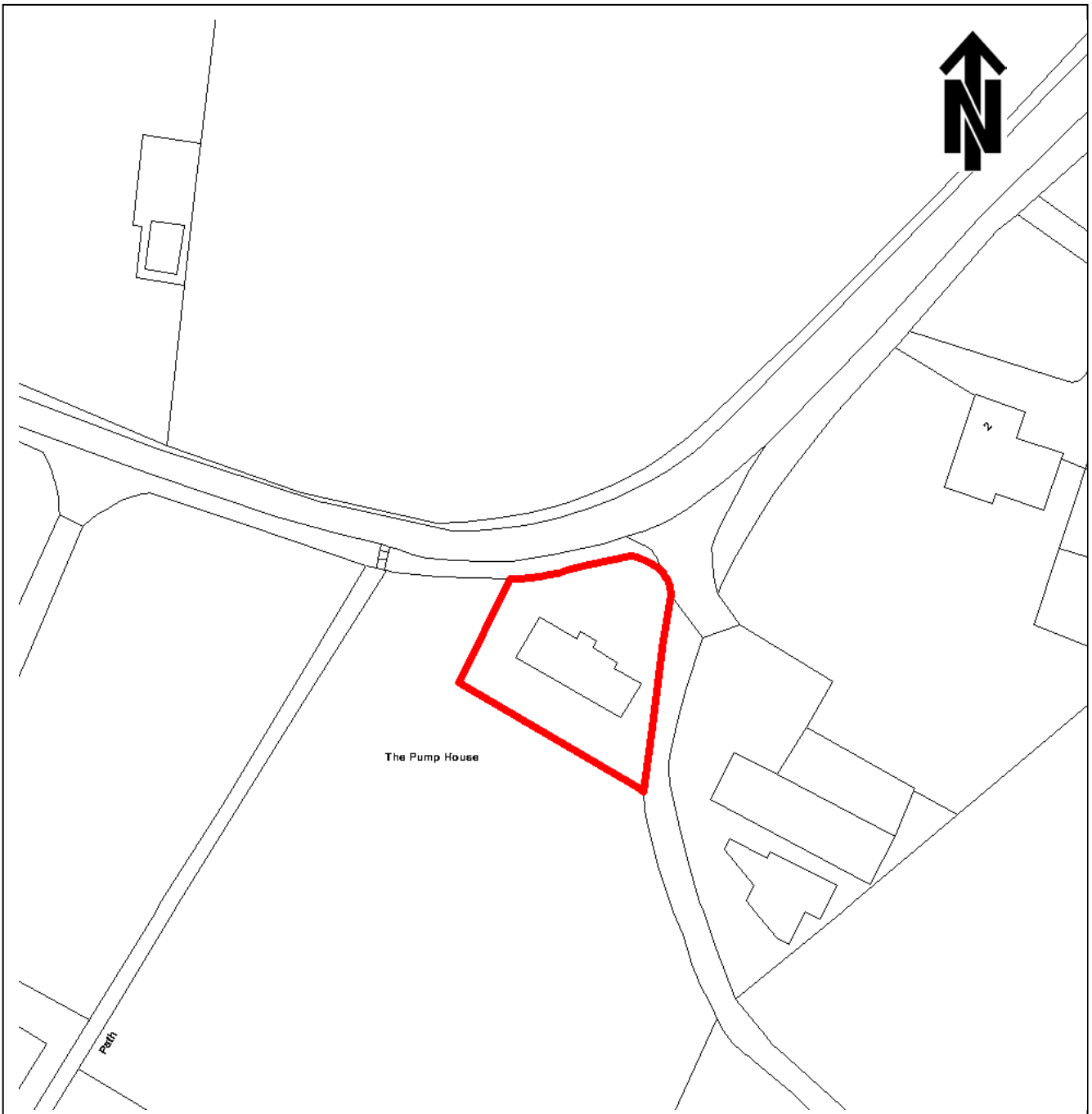
1. The proposed development lies within an area defined as green belt on the Replacement Unitary Development Plan wherein there is a strong presumption against inappropriate development. The proposed development would constitute inappropriate development in the green belt and in the absence of any very special circumstances, which may warrant the proposal being treated as an exception, the proposed development is, by definition, harmful to the green belt. For this reason the proposed development is unacceptable against Policy GB1 of the Replacement Unitary Development Plan for the Bradford District and the National Planning Policy Framework.
2. Notwithstanding the above reason relating to the principle of development, the application does not provide sufficient information to enable its proper consideration by the Local Planning Authority in detail. In particular, the following information is not provided:
 - i) A drawing which shows the relationship of the proposed development with the adjacent dwellings.
 - ii) A drawing showing the positions of habitable room windows in 19 Back Heights Road and the relationship of the proposed dwelling with these windows.

In the absence of the above information it is not possible to fully assess the impact of the proposal on visual amenity and residential amenity against policies UR3 and D1 of the Replacement Unitary Development Plan.

Area Planning Panel (Bradford)

15/03216/HOU

14 October 2015



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ITEM NO. : 10	LOCATION: The Old Water House Low Lane Queensbury Bradford
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14 October 2015

Item Number: 10
Ward: QUEENSBURY
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
15/03216/HOU

Type of Application/Proposal and Address:

This is a householder planning application for the construction of a first floor extension to a detached dwelling at The Old Water House, Low Lane, Queensbury, Bradford.

Applicant:

Mr Steve Gore

Agent:

Not applicable.

Site Description:

The site is presently occupied by a two-storey detached dwelling, with white rendered walls and a concrete tile roof. The property sits in a relatively isolated position in open countryside on the hillside North of Queensbury. The dwelling fronts onto Low Lane, although it sits in a slightly elevated, prominent position where it is visible in views across the valley towards Thornton.

Relevant Site History:

04/00671/FUL - Conversion of redundant pumping station to dwelling house - Granted
23.04.2004

05/09029/FUL - Construction of a storm porch and attached garage - Granted 10.02.2006

09/01968/HOU - Additional storey to existing single storey extension - Refused 15.07.2009

10/00299/HOU - Construction of first floor extension - Refused 19.03.2010 (Appeal
dismissed 22.10.2010)

11/00662/HOU - Convert existing garage into living accommodation with two Velux windows
in the roof - Granted 11.04.2011

Replacement Unitary Development Plan (RUDP):

Allocation

The site is located within the Green Belt and the Thornton and Queensbury Landscape Character Area as defined by the Replacement Unitary Development Plan.

Proposals and Policies

UR2 Promoting Sustainable Development

UR3 The Local Impact of Development

D1 General Design Considerations

GB5 Extensions and Alterations in the Green Belt

NE3 Landscape Character Areas
NE3A Landscape Character Areas
TM2 Impact of Traffic and its Mitigation
TM12 Parking Standards for Residential Properties
TM19A Traffic Management and Road Safety

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.

Parish Council:

Not in a Parish.

Publicity and Number of Representations:

The application was advertised by neighbour notification letters and a site notice. The publicity period expired on 15 September 2015.

One letter of support has been received from a Queensbury Ward Councillor, requesting the application be referred to Area Planning Panel if recommended for refusal.

Summary of Representations Received:

The proposal is a perfectly reasonable and proper means to improve the dwelling. The proposal will have no detriment to anyone or anything.

Consultations:

Not applicable.

Summary of Main Issues:

Principle of the development.
Impact on the local environment.
Impact on residential amenity.
Impact on highway safety.
Other matters.

Appraisal:

Principle of the Development

The application seeks planning permission for the construction of a first floor extension to a part-single storey, part two-storey detached dwelling in the Green Belt. The proposal is identical to two previously refused applications, 09/01968/HOU and 10/00299/HOU, which were both refused on the basis that they would constitute inappropriate development within the Green Belt. An appeal against the refusal of application 10/00299/HOU was dismissed by the Government's Planning Inspector due to the impact on the Green Belt and in the absence of any very special circumstances to justify approval.

The site lies in an area of open countryside, which still remains designated as Green Belt on the RUDP and, as such, Policy GB5 and Chapter 9 'Protecting Green Belt Land' of the NPPF are relevant in assessing this application. The NPPF supersedes Planning Policy Guidance Note 2: Green Belts, which formed the basis for assessment of previous applications. Notwithstanding the change in national planning policy, the fundamental aims and restrictions remain the same.

The building was originally a water pumping station, which was converted into a dwelling circa 2004/5, in accordance with application 04/00671/FUL. This application granted permission for the conversion and extension of the building, by approximately 22%. Permitted development rights were removed to restrict further development within the Green Belt. In 2005, planning permission was granted for a double garage and porch to the property. This added a further 90m³, or around 19%, resulting in a total volume increase of approximately 41% to the original building.

This application once again proposes adding a first floor side extension, further increasing the volume of the building by approximately 17%. Together with the previous extensions, this is considered to be a disproportionate addition, contrary to policy GB5 of the Council's RUDP and Chapter 9 of the NPPF.

The first floor extension would significantly alter the appearance of the building and would be highly visible within the surrounding environment due to the building's prominent position. Paragraph 89 of the NPPF allows for the limited extension of buildings provided that it does not result in disproportionate additions over and above the size of the original building. The appeal decision for application 10/00299/HOU found that the proposal would, when previous additions are taken into account, amount to more than a limited extension and that it would be inappropriate development in the Green Belt.

The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open. Their most important attribute is their openness; the property stands out starkly on the hillside, particularly in views from the Brighouse and Denholme Road towards Keelham and across the valley to Thornton, and the increase in the bulk of the building at first floor height would be obvious and result in a noticeable loss of openness.

Notwithstanding the issues raised above with regards to the principle of development in the Green Belt, the design and appearance of the extension would be acceptable. The extension would be constructed of facing and roofing materials to match those of the existing building, specifically rendered walls and a tiled roof, thereby providing an appropriate finish. The proposed fenestration would be sympathetic to the size and layout of the existing windows, providing symmetry to the building.

However, in the absence of any very special circumstances to justify a further extension of the property, and in line with the previously dismissed appeal, the proposal constitutes inappropriate development and is therefore detrimental to the character and openness of the Green Belt, contrary to policies UR3, D1 and GB5 of the RUDP and the NPPF.

Impact on Neighbouring Occupants

The proposal is acceptable in terms of the impact on neighbouring occupants. The property is located away from any neighbouring properties, such that there will be no overlooking, overshadowing or overbearing and therefore poses no detrimental impact to residential amenity.

Impact on Highway Safety

The proposal does not include any alterations to the existing parking and access arrangements, which currently includes sufficient off street parking and therefore poses no apparent threat to highway safety, compliant with Policy TM19A of the RUDP.

Other Planning Matters

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

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:

The site lies within an area defined for Green Belt purposes on the Replacement Unitary Development Plan, Policy GB5, and is also subject to the national planning guidance contained within the National Planning Policy Framework. Within such areas it is both national and local planning policy to severely restrict new development unless it is for a purpose appropriate in the Green Belt or it is for a limited extension to an original building. The proposed extension would further add to the bulk of the already enlarged building amounting to a disproportionate addition over and above the size of the original building, thereby constituting inappropriate development within the Green Belt contrary to Policy GB5 of the Replacement Unitary Development Plan and the National Planning Policy Framework.
