

Minutes of a meeting of the Area Planning Panel (Keighley & Shipley) held on Wednesday 25 February 2015 in the Council Chamber, Keighley Town Hall

Commenced 1005
Concluded 1350

PRESENT – Councillors

CONSERVATIVE	LABOUR
Barker	Abid Hussain
Ellis	Farley
	Ross-Shaw
	M Slater

Apologies: Councillor Naylor

Observers: Councillors Cooke (Minute 51 (d)) and M Smith (Minute 51(c) (e) and (g))

Councillor Abid Hussain in the Chair

48. DISCLOSURES OF INTEREST

- (a) Councillor M Slater disclosed a prejudicial interest in the item relating to Land at Back Shaw Lane, Hainworth Shaw, Keighley (Minute 51 (k) (i)) as he had spoken to the applicant regarding procedures but had not expressed a view on the merits or otherwise of the case and he therefore withdrew from the meeting during the consideration of this item in accordance with the requirements of the Members' Code of Conduct (Part 4A of the Constitution) and the Members' Planning Code of Conduct (Part 4B of the Constitution).
- (b) Councillor Ellis disclosed a prejudicial interest in the item relating to H.C.F Poultry, Station Yard, Station Road, Cullingworth, Bingley (Minute 51 (d)) as he had discussed the application with the applicant on site and he therefore withdrew from the meeting during the consideration of this item in accordance with the requirements of the Members' Code of Conduct (Part 4A of the Constitution) and the Members' Planning Code of Conduct (Part 4B of the Constitution).



The following disclosure of interest was received in the interest of clarity:

- (c) Councillor Barker for the application relating to River Wharfe site adjacent to Greenholme Farm, Leather Bank, Burley in Wharfedale, Ilkley (Minute 51 (h) as it was in his ward.
- (d) Councillor Ross-Shaw for the application relating to River Wharfe site adjacent to Greenholme Farm, Leather Bank, Burley in Wharfedale, Ilkley (Minute 51 (h) as he was a member of the Ramblers Association.
- (e) Councillor Ellis for the application relating to Land West of Moorside Farm, Wellington Road, Wilsden, Bingley (Minute 51 (f) as he was employed by Northern Power Grid and there appeared to be a high voltage cable near the application site.
- (f) Councillor Barker for the application relating to River Wharfe site adjacent to Greenholme Farm, Leather Bank, Burley in Wharfedale, Ilkley (Minute 51 (h) as a member of the Burley Community Trust but had no involvement in the application.

ACTION: Assistant City Solicitor

49. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents.

50. PUBLIC QUESTIONS

There were no questions submitted by the public.

51. PLANNING APPLICATIONS AND ASSOCIATED MATTERS

The Strategic Director, Regeneration and Culture presented **Documents` “M”, “N” and “O”**. Plans and photographs were displayed and/or tabled in respect of each application and representations summarised.

(a) 15 Prod Lane, Baildon

Baildon

Full application for erection of a new dwelling on land to the rear of 15 Prod Lane, Baildon
- 14/04634/FUL

The Strategic Director gave a presentation showing access to the site, the neighbouring development, the existing driveway, a plan showing the location of the proposed dwelling and elevation drawings. He added that 9 objection letters had been received; a summary of the representations was set out in his report. His report also set out consultations that had taken place with the Highway Development Control Officer, the Rights of Way Officer and the Drainage Section. He explained that access was via a single driveway the width of which was proposed to be 4.0 metres for the first 5.0metres from Prod Lane on the advice of the Highways Officer. He added that it was difficult to demonstrate that the proposed development was less satisfactory than the development for the neighbouring property. He summarised the proposed conditions of approval.

An objector attended the meeting and stated that:

- The replacement UDP3 promoted acceptable forms of development that respect the urban and natural environment.
- The proposed development would affect 9 neighbours.
- The proposed development would affect flora and fauna, would cause overshadowing, would result in a loss of privacy and would cause an increase in vehicles.
- The National Planning Policy Framework in planning for prosperity required sufficient land in the right place and of the right type, this was not the right place as the surrounding houses were built in 1890 and it was not the right time for people in the neighbouring houses.
- Shipley Glen was an historic environment which the Council had considered listing. Had any thought been given to listing this pair of semi detached houses?
- The proposed development would damage the mirror image of the ornamental gates to the semi detached houses and affect the view for visitors to Shipley Glen.
- The recent planning permission granted in a neighbouring garden was not the same as this one as it was behind a detached property and the garden was longer and wider.

Responses were given to member questions as follows:

- With reference to the recent neighbouring development the relationship between the proposed property and the existing buildings was marginally shorter in this case. Given the distances and the potential to screen the boundary it would be difficult to prove that the proposal would not be acceptable.
- The proposed development was in a residential garden with only garden trees so the issues raised regarding flora and fauna were not significant considerations.
- The proposals to widen the drive were to allow for increased visibility. The gate posts would be required to be reconstructed in an appropriate material.
- Condition 5 had been included as it was considered absolutely necessary to restrict construction hours in cases where there were neighbours on all sides.

The applicant's agent attended the meeting and stated that:

- There was no uniformity to the layout of the properties in the area.
- The property next door was subject to a planning application.
- The proposed property was designed to reduce overlooking of adjacent properties.
- There were no particular wildlife protection issues. Any development would affect wildlife in the short term, in the long term the landscaping would be a benefit and there would be no objection to it as a condition.
- The size of the gardens in question were relatively similar.
- The land was suitable for development and complied with all relevant policies.

Responses were given to Member questions as follows:

- The gap between the proposed building and the neighbouring property would be 2 metres and would not present shading issues.
- There was some development to the rear of the property but the age of the developments were not known. There was no uniformity to development in the area.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration and Culture’s technical report.

ACTION: Strategic Director, Regeneration and Culture**(b) 3 - 4 Elam Wood Road, Riddlesden, Keighley****Keighley East**

Full application for retrospective planning permission for the retention of a slope stabilising terrace, pedestrian steps, visitor parking spaces, a boundary wall and construction of a boundary wall at 3 - 4 Elam Wood Road, Riddlesden, Keighley - 14/03141/FUL

The Strategic Director gave a presentation with plans showing the pedestrian access, the works carried out and photographs from the neighbouring house. Letters of support had been received and an objection had been made by the neighbour. He referred to the site description contained in his report. He also referred to the landscaping scheme which had been prepared in consultation with the Council’s Landscape Architect and planting had been carried out. He noted that the neighbour had objected to the retention of the garden but that he was of the opinion that the disturbance that would be involved in removing the gabions and re-excavation of the garden would outweigh any benefit.

An objector attended the meeting and stated that:

- The original plans were not the same as had been built.
- Retaining walls were removed.
- The work was of a poor quality.
- Walls had been moved 1 foot forward.
- The matter had been put in the hands of a solicitor.
- Reference was made to damage to water and sewage pipes. She also referred to the septic tank.
- The works van was in an elevated position and caused pollution.
- The blocks used, trees and fence were unsightly.
- The garage pit was in view of the neighbouring garden.
- An engineering report had been commissioned that demonstrated that the top half of pedestrian steps was slipping down.
- The hedge should have been replaced when the caravan was removed.

The Strategic Director responded to member queries as follows:

- The councils understanding was that the slope was now stable. The objector’s engineering report had been received by the council. The report stated that there were problems with stability during construction of the house and the applicant’s solution had been to use stabilising blocks.
- It was believed that drains were in place to pick up surface water run off.
- Officers were unable to confirm whether there had been any damage caused to the sewage pipe by vehicles. It was confirmed that both properties were served by the septic tank.

The applicant’s agent attended the meeting and stated that:

- Any construction work causes disruption.
- There had been a land slip during construction, the construction period had been elongated and the work was now complete.
- The visitor parking spaces would be an advantage to road safety.

- The impact on the conservation area was not significant.
- The conditions were appropriate and acceptable.
- The work was to address severe site stability and the work completed was of a high quality.
- The matters relating to sewage and drainage were private civil matters and not planning matters.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration and Culture’s technical report.

ACTION: Strategic Director, Regeneration and Culture

(c) **56 Victoria Avenue, Ilkley**

Ilkley

Householder application for the construction of a 2 storey rear extension at 56 Victoria Avenue, Ilkley - 14/04900/HOU

The Strategic Director gave a presentation and circulated plans at the meeting. He referred to the site description contained in his report. He noted that Ilkley Parish Council had recommended approval of the application. He added that two objection letters had been received which included a Councillor objection and request for determination at planning panel. He referred to the summary of representations contained in his report. The impact on residential amenity of occupiers of neighbouring property was also detailed in his report.

A local Ward Councillor attended the meeting and stated that:

- The windows of the existing dwelling faced the gable wall of the proposed extension.
- The extension would affect the view and light to number 58.
- The extension would project beyond the 3 metre ground floor allowance and this would affect the outlook from the kitchen of the neighbouring property.
- The extension was within 45% of the kitchen window.

The Strategic Director responded to Member queries as follows:

- The extension was not a permitted development.
- The neighbouring property appeared to have been extended a number of times.
- The 45 degree test did not work as a reliable test in relation to 2 detached dwellings set at different angle to each other.

An objector attended the meeting and stated that:

- The extension would have an overbearing effect on the kitchen window of the neighbouring property.
- The informal hedge approximately 17 – 20 high was growing rapidly.
- The extension should be limited to 3 metres and the hedge maintained to a height not overshadowing to the neighbouring property.
- The hedges were not shown on the photographs.

The Strategic Director confirmed that the issue of hedges was subject to separate legislation relating to high hedges.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration and Culture’s technical report.

ACTION: Strategic Director, Regeneration and Culture

NOTE: Councillor Ellis left the meeting during consideration of the following item having disclosed a prejudicial interest.

(d) **H.C.F Poultry, Station Yard, Station Road, Cullingworth, Bingley Rural Bingley**

Full application for proposed extension to an existing factory to form a new chiller and vac-pack room at HCF Poultry Ltd, Station Yard, Station Road, Cullingworth - 14/04449/FUL

The Strategic Director gave a presentation which included photographs showing access, staff parking, the properties which abutted the premises and the view from the back gardens of the houses. Plans were circulated at the meeting. He noted that 36 objections had been received. He reported that an amendment had been made to the scheme to lower the height of the extension. He referred in his report to the site description and summary of recommendations, in particular those received from Cullingworth Village Council. He also referred to the impact on local amenity as set out in his report.

In response to a member question the Strategic Director advised members that it was expected that the new structure would result in reduced noise levels for adjoining residents due to better insulation.

A local Ward Councillor attended the meeting and stated that:

- The factory continued to have a negative impact on the village.
- Nothing had been done to resolve the problem of vehicular access.
- He contended that the extension would result in increased output at the factory and that there would be more HGVs.
- The impact on residents had not been addressed.

The applicant’s agent attended the meeting and stated that:

- The extension was to replace an existing building to house equipment required by current food regulations.
- There had been a reduction in the height of the extension and there would be no significant effects on outlook, privacy or daylight of occupiers of the adjoining dwellings.
- The improved equipment should create less noise and be more energy efficient.
- New equipment would be installed to comply with current food regulations but the overall throughput would not increase.
- The new access from Howarth Road would reduce traffic on Station Road.
- A high percentage of employees lived in the village or within 5 miles.
- Local suppliers were used.
- The proposals complied with National Planning Policy Framework in facilitating sustainable growth.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration and Culture’s technical report.

ACTION: Strategic Director, Regeneration and Culture**(e) Hollin Hall Barn, Skipton Road, Ilkley****Ilkley**

Full application for change of use of an agricultural building to a dwelling at Hollin Hall Barn, Skipton Road, Ilkley - 14/04181/FUL

The Strategic Director gave a presentation which included photographs showing access and existing buildings. He noted that 3 objections had been received. He advised members that since the report had been written a proposal had been received from the applicant to strengthen the retaining wall before the development commenced. This had been discussed at a site meeting and had provisional agreement from the Council’s Highway Structures Officer. He proposed an amendment to condition 1 to reflect this update. He referred to the site description contained in his report. He also referred to the summary of representations and in particular those received from Ilkley Parish Council. His report outlined the principle of development and green belt issues, design and impact on local character and also highway issues.

A local Ward Councillor attended the meeting and stated that:

- There would be no private garden to the front of the property.
- Highways issues had not been resolved.
- Sight lines were poor at the junction to the A65.
- Retaining walls were to be constructed leaving a 1 metre gap, normally 3 metres would have been allowed.

The Strategic Director advised members that no objections had been received from highways officers on safety grounds. In response to a member question he confirmed that traditionally up to 5 dwellings could be accessed from a single private drive.

The applicant’s agent attended the meeting and stated that:

- The application complied with all of the Green Belt polices as referred to the Strategic Director’s report.
- The roof covering would be improved.
- Existing window openings would be filled in.
- The impact on the amenity of occupiers of adjoining dwellings was set out in the report of the Strategic Director.
- With reference to the impact on the privacy of existing dwellings there were no windows on that side of the building. He referred to proposed conditions 3 and 6.
- Two parking spaces were to be provided.
- No objections had been received from Highways.
- There was sufficient space for vehicles to turn round to allow forward access the A56.
- The amended condition 1 was acceptable to the applicant.

In response to a member question the Strategic Director confirmed that the property was not in a flood zone and that it was not believed to have any history of flooding.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration and Culture’s technical report and subject to the amendment of the following condition:

Condition 1: “Prior to commencement of work to the dwelling, the adjoining highway retaining wall shall be strengthened through the construction of a new wall with mesh reinforcement, and the retaining wall shall be increased in height to 1.0 metres above the level of the adjoining pavement. These works shall be carried out in accordance with the agent’s methodology dated 13 February 2015 and the accompanying sectional drawing reference 5044-001 unless otherwise agreed in writing by the Local Planning Authority”.

Reason: To protect the stability of the highway in the interests of safety and to accord with Policies TM2 and TM19A of the Replacement Unitary Development Plan.

ACTION: Strategic Director, Regeneration and Culture

(f) **Land West of Moorside Farm, Wellington Road, Wilsden, Bingley Rural Bingley**

Outline application for residential development on land to the west of Moorside Farm, Wellington Road, Wilsden - 14/04844/OUT

The Strategic Director gave a presentation which included photographs of the access and existing housing. His report contained a summary of objections received and a summary of letters of support. He advised members that this was an outline proposal and was the second application, the first having been refused only due to issues of access. He circulated an amended drawing at the meeting showing the extent of the highway improvements now proposed to the junction of the access and Wellington Road.

In response to a Member question the City Solicitor confirmed that Members could take account of emerging legislation in relation to sustainable urban drainage but it was up to the members as to how much weight to give to it.

The Strategic Director proposed an addition to condition 6.

The Strategic Director responded to member questions as follows:

- The proposal to extend the width of the pavement on either side of the entrance would make vehicles move at a slower speed when joining Wellington Road. There were no highways concerns.
- Drainage issues would be considered fully as part of the detailed planning permission. The drainage engineer and Environment Agency would be given the opportunity to comment on the proposals. The principal being considered was one of development on the land and access. Drainage issues would be considered at the appropriate stage.
- Pot holes on the access road would be dealt with when the road was improved.

An objector attended the meeting and stated that:

- Access to Wellington road was a concern.
- Cars parked on the kerb causing a bottle neck.
- Increasing the size of the pavement would narrow the road.
- There were concerns whether emergency vehicles would be able to gain access.

The Strategic Director confirmed the width of the road and that all houses had space to park 2 cars. He added that on street parking issues would not be caused by this development.

A Wilsden Parish Councillor attended the meeting and stated that:

- The Parish Council was opposed to the application.
- The development would extend the boundaries of the village.
- Wilsden was in the process of developing a Neighbourhood Plan and granting permission would be premature in view of the emerging Neighbourhood Plan.
- Wilsden was very constrained for development.

The City Solicitor confirmed that an emerging Neighbourhood Plan would be a material consideration. However he added that it may have had very little weight as it was not known what stage the plan was at.

A local Ward Councillor attended the meeting and stated that:

- It was not clear how the proposals regarding access would resolve issues relating to sight lines.
- Consideration should be given to the emerging Neighbourhood Plan.

The Strategic Director advised members that the authority could not refuse to consider the application. The previous application was also outline and was refused only because of lack of visibility and moving the pavement had the effect of moving the boundary walls. Highways were content that the amendments to the site lines had addressed the issues.

The applicant's agent attended the meeting and stated that:

- The proposals were for outline planning permission.
- Access was via Wellington Road.
- Street layout and design were reserved matters.
- Rights of way would be improved and were reserved matters.
- Highways were satisfied with the proposals to build out the kerb lines on Wellington Road.
- The development would be subject to a S278 agreement.
- The development was of the right scale and form and would be a successful development.
- The proposals complied with the Policy Framework and Council Planning Policy.

In response to a member question about parking and access for emergency vehicles the Highways Officer was of the opinion that they would be able to gain access and that anyone causing an obstruction would be liable to prosecution and that action could be taken in cases of repeated obstruction. He confirmed that the access road was 7.3 metres wide, that 5.5 metres was an acceptable width and that 3.2 metres was needed for emergency vehicles to gain access.

A Member questioned whether the build out would improve pedestrian safety. The Highways officer responded that it could be designed as a dropped crossing in different material or a swept radius entrance either of which would be safe.

A member of the Panel was concerned that the issue of drainage was not being considered as this was an outline application.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration and Culture’s technical report and subject to the amendment of the following condition:

Condition 6: Add “This scheme should investigate potential for use of sustainable urban design techniques for disposal of surface water, including appropriate percolation tests and flow balancing”.

ACTION: Strategic Director, Regeneration and Culture

(g) **Lingmoor, 56 Kings Road, Ilkley**

Ilkley

Full application for replacement roof and a rear extension to form rooms within the roofspace at Lingmoor, 56 Kings Road, Ilkley - 14/04367/HOU

The Strategic Director gave a presentation which included photographs and plans. He referred to the site description contained in his report. The report also contained a summary of representations received. He noted that Ilkley Parish Council had recommended approval. He referred to consultations that had taken place with the Design and Conservation Scheme. He also referred to the appraisal contained in his report and to the conditions of approval. He pointed out that no objections had been received from the Conservation Officer. He confirmed that the proposed extension would change the outlook from the bedroom window of the neighbouring property number 58 but it would not be unduly oppressive. He added that the proposed extension would be 4 metres from the window.

An objector attended the meeting and stated that:

- This was the 5th planning application submitted since 2000 in relation to the property.
- Ilkley Parish Council recommended approval but the application was the same as the last one. Neighbours were not given information about this.
- The plans appeared to be identical in height, size and mass to the previous application.
- Light in the ground floor room of number 58 would be reduced by 50% and by 25% in the upstairs bedroom
- Reference was made to the right to light and it was pointed out that number 58 had enjoyed daylight for over 45 years.
- The 3D drawings submitted by the developer were in mid summer and mid day when the shadows were smaller.
- The proposals were out of proportion, overshadowing, out of keeping with the area and would affect the conservation area.

The City Solicitor advised members that the right to light was not a material planning consideration. He confirmed that this was a private issue and pointed out that all of the relevant planning tests had been carried out.

The Strategic Director explained that Ilkley Parish Council had objected to the first application which was withdrawn. The Parish Council considered the revised application and recommended approval.

A local Ward Councillor attended the meeting and stated that:

- If the extension was moved forward by 1.6 metres this would improve the light to the neighbouring property.
- He noted that the issue of overlooking had been addressed by removing the Juliet balcony.
- It was in the conservation area and the proposed extension would create a virtual terrace.
- The property would become a 6 bedroom dwelling with parking requirements. It would be impossible to park 3 cars and accommodate the extension without having to reverse from the property.

The Strategic Director stated that:

- The extension was all above ground floor level so the existing 3 parking spaces would not be reduced.
- It was in the conservation area but the Conservation Officer had no objection as it would not have a negative impact on the character and appearance of the conservation area.
- There was a clear gap between the properties (numbers 56 and 58) and the proposal to lift the ridge 1.2 metres did not cause a terracing effect.

The applicant attended the meeting and stated that:

- The roof of the property was in need of repair and in order to make use of the roof space the proposal was to raise the roof pitch and put in gables to the front and rear of the property to improve the appearance.
- Objections were received from the residents of 58 based on reduced light and privacy. The application was withdrawn and changes were made in consultation with planning officers. There would be very minimal overshadowing to number 58 in winter.
- Following objections to the withdrawn application, the proportions of the roof extension had been improved and the property was now more in keeping with the conservation area.
- Work would be undertaken causing the least possible disruption to services and neighbours.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration and Culture's technical report.

ACTION: Strategic Director, Regeneration and Culture

(h) **River Wharfe site adjacent to Greenholme Farm, Leather Bank, Burley in Wharfedale, Ilkley** **Wharfedale**

Full application for a new pedestrian footbridge across the River Wharfe at the end of Leatherbank, following the existing public right of way over 'The Stones' at River Wharfe site adjacent to Greenholme Farm, Leather Bank, Burley in Wharfedale, Ilkley - 14/03664/FUL

The Strategic Director gave a presentation which included photographs, location plans and drawings of the proposed bridge design. He referred to the site description contained in his report. He summarised the representations received and referred to the appraisal, issues in relation to the green belt, the impact on the landscape and setting of the river, flood risk, bridge specification and maintenance. He emphasised that that the proposal was not a project being led by either Bradford Council or North Yorkshire County Council and that there was no funding available from Bradford Council for either construction or maintenance. He also summarised the conditions of approval. In response to a member question he confirmed that it was anticipated that condition 5 would address the issue of future maintenance.

A member of the Burley Bridge Association Committee attended the meeting and stated that:

- Plans had been supplied to all village organisations and the majority of residents of Burley in Wharfedale.
- He referred to current design proposals for setting and proposed use.
- He confirmed that agreement had been reached with Burley in Wharfedale Community Trust to take responsibility for ongoing maintenance.
- He pointed out that the stepping stones constituted the legal right of way but they were more often a barrier as they were unpredictable and unsafe at times. He added that the North bank of the river was badly eroded which caused an obstruction.
- He referred to concerns about anti social behaviour and littering and confirmed the Association's commitment to have early dialogue with key organisations and residents regarding these issues.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration and Culture's technical report.

ACTION: Strategic Director, Regeneration and Culture

(i) **Request For Enforcement/Prosecution Action**

(i) **Daisy Hill Farm, Black Hill Lane, Keighley** **Keighley West**

Installation of security cameras to front, rear and side elevations of domestic property - 13/00184/ENFUNA

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers, on 15 January 2015.

Resolved –

That the decision be noted.

NO ACTION

(j) Decisions Made by the Secretary of State

The Panel noted the following appeal decisions taken by the Secretary of State:

APPEALS ALLOWED

(i) 1 Mendip House Gardens, Ilkley

Ilkley

First floor extension above existing garage/utility room and extend utility room to the line of the existing house to rear elevation, with a balcony above at first floor level - Case No: 14/03040/HOU

Appeal Ref: 14/00125/APPHOU

(ii) 3 Edge End, Keighley Road, Denholme

Bingley Rural

Construction of two storey extension - Case No: 14/02972/HOU

Appeal Ref: 14/00133/APPHOU

(iii) Former Marlands Mill, Bingley Road, Keighley

Bingley Rural

Construction of a dwelling house - Case No: 13/05331/FUL

Appeal Ref: 14/00099/APPFL2

APPEALS DISMISSED

(iv) 2 Glen Rise, Baildon

Baildon

The conversion and extension of a double garage within the curtilage of 2 Glen Rise to form an annex to the house, comprising of a bedroom, bathroom and lounge. In addition a new access will be created to a single parking space. To be occupied by an elderly relative - Case No: 14/00404/CLP

Appeal Ref: 14/00044/APPCLP

(v) 3 Carmona Gardens, Shipley

Heaton

Retrospective application for single storey rear extension - Case No: 14/02684/HOU

Appeal Ref: 14/00135/APPHOU

(vi) **3 Forster Close, Burley in Wharfedale, Ilkley** **Wharfedale**

Construction of four bedroom detached dwelling on land adjacent to 3 Forster Close - Case No: 14/03348/FUL

Appeal Ref: 14/00128/APPFL2

(vii) **39 Southway, Eldwick, Bingley** **Bingley**

Change of use to mixed use for the purpose of running a child minding business (maximum 12 children under 8 years in attendance at any one time) from a residential property - Case No: 14/03371/FUL

Appeal Ref: 14/00116/APPFL2

(viii) **Fairview, Primrose Bank, Gilstead, Bingley** **Bingley**

Construction of 2 no dwellings with detached garage - Case No: 14/01039/FUL

Appeal Ref: 14/00101/APPFL2

(ix) **Land behind Moorfield School, between Beechwood and 14 Clifton Road, Ilkley** **Ilkley**

Construction of detached split level dwelling on land off former access to Wharfedale Lodge, 15 Ben Rhydding Road, Ilkley - Case No: 14/01481/FUL

Appeal Ref: 14/00102/APPFL2

(x) **The Old Tramshed Bar and Brasserie, 199 Bingley Road, Shipley** **Shipley**

Variation of condition of planning approval 02/04139/COU Dated 19.06.2003) to allow opening of the premises between 08:00 to 01:30am Monday to Sunday - Case No: 14/01247/VOC

Appeal Ref: 14/00105/APPVO2

APPEAL ALLOWED IN PART/PART DISMISSED

(xi) **Pizza Express, Station Plaza, Station Road, Ilkley** **Ilkley**

Installation of one non-illuminated post mounted sign - allowed on appeal and one parasol - dismissed on appeal. - Case No: 14/03215/ADV

Appeal Ref: 14/00137/APPAD2

Resolved –

That the decisions be noted.

ACTION: Strategic Director, Regeneration and Culture

NOTE: Councillor M Slater left the meeting during consideration of the following item having disclosed a prejudicial interest.

(k) **Request for Enforcement/Prosecution Action**

(i) **Land at Back Shaw Lane, Hainworth Shaw, Keighley** **Keighley East**

The housing of cattle stock in a long established agricultural building which was approved as an agricultural storage building under parts 6 and 7 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 - 14/00159/ENFCOU

The Strategic Director, Regeneration and Culture explained that it was very unusual for such items to be considered at Panel but that, in accordance with the provisions of the Scheme of Delegation of Planning Decisions, the item had been referred to the Panel at the request of a Councillor.

The Strategic Director went on to outline the information contained in Document "O". He advised members that the housing of cattle stock in a building approved in 2003 and shown as building "A" on the plan attached to Document "O" was lawful because that had been permitted as a general purpose agricultural building. The use of building "B" for this purpose has been unauthorised because the permitted development rights conveyed under Part 6 of the Order would only permit use for storage. However, in view of the overall agricultural activity on the site, the use of building "B" for also housing cattle would have little additional impact on amenity.

It was therefore recommended that no enforcement action should be taken and the enforcement file closed as 'not expedient to pursue'.

In response to a Member question about subsequent applications for another cattle building that had been refused by Panel, the Strategic Director confirmed that this was either because the building would have been closer to the affected dwelling or else had been refused on grounds of the impact of vehicle movements.

Resolved –

That the decision be noted.

NO ACTION

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Panel.

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THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER