

Application No: 10/01320/OUT

GROUTZ

TOWN AND COUNTRY PLANNING ACT, 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER 1995

Mr G Hussain
C/O SR Design
2A Rossefield Road
Bradford
West Yorkshire
BD9 4DA

GRANT OF OUTLINE PLANNING PERMISSION

Proposal: Demolition of garages and construction of residential development

Location: Garages North Of 106 Sandford Road Bradford West Yorkshire

Applicant: Mr G Hussain

Date Application Received: 19 March 2010

Date Application Valid: 17 May 2010

City of Bradford Metropolitan District Council hereby gives notice of its decision to **GRANT** outline planning permission for the development described above, in accordance with the plans, drawings and documents which form part of the application, subject to the following schedule of conditions:

CONDITIONS AND ASSOCIATED REASONS:

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

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

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

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



Julian Jackson, Assistant Director (Planning)
Department of Regeneration

Application No: 10/01320/OUT

GR0UTZ

3. Before any development is begun plans showing the:

- i) appearance; and
- ii) landscaping must be submitted to and approved in writing by the Local Planning Authority.

Reason: To accord with the requirements of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995.

4. The development hereby approved shall only be carried out in accordance with the amended plan SR-906-1B dated and received by the Local Planning Authority on 27.07.2010 showing two visitor parking bays and a 1.8 metre footway unless subsequent reserved matter approvals indicate otherwise.

Reason: For the avoidance of doubt as to the terms under which this outline planning permission has been granted since amended plans have been received and to accord with Policy UR3 of the Replacement Unitary Development Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (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 protect the amenity of nearby residents and the appearance of the present street scene and to accord with Policy UR3 and D1 of the Replacement Unitary Development Plan.

6. Before the dwellings to be constructed are brought into use the proposed car parking spaces 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.

7. Any gates to be constructed as part of the development shall not open over the highway.

Reason: In the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.



Julian Jackson, Assistant Director (Planning)
Department of Regeneration

Application No: 10/01320/OUT

GROUTZ

8. Before the development is brought into use the footway hereby approved shall be laid out to a specification approved in writing by the local planning authority.

Reason: In the interests of highway and pedestrian safety and to accord with policy UR3 and D1 of the Replacement Unitary Development Plan.

9. The development shall be drained using separate foul sewer and surface drainage systems.

Reason: In the interests of pollution prevention and to ensure a satisfactory drainage system is provided and to accord with Policies UR3 and NR16 of the Replacement Unitary Development Plan.

10. No development shall commence until a section 278 Agreement under the Highway Act 1980 has been completed with the Council, in relation to the off site highway works which comprise the provision of a visitor parking lay-by on Fitzroy Road. The development shall not be brought into use until the off site highway works have been carried out to the satisfaction of the local planning authority.

Reasons: To ensure that a suitable car parking provision is made for visitors in the interest of highway safety and to accord with policies TM2 and TM12 of the Replacement Unitary Development Plan.

11. The development shall not begin until details of a scheme for separate foul and surface water drainage, including any balancing works or off-site works, have been submitted to and approved in writing by the Local Planning Authority. Surface water must first be investigated for potential disposal through use of sustainable drainage techniques and the developer must submit to the Local Planning Authority a report detailing the results of such an investigation together with the design for disposal of surface water using such techniques or proof that they would be impractical. The scheme so approved shall thereafter be implemented in full before the first occupation of the development.

Reason: To ensure proper drainage of the site and to accord with policies UR3 and NR16 of the Replacement Unitary Development Plan.

REASON FOR THE DECISION

The development is considered to be an efficient use of previously developed land which would not adversely affect the local environment, residential amenity, highway safety or the free flow of traffic in the locality to a material degree. No insurmountable problems with regard to foul and surface water drainage, biodiversity or community safety are likely. Consequently the development subject to conditions is considered to comply with policies



Julian Jackson, Assistant Director (Planning)
Department of Regeneration

Application No: 10/01320/OUT

GR0UTZ

UR2, UR3, UR6, H7, H8, TM2, TM10, TM12, TM19A, D1, D4, D5, NE10, CF6, NR16 and P7 of the Replacement Unitary Development Plan, national guidance contained within PPS1 and PPS3 and supplementary planning guidance contained within the revised House Extensions Policy Document.

FOOTNOTES:

Footnote: Please note that the development hereby approved may contain conditions that require details to be submitted to and approved in writing by the Council either prior to the commencement of the development or at another specified period. To comply with the requirements of these conditions the developer is required to submit an "application for the approval of details reserved by a condition". Applications can be submitted online via the planning portal or in paper format to: Planning Service 3rd Floor Jacobs Well Bradford BD1 5RW. There is a charge for this service; £85 per request (£25 per request for householder developments). For more information please go to www.bradford.gov.uk/planningforms. Works must not commence until the necessary approval(s) have been obtained.

Footnote: If your development affects any street lighting columns please contact The Street Lighting Unit, Flockton House, Flockton Road, Bradford, BD4 7RY, telephone 01274 434019 before building commences.

Footnote: Where the closure or diversion of the highway is involved, there is a legal procedure under Part 247 of the Town and Country Planning Act 1990 which will have to be undertaken before any part of the planning permission may be implemented. The planning permission does not in itself alter the status of a public highway and it will be necessary for an Order to be obtained formally extinguishing the public highway. Until such time as the highway is extinguished work to it in connection with the carrying out of this development may be unlawful.

Details of the procedures may be discussed with John Rowley of the Highways Department on (01274) 437413. If no objections are received to the Order (or if the objections are resolved), and the Order is made, then and only then, may the development be implemented in accordance with the approved plans.

Footnote: If the developer wishes to discharge the foul or surface water to any existing drainage system, then the existing system must be proved both hydraulically and structurally adequate.

Footnote: The development must be undertaken in such a manner so as not to change the overland surface water flow patterns to the detriment of adjacent landowners. Particular attention should be paid to ensuring ground levels are not changed at the site boundary.



Julian Jackson, Assistant Director (Planning)
Department of Regeneration

Application No: 10/01320/OUT

GROUTZ



Julian Jackson, Assistant Director (Planning)
Department of Regeneration

YOUR RIGHTS IN CONNECTION WITH THIS NOTICE

APPLICATIONS FOR PLANNING PERMISSION Appeals to the Secretary of State

- If you are aggrieved by the decision of the local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal your local planning authority's decision then you must do so within 6 months of the date of this notice.*
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.**
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Compensation

- In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Part IV of the Town and Country Planning Act 1990.

APPLICATIONS FOR LISTED BUILDING CONSENT/CONSERVATION AREA CONSENT Appeals to the Secretary of State

If the applicant is aggrieved by the decision of the local planning authority to refuse consent for the proposed works, or to grant consent subject to conditions, he/she may, by notice served within six months of the date of this notice* appeal to the Secretary of State in accordance with Section 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Secretary of State has power to allow a longer period for the giving of a notice of appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the local authority in regard to the proposed works are in progress.

* Applicants are advised that it is the Council's understanding that the time period for lodging an appeal is reckoned from the date of issue of this notice.

** The Planning Inspectorate has introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal – see www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application for and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

You must send a copy of your appeal to Department of Regeneration, Planning Service, 3rd Floor, Jacobs Well, Bradford, BD1 5RW or planning.appeals@bradford.gov.uk

Purchase Notices

- If consent is refused, or granted subject to conditions whether by the local planning authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he/she may serve on the Council a listed building purchase notice, or a conservation area purchase notice, as the case may be, requiring the Council to purchase his/her interest in the land in accordance with the provisions of section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Compensation

- In certain circumstances a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

NOTE - Attention is drawn to section 8 (2) of the Act, the effect of which is that demolition may not be undertaken (despite the terms of any consent granted by the local planning authority) until notice of proposal has been given to the Royal Commission on Historical Monuments, Fortress House, 23 Saville Row, London W1X 1AB and the Commission subsequently have either been given reasonable access to the building for at least one month following the grant of consent or have stated that they have completed their record of the building or that they do not wish to record it.

APPLICATIONS UNDER ADVERTISEMENT REGULATIONS Appeals to the Secretary of State

- You have a right to appeal against the local planning authority's-
 - a) refusal of consent for an advertisement;
 - b) grant of consent for an advertisement subject to a condition with which you are dissatisfied;
 - c) failure to issue a decision on an application within a specified time (i.e. 8 weeks from the date the application is formally acknowledged or such longer period you may have agreed in writing with the Council); or
 - d) "discontinuance notice" requiring you to remove an advertisement, or stop using an advertisement site.
- The appeal is made to the Secretary of State, and the appeal procedure is very similar to the procedure for a planning appeal to the Secretary of State.
- All advertisements appeals have to be submitted to the Secretary of State within 8 weeks of the receipt* of the local planning authority's decision against which you are appealing.

APPLICATIONS FOR CERTIFICATES OF LAWFULNESS Appeals to the Secretary of State

- You have the right of appeal under Section 195 of the Town and Country Planning Act 1990 against the local planning authority's refusal of such a certificate, or refusing it in part, or against any failure of the authority to notify you of their decision within the prescribed period (whether extended by agreement with them or not). The appeal is made to the Secretary of State and there is no time limit in which to make this appeal.

Introduction of Fee for requests for approval of details reserved by a planning condition

On 6 April 2008 the government introduced charges for requests for approval of details reserved by a planning condition and also for requests for confirmation that conditions have been complied with, regardless of when permission was granted.

The application fees are £25 for householder developments and £85 for all other developments.

From 30 June 2008 we will not deal with any such requests unless they are accompanied by the appropriate fee.

The application fee is per request and there is no limit to the number of conditions that can be included within each submission.

Please note that there is no discount or "free go" for subsequent applications, so it is in your interest to ensure that your submission fully meet the requirements of the condition.

Applications should be submitted on the 1APP "Approval of Details" Application Forms where possible, as this will help us ensure that we obtain all of the information required in order to process the application efficiently. These can be obtained from www.bradford.gov.uk/planningforms or at Planning Receptions/Keighley One Stop Shop. However, we will accept applications in writing, provided that they identify the relevant planning permission and the conditions concerned.

We will aim to deal with the majority of applications within 8 weeks.

If an application is not determined within 12 weeks we are obliged to refund the application fee.

All postal planning application submissions should be sent to the appropriate Area Planning Office. Applications can also be submitted at Jacobs Well, Shipley and Ilkley Planning receptions and Keighley One Stop Shop.