

Minutes of a meeting of the Area Planning Panel (Keighley & Shipley) held on Wednesday 11 March 2015 in the Council Chamber, Keighley Town Hall

Commenced 1005
Concluded 1255

PRESENT – Councillors

CONSERVATIVE	LABOUR
Brown	Farley
	Abid Hussain
	Lee
	Ross-Shaw

Apologies: Councillors Barker and Naylor

Observers: Councillor M Slater (Minute 56(c))

Councillor Lee in the Chair

52. DISCLOSURES OF INTEREST

The following disclosures of interest were received in the interest of clarity:

Councillor Lee was a Ward Councillor but had not commented on the application in relation to Minute 56(c).

Councillor Lee was acquainted with the objector in relation to Minute 56(f) but had not discussed the application.

ACTION: Assistant City Solicitor

53. MINUTES

Resolved –

That the minutes of the meetings held on 24 September, 16 October, 27 November and 17 December 2014 be signed as a correct record.



54. **INSPECTION OF REPORTS AND BACKGROUND PAPERS**

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

55. **PUBLIC QUESTIONS**

There were no questions submitted by the public.

56. **PLANNING APPLICATIONS AND ASSOCIATED MATTERS**

The Strategic Director, Regeneration and Culture presented **Document “P”** and **“Q”**. Plans and photographs were displayed and/or tabled in respect of each application and representations summarised.

(a) **89 Main Street, Menston, Ilkley**

Wharfedale

Conversion and extension of coach house annex to form a separate dwelling at 89 Main Street, Menston, Ilkley - 14/05010/FUL

The Strategic Director, Regeneration and Culture gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the application proposed the creation of a separate dwelling and that the previous application had been refused on the grounds of design and scale. The building was an annex to a 19th Century stone house and was adjacent to stone cottages, however, none of the existing houses were listed or in the conservation area. In relation to the previous planning application, Members were informed that the main reason for refusal had been the design and scale of the proposal. The new submission increased the height of the building by 300 millimetres, however, it would not result in any material harm to the street scene due to the reduced proposal. The stone roof slates would be retained and reused along with natural stone to match the existing building. The building would not encroach beyond the existing footprint and the distance of 12 metres to the rear boundary would be maintained. It was noted that the car parking and access would be suitable for both houses and the Council's Highways Department was in support of the application. The Strategic Director, Regeneration and Culture reported that a number of issues had been raised and were covered in the officer's report. He stated that the scheme would make more effective use of the site whilst remaining subordinate to the adjacent dwellings. The proposal would not have a significant impact on neighbours and was recommended for approval, subject to the conditions as set out in the report.

In response to a Member's questions, the Strategic Director, Regeneration and Culture explained that:

- The proposed dwelling would be a separate house.
- The existing hard standing areas to the rear of the coach house would be used for car parking.
- A new boundary wall had been proposed with separate parking areas.

An objector was present at the meeting and stated that:

- He was representing the occupants of 91 Main Street which was an elegant cottage.

- The application was a resubmission of a previous refusal.
- The applicant had responded to comments and advice and had resubmitted the proposal, however, it was still unacceptable.
- The party wall had not been acknowledged and would be pursued through civil action.
- The proposed scheme would still adjoin the cottages and create a terraced effect.
- The development would be contrary to Policy D1, fail to reflect the character and heritage of the street scene and therefore be detrimental.
- The application should be refused.

The applicant's agent was present at the meeting and outlined the following matters:

- The scheme would use the current footprint and not be an extension.
- Separate highway access was included along with a boundary wall for parking and a driveway.
- The potential party wall issue had been acknowledged and it was hoped that an agreement could be reached with the neighbours.

The applicant was also present and explained that the proposed application would allow all his family to live together in a beautiful property, which would be improved. He stated that it would be a great shame if they had to leave.

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) **Land and Barn adjacent to Cunliffe House, Cunliffe Lane, Esholt** **Baildon**
- (i) Change of use from a barn to a two bedroom dwelling at land and barn adjacent to Cunliffe House, Cunliffe Lane, Esholt - 14/04742/FUL
- (ii) Listed Building Consent application for change of use from a barn to a two bedroom dwelling at land and barn adjacent to Cunliffe Lane, Esholt - 14/04743/LBC

The Strategic Director, Regeneration and Culture gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the property was a listed building situated in the Green Belt that was currently in a poor condition. It was noted that Cunliffe Lane ended at the site and continued as a bridal way. The proposal was to convert the building into a modest two bedroom property and reuse the existing buildings. The Council's Conservation officer was in support of the retention of the listed building. The Strategic Director, Regeneration and Culture stated that a significant reconstruction of the walls was required, however, there were very special circumstances to retain the listed building. He reported that conditions covering the materials and roof had been placed on the application to ensure that a proper conversion was undertaken and not a new construction. Baildon Parish Council had not objected to the scheme and a number of representations had been submitted in objection to the proposal. The Strategic Director, Regeneration and Culture confirmed that the development was a sensitive scheme and proposed modest changes to the building. The applications were then recommended for approval, subject to the conditions as set out in the report.

In response to a Member's query about the foundations, the Strategic Director, Regeneration and Culture explained that they would need to be underpinned and there were methods that could be undertaken, which were covered by conditions on the application. He reported that there was a preliminary report that suggested the problems with the building and how they could be resolved.

Resolved –

(i) 14/04742/FUL:

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.

(ii) 14/04743/LBC:

That the Listed Building Consent application for a change of use 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) Land to North of Back Shaw Lane, Hainworth Shaw, Keighley Keighley East

Full planning application for the construction of an agricultural building for the housing of livestock, with new access road and farm track at land adjacent to New Laithe Farm, Back Shaw Lane, Keighley - 14/05220/FUL

The Strategic Director, Regeneration and Culture gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the proposal was to construct an agricultural building that would house livestock with a new access road and farm track. The farm was accessed by a narrow track between stone walls and was separate to the farm land. It was noted that two previous applications for livestock buildings had been considered by the Panel and had both been refused. The proposed building would be clad in green and be of a similar height to the existing buildings. The new access would be taken from Back Shaw Lane and officers believed that it would resolve the previous issues. The Strategic Director, Regeneration and Culture reported that an objection and petition had been submitted and the matters raised were covered within the officer's report. He confirmed that agriculture was not regulated by planning laws and the building's use could not be conditioned. The farm had an existing herd of 56 cattle and calves, however, the existing sheds could not accommodate all the livestock and 23 were currently housed in Halifax. In order to do this, the farmer had to drive a large vehicle along Back Shaw Lane. It was noted that the proposed building would provide 43 livestock family units and had a maximum capacity of 63 cattle, which was not significantly greater than the current herd of 56. Members were informed that the installation of a new track would provide an easier route and traffic would not pass New Laithe Farm. The applicant would still have rights to use the existing gate and would do so occasionally, therefore, the closure of the gate had not been proposed. The Strategic Director, Regeneration and Culture confirmed that conditions had been placed on the application to ensure that the new access was brought into operation prior to the use of the building, succession landscaping be undertaken and the access track be surfaced in sandstone in order to reduce its impact. The application was then recommended for approval, subject to the conditions as set out in the report.

In response to a Member's query, the Strategic Director, Regeneration and Culture explained that the gate had been widened and the new track should substantiate the use of the existing gate.

An objector was present at the meeting and raised the following issues:

- He believed that the application would permit intensive cattle farming, which would create additional noise and disturbance.
- The access gate faced his entrance and windows.
- The proposal was still not acceptable.
- The Panel had previously advised that there should be a new access and the old gate should not be used.
- The Panel and the Council's Environmental Health Unit had agreed that the existing gate should not be used.
- How could it be ensured that only the new track would be used?
- The existing gate had been widened.
- All access should be via the new track, however, the proposal did not state that only the new access would be used.
- DEFRA guidance stated that nuisance should be considered.
- Policy UR3 protected residential amenity.
- The Council's Environmental Health Unit had rejected the need for further development on the site due to noise issues.
- The access opposite should be closed.
- The closure of the access would be beneficial and not detrimental to the farming enterprise as a difficult access would not have to be negotiated.
- An enforced change to the access was required.
- The Panel's intention had been to allow the application, as long as residential amenity would be protected.
- The North West access gate should be replaced with a stone wall and screening to a height of around 3 metres.

A Ward Councillor was present at the meeting and raised the following concerns:

- The site had a complex history.
- A compromise to the situation could be reached.
- The officer's report indicated that the closure of the North West gate would be unreasonable, however, it then stated that the new track would provide better access.
- Even with the new South West access there would probably still be a detriment to residential amenity due to the harassment and odour.
- A new configuration of the site was required.
- The whole North West quadrant of the field was easily accessible from the North end of the new track.
- Condition 3 should be reinforced to a minimum height of 3 metres and be continuous on the North and West boundaries.
- A further condition should be placed on the application that the North West access gate be closed and made into a stone wall prior to the commencement of use.

The applicant's agent addressed the meeting and made the following points:

- The concerns raised were not considered to be founded.
- Enforcement action had not been undertaken, as it had not been expedient to pursue.

- In 2013 a proposal for a new building had been submitted that had been supported by officers and recommended for approval, however, the Panel had refused the application. The subsequent appeal had been dismissed by the Planning Inspector who had raised concerns.
- The National Planning Policy Framework (NPPF) promoted agriculture.
- An amended application had been submitted and recommended for approval, but refused due to the access.
- A new access had been proposed.
- The proposal complied with all policies and the design was not an issue.
- There would be less than 100 cattle on the farm.
- The importance of a new hedge to screen the building was acknowledged and landscaping was covered by a condition.
- Keighley Town Council had recommended approval of the scheme.
- The Council's Environmental Health Unit did not have any objections to the building and had stated that the access route mitigated vehicle movement issues.
- The Panel had commented that the last application had met half of the requirements..
- A new access had been proposed that was underpinned by conditions.
- It was hoped that the application would be approved.

In response to a query from the Chair regarding the North West gate, the applicant's agent confirmed that a new access would be constructed and used, however, the old access gate would be kept open in case of any issues.

During the discussion the Chair stated that the old gate should be closed or used for pedestrian access only. In response the City Solicitor indicated that the request may not be enforceable or reasonable, however, other Members agreed with the proposal.

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 following additional condition:

- (i) **That before the proposed agricultural livestock building hereby approved is brought into use, the existing access gate at the North West corner of the holding shall be permanently closed by means of a stone wall.**

ACTION: Strategic Director, Regeneration and Culture

(d) **Rear of 81 Bolton Road, Silsden**

Craven

Full planning application for the construction of bungalow, car space and new surfacing and drainage to parts of the unadopted back and side streets at land at 81 Bolton Road, Silsden - 15/00218/FUL

The Strategic Director, Regeneration and Culture gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the application was for the construction of a bungalow and the resurfacing of parts of the side streets. The land was a garden site and located behind terraced properties which was accessed by an unadopted road. The proposal was to construct a modest single storey two bedroom bungalow, however, a number of objections had been received from local residents and

Silsden Town Council on the ground of overdevelopment. It was noted that a previous application had been refused due to the access and the new submission now included surfacing work. The principle of development was accepted and the proposal did not affect neighbours' amenity. The Strategic Director, Regeneration and Culture stated that the resurfacing of the road within the applicant's ownership would be an improvement to the access and the Council's Highways Department had supported the application. The application was then recommended for approval subject to the conditions as set out in the report.

In response to queries from the Chair in relation to the proposed new surfacing and drainage, the Strategic Director, Regeneration and Culture confirmed that it would be beneficial if the surface area under the control of the applicant was improved, as water would then drain into the gullies.

An objector was present at the meeting and made the following comments:

- Residents were against the proposal.
- The re-submitted application did not mitigate the original problems.
- It had a substandard geometric layout, created a conflict between car and pedestrians and was contrary to the Council's policies TM19A and TM2.
- The resurfacing of the road was an issue.
- Five unadopted tracks congregated at the junction.
- If bitumen was to be laid on top of the existing surface it would not last.
- The meeting of the five tracks and a blind corner raised highway safety implications.
- The roads were used as 'rat runs'.
- The access was narrow and large vehicles often got stuck on the bend.
- The report stated that the site was used for parking vehicles, but this was not the case.
- The proposal was an overdevelopment of a back garden.
- It was a historic area.

Another objector was present at the meeting and stated that:

- The site was located on a tight corner.
- Large vehicles used the roads as a cut through.
- If bitumen was laid it would have to be done properly, as it could deteriorate quickly.
- The site was a garden in a historical part of Silsden.

In response to some of the comments made, the Strategic Director, Regeneration and Culture explained that the road was unadopted and therefore the responsibility of the owners of the part of the road in question. He stated that it would have to be resurfaced to full standard specifications and approved in writing by the Local Planning Authority. The standard would be a major improvement to the existing surface and the landowner could make improvements to the road at any point. It was noted that if the Council upgraded the road to adopted standards then a footway would not be installed. The road would be kept narrow in order to keep vehicle speeds down and the width would be slightly wider than at present.

The applicant addressed the Panel and reported that:

- The access would be 10 metres from the main road.
- Neighbouring residents had not objected to the application.
- There was a drain and a gulley on the road.

- The garage had previously been demolished and a summerhouse was now on that site.
- The additional water ran into the gulley and did not affect residents.
- There were character buildings on Bolton Road, however, there was a bungalow and new houses in the vicinity.
- The Council's Highways Department had not objected to the proposal.
- There would be 10 metres at the front and 11 metres at the rear for access.
- There had not been any accidents in the 27 years he had lived there.
- The proposal was to construct a modest bungalow and he had no intention to sell the property.

During the discussion Members acknowledged the proposed improvement to the access and requested that details of the drainage system be submitted.

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 condition 4 as follows:

- 4. Before any part of the development is brought into use, the improvements to the means of access leading to the site shall be laid out, hard surfaced, sealed and drained within the site in accordance with the approved plan 2544A and to a specification, including details of drainage, to be submitted to and approved in writing by the Local Planning Authority.**

ACTION: Strategic Director, Regeneration and Culture

(e) The Paddock, North Walk, Harden, Bingley

Bingley Rural

Full planning application for the demolition of a bungalow and the construction of two dwellings on land at The Paddock, North Walk, Long Lane, Harden - 14/03575/FUL

The Strategic Director, Regeneration and Culture gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the application proposed the demolition of the existing bungalow and the construction of two dwellings and garages. The site was located on North Walk which was an unadopted private road, which was wide but narrowed and four other dwellings were located beyond the site entrance. Members were informed that the site was surrounded by trees and the strongest line was on the boundary with 'Pepper Green'. The proposed properties would be two storey, four bedroom and constructed from a mix of stone and render. It was noted that Harden Parish Council had no objections to the application, however, they had acknowledged the concerns raised by residents and hoped that the issues could be resolved. The issues raised by objectors were covered within the report, however, a number of additional representations had been received since its publication that outlined issues in relation to the access road and drainage. The Strategic Director, Regeneration and Culture confirmed that it was a large site for two dwellings and the proposal of seven dwellings per hectare was lower than the Council's requirement of 30 dwellings per hectare, however, this was due to the drainage issues and the character of the area. He stated that the scheme was not an overdevelopment and the houses in the vicinity were varied in design and materials. In relation to the tree removal, it was noted that it would be restricted to the low quality garden species and the important line of trees would be retained. The Council's Tree Officer was satisfied with this proposal and had requested

that a condition be placed on the application. Members were informed that adequate separations had been maintained in order to lessen the impact on neighbours and the distance between 'Bramblewick' and the development had been increased. The site was located on an unmade and unadopted road that benefited from traffic calming measures. The submitted scheme had been amended and proposed that the access to the plot was widened to 4.4 metres in order to enable two vehicles to pass. North Walk served thirteen dwellings and the Council's Highways Section had not objected to the additional dwelling. Discussions had been undertaken in respect of the drainage issues raised and further details had been obtained. The drainage proposal had been based upon a report undertaken by a specialist drainage supplier, was supported by the Council's Drainage Officer and covered by a condition on the application. The Strategic Director, Regeneration and Culture reported that conditions regarding the materials, tree protection, parking and the hours of construction had also been placed on the application and then recommended the application for approval.

In response to Members' queries, the Strategic Director, Regeneration and Culture confirmed that the surface water from the house currently drained to the water course and there was no history of any flooding. He reported that the proposed tanks would work and any improvements made to the drainage system would be beneficial.

An objector was present at the meeting and made the following points:

- The Planning Department had not shown due diligence.
- The SuDS Regulations and the Council's own directive on flooding had been ignored.
- The whole of North Walk sloped and there were no public drains.
- There had been a culvert, however, this had been blocked and replaced with a private pipe.
- The roof area would be larger than the existing property and would create more surface water.
- The Council had stated that soakaways could not be used.
- It had been claimed that the surface water would run into the watercourse, but there wasn't one.
- There was only a small domestic drain and homemade soakaway.
- Surface water would drain into a private garden and farmer's field.
- The Architect had stated that the run off would be 5 litres of water per second per house.
- The 576 square metres of hard surfacing would generate 33,000 litres of water per hour.
- SuDS Regulations stated that solutions must include a 30% increase due to climate change and this was not mentioned.
- If the private drain could be used then 60,000 litres of water per hour would flow into a 4 inch pipe.
- Surface water could not be passed onto neighbouring properties.
- His drive was opposite the gate and he had to reverse out onto the road.

In response to some of the points raised the Strategic Director, Regeneration and Culture explained that:

- SuDS Regulations did not come into effect until April 2015 and would only apply to major housing developments.
- It was ensured that all applications had sustainable drainage proposals.
- Soakaways had been considered and were not suitable.
- There had been a culvert which was piped into a private pipe. This was still classed

- as a water course and was not private.
- There was a condition on the application to check the drainage details and it would be confirmed that the water course could accommodate 5 litres per second before the condition was discharged.
- A small pipe could take 10 litres per second.
- A sewer would be the final option.
- Yorkshire Water would be obliged to take the surface water if all options were exhausted.
- There was an assumption that the larger surface area would increase the water run off.
- Surface water would be collected, put into tanks and held back. The tanks could hold vast amounts of water and there would never be more than 5 litres per second run off.
- The surface water run off would be less than current amounts.
- New European Union Regulations and climate change would be taken into account when they came into force.

It was also noted that a condition on the application regarding access referred to within the site only and not on North Walk. This had been factored into the calculations regarding surface water.

The applicant's agent was present at the meeting and raised the following issues:

- The applicant and family lived locally.
- A pre-application enquiry had been lodged and supported by officers.
- All the issues had been carefully considered.
- The proposal exceeded all distances.
- The floor levels would be lower.
- There would be adequate privacy for the existing properties.
- The scheme proposed a SuDS drainage system and sustainable design.
- The proposal complied with all legislation.
- The scale and design was in keeping.
- The applicant was keen to engage with residents.
- The Parish Council supported the application and had praised the level of engagement.
- The proposed drainage scheme had been approved by the Council and Yorkshire Water.
- The site was not in any flood zones.
- The amount of surface water run off from the site would not be increased and the current situation would be improved.
- The specialist drainage design had been approved by Yorkshire Water and the Council.
- All relevant departments had been consulted under due diligence.
- All departments supported the proposal and approval of the scheme was recommended.
- There would not be an adverse effect on neighbours or flooding.
- The development complied with all policies and standards.
- All the concerns raised had been mitigated.
- The application should be approved.

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**(f) Land at Grid Ref 415298 446591 Sun Lane, Burley in Wharfedale, Wharfedale Ilkley**

Change of use of Catton Woods, Burley in Wharfedale, from agricultural to use as a paintballing leisure facility including various structures, fences, access and parking areas. at Catton Woods, land at Grid Ref 415298 446591 near Sun Lane, to the west of Burley in Wharfedale - 14/03567/FUL

The Strategic Director, Regeneration and Culture explained that legally if land was used for 28 days then it was classed as permanent development. He confirmed that the site was used for paintball activities and was lawful up to 28 days per year, however, the facility was being used for more days and enforcement action had been undertaken. The site was located on the outskirts of Burley in Wharfedale and along side the railway line. The application was retrospective and proposed a change of use from agricultural to leisure and included the structures fences and access. The woodland was private and protected and situated within the Green Belt. Members were informed that there was no specific road access and entry to the site was gained via an agricultural track off Colston Drive. The scheme proposed an additional track to lead towards Catton Woods and a parking area constructed from cellular matting to enable the grass to grow.

The Strategic Director, Regeneration and Culture reported that 59 representations in objection and 45 letters of support had been received and the issues were detailed within the officer’s report. He explained that the site was located within the Green Belt and had raised biodiversity issues. It was noted that the retrospective application had been withdrawn and resubmitted with additional information. The proposed use was appropriate in the Green Belt as sites could be used for outdoor recreation purposes. The application also included the creation of parking and access and the introduction of structures within the woodland. Conditions could be used to control the parking and access and the use would not conflict with the Green Belt. The Strategic Director, Regeneration and Culture explained that the netting and structures within the site had a detrimental effect and Network Rail had also requested additional fencing be installed. Overall this would have a negative effect. He confirmed that the woodland was covered by Tree Preservation Order (TPO) and the applicant had proposed measures to mitigate the harm to the trees, however, the use as a paintballing facility would damage the existing trees and prevent the regeneration of the woodland. The Council’s Tree Officer had stated that the use was detrimental to and incompatible with the woodland TPO. It was noted that professional reports had been provided by the applicant in relation to biodiversity and the trees. The Council’s Biodiversity Officer did not support the proposal and had stated that the survey work undertaken was insufficient and indicated that further work was required. He also did not believe that the issues raised had been mitigated.

Members were informed that in relation to the adjacent railway and safety issues, Network Rail had requested an exclusion zone and additional fencing be installed, however, the extra fencing would worsen the effect on the character of the landscape. Other issues raised in relation to noise and disturbance and access to the site were not justified. In conclusion the application was recommended for refusal as per the reasons set out in the report.

In response to questions from the Chair, the Strategic Director, Regeneration and Culture confirmed that a maximum number of 25 people would attend the facility. He stated that it was presumed that there were deer in the vicinity and confirmed that the bluebells in the wood were protected, which was a major concern of the Council's Biodiversity officer.

An objector was present at the meeting and stated the following points:

- The Council had a responsibility to conserve and enhance biodiversity under the National Environment and Rural Communities Act 2006.
- Catton Woods was a semi ancient woodland and had a ground floor of Bluebells.
- The woodland had been developed over hundreds and thousands of years.
- An Eco Survey had been undertaken on one day only, which was not sufficient as it was a complex situation.
- In 2011 the adjoining area had been made a Local Nature Reserve and he managed it on behalf of the Council.
- There were over 400 plants on a 12 acre site.
- The activities in the woodland would impact on the Reserve.
- The Nature Reserve would be diminished if isolated.
- The Reserve was enhanced by the woodland.

Another objector was present and outlined the following concerns:

- The nature reserve attracted visitors year round.
- It was a peaceful site.
- The noise and nuisance of the paintballing activity would affect the nature reserve and the adverse impact would increase.
- The popularity of the bridleway had increased.
- An increase in footfall may intensify the safety risk.
- Unsightly netting had been installed and some parts were already in a poor condition.
- The application should be rejected.

The applicant then addressed the Panel and reported that:

- The proposal was to develop and maintain a leisure facility.
- Concerns would not be dismissed.
- It was agricultural land.
- The woodland had been used by motor bikers and walkers.
- The facility was used on a weekend and not in the winter.
- A specialist agricultural view had been sought.
- Trees would be replanted.
- The facility had a protected buffer zone and the appearance could be improved.
- No saplings were present in the wood due to the grazing of animals over the past four years.
- The facility had improved the woodland.
- The woodland was privately owned and the landowner would not maintain the woods.
- Paintballing relied upon tree cover.
- The netting was present in order to protect the woodland from livestock and allow it to regenerate.
- The fencing could be better presented, but was only viable if income was generated.

- Network Rail required an exclusion zone. The fence was already present and wasn't visible from outside the woodland.
- The woodland would not regenerate without the facility and be lost.

In response to Members' questions, the applicant confirmed that the facility was currently used less than 21 days and he would be content for it to be open no more than 28 days per year. Members were informed that the paintballs were biodegradable and not harmful to animals or plants and the colour faded within days.

The Strategic Director, Regeneration and Culture, in response to Members' queries then explained that effective replanting measures had not been specified, the land was not owned by the applicant and a credible woodland strategy had not been submitted. He confirmed that the facility could be used for up to 28 days, however, the structures were not covered and needed to be viable.

During the discussion Members noted that there was a nature reserve adjoining the facility and indicated that the Green Belt needed to be preserved.

Resolved –

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

ACTION: Strategic Director, Regeneration and Culture

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

(i) **18 Nab Wood Drive, Shipley**

Shipley

Two storey side and rear extension, hip to gable conversion and rear dormer window - 14/00595/ENFAPP

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers on 16 February 2015.

(ii) **60 Long Lee Lane, Keighley**

Keighley East

Construction of a raised platform to the rear of a residential property - 11/00978/ENFUNA

The Planning Manager (Enforcement and Trees) authorised an enforcement notice on 29 January 2015.

Resolved –

That the decisions be noted.

ACTION: Strategic Director, Regeneration and Culture

(h) **Decisions Made by the Secretary of State**

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

APPEALS DISMISSED

(i) **18 Grange Road, Eldwick, Bingley**

Bingley

Construction of side extension with front dormer and loft conversion - Case No: 14/03381/HOU

Appeal Ref: 15/00003/APPHOU

(ii) **24 Parish Ghyll Road, Ilkley**

Ilkley

Construction of single storey green roof dwelling - Case No: 13/02705/FUL

Appeal Ref: 14/00053/APPFL2

(iii) **Cobling Barn, Sawood Lane, Oxenhope, Keighley**

Worth Valley

Demolition of existing single storey extension and construction of two storey extension and single storey side extension - Case No: 14/03502/HOU

Appeal Ref: 15/00002/APPHOU

(iv) **Land East of 123 Gilstead Lane, Gilstead, Bingley**

Bingley

Proposed three, two storey detached dwellings - Case No: 14/03725/FUL

Appeal Ref: 14/00130/APPFL2

Resolved –

That the decisions be noted.

ACTION: Strategic Director, Regeneration and Culture

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