

Report of the Strategic Director of Regeneration to the meeting of the Area Planning Panel (BRADFORD) to be held on 11 May 2016

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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.	137 Allerton Road Bradford BD8 0AA - 16/01853/FUL [Approve]	Clayton and Fairweather Green
2.	2 Gathorne Street Bradford BD7 3DA - 16/00333/FUL [Approve]	City
3.	329 Toller Lane Bradford BD9 5BS - 16/01549/HOU [Approve]	Toller
4.	342 Great Horton Road Bradford BD7 1QJ - 16/00945/FUL [Approve]	City
5.	6 Micklethwaite Drive Queensbury Bradford BD13 2JZ - 16/00140/HOU [Approve]	Queensbury
6.	Prince Of Wales Inn 457 Allerton Road Bradford BD15 7DX - 16/01813/FUL [Approve]	Thornton and Allerton
7.	1212 Leeds Road Bradford BD3 8LJ - 15/07139/FUL [Refuse]	Bradford Moor
8.	19 Chatsworth Place Bradford BD8 7PY - 16/00713/HOU [Refuse]	Manningham
9.	7 Thorn Avenue Bradford BD9 6LS - 16/00851/HOU [Refuse]	Heaton

Julian Jackson
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Portfolio:
Housing, Planning & Transport

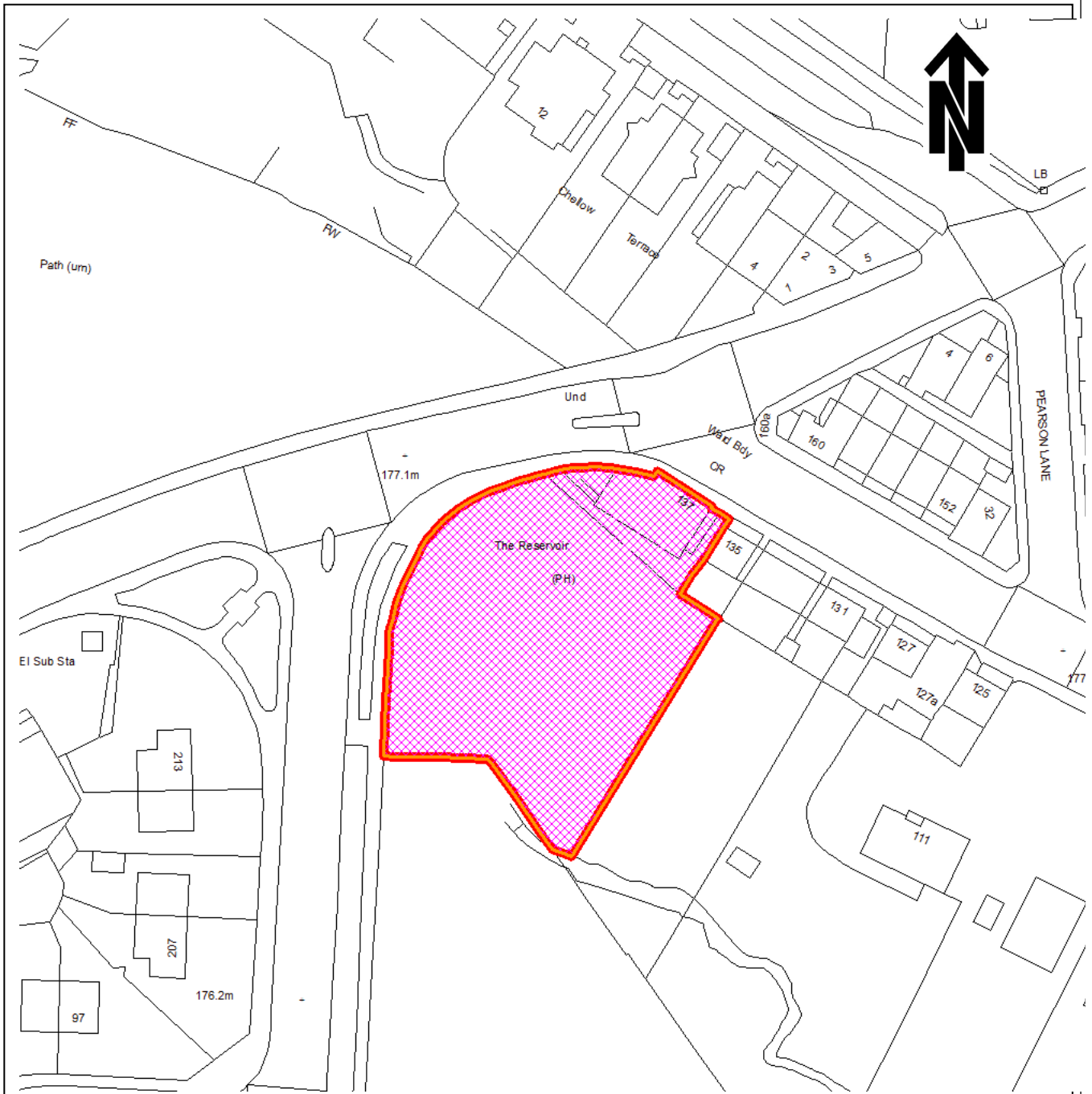
**Overview & Scrutiny Committee
Area:**
Regeneration and Economy



Area Planning Panel (Bradford)

16/01853/FUL

11 May 2016



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ITEM NO. : 1	LOCATION: 137 Allerton Road Bradford
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11 May 2016

Item Number: 1
Ward: CLAYTON AND FAIRWEATHER GREEN
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
16/01853/FUL

Type of Application/Proposal and Address:

A full planning application for the change of use of land to a garden with new drive and parking area to the rear of 137 Allerton Road, Allerton, Bradford. The application is partially retrospective as the new drive and access from Rhodesway have already been formed.

Applicant:

Mr Usman Ali

Agent:

Mr Brian Ratcliffe

Site Description:

This is a large area of open land to the rear of 137 Allerton Road which is a former public house but is now a residential dwelling. The site is located at the junction of Allerton Road and Rhodesway and is part of a much larger area of space which extends out to the south-east. Land levels within the site drop away to the south towards the Chellow Dene Beck which appears to run along the southern boundary of the site.

Relevant Site History:

09/05816/FUL - Change of use from a public house to a residential dwelling – Granted.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Replacement Unitary Development Plan (RUDP):

Allocation

The site is within an area of Urban Greenspace on the RUDP.

Proposals and Policies

Policy UR3	The Local Impact of Development;
Policy D1	General Design Considerations
Policy OS1	Urban Greenspace
Policy TM2	Impact of Traffic and its Mitigation
Policy TM12	Parking Standards for Residential Developments
Policy TM19A	Traffic Management and Road Safety

Parish Council:

The site is not in a Parish.

Publicity and Number of Representations:

The application was publicised with neighbour notification letters and a site notice. This publicity period expired on 18 February 2016. No representations have been received.

Summary of Representations Received:

No representations have been received.

Consultations:

Highways Development Control - The proposal would not have adverse implications for highway safety subject to conditions which require the laying out of the proposed access, provision of the proposed car parking spaces and the setting back of any gates at least 6m from the back edge of the carriageway.

Summary of Main Issues:

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

Appraisal:

1. Principle of the Development

The site is within an area allocated as urban greenspace in which development is not permitted unless it (1) retains their open and green character and (2) through design makes a positive contribution to the character and amenity of such areas.

The current proposal is for the change of use of land from unused open space to the rear of 137 Allerton Road to a form a garden, a drive and a parking area. The application makes reference to disabled occupants of this property who require easy access to the property. Currently vehicular access is from a very narrow drive between 137 and 135 Allerton Road.

The proposed drive and the hard standing for the parking area have already been constructed. A limited area of the site will be hard surfaced to form a drive and parking area but the site will maintain the openness of the area and the majority of the site will also remain 'green' in its new use as a garden area for this property. Subject to a condition which removes permitted development rights for the construction of outbuildings on this land and the development's local impact the principle of the development is considered to be acceptable.

2. Visual Amenity

The site is currently rather untidy and the current proposal to formalise the driveway and car parking areas with a garden area could significantly improve its appearance. Gates are proposed to the new access from Rhodesway and a condition requiring the approval of details of these should be attached to any approval of this application. Subject to this the proposal is not considered to be harmful to visual amenity.

3. Residential Amenity

The nearest residential property is 135 Allerton Road which is unlikely to be affected by this proposal given that no structures are proposed within the application. Similarly the new vehicular access from Rhodesway is unlikely to affect the existing properties on this road. No harm to residential amenity is therefore likely to occur.

4. Highway Safety

The proposed new access from Rhodesway would be a much safer than the existing access which is between 135 and 137 Rhodesway. This existing access point is very narrow with limited visibility and exits onto Allerton Road very close to a mini-roundabout. The new access point from Rhodesway is sufficiently distant from its junction with Allerton Road and provides sufficient visibility to avoid causing any significant harm to highway safety. Conditions are required which secure the provision of the access point and car parking spaces and which require the gates to the access to be set 6m behind the edge of the carriageway. Subject to these the proposal would not cause any significant harm to highway safety.

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 would retain the open and green character of this site within an area of Urban Greenspace. The proposal would also not be harmful to visual amenity, residential amenity or highway safety. It would therefore comply with Policies UR3, D1, OS1, 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 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.

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.

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

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

4. The entrance gates shall be set back a minimum of 6m from the back edge of the carriageway.

Reason: To enable vehicles to pull clear of the highway before stopping to open the gates, in the interests of the safe and free flow of traffic on the highway, in accordance with Replacement Unitary Development Plan Policies UR3, TM2 and TM19A.

5. Prior to the commencement of the development hereby permitted full details of the proposed gates to the new vehicular access shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be completed in accordance with the approved details and retained thereafter.

Reason: In the interest of visual amenity and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

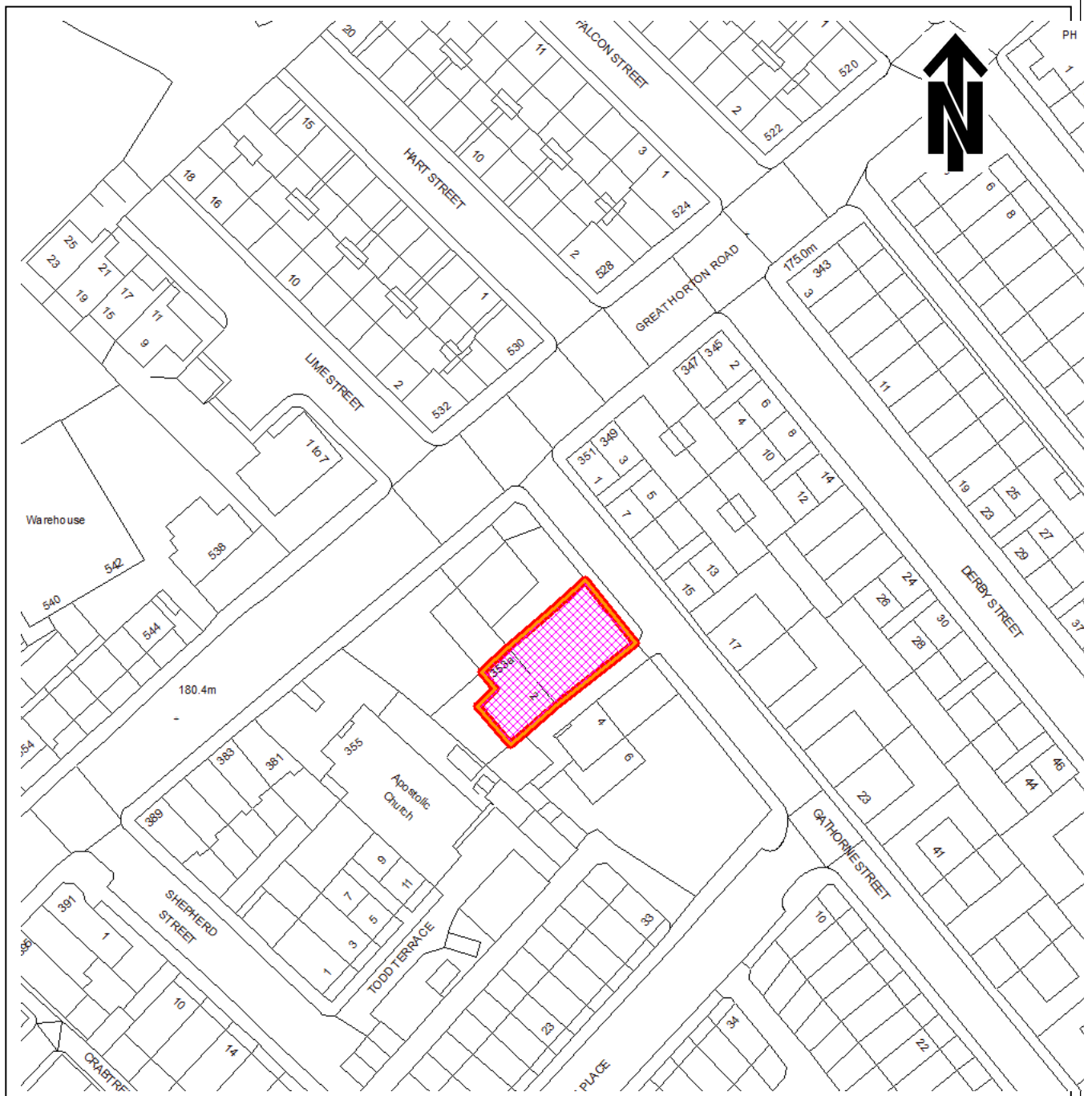
6. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no development falling within Class E of Part 1 of Schedule 2 of the said Order shall be carried out on this land without the prior written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

Reason: To accord with policies UR3 and OS1 of the Replacement Unitary Development Plan.

Area Planning Panel (Bradford)

16/00333/FUL

11 May 2016



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ITEM NO. : 2	LOCATION: 2 Gathorne Street Bradford
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11 May 2016

Item Number: 2
Ward: CITY
Recommendation:
TO GRANT PLANNING PERMISSION
APPLICATION WITH A PETITION

Application Number:
16/00333/FUL

Type of Application/Proposal and Address:

A full application for a retrospective change of use to a radio station and retention of radio aerial at 2 Gathorne Street, Great Horton, Bradford.

Applicant:

Mr Saeed Ahmed

Agent:

Not applicable.

Site Description:

The host building is a stone-built two-storey property which fronts onto Gathorne Street. The property is raised up and set back from the highway and has an attractive traditional appearance. A shared car park exists between the front of the building and Gathorne Street, this is currently occupied by a large unauthorised portable building linked to the adjacent Romeo's restaurant.

Relevant Site History:

There is no planning history at the property however the application has come about through an enforcement investigation which is on-going and awaiting the outcome of this planning application.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Replacement Unitary Development Plan (RUDP):

Allocation

The site is not allocated for a specific land use.

Proposals and Policies

UR3 The Local Impact of Development

D1 General Design Considerations

D4 Community Safety

TM2 Impact of Traffic and its Mitigation

TM12 Parking Standards For Non-Residential Uses

TM19A Traffic Management and Road Safety

P7 Noise

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 18 of March 2016. At the time of the report being written there were 9 individual objection letters received and a petition against the development with 10 signatures.

Summary of Representations Received:

The radio station has been a 24 hour operation and the hours of use applied for are inaccurate.

Response: The hours of use applied for are what the applicant wants and if required to protect residential amenity these hours of use will be conditioned.

Parking issues by the users and talk show guests.

Response: There is on-street parking for the level of use. There are two people using the radio station with only one car parked on the street according to the applicant's supporting statement.

Disturbance from guests and staff talking outside.

Response: The hours of use applied for are between 15:00 and 19:00 which are not considered to be harmful to residential amenity.

The use intensifies during certain months and campaigns.

Response: The hours of use would remain as per the recommended planning permission.

The application site (red outline) and ownership.

Response: The applicant has signed 'Certificate B' and served notice on the identified owner.

The radio station has been operating for nearly two years.

Response: The planning system allows for retrospective planning applications.

No highway consultation has been undertaken.

Response: See below.

Consultations:

Highways Development Control: No objection. The radio station is unlikely to generate much traffic other than staff. Parking is available on street to cater for any visitor demand.

Problems with parking are likely to be caused by the adjacent restaurant.

Summary of Main Issues:

Principle.

Visual amenity.

Residential amenity.

Highway safety.

Appraisal:

Principle

The application has been made for a radio studio named Spice FM 107. Programmes are transmitted via the internet and to the main studio which is based in Pakistan. The studio is used 4 hours a day. A short time-restricted service licence can also be issued by Ofcom which would be used to broadcast religious festivals. There are three rooms: one is the main studio, the second is a production room and the third is used as an office. The radio studio has been operating since 3 November 2014 with the first complaint to the Council's enforcement team being received on 14 May 2015.

The site is unallocated for any specific land use on the RUDP and is located just off Great Horton Road behind and above commercial premises and, whilst Gathorne Street the surrounding area is characterised by largely terraced housing, the scheme is acceptable in principle subject to other material planning considerations discussed below.

Visual amenity

The application is for the change of use of the upper floor of the building and the retention of the radio aerial. The radio aerial has been installed on the south eastern side of the building as is the satellite dish and TV aerial. The radio mast does not result in any harm to the character of the host building or wider street scene. There are no physical changes to the building proposed. The development is acceptable in terms of visual amenity and policies UR3 and D1 of the RUDP.

Residential amenity

The radio station has applied for hours of use between 15:00 and 19:00 which would not result in a significant level of disturbance to neighbouring dwellings as the area is generally busy during this time with plenty of comings and goings. As such the comings and goings generated by the radio studio are not significant, particularly when assessed against the adjacent restaurant use. Furthermore the level of on-street parking associated with the use does not result in a general disturbance to neighbouring residents in terms of noise, disturbance or obstruction. The small-scale use occupies the first floor only consequently the number of people attending the site at any time would be limited. The wider location sees a lot of vehicle movement, for example Gathorne Street is used as a 'rat-run' onto Great Horton Road, and other businesses exist off Great Horton Road. Therefore the use does not cause significant harm in terms of residential amenity and noise consequently the scheme complies with policies UR3, D1 and P7 of the RUDP.

Highway safety

As mentioned above the level of activity from the use appears to be limited due to the size of the premises and would also be further limited to a short period in the day due to the hours of use applied for. The applicant has confirmed in the supporting statement that two people will be using the radio studio during the opening times and that only one vehicle will be parked on the street during this time. The use of the building for offices or, residential would attract visitors of a similar nature who would park on the highway. For the above reasons the development would not cause a highway safety concern either on Gathorne Street or Great Horton Road and so satisfies policies TM2, TM11 and TM19A of the RUDP.

Community Safety Implications:

There are no foreseen community safety implications, 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 that any issues with regard thereto are raised in relation to consideration of this application.

Reason for Granting Planning Permission:

The use of the upper floor as a radio station and retention of the radio mast is acceptable in terms of visual and residential amenity and does not raise any highway safety concerns. The development accords with policies UR3, D1, TM2, TM11, TM19A and P7 of the RUDP.

Conditions of Approval:

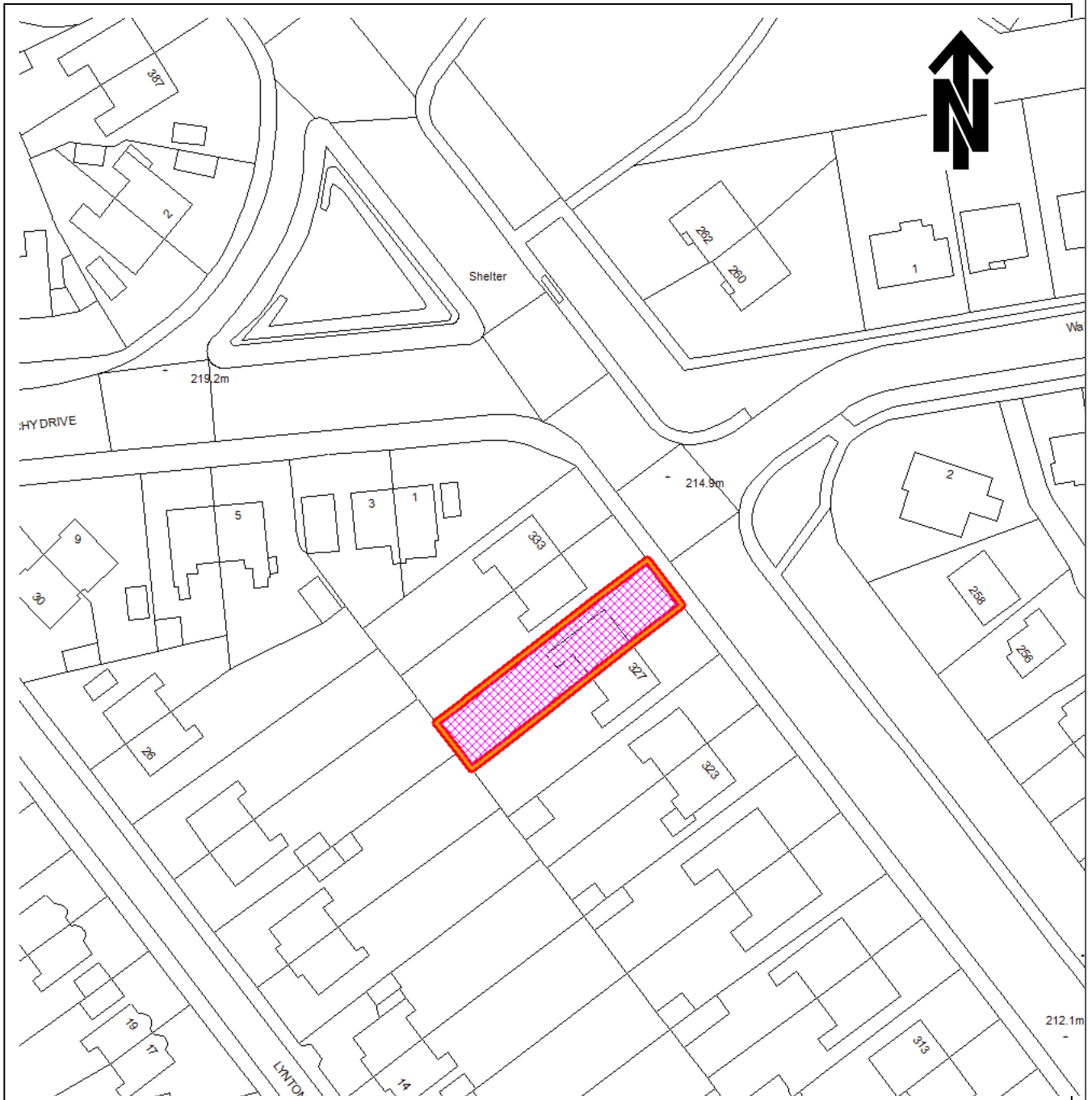
1. The use of the premises shall be restricted to the hours from 15:00 to 19:00 each day.

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

Area Planning Panel (Bradford)

16/01549/HOU

11 May 2016



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ITEM NO. : 3

LOCATION:

**329 Toller Lane
Bradford**

11 May 2016

Item Number: 3
Ward: TOLLER
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
16/01549/HOU

Type of Application/Proposal and Address:
Double storey rear extension, front porch and outbuilding at 329 Toller Lane, Heaton, Bradford.

Applicant:
Mr Mazhar Iqbal

Agent:
Faum Architecture

Site Description:
The application property is a semi-detached, 2-storey, Victorian, stone-built dwelling off Toller Lane. This house has an existing single-storey feature part way across the rear elevation that appears to be the original part of the host property. There is an existing detached garage to the rear curtilage.

Relevant Site History:
No planning history.

The National Planning Policy Framework (NPPF):
The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Replacement Unitary Development Plan (RUDP):

Allocation

The site is not allocated for any specific land use in the RUDP. Taking account of policies saved for the purposes of formulating the Local Development Framework the following RUDP policies are applicable to the proposal.

Proposals and Policies

UR3 The Local Impact of Development

D1 General Design Considerations

Householder Supplementary Planning Document (HSPD)

Parish Council:

Not applicable.

Publicity and Number of Representations:

Application publicised by way of neighbour notification letters. The overall expiry for the publicity was 25 March 2016. No representations have been received.

Summary of Representations Received:

Not applicable.

Consultations:

None.

Appraisal:

Impact on the Local Environment

The proposed rear two-storey extension would not appear out of character or incongruous with the local environment. Stone and tiling is proposed to match the host dwelling house. The conservatory, with its predominately glazed construction, is not considered to be unduly out of keeping in terms of character, scale and design in relation to existing dwelling and the rear street scene.

The porch is small in scale limiting any harm.

The siting of detached outbuilding at the end of the rear curtilage will have minimal visual impact and the use of stone walling is acceptable.

For these reasons the proposal complies HSPD and policies UR3 and D1 of the RUDP.

Impact on Neighbours

The proposed two storey element is outside the 45 degree splay line relative to the two neighbouring properties and thus would not create significant levels of overshadowing, overbearing or loss of outlook for those residents. The overall impact of the proposed extension is considered to be acceptable.

The 3m depth of the conservatory is acceptable in terms of overshadowing and over-dominance. The elevation facing directly onto the adjoining property at 327 Toller Lane would be obscurely glazed to prevent overlooking.

Due to the small scale of the proposed porch, it would have a negligible impact upon neighbouring amenities.

The proposed out-building will be built to the rear curtilage of the host dwelling and due to the distance in relation to the neighbouring properties it will not create significant levels of overshadowing, overbearing or loss of outlook for nearby residents.

Therefore the proposal complies with the HSPD and policies UR3 and D1 of the RUDP.

At least 2 off-street parking spaces are available as such the proposed development would not compromise the free and safe use of the highway on Toller Lane compliant with policies TM12 and TM129A 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 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 compliant with policies UR3, D1, TM12 and TM19A of the RUDP and the HSPD.

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 extensions and outbuildings hereby permitted shall be constructed of facing and roofing materials to match the host dwelling as annotated on the submitted plans.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

3. Prior to the conservatory hereby approved being first occupied the side windows, facing towards 327 Toller Lane, as shown on the approved plans shall be obscurely glazed and retained thereafter.

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

4. Prior to the two-storey rear extension hereby approved being first occupied the side window serving bedroom 3, facing towards 331 Toller Lane, shall be obscurely glazed and non-opening and as such retained thereafter.

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

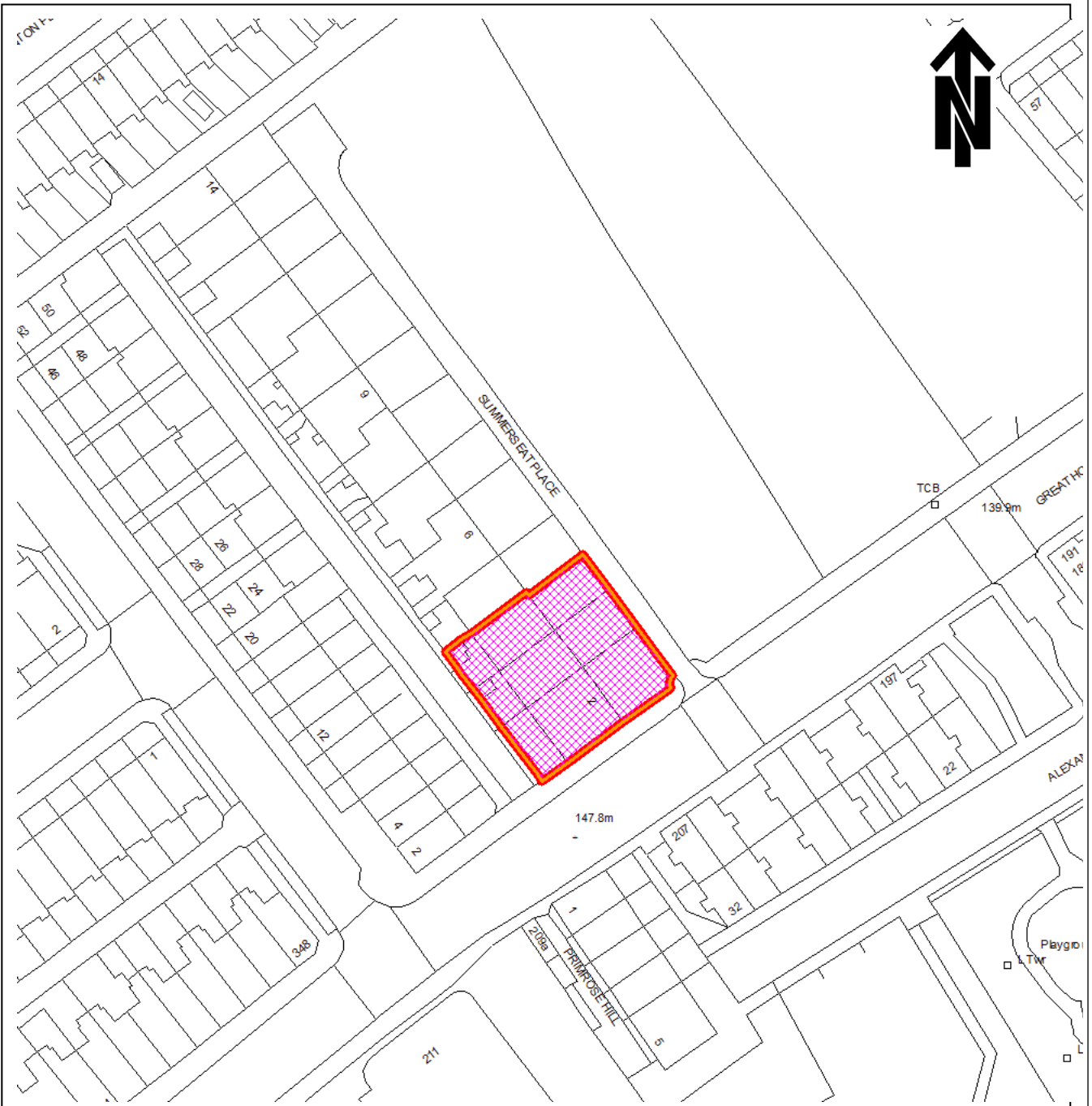
5. The detached annex outbuilding hereby permitted, shall only be occupied in connection with and incidental to the occupation of the host dwelling (329 Toller Lane) and shall at no time be severed and occupied as a separate, independent residential unit.

Reason: The establishment of an independent residential unit would give rise to an over-intensive use of a site and lead to unsatisfactory relationship between independent dwellings and to accord with policies UR3 and D1 of the Replacement Unitary Development Plan.

Area Planning Panel (Bradford)

16/00945/FUL

11 May 2016



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ITEM NO. : 4	LOCATION: 342 Great Horton Road Bradford
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11 May 2016

Item Number: 4
Ward: CITY
Recommendation:
TO GRANT PLANNING PERMISSION
APPLICATION WITH A PETITION

Application Number:
16/00945/FUL

Type of Application/Proposal and Address:
Full application for the construction of a single storey side extension at 342 Great Horton Road, Horton Grange, Bradford.

Applicant:
Lalas Bradford

Agent:
Roger Lee Planning Ltd

Site Description:
The application building occupies an end of terrace location with the remainder of the terrace comprised of stone built residential properties. The building has been renovated to house the current restaurant use with significant internal and external alterations. The frontage of the building incorporates a significant amount of glazing and faces onto Great Horton Road. The restaurant benefits from a small parking area which is accessed via Summerseat Place, as are the other residential properties within the row. The land to the East of the site is an open area which forms an important area of urban greenspace.

Relevant Site History:
03/04296/FUL Construction of extension and new alterations to existing restaurant – Refused – 19.12.2003.
04/02226/FUL Refurbishment of existing restaurant on ground and first floors, single storey rear extension, porch to front and enlarged car park – Granted – 21.07.2004.
04/04814/FUL Construction of single storey extension to restaurant with additional internal refurbishment – Granted – 22.02.2005.
05/0624/FUL Construction of first floor single storey extension to restaurant – Granted – 02.11.2005.
06/07960/FUL Construction of external timber decking to existing restaurant-Refused 21.02.2007. Subsequent appeal (07/00162/APPFUL) – Dismissed – 14.01.2008.
08/02260/FUL External timber decking and planting to existing restaurant – Granted – 06.08.2008.
08/02736/FUL Fixing new extract ductwork to exterior – Refused – 31.10.2008.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Replacement Unitary Development Plan (RUDP):

Allocation

Unallocated.

Proposals and Policies

UDP1- Promoting Sustainable Patterns of Development

UDP3- Quality of Built and Natural Environment

UR3- Local Impact of Development;

D1- General Design Considerations

TM2- Impact of Traffic and its Mitigation

TM12- Parking Standards for Residential Developments

TM19A- Traffic Management and Road Safety

P7- Noise

Parish Council:

Not in a Parish.

Publicity and Number of Representations:

The application was publicised by site notice and neighbour notification letters. The expiry date for comments in connection with the application was 24 March 2016. Three individual letters of objection were received in connection with this application. A petition has also been submitted in objection to the proposal with 25 signatories.

Summary of Representations Received:

- Summerseat Place should be made into a resident's only parking area.
- The proposal would increase vehicle traffic to the site which would compound existing parking issues.
- A traffic survey and plan should be carried out for the Great Horton Road area.
- Extending the restaurant would exacerbate noise and disturbances at unsociable hours.
- There are an excessive number of food outlets on Great Horton Road and this proposal would not improve the diversity of the offering.
- A covenant exists preventing the extension of properties on Summerseat Place other than bay windows.
- Inadequate publicity has been carried out for this application.
- Patrons of the restaurant damage neighbouring property.
- Delivery vehicles use neighbouring driveways as a turning facility.
- Bins at the restaurant create odours and attract vermin.
- Grease emanating from the restaurant is harmful to the amenity of neighbours.
- Littering.
- The extension is out of keeping with the appearance of neighbouring properties.

Consultations:

Highways Development Control - The proposed extension would cover an area that is currently utilised as a terrace. There is limited off street parking associated with the premises however the additional floorspace created is unlikely to have a significant impact on the parking or traffic situation. No objections are therefore raised from a highways point of view.

Drainage - No objection.

Summary of Main Issues:

Principle.

Visual Amenity.

Residential Amenity.

Highway and Pedestrian Safety.

Appraisal:

Principle

The application site is comprised of an existing restaurant use and therefore proposed development consisting of an extension to form an ancillary dessert bar is considered to be acceptable in principle.

Visual Amenity

The application building is constructed of natural stone and the introduction of extensive glazing to the South-East elevation, as well as aluminium windows, has given the building a relatively modern appearance. The submitted plan indicates that the extension would be constructed of natural stone and surmounted by a grey single ply membrane roof, with powder coated aluminium windows. In the event that planning permission is granted a stone sample could be required by the imposition of a planning condition. Subject to the aforementioned condition it is considered that the proposed construction materials would be in keeping with the appearance of the host building and they would not detract from the visual amenity of the premises or the surrounding street scene. This aspect of the proposal is considered to accord with policy D1 of the Replacement Unitary Development Plan.

The submitted plan indicates that the proposed extension would be single storey and sited on the East elevation of the building. The extension would be setback from the primary Great Horton Road elevation of the existing building and it has been designed with a mono-pitch roof which would be juxtaposed with the existing pitched roofs of the host building. It is considered that the extension would achieve a subservient relationship with the host premises and the design of the extension would complement the appearance of the host building. As such no adverse visual amenity implications are foreseen and the proposal is considered to accord with policy D1 of the Replacement Unitary Development Plan.

Residential Amenity

The application building is currently in use as a restaurant. The submitted plan indicates that the proposed extension would be utilised as a dessert lounge which would function as an ancillary use to the existing restaurant. The proposed extension would be separated from the nearest residential property at 5 Summerseat Place by virtue of an existing storage yard which is enclosed by 1.8m timber fencing. The proposed extension would be constructed with a solid stone wall to the North-West elevation and the separation distance achieved to the nearest residential property at 5 Summerseat Place is sufficient to ensure that the proposal would not result in any adverse overbearing or overshadowing implications.

The opening hours of the application premises are restricted so that no customer shall be served or otherwise make use of the premises between the hours of midnight and 0800. The extension would therefore also be limited to the same hours of use. It is noted that the East elevation of the proposed extension would include bi-folding doors which would increase the potential for noise transfer from within the restaurant to external receptors, specifically the amenity space and rear habitable room windows of 5 Summerseat. However it is considered that as the North elevation of the extension would be solid stonework separated by a distance of 6 metres from the common boundary of 5 Summerseat Place the extension would not result in a significant degree of noise transfer such as would be detrimental to the residential amenity of the occupants of 5 Summerseat Place at unsociable hours.

The proposed extension would provide an additional floor area of 66sq metres. In light of the limited size of the extension the proposal is not considered likely to result in a significant increase in the number of comings and goings to the premises such as would result in adverse residential amenity implications by reason of increased levels of noise and disturbance.

For these reasons the proposed extension accords with policies UR3, D1 and P7 of the Replacement Unitary Development Plan.

Highway and Pedestrian Safety

The proposed extension would not alter the existing parking or access arrangements and would provide an additional floor area of 66 square metres to the existing premises. The Highways Officer has noted that there is little on street parking availability in the vicinity of the site but the extension is not of a size which would not result in a number of additional vehicle trips to the site such as would result in adverse highway safety implications. Consequently this proposal accords with policies TM2, TM11 and TM19A of the Replacement Unitary Development and the National Planning Policy Framework.

Community Safety Implications:

The proposed development is not considered to result in any adverse community safety implications and accords with policy D4 of the Replacement Unitary Development Plan.

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.

Conditions of Approval:

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

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

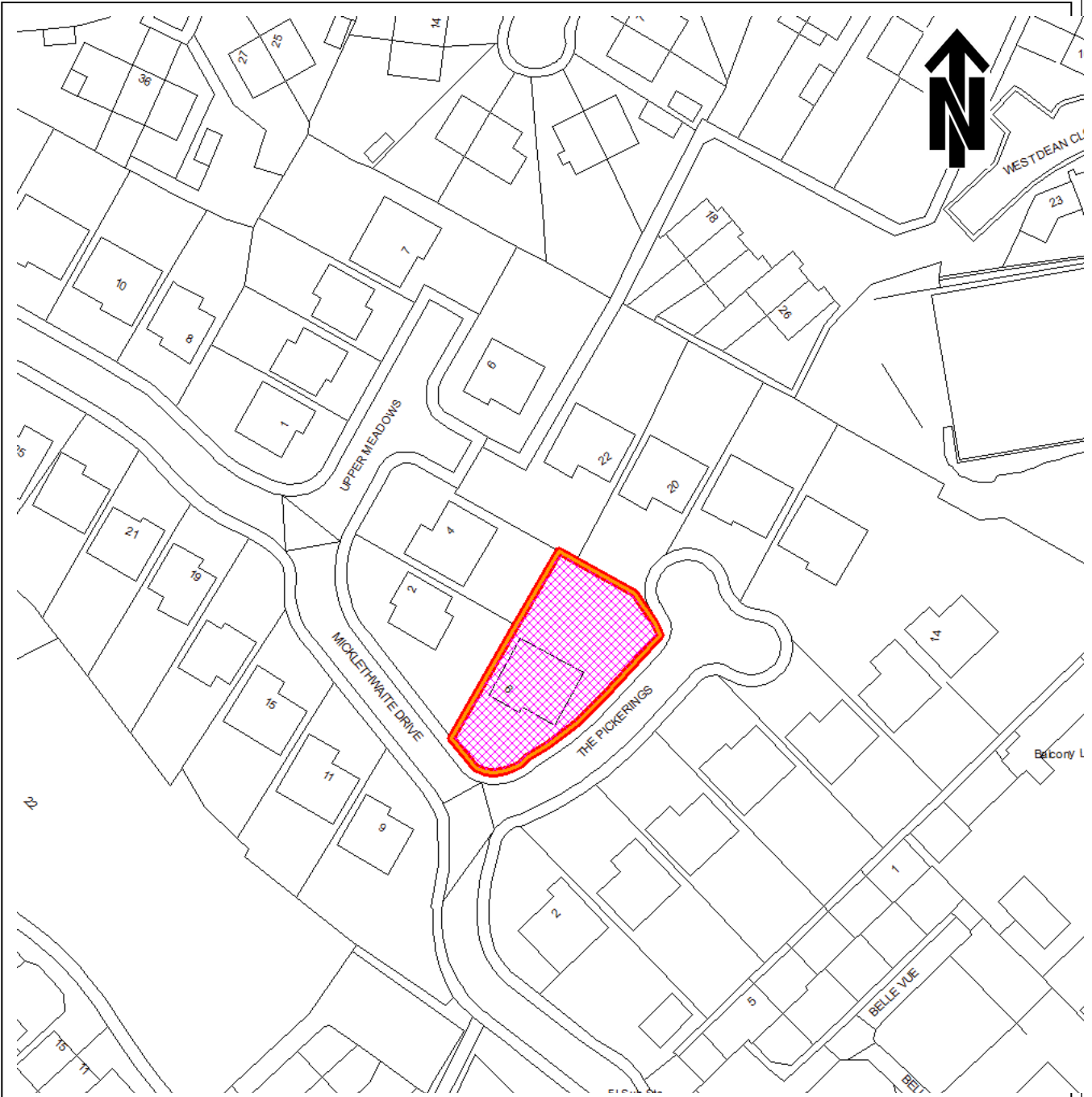
2. Before development commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development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

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with policies UR3 and D1 of the Replacement Unitary Development Plan.

Area Planning Panel (Bradford)

16/00140/HOU

11 May 2016



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ITEM NO. : 5	LOCATION: 6 Micklethwaite Drive Queensbury
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11 May 2016

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

Application Number:
16/00140/HOU

Type of Application/Proposal and Address:

A full planning application for the construction of a first floor side extension and two storey rear extension to the property at 6 Micklethwaite Drive, Queensbury, Bradford.

Applicant:

Mrs Jenny Boguslawski

Agent:

Belmont Design Services

Site Description:

The property is a large, modern detached house located within a modern housing estate of similar properties. The property has a generous size rear garden area.

Relevant Site History:

None.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Replacement Unitary Development Plan (RUDP):

Allocation

Unallocated.

Proposals and Policies

UR3 The Local Impact of Development

D1 General Design Considerations

Householder Supplementary Planning Document (HSPD)

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application was publicised by individual notification letters. The expiry date of the publicity period was 9 February 2016. Four letters of objection have been received along with one from a Queensbury Ward Councillor requesting that the application is considered at the Area Planning Panel if officers are minded to recommend approval.

Summary of Representations Received:

Loss of outlook to the adjacent properties and loss of light/overshadowing.

The extension is out of character with the host property and the street scene.

Loss of light to the garden areas of the adjacent properties.

Consultations:

Drainage: No comments.

Minerals and waste: No objections.

Summary of Main Issues:

Visual amenity.

Residential amenity.

Highway safety.

Responses to representations received.

Appraisal:

Visual amenity

The side first floor element lines through with the ground floor of the property and has been slightly amended to take into account the 25 degree line taken from the adjacent properties ground floor window (2 and 4 Upper Meadows). This results in a slight change to the roof line which is not considered significant. This part of the extension is designed to be integrated to the property and given that this is a detached house in its own grounds, a set back of the extension is not required.

The extension to the rear features a sympathetic roof design and the incorporation of the single storey element is considered acceptable. This part of the extension will not be readily visible to the street scene and is considered to reflect the design of the original building.

The overall design and scale of the side and rear extension is subordinate to the original property and compliant with the HSPD.

Residential amenity

The proposal is not considered to significantly affect the adjacent properties. The plans show the proposed extension will not breach a 25-degree line taken from the ground floor windows of the adjacent properties, this being an assessment detailed in the HSPD, therefore the extension will not significantly harm the outlook of the properties to the North-West. In terms of overshadowing, the application property is located to the east of the adjacent dwellings, which would result in only limited overshadowing due to the positioning of the properties with respect to each other. Some light may be lost early in the morning and it is noted that the existing property affects the garden area of Nos. 2 and 4 Upper Meadows but the proposed two-storey element of the extension would not add significantly to this. To the rear, the two-storey element will extend out to a distance of 4 metres from the host dwelling with the remainder being single storey. Sufficient facing distances are achieved to the rear boundary of the site to prevent unacceptable overlooking. Overall, the proposal would not result in significant loss of light or outlook to the adjacent properties.

Highway safety

There will be no loss of off-street parking at the site and there are no significant implications for highway safety as a result of the extension.

Responses to representations received

Loss of outlook to the adjacent properties and loss of light/overshadowing
Appraised under 'residential amenity'

The extension is out of character with the host property and the street scene
The extension is considered to be sympathetic to the original property and not out of keeping with street scene.

Loss of light to the garden areas of the adjacent properties
The amended plans demonstrate that the extension will not be significantly harmful to the outlook of the neighbouring properties or result in unacceptable loss of light

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 in relation to consideration of this application.

Reason for Granting Planning Permission:

The proposed side and rear extension is considered to be sympathetic and subordinate to the host property and will not result in any significant adverse effects on the street scene. No significant adverse effects in terms of overlooking, overshadowing or loss of outlook will result to the adjacent properties as a result of the extension. The proposal is therefore considered to comply with policies UR3 and D1 of the RUDP and the HSPD.

Conditions of Approval:

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

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

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

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

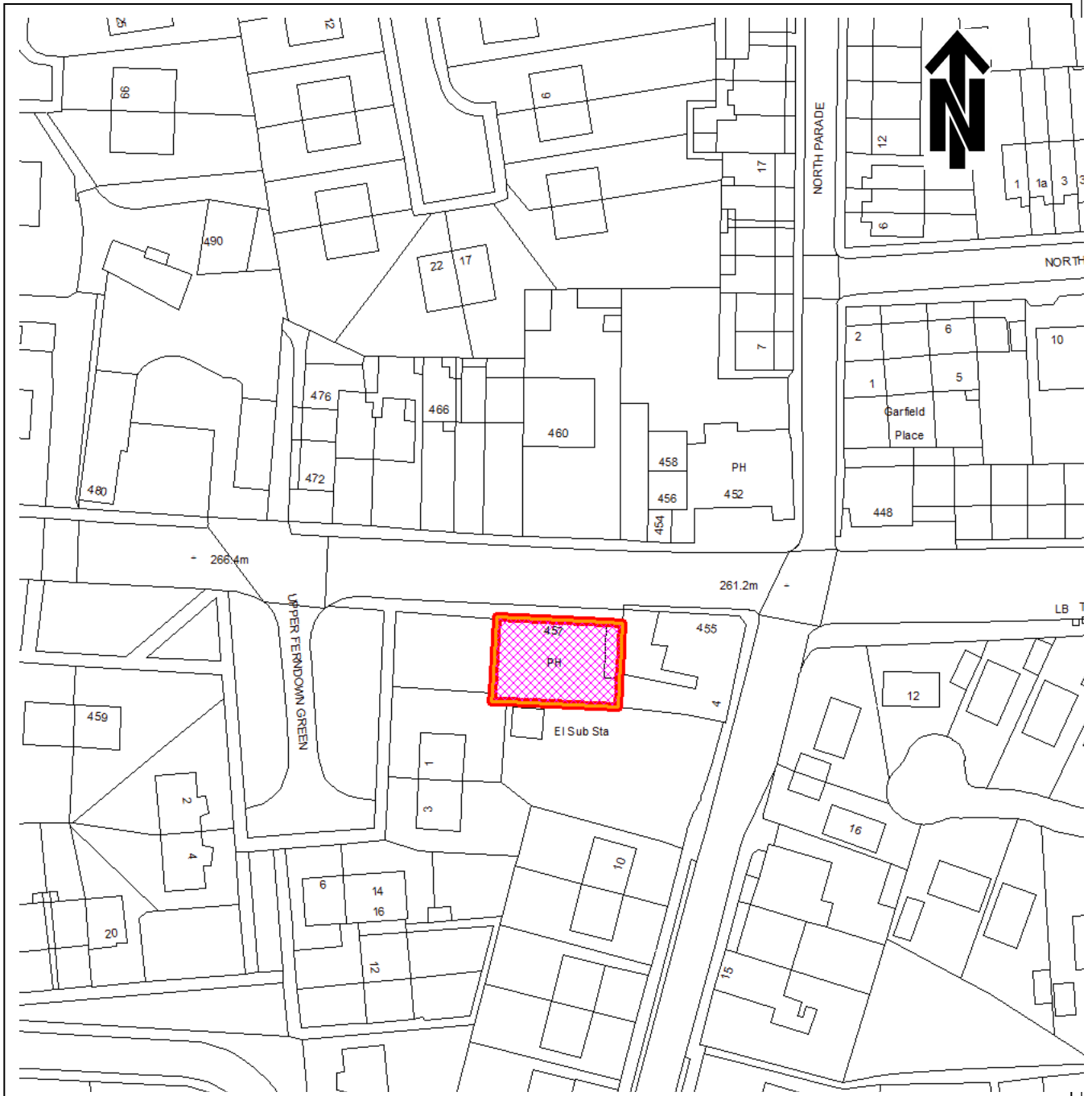
3. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no further windows, including dormer windows, or other openings shall be formed in the northwest elevation of the extension facing 2 and 4 Upper Meadows without prior written permission of the Local Planning Authority.

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

Area Planning Panel (Bradford)

16/01813/FUL

11 May 2016



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ITEM NO. : 6

LOCATION:

**Prince Of Wales Inn
457 Allerton Road Bradford**

11 May 2016

Item Number: 6
Ward: THORNTON AND ALLERTON
Recommendation:
TO GRANT PLANNING PERMISSION

Application Number:
16/01813/FUL

Type of Application/Proposal and Address:

A full retrospective planning application for the conversion of pub into restaurant with new aluminium frontage, new roof, external stairs and first floor rear extension at the former Prince of Wales Public House, 457 Allerton Road, Allerton, Bradford.

Applicant:

Mr Hussain

Agent:

Khawaja Planning Services

Site Description:

The former pub is currently unoccupied, it is stone-built surmounted by a stone slate apex roof, extended in the form of a two-storey flat roofed side extension and a single-storey flat roofed extension to the rear. The property abuts the footpath to the front and is tight to the curtilage to the rear, leaving external space to the side. Beyond the application site to the opposite side there is an area of open land, previously used for informal parking, but this has now been enclosed.

Relevant Site History:

92/05583/ADV: Illuminated public house signage, granted 1.12.1992.

15/04931/FUL: Conversion of pub into restaurant, new shop frontage, external stairs, 1st floor rear extension, new roof and conversion of one dwelling into two dwellings, refused at the Bradford Planning Committee in February 2016 due to lack of off street parking.

Planning history for the adjoining site:

11/00143/FUL: Construction of one single-storey retail unit, refused 8.03.2011 on three grounds; insufficient information, materials and highway safety. The subsequent appeal (11/00103/APPFUL) was dismissed, but the highway concerns were not upheld.

12/00898/FUL: Construction of one single-storey retail unit, refused 26.04.2012 due to harm to neighbouring amenity and insufficient information on the servicing of and deliveries.

13/00859/FUL: Construction of single storey retail unit, granted 8.07.2013.

15/04935/FUL: Construction of retail unit with two bed apartment above, refused 7.12.2015 due to harm to neighbouring amenity and the use of external roller shutters.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Replacement Unitary Development Plan (RUDP):

Allocation

Unallocated.

Proposals and Policies

UR3	The Local Impact of Development
TM2	Impact of traffic and its mitigation
TM11	Parking standards for non-residential developments
TM12	Parking standards for residential developments
TM19A	Traffic management and road safety
D1	General Design Considerations

Parish Council:

Not in a parish.

Publicity and Number of Representations:

The application has been publicised by a site notice and individual neighbour notification letters. The publicity period expired 16 April 2016. Fourteen representations have been received in objection to the proposed development.

Summary of Representations Received:

Highway safety and parking issues.
Visual amenity.
Noise and disturbance.
Roller shutters.
No requirement for an additional restaurant.
Comment: This is not material planning consideration.

Consultations:

Drainage – Drainage serving kitchens in commercial hot food premises should be fitted with a grease separator complying with BS EN 1825-1:2004 and designed in accordance with BS EN 1825-2:2002 or other effective means of grease removal.

Highways Development Control – Notes that the proposal is difficult to resist, but would like to see the land to the side of the property be used for parking.

Environmental Health – Concerns are raised about noise and odour as the applicant has not provided any information on how they will control noise from the premises. There is a noted potential for flanking transmission i.e. pans being banged and noise transferring through the walls and floors of the kitchen and impacting on the future occupiers of the flat above. There also is no supporting information in terms of the extraction system the applicant is proposing for the premises. Refusal is recommended.

Summary of Main Issues:

Principle.

Residential Amenity.

Visual Amenity.

Highway Safety.

Appraisal:

Principle

The proposal is for the conversion of the former public house into a new restaurant and to retain the flat above. The development includes a first floor rear extension, a new external staircase, a new roof and the installation of a new shop front. The application is a resubmission of a similar previously refused scheme. The current scheme differs in that there will now be only one residential unit above the restaurant, whereas two were previously proposed.

As with the original application it is prudent to establish what aspects of the proposal require planning permission. As a public house, the property falls within Class A4: Drinking Establishments of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015. Under the provisions of the same legislation a change of use from one use class to another can, in some circumstances, occur without the requirement for planning permission; the change of use from A4 to Use Class A3: Restaurant is one such scenario and so this aspect of the proposal could occur without planning permission. The concerns raised by the Environmental Health Officer in respect of noise and odour would therefore need to be dealt with under different legislation as the planning system has no control over the proposed use. That said, it is not anticipated that a restaurant would result in conditions significantly worse than those arising as a consequence of the use of the property as a drinking establishment. Whilst it has been confirmed with the agent that the application relates solely to a change of use to a restaurant, should a takeaway (Use Class A5) be introduced, other than on an ancillary basis, planning permission would be required.

Above the public house a single residential unit is also already in existence so, again, this aspect would also not require planning permission.

The application, therefore deals solely with the physical alterations proposed, and the local impact of these are assessed below.

Residential Amenity

The proposal is not foreseen to result in conditions significantly more detrimental to neighbouring amenity than what could currently occur. As noted above, the use of the property as a public house or, restaurant is permitted development, and one flat is already in existence.

In terms of the physical alterations, the property is positioned such that it does not enjoy close relationships with neighbouring residential properties, with the nearest property (1 Upper Ferndown Green) positioned off the South-West corner. The alterations and additions proposed will therefore not directly impact neighbouring properties, or, their associated amenity space. The proposal as such accords with policies UR3 and D1 of the RUDP which both, inter alia, seek to ensure that new developments preserve neighbouring amenity.

The amenity of the occupants of the flats can be preserved by a condition restricting the hours of operation of the restaurant till 23:00. This would be an improvement on the existing situation which, in planning terms, is unrestricted.

Visual Amenity

The original building retains some character with a central door way and large windows to either side and above. The addition of the side extension does not erode this character significantly, particularly as it is constructed of matching materials.

It is noteworthy that some aspect of the works have commenced on site, although these have now subsequently stopped following the previous decision; these works have been carried out at the applicant's risk. The loss of the building's existing roof material has been a concern that has been picked up in number of the representations received. However, whilst the Local Planning Authority has some control over the materials, some changes can occur without planning permission. In terms of the roof materials, these would need to be similar in appearance to those being replaced to be permitted development.

As noted above, the original building has some character, which, it is desirable to retain, but ultimately it is of no special architectural or, historical merit, so the alterations are thereby assessed on their individual merit. The main alteration is to the roof, and the surmounting of the building under one uniform roof form is considered to benefit the buildings overall appearance, integrating the existing side extension with the main building. The use of appropriate materials can be conditioned.

The revisions to the shop front are modest, and permission is only sought to increase the size of the ground floor windows. A single signboard is then proposed above. (The signage would be subject to the requirement for Express Advertisement Consent.) These limited alterations maintain the appearance of the buildings frontage and will have no significant impact on the wider street scene. The external shutters originally proposed have now been removed from the scheme.

The external staircase and first floor extension are also relatively modest alterations, that will not have significant implications for the appearance of the building or wider locality. The staircase is to the side and given the appearance and proximity of neighbouring buildings the visibility and subsequent impact will be limited. The first floor extension is a small lean to extension to the rear of the building, positioned above the existing flat roof extension. The form and appearance is sympathetic to that of the main building and subject to the use of appropriate materials will have a negligible visual impact.

The proposal therefore satisfies the requirements of policy D1 of the RUDP.

Highway Safety

The application provides no off-street parking provision and as such is entirely reliant upon the local highway network to meet demand. Parking for the public house previously occurred on an area of open land to the side of the building but this was an informal arrangement and its long term availability could not be guaranteed. This land, whilst now in the same ownership, is no longer likely to be available for use as there is an extant planning permission for a new A1 retail unit. The land has subsequently been enclosed.

Given this lack of off-street parking the previous application, which sought to create two flats above the restaurant, was refused due to the implications from the additional dwelling for the local highway network.

Whilst highway concerns again form the fundamental reason for objection to the proposal, the granting of planning permission in this instance would not result in highway safety/parking issues above and beyond what could occur without planning permission as the restaurant and flat can exist without consent. Therefore, although the situation may not be ideal a refusal on highway grounds could not be sustained.

Community Safety Implications:

None foreseen.

Equality Act 2010, Section 149:

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

Reason for Granting Planning Permission:

The proposed development is not considered to result in significant implications for neighbouring amenity or highway safety, above and beyond what is already permissible. The physical alterations are deemed to maintain the appearance of the building. The requirements of Policies UR3, D1, TM2, TM11, TM12 and TM19A of the RUDP are considered satisfied.

Conditions of Approval:

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

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

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

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

3. The use of the restaurant shall be restricted to the hours from 09:00 to 23:00 each day.

Reason: In the interests of the amenities of the occupants of the flats and neighbouring dwellings and to accord with Policy UR3 of the Replacement Unitary Development Plan.

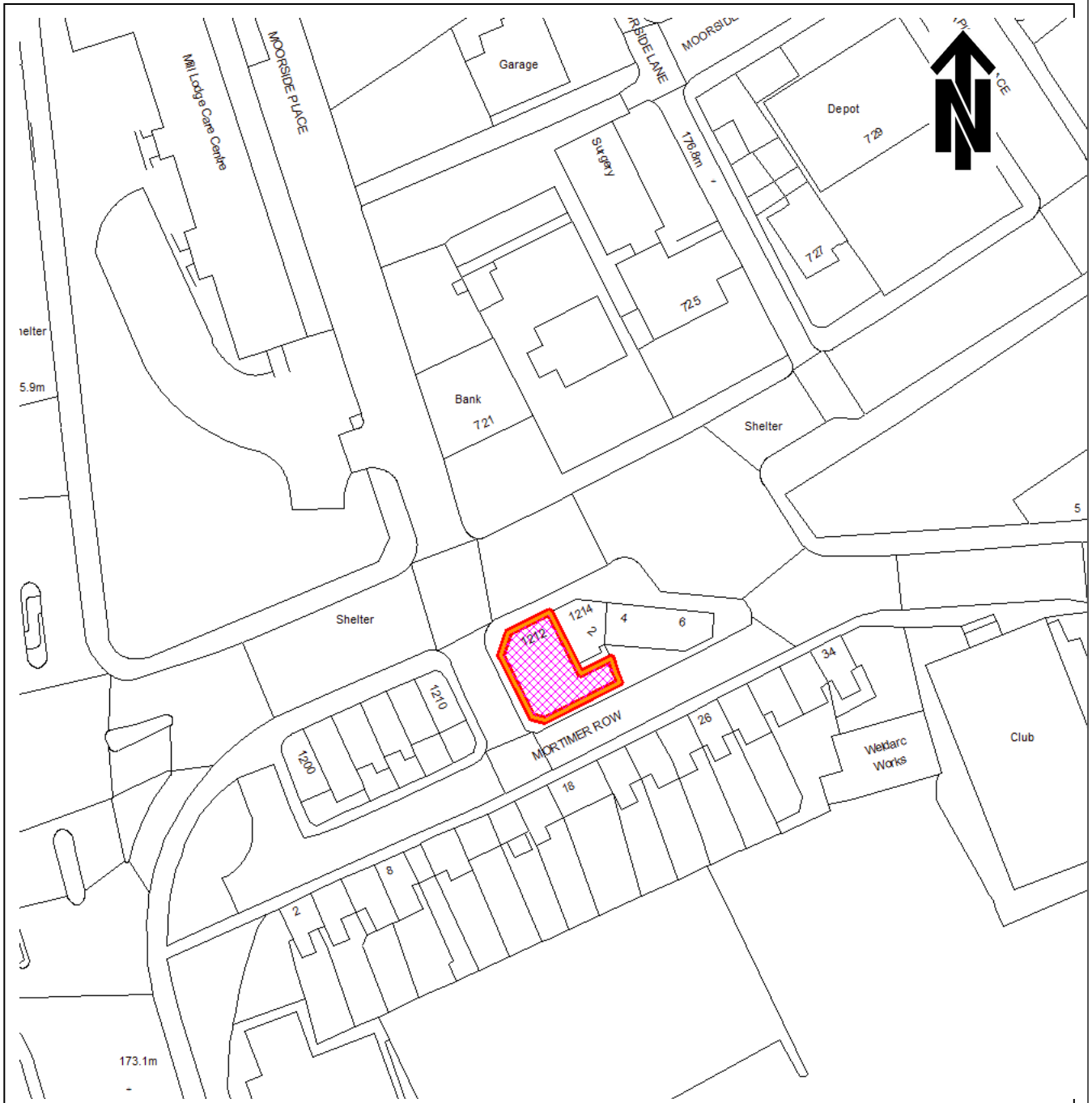
Footnote:

Drainage serving kitchens in commercial hot food premises should be fitted with a grease separator complying with BS EN 1825-1:2004 and designed in accordance with BS EN 1825-2:2002 or other effective means of grease removal.

Area Planning Panel (Bradford)

15/07139/FUL

11 May 2016



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ITEM NO. : 7

LOCATION:

**1212 Leeds Road
Bradford**

11 May 2016

Item Number: 7
Ward: BRADFORD MOOR
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
15/07139/FUL

Type of Application/Proposal and Address:

A full planning application for the change of use of an existing A1 retail dress shop to an A3 restaurant at 1212 Leeds Road, Laisterdyke, Bradford.

Applicant:

Mr Yasin Rehman

Agent:

Chris Eyres Design

Site Description:

This is an unlisted but otherwise impressive two-storey retail unit located at the junction of the busy Leeds Road and Mortimer Row. The site is a short distance east of the junction of Leeds Road with Sticker Lane and Killinghall Road. The site does not offer any off-street car parking. On-street parking is available along parts of Leeds Road and to the rear of this site however there is significant pressure on these spaces by existing businesses and residential properties. There are a large number of eating establishments in the immediate locality. The properties facing onto Leeds Road close to this site are in commercial uses but there is a terrace of two-storey listed properties on Mortimer Row to the rear of the site.

Relevant Site History:

13/00510/FUL Retrospective application for 2 air conditioning units to rear with security shutter to rear first floor window – Granted.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Replacement Unitary Development Plan (RUDP):

Allocation

The site is within the Laisterdyke Local Centre and is within a Community Priority Area on the RUDP.

Proposals and Policies

Policy UR3	The Local Impact of Development
Policy D1	General Design Considerations
Policy CF6	Development of Unallocated land in Community Priority Areas
Policy CR1A	District and Local Centres
Policy TM2	Impact of Traffic and its Mitigation
Policy TM11	Parking Standards for Non-Residential Developments
Policy TM19A	Traffic Management and Road Safety
Policy P7	Noise

Parish Council:

The site is not in a Parish.

Publicity and Number of Representations:

The application was initially publicised with neighbour notification letters and a site notice. This publicity period expired on 23 February 2016. Eight objections to the development have been received. A Bradford Moor Ward Councillor has expressed support for the development and has requested the application be referred to Panel if officers are minded to refuse it.

Summary of Representations Received:

Objection comments:

- There are already a large number of eating places in this area which causes parking problems for local residents.
- There are popular restaurants across the road on Leeds Road which attract large numbers of customers who use parking on Mortimer Road.
- The proposal will increase demand for on-street parking causing harm to highway safety.
- There is no extra provision for car parking.
- Already have multiple problems with illegal and inconsiderate parking in the area.
- The proposal will increase anti-social behaviour, litter, noise, smells and vermin activity.
- Activity, noise and disturbance resulting from the existing eating places extends into the early hours of the morning.
- The parking, noise and disturbance in the area have become much worse in the last 18 months after Mother Hubbards and Icestone Gelato opened.
- Icestone Gelato has opened but has been refused permission three times so far.
- Were told some months ago that residents may receive permit parking but there has been no further news in regards to this.
- Cars block access for ambulances and other emergency vehicles.

Support Comments:

- The proposal will not be detrimental to the local amenities/area.

Consultations:

Highways Development Control - The RUDP requires the provision of 1 space per 5 sqm of floor space within restaurants which in this case equates to 27-28 parking spaces. The proposal provides no off-street car parking on a busy road close to busy junction. Cannot support this development without any off-street car parking in area where demand for on-street parking is already high. This would lead to significant harm to conditions prejudicial to highway safety.

Drainage - Drainage serving kitchens should be fitted with a grease separator.

Environmental Health - No comments have been received.

Summary of Main Issues:

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

Appraisal:

1. Principle of the Development

The site is within the Laisterdyke Local Centre in which commercial activity of a scale commensurate to meet the day to day needs of local people are encouraged. Leeds Road as whole has become a destination for eating establishments. The introduction of a new restaurant into this setting would not be harmful to the vitality or viability of this centre. Consequently the principle of the development is considered to be acceptable subject to its local impact.

2. Highway Safety

The existing building covers almost the whole of the site and so no off-street car parking is proposed. This area has a concentration of popular eating establishments many of which have little or no off-street car parking. An application for an ice cream parlour opposite this site was refused on highway safety grounds and has recently been dismissed by a Planning Inspector on appeal for the same reason.

The main issue is that this site is located on a busy classified road along which there is already a concentration of eating establishments and other shops which already result in significant pressure on on-street parking in the area. The Council's Highways Officer notes that Appendix C of the RUDP would require 27-28 car parking spaces for a development of this nature. These standards are 'maximum' parking standards and policy TM11 of the RUDP notes that the Council will seek a lower level of car parking in areas with good accessibility. This site does have good accessibility but offers no off-street car parking spaces, which in this location cannot be accepted. The site is in a particularly poor location due to its proximity to the junction of Leeds Road and Laisterdyke/Killinghall Road. Currently vehicles queue past this site for most of the day and so it is not possible to park to the front of the premises without obstructing traffic or parking on the kerb. Parking on the kerb would

cause an obstruction for pedestrians, which could potentially force passers-by with prams or people in wheelchairs or mobility scooters to move into the highway to pass, which is very unsafe in this location. It is also noted that parking to the front of these premises would also obstruct visibility for traffic emerging from junction of Mortimer Row.

It is therefore very likely that the proposed use would add significant pressure on on-street parking in the area which would create conditions on the highway that are prejudicial to the safe and free flow of traffic and could pose a risk to the safety of pedestrians. As a consequence the proposal is not considered to be acceptable from a highway safety perspective.

3. Residential Amenity

There is a row of residential properties to the rear of this site known as Mortimer Row. Objections have been received from many of these properties raising concerns about the level of activity associated with existing eating establishments in the area and the likelihood of this increasing as a result of the current proposal. The property faces out to Leeds Road and it is proposed to open the premises between 12 noon and 11pm Monday to Saturday and 12 noon and 6pm on Sundays and Bank Holidays. Given the location of the site within a local centre and close to other similar properties it is unlikely that this proposal would cause a significant increase in harm to the amenities of these properties. A fume extraction system is proposed which runs along the rear wall of the building and subject to the provision of this system the proposal is also unlikely to result in fumes or odours which would harm neighbours amenities. Overall the proposal is considered to be acceptable from a residential amenity perspective.

4. Visual Amenity

The only external alteration proposed by this application is the proposed extraction flue to the rear wall of the building. This would be highly visible from Mortimer Row and would cause significant harm to the appearance of the attractive host building and the wider street scene. Requests have been made for amended plans which show either an alternative fume extraction system that does not require the level of ducting shown on the proposed plans or which runs the ducting internally through the building. No revised plans have been received and as a consequence the proposal is not considered to be acceptable in regards to its visual impact.

5. Other Issues Raised in Representations

- The proposal will increase anti-social behaviour, litter, noise, smells and vermin activity.
Response - These issues are generally not within the scope of this planning application or within the power of the Local Planning Authority to control. The Council's Licensing and Environmental Health teams and the Police have powers to deal with many of these issues.

- Were told some months ago that residents may receive permit parking but there has been no further news in regards to this.

Response - This issue is beyond the scope of this planning application.

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.

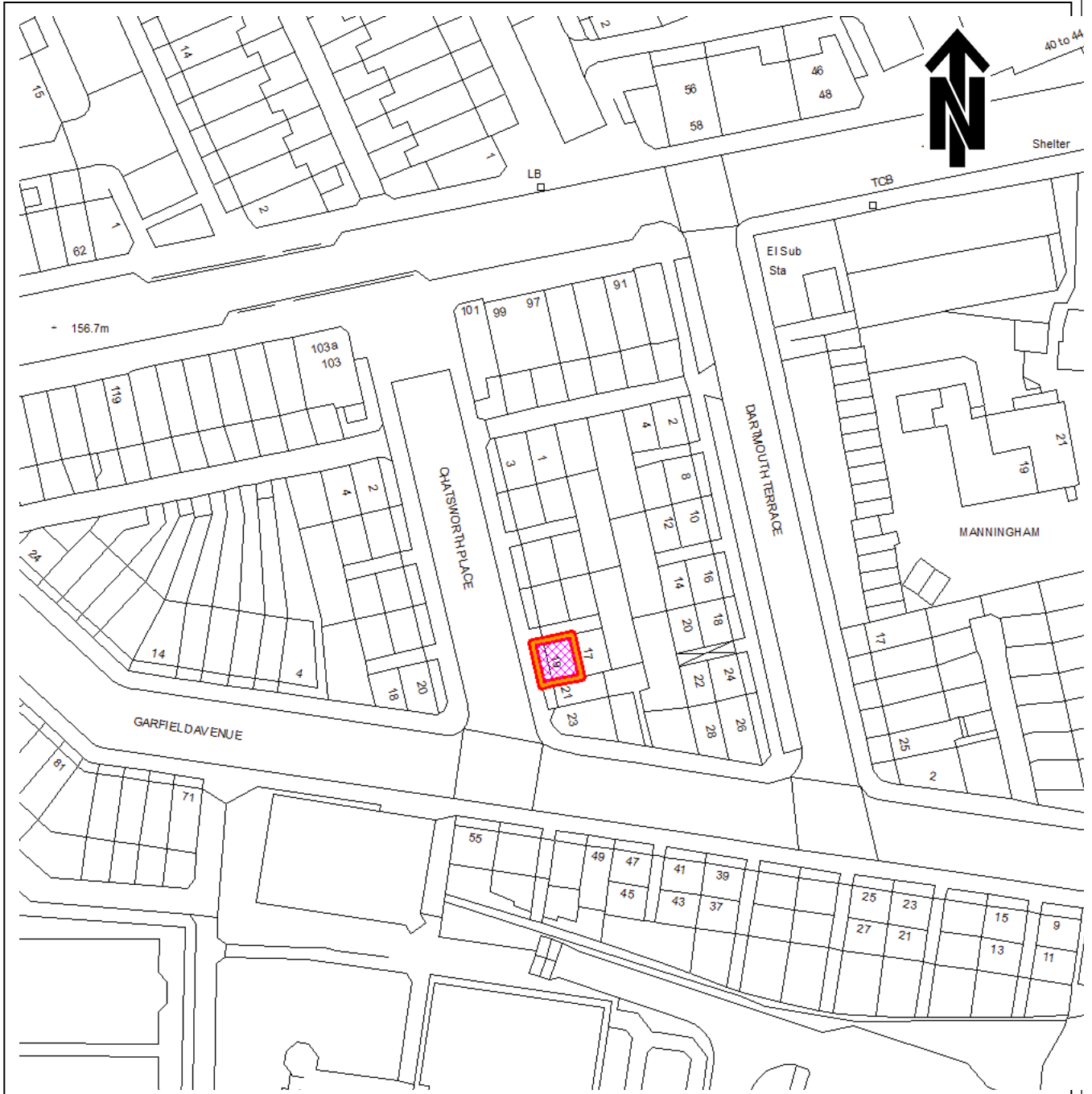
Reasons for Refusal:

1. The proposed development fails to provide suitable and sufficient accommodation within the site for the customer/staff parking and loading/unloading of vehicles in connection with the proposed development. Consequently there would result increased vehicle manoeuvring and indiscriminate parking of vehicles within the highway, to the detriment of the safe and free flow of traffic on the highway. For this reason the proposal is unacceptable when measured against Policies TM2, TM11 and TM19A of the Replacement Unitary Development Plan.
2. The proposed external flue to the rear of this site due to the large amount of exposed ducting would cause significant harm to the character and appearance of this building and the surrounding area. This would be contrary to Policies UR3 and D1 of the Replacement Unitary Development Plan.

Area Planning Panel (Bradford)

16/00713/HOU

11 May 2016



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ITEM NO. : 8

LOCATION:

**19 Chatsworth Place
Bradford**

11 May 2016

Item Number: 8
Ward: MANNINGHAM
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
16/00713/HOU

Type of Application/Proposal and Address:

An application for the construction of a dormer window to facilitate the conversion of the attic space to form bedroom and bathroom at 19 Chatsworth Place, Manningham, Bradford.

Applicant:

Miss Sakina Din and Mr Jalal Din

Agent:

Mr B A W Ratcliffe

Site Description:

The host property is part of a traditional two-storey terrace in a Victorian suburb consisting largely of similar streets. There are one or two examples of dormer windows within the roof-slopes visible from the Chatsworth Place/Garfield Avenue junction, including one just four doors away, but this is very much the exception. The prominent roof-slopes make a major contribution to the strong sense that the original character of the area remains largely unchanged.

Relevant Site History:

10/05555/HOU: Conversion of existing roofspace into additional accommodation including installation of new dormer window, refused 05.01.2011. The subsequent appealed (ref: 11/00048/APPHOU) was also dismissed.

11/03298/HOU: Conversion of existing roof space to provide additional accommodation including installation of two, 1.5m-wide pitched roof dormer windows, granted 13.09.2011.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;

iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Replacement Unitary Development Plan (RUDP):

Allocation

The site is unallocated for any specific land use. The site lies just outside the North Park Road Conservation Area.

Proposals and Policies

UR3 The Local Impact of Development

D1 General Design Considerations

D4 Community Safety

BH7: Development within or which would affect the Setting of Conservation Areas

Householder Supplementary Planning Document (HSPD)

Parish Council:

Not applicable.

Publicity and Number of Representations:

The application was publicised by individual neighbour notification letter, the statutory publicity date expired on the 2nd of March 2016. Representation from a Manningham Ward Councillor has been received requested the application is referred to the Area Planning Panel for determination on the grounds of disability.

Consultations:

Design and Conservation: Object to the proposal on design grounds and the impact on the nearby North Park Road Conservation Area.

Occupational Therapy Adaptions Team: Alternative provisions could be made to meet needs.

Summary of Main Issues:

Visual amenity.

Residential amenity.

Appraisal:

Visual amenity

The site is approximately 50 metres from the boundary of the North Park Road Conservation Area. The property is a front back to back property and the roofline of the terrace appears to be largely unbroken other than a full width dormer at number 3 which adjoins the conservation area boundary. The proposal is clearly contrary to the HSPD, which allows for dormer windows to be up to three metres in width on the front elevation providing a minimum distance of 750mm to the common boundary on either side can be achieved. The proposed dormer is five metres in width but would still retain one metre to one boundary and 800mm to the other. However due to the excessive width which would look at odds with the character of the street scene as such the impact of the dormer window on the street scene is significantly harmful and this view has already been tested at appeal.

The proposed dormer window is excessively wide and does not comply with the guidance in the adopted HSPD, it is considered the proposed dormer would adversely affect the street scene and set an unwelcome template in close proximity to the conservation area and views into and out of it. Two smaller dormers would be preferable which is what was previously approved under application 11/03298/HOU.

A large box style dormer window to the front elevation was previously refused under application 10/05555/HOU by reason of its excessive width, harm to the character and visual amenity of the host dwelling and the street scene. The subsequent appeal to the Planning Inspectorate was also dismissed.

The previous application was submitted by the same applicant, Miss Sakina Din. There was no disability justification previously put forward at the time however that now put forward suggests the specific needs of the occupant would not be met by the proposed large dormer window on the top floor. The Council's Occupational Therapy Adaptions Team have confirmed two disabled people live at the property with differing issues that have been addressed through relatively simple adaptations. Whilst the Council's Adaptions Team does not formally support the application there is no objection. In order for the harm to visual amenity to be justified the benefits brought to the disabled occupant need to be clear and substantial. The visual harm to the street scene would need to be outweighed by the benefits to the disabled occupant but this is not demonstrated in this specific case.

Residential amenity

The proposed dormer window would not result in any harm in terms of residential amenity.

Community Safety Implications:

There are no foreseen community safety concerns with the proposed development.

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. Whilst the justification for the development is to improve the facilities for a disabled occupant, it is not considered the adaptations would be necessary to meet the specific needs due to the nature of the disability highlighted within the supporting documents. The specific needs of the applicant have been assessed and given due regard within the officer report and for the reasons highlighted they are not considered to outweigh the harm caused to the visual amenity of the area.

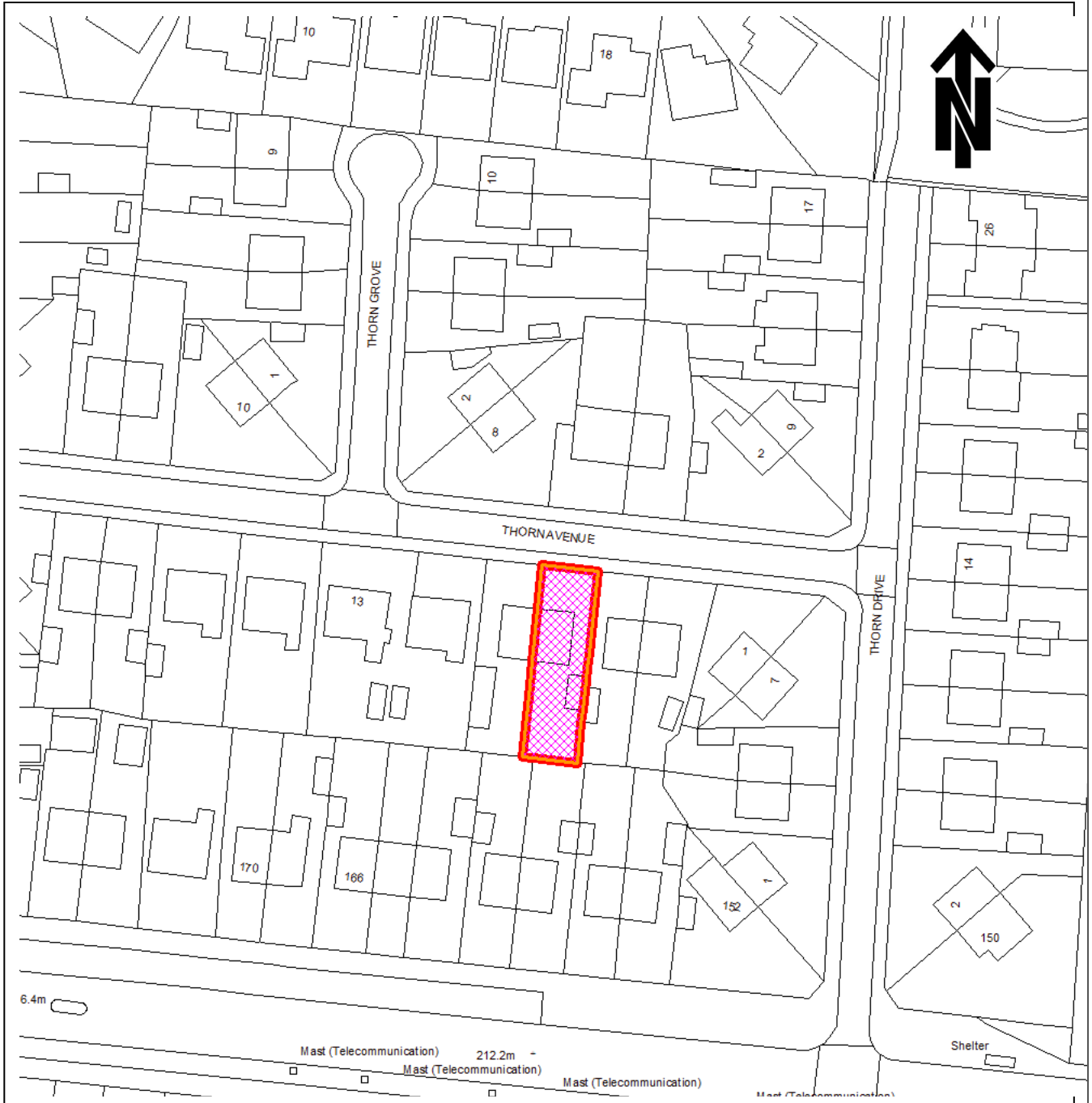
Reasons for Refusal:

1. The proposed dormer window would, by reason of its excessive width harm the character and visual amenity of the host dwelling and the street scene and is therefore contrary to policies D1 and UR3 of the RUDP and the HSPD.

Area Planning Panel (Bradford)

16/00851/HOU

11 May 2016



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<p>ITEM NO. : 9</p>	<p>LOCATION: 7 Thorn Avenue Bradford</p>
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11 May 2016

Item Number: 9
Ward: HEATON
Recommendation:
TO REFUSE PLANNING PERMISSION

Application Number:
16/00851/HOU

Type of Application/Proposal and Address:

This is a full planning application for the construction of first floor extension above an existing single storey side extension at 7 Thorn Avenue, Heaton, Bradford.

Applicant:

Mr Mohammed Arif

Agent:

Jeff Redmile

Site Description:

This is a semi-detached two-storey dwelling located in a wholly residential area. The land rises up to the west such that there is a significant change in levels on the boundary with 5 Thorn Avenue. The property has previously been extended to the side and rear at ground floor level. The site retains a drive and the front garden is hard surfaced to provide off-street car parking.

Relevant Site History:

15/03790/HOU - Construction of first floor side extension – Refused.

96/02037/FUL - Erection of single storey side/rear extension including facilities for disabled occupant – Granted.

The National Planning Policy Framework (NPPF):

The National Planning Policy Framework is now a material planning consideration on any development proposal. The Framework highlights the fact that the purpose of the planning system is to contribute to the achievement of sustainable development and that there is a presumption in favour of sustainable development which can deliver:-

- i) Planning for prosperity (an economic role) - by ensuring that sufficient land of the right type and in the right places is available to allow growth and innovation;
- ii) Planning for people (a social role) - by promotion of strong, vibrant and healthy communities by providing an increase supply of housing to meet the needs of present and future generations and by creating a good quality built environment with accessible local services;
- iii) Planning for places (an environmental role) - by protecting and enhancing the natural, built and historic environment, adapting to climate change including moving to a low-carbon economy.

As such the Framework suggests local planning authorities should approve development proposals that accord with statutory plans without delay.

Replacement Unitary Development Plan (RUDP):

Allocation

The site is unallocated on the RUDP.

Proposals and Policies

Policy UR3 The Local Impact of Development;

Policy D1 General Design Considerations

The Householder Supplementary Planning Document (HSPD)

Parish Council:

The site is not in a Parish.

Publicity and Number of Representations:

The application was publicised with neighbour notification letters. The publicity period expired on 14 March 2016. One objection has been received from the adjacent property and a Heaton Ward Councillor has written in support of the development also asking for the application to be determined by the Area Planning Panel if Officers are minded to refuse it.

Summary of Representations Received:

In Objection:

- Proposal will make the neighbouring drive permanently dark and damp.
- There is already an extension to the side and rear of the property. This was originally built as a bedroom.
- There is no overcrowding at the property as there are only three people living at the address.

In Support:

- The development is on the established footprint.
- The proposal is not overbearing and fits into the street scene.
- The development adds much needed bedroom space and militates against overcrowding.

Consultations:

None required.

Appraisal:

Residential Amenity:

This is a semi-detached dwelling within a row of similar properties. The property has previously been extended significantly at ground floor level with large extensions to the rear and side. The current proposal is for a first floor extension above part of the ground floor extension to create a bedroom and a house bathroom. A recently refused application proposed a much larger extension which was refused due to significant overshadowing and an overbearing impact on 5 Thorn Avenue and also due to the poor design of the proposal.

The current proposal, while much smaller than the one previously refused, is still likely to result in significant harm to the amenities of 5 Thorn Avenue. The existing extension, on which the proposed first floor is to be constructed, extends to the shared boundary with 5 Thorn Avenue. There is a significant drop in levels between the site and 5 Thorn Avenue such that the existing extension already dominates this property. The existing extension, when viewed from 5 Thorn Avenue, is at least around 5m tall due to the drop in levels and the proposed extension would almost double this height. The proposed extension would therefore result in an over-dominating feature which would overshadow and be overbearing on the rear garden and kitchen window of 5 Thorn Avenue. It is noted that the proposed extension would also fail to clear a 45-degree line taken from the ground floor kitchen window of 5 Thorn Avenue. The impact of the proposal on the amenities of the adjacent neighbour is considered to be unacceptable when measured against Policy UR3 of the RUDP and the HSPD.

Visual Amenity:

The previous application was partially refused on grounds of its visual impact due to a very poor roof arrangement. The current proposal addresses this issue by proposing a hipped roof which connects to the roof of the existing dwelling. The extension would be set well behind the front wall and so no harm to visual amenity is likely to occur subject to the use of matching facing and roofing materials.

Highway Safety:

The proposed development does not affect the existing access or parking facilities and though the size of the property is increased this is unlikely to result in significant additional vehicular movements. Consequently the proposal is unlikely to result in any significant harm to highway safety.

Other Issues Raised in Representations:

The representations both in objection and in support of the proposal make reference to overcrowding at the property. The application documents do not make any reference to this as an issue faced by the occupants of the property. The objector notes that there are only three people living at this address. In any case this would not outweigh the significant harm to neighbour's amenities identified above.

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 extension would be contrary to Policy UR3 of the Replacement Unitary Development Plan and guidance contained within the Council's adopted Householder Supplementary Planning Document as the proposed development would result in significant overshadowing, loss of outlook and an overbearing impact on the rear habitable room windows and rear garden area of 5 Thorn Avenue by reason of the proposed extensions significant depth and height on the boundary with this property.