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Minutes of a meeting of the Area Planning Panel (Keighley) held on Wednesday 16 September 2009 in the Council Chamber, Keighley Town Hall

Commenced 1010
 Adjourned 1140
 Reconvened 1150
 Adjourned 1535
 Reconvened 1540
 Concluded 1714

PRESENT – Councillors

CONSERVATIVE	LABOUR
Greaves	Lee
Owens	Rowen

Ward Councillor: Councillor Mallinson

Councillor Greaves in the Chair

30. DISCLOSURES OF INTEREST

Councillors Greaves, Lee, Owen and Rowen disclosed a personal interest in Minute 33 for matters relating to 28 Mayfield Avenue, Ilkley as they knew the Councillor who was agent for the applicant. It was also noted that the applicant was a Council employee, but as the interests were not prejudicial they took full part in the discussion and voting on this item.

Councillor Greaves disclosed a personal interest in Minute 37 for matters relating to Land at North West of 51 Parkway, Steeton with Eastburn as he was Deputy Chair of Metro, but as the interest was not prejudicial he took full part in the discussion and voting on this item.

ACTION: *Assistant Director, Corporate Services (City Solicitor)*

31. MINUTES

Resolved -

That the minutes of the meetings held on 11 June and 6 July 2009 be signed as a correct record.



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INVESTOR IN PEOPLE

Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



32. PUBLIC QUESTIONS

There were no questions submitted by the public.

33. 28 MAYFIELD AVENUE, ILKLEY

Ilkley

Full planning permission for the construction of a single storey side extension and alterations to rear and development of roof space into habitable rooms at 28 Mayfield Avenue, Ilkley – 09/02545/HOU.

The Strategic Director, Regeneration gave a presentation setting out the proposals and plans detailing the layout. He reported that Ilkley Parish Council had objected to the original submission but had recommended approval of the amended scheme. Five letters of objection were received from three households. The summary of representations received was as outlined in Document "G".

The Strategic Director, Regeneration reported that the proposed extension, as amended, was considered to relate satisfactorily to the character of the existing dwelling and adjacent properties. The impact of the extension upon the occupants of neighbouring properties had been assessed and it was considered that it would not have a significantly adverse effect upon their residential amenity. As such this proposal was considered to be in accordance with Policy UR3 and D1 of the Replacement Unitary Development Plan and the Revised House Extensions Policy. He therefore recommended approval of the application subject to conditions.

Members agreed that the standard condition for construction hours should be included as an extra condition.

Resolved –

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

- (1) That construction work shall only be carried out between the hours of 0730 and 1800 on Mondays to Fridays, 0730 and 1300 on Saturdays and at no time on Sundays, Bank or Public Holidays, unless specifically agreed otherwise in writing by the local planning authority.**

ACTION: Strategic Director, Regeneration

34. 3 HOLLINGWOOD GATE, ILKLEY

Ilkley

Full application for the erection of a two storey detached dwelling with integral garage on land at 3 Hollingwood Gate, Ilkley – 09/02549/FUL.

The Strategic Director, Regeneration gave a presentation setting out the proposals and plans detailing the layout. He reported that the Parish Council had recommended refusal of the application due to overdevelopment, out of character with the area, highway issues due to four access points so close together and additional e-mails had been received from Ilkley Parish Council and from a Ward Councillor who apologised for not being able to attend the meeting and reiterated previous objections to the application.

The Strategic Director, Regeneration also reported the contents of an e-mail from an objector concerned about inaccuracies in the report which were:

- That the objector's property affected by the scheme was 5 Hollingwood Gate, not 5 Hollingwood Rise as was noted in the report.
- That the secondary hedge on the objector's side of the boundary was not continuous as was implied in the report.

The Strategic Director, Regeneration showed powerpoint photographs of the hedge and parts of the objector's property allegedly affected by the proposed development and discussed the option of a condition requiring retention of the intervening hedge at its existing height. Additional sections from the agent showing the relationship of the development to the hedge were also tabled. Members did not feel that additional conditions were necessary.

The Strategic Director, Regeneration reported that the proposed dwellings would have no significant adverse effects on local amenity or the amenity of neighbours. The design was considered sympathetic to its setting in terms of design, scale, height, massing and materials. The level of parking provision was found to be adequate and it was not considered that the development would have a detrimental impact on highway safety. It complied with Policies UDP3 and UR2 of the Replacement Unitary Development Plan.

Resolved –

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

ACTION: Strategic Director, Regeneration

35. BECKFOOT HOUSE, CARTER'S LANE, ILKLEY

Ilkley

Full application, as amended, for landscaping works, grass tennis court and the erection of structures including a gazebo, tractor store at Beckfoot House, Carter's Lane, Ilkley – 09/03022/FUL.

The Strategic Director, Regeneration gave a presentation setting out the proposals and plans detailing the layout. He reported that the Parish Council had recommended approval in principle of the application subject to Environment Agency concerns being addressed. Two representations had been received and the summary of representations received was as outlined in Document "G".

The Strategic Director, Regeneration reported that the proposed development was designed to improve the setting of Beckfoot House and would preserve the openness of the green belt and was not considered to be in conflict with the purposes of including land within it. The scheme would have no significant detrimental effects on the amenity of occupiers of neighbouring properties and presented significant opportunities for enhancing biodiversity and landscape character. It was considered to comply with the requirements of Policies UR3, D1, GB1, NE4, NE3 and NE3A of the Replacement Unitary Development Plan and the national planning guidance contained within PPG2 (green belts) and PPS9 (Biodiversity and Geological Conservation). He therefore recommended approval of the application subject to a condition.

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

- He was speaking on behalf of the farmer in the next property to the development in question.
- He was worried that a gentleman's agreement allowing the farmer to drive his cattle through the area would not be honoured.
- Two non-garden areas could be used for grazing.
- The owner of the property had stopped the grazing and movement of cattle through his land which meant that the farmer had to travel a lot further to get to grazing land.
- The applicant had withdrawn the plan for a pavilion which abuts the objector's back garden.
- He did not have objections to the tennis court, he objected to its location as it could be placed elsewhere on the applicant's five acres of land.
- There would be problems of noise pollution and also noise from the tennis court.
- He had a site plan which showed the previous owner had moved the fences and had broken previous verbal agreements.
- His two main objections were the first on behalf of the farmer as his cattle were not allowed to go through the applicant's land and secondly the siting of the tennis court.

Members made the following comments:

- Access through the applicant's land enabling the farmer to drive his cattle was not a planning matter.
- The planting scheme depicted on the drawing should be implemented and thereafter retained for three years.
- The engineering works to alter site levels should be carried out as depicted in the application.

The Strategic Director, Regeneration responded to Members and the objectors' comments and made the following points:

- It was a well thought out scheme.
- Access for the farmer to drive his cattle was a private matter.
- The applicant did not need permission for the tennis court and had produced a plan for the whole package of works that he proposed to do.

Resolved –

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

- (1) That the planting scheme depicted on drawing reference 0505-MP Revision D received on 11 August 2009 as part of this application be implemented and thereafter retained for not less than three years.**
- (2) That the engineering works to alter site levels be carried out as depicted in the application.**

ACTION: Strategic Director, Regeneration

36. HODSON'S BARN, STRAIGHT LANE, ADDINGHAM**Craven**

A full, retrospective application for change of use of land from agriculture (grazing land) to a private outdoor ménage with new surfacing and timber post and rail fence (works already undertaken) at land to the north west of Hodson's Barn, Straight Lane, Addingham, Moorside – 09/02141/FUL.

The Strategic Director, Regeneration gave a presentation setting out the proposals and plans detailing the layout. He reported that Addingham Parish Council had commented that they shared the concerns of the neighbouring property owner and supported a request for screening of the ménage, to protect privacy, and construction of a passing place. The Council had received a letter of objection from the immediate neighbour. The summary of representations received was as outlined in Document "G".

The Strategic Director, Regeneration reported that the development, although sited within the green belt, was not considered to have a significant adverse effect on the openness of the green belt, the character of the landscape, local amenity or neighbours or highway safety. It was therefore considered to comply with Policies GB1, D1, UR3, NE3 and NE3A of the Replacement Unitary Development Plan. He therefore recommended approval of the application subject to a condition.

The applicant was present at the meeting and reported that she had not known that she needed planning permission for the work.

Resolved –

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

ACTION: Strategic Director, Regeneration

**37. LAND AT NORTH WEST OF 51 PARKWAY,
STEETON WITH EASTBURN****Craven**

Full application for the construction of 229 houses, access roads, cycle ways and open space on Land at North West of 51 Parkway, Steeton with Eastburn – 09/01100/FUL.

The Strategic Director, Regeneration gave a presentation setting out the proposals and plans detailing the layout. He reported that the Parish Council had objected to the original plans for the scheme and drainage issues, traffic and transport issues and policy and design issues. This objection was carried forward to the amended proposals for the reasons as outlined in Document "G". Substantial numbers of representations were received, 52 individual letters of objection and 119 pro-forma letters of objection were received. Two letters of no objection/comment were also received.

Following the receipt of amended plans, the amended application was again advertised by individual notification of surrounding neighbouring properties and the display of site notices. The statutory period for the expiry of publicity was 27 August 2009, 100 letters of objection (including 72 pro-forma letters) had been received. In addition to the above letters of representation, this application was discussed at a Local Neighbourhood Forum meeting on 18 May 2009 at the local school. Substantial numbers of concerned residents attended the meeting and raised the issues as outlined in Document "G". The summary of representations received for the original scheme and the amended scheme was as

outlined in Document "G".

The Strategic Director, Regeneration reported that the development of this site was a well conceived residential scheme which closely followed the up-to-date design guidance offered in Manual for Streets, was considered a good opportunity to provide a sustainable pattern of housing development within the existing urban fabric of Steeton. The effect of the proposal on the adjoining conservation area, the surrounding locality and the adjacent neighbouring properties had been assessed and it was acceptable. The provision of an access, both from Skipton Road into Thornhill Road and from Thornhill Road into the development site, in the manner and location proposed was appropriate. Parking provision had been made to accord with the highly sustainable location of the development and the provision of suitable pedestrian/cyclist linkages to the station had been included. As such the proposal was in conformity with the principles outlined within the Replacement Unitary Development Plan and subject to appropriate conditions it was considered that the proposal complied with Policies UDP1, UDP3, UDP7, UR2, UR3, H5, H7, H8, H9, TM2, TM8, TM9, TM12, TM19A, D1, D4, D5, BH7, NR15B and NR16 of the Replacement Unitary Development Plan. He therefore recommended that the application be approved subject to a Section 106 Agreement and conditions.

Members made the following comments:

- What was there to stop owners from chopping down the trees in their gardens?
- What was the situation in respect of public access?
- Concerning the contribution in respect of education local primary schools were full.
- Would there be an extension to existing schools?
- It was a large development which would generate children into local primary schools.
- Information was needed on the impact of floodlights on the HGV testing site and the proposed housing.
- Why was there only one access? There should be two accesses even if one could only be used for emergency vehicles.
- Quite a few senior citizens tended to use the bus stops and how far would they be moved away?
- If two buses were stopping at the bus stop, there would be no time for passengers to board the buses and patients at Airedale Hospital and local residents would suffer.
- All the education contributions had not been received.
- It was necessary to obtain clarification on how the affordable housing would be phased.
- The affordable housing seemed to be grouped in a horse shoe formation.

EXCLUSION OF THE PUBLIC

Resolved –

That the public be excluded from the meeting during discussion of the item relating to Land at North West of 51 Parkway, Steeton with Eastburn, under grounds that it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if they were present exempt information within paragraph 3 (Information relating to the Financial or Business Affairs of any particular person [including the authority holding that information]) of Schedule 12A of the Local Government Act 1972 as amended would be disclosed and that the Panel considers that the public interest in maintaining the exemption outweighs the public interest in

disclosing the information for the following reason:

It is in the overriding interests of proper administration that Members are made fully aware of the implications of any decision without prejudicing the financial confidence of the applicant.

On the re-admission of the public a Ward Councillor was present at the meeting and made the following points:

- He circulated relevant information.
- Residents were angry about the proposed development.
- He requested clarification as to why residents had only received notification within three days and not the usual five days.
- He asked for the decision to be deferred.
- He asked why residents had not been given sufficient time to consider this matter?
- The latest highway changes that had been proposed had not been considered by himself or residents and this was a great concern.
- There was the issue of the quality of the report in that there were some mistakes in the report with condition 23 saying that there should be no construction work within working hours.
- He had not received communication that the application would be considered by the Panel except by receiving the agenda which was not acceptable.
- Two public meetings had been held with 150 persons attending.
- He accepted that Steeton could not remain a sleepy village.
- There was no infrastructure to support the development.
- There was the issue of access.
- The finance offered was not acceptable.
- He requested that the Council should ensure that adequate play provision was provided and consultation about this issue should take place with local residents.
- The developer had offered a community building which had been withdrawn.
- The junction build-out improvements would not connect with other roads.
- In respect of the exit from the development to Thornhill Road he requested the junction was configured with better sight lines.
- The junction would become a bottleneck and the proposed road layout was diabolical.
- This application would aggravate an already burdened junction which meets Skipton Road.
- Concerning Clough Avenue the additional entrance to the site was not included.
- A large number of persons used the Thornhill Road/Skipton Road and there was also a health centre and other facilities there.
- It was in close proximity to the hospital.
- A further transport impact survey should be undertaken, including at peak times.
- Any high density housing should be further away from Thornhill Road.
- There was a danger of creating an estate within an estate.
- No imagination or thought had been given to how the development would work.
- He requested that the Panel did not make any decisions today as a result of any deadlines.
- There was a conflict of interest as the Council was acting as banker to the social housing body.
- There was a need for clarification from Yorkshire Water about the reasons for the leaking sewer and responsibilities for it with an assurance that the proposed development would not impact on the existing problem.

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

- This was the biggest project to take place in Steeton for a thousand years.
- The application did not give enough due consideration to the anatomy of Steeton.
- He was concerned about transport into the site.
- There were still dozens of issues to be resolved.
- The scheme was not realistic.
- Education issues had not been resolved.
- The sewers did not work.
- The police had said that the scheme would be a disaster.
- It was necessary to give residents more time to consider the development.

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

- He was concerned about the two pillboxes at the site and that they should be retained if possible.
- The building was a unique two storey building.
- We need to keep as much of our history as possible.
- In 1941 the pillboxes were built in Steeton and they were used by the Home Guard.

The agent for the applicant was present at the meeting and made the following points:

- The development related to Phase 2 housing site in Upper Airedale. He had had a lot of discussions with officers and with the registered social landlord and Manningham Housing.
- There had been a successful bid for affordable housing.
- He had met with representatives of Steeton Parish Council and was aware of their concerns.
- In respect of density national requirements would be met and it would be at the low end of the scale.
- He had satisfied all the key consultees.
- He stressed that the access to the site was non-negotiable.
- There were new footpath links through the site.
- The development would yield a full quota for affordable housing requirements.
- The Head of Terms agreement had been agreed.
- A Section 106 Agreement would be entered into by the developer.
- The drainage issues which had been raised were valid and £4 million would have to be allocated for the drainage scheme.
- The Housing Communities Agency (HCA) timetable was brisk.
- He recommended that the application be approved as recommended and as set out in the requirement of the adopted unitary development plan.

The Council's legal representative made the following points:

- The Secretary of State would need to be involved in the closure of any public highway.
- It would be possible to request all contributions from the outset and the monies could be paid back in if the other phases of the development did not go ahead.
- In respect of the education contribution this was necessary on day one as this was part of the required Section 106 agreement.
- It would be necessary to secure appropriate funding for a TRO on a public highway together with the Secretary of State's permission.

Members made the following comments:

- When had a traffic survey been carried out?
- It was not necessarily true that social housing would produce less car owners.
- There was the issue of traffic exiting the site.
- There was a need for an up-to-date traffic survey.
- There was the issue of a single access point whether it was adequate for the proposed development and if a second site access was necessary for safety reasons.
- There was the issue of when the continuation of the pedestrian site links to the station would be implemented and how they would be delivered.
- Traffic regulation measures were necessary to prevent rat-running?
- It was necessary to obtain clarification at how the affordable housing would be phased and justification for the need and desirability of grouping all the affordable housing within the first phase of the development.
- All drainage works should be done before the start of the development.
- The first area of open space should be associated with the first phase of affordable housing and the other open space with later phases.
- Clarification was needed of the timing of any commuted sums (eg education contributions/recreation contributions) to be made in accordance with the phases of the development and clarification from education officers about how the identified deficiencies in education provision was to be remedied.
- The education contribution was below standard.
- There was a need for infrastructure for affordable housing.
- The education requirement should be paid straightaway.
- School places would need to be available as local schools were already at their capacity.
- This was a planning application, not a housing application.
- This item should be deferred for further information on highway issues, Section 106, drainage and other matters.
- What would stop people using the emergency access?

The Strategic Director, Regeneration responded to objectors and Members' comments and made the following points:

- The developer had submitted a landscaping scheme.
- The Council had not sought access to the station and was considering the best approach to take.
- Any education contribution had to be spent within the catchment area.
- The resources would be made available to accommodate pupils in local schools as it was not possible for the developer to build a school.
- The maintenance of any land by the Council would have to form part of the Section 106 Agreement.
- The traffic improvements would be sufficient.
- It might be necessary to consider traffic regulation orders on some of the other off-roads to stop rat-running.
- Another public access was available in emergencies.
- The bus stops would be moved 50 metres away.
- Any bus related issues would be discussed with Metro.
- Some trees would be lost and some would be replaced in the open space.
- There was a significant need for social housing in the area.
- Sixty affordable houses would be secured as a result of the Section 106

Agreement.

- Affordable housing would be allocated to local persons and to other residents of Keighley.
- He noted the request from Members that affordable housing should first be allocated to residents of Steeton with Eastburn, Craven and Keighley including the rest of the district area.
- The developer would be asked to provide recreational facilities for the area of the development.
- A traffic assessment survey had been carried out which had looked at traffic flows.
- There were strict guidelines in respect of the funding regime and it was necessary to consider the planning merits of the application.
- The Environment Agency were satisfied at the situation at the site.
- Visibility at Thornhill Lane was adequate and he would ideally like to see two access points and it was better to concentrate on the traffic at the Thornhill part of the junction.
- The trees were not shown on the plan but would be taken into account in the final plan.
- The traffic survey was carried out during peak times and it could have been updated.
- The applicant would keep one of the pillboxes as a detailed assessment of this structure had been carried out, it would be renovated and brought into use.
- It was necessary to look at the phasing of the development site and the phasing of affordable housing.
- The offsite highways work should all be done up front before the start of phase one of the development.
- It was necessary for the drainage work to be done before the start of the development.
- Cannot recommend that the open spaces be done first. The first open space should be associated with the first phase of affordable housing and the rest of the open spaces later.
- Whenever the education payment was made it would be available for education to spend as appropriate.
- It was important to have a single point of access and to send traffic to the road which had had improvement works carried out.

Resolved –

That the above application be deferred for further information from the applicant in respect of the following:

(1) Highway Matters

- (i) Clearer details of the impact of the re-alignment of the Thornhill Road / Skipton Road junction on trees, pedestrian routes and the location of the bus stop.**
- (ii) An up to date traffic survey data of the traffic flow.**
- (iii) Justification that a single access point is adequate for the proposed development and that a second site access is not necessary for safety reasons.**
- (iv) Details of how any emergency access will operate.**
- (v) When will the continuation of the pedestrian/cycle links to the station be implemented and how will they be delivered?**
- (vi) What traffic regulation measures are necessary to prevent rat running.**

(2) Section 106 matters including affordable housing

- (i) Clarification as to how the affordable housing will be phased.**
- (ii) Further justification as to the need and desirability of grouping all of the affordable housing within the first phase of the development as shown on the application.**
- (iii) Justification for the shortfall in the Section 106 education contribution.**
- (iv) Clarification of the timing of any commuted sums (e.g education contribution / recreation contribution) to be made in accordance with the phases of the development.**
- (v) Clarification from education officers about how the identified deficiency in schools provision is to be remedied so that panel members are sure that phasing of the Section 106 education contribution enables education to adequately address that shortfall.**

(3) Drainage

- (i) Clarification from Yorkshire Water about the reasons for the leaking sewer highlighted by the Ward Councillor and responsibilities for it, plus assurance that the proposed development will not impact on that existing problem.**

(4) Other Matters

- (i) The impact of floodlights on the HGV testing site on the proposed housing.**
- (ii) How many pillboxes will be retained?**

ACTION: Strategic Director, Regeneration

**38. LAND TO THE SOUTH OF 9 CHURCH STREET, OXENHOPE,
KEIGHLEY**

Worth Valley

Full application for the construction of two dwellings on land to the south of 9 Church Street, Oxenhope – 09/01780/FUL.

The Strategic Director, Regeneration gave a presentation setting out the proposals and plans detailing the layout. He reported that Oxenhope Parish Council had objected to the proposal stating that reasons for refusal attached to application 07/08631/FUL still applied. Further concerns included the impact on the Conservation Area, highway safety, flood risk and overshadowing of the two bungalows to the north. The Council had received nine representations objecting to the proposal (plus two which were anonymous). The summary of representations received was as outlined in Document "G".

The Strategic Director, Regeneration reported that the previous reasons for refusal had been reviewed but it was not considered that the scale of development and the position of the application site were such that the development could be said to significantly affect the achievement of sustainable patterns of development as part of the RUDP strategy. It was considered that the proposed development was designed to be sympathetic to the character and appearance of the Oxenhope Upper Town Conservation Area. The dwellings had been amended and sited to safeguard the residential amenity of adjoining occupiers and trees. The scale of development and means of access were such that it

would not have any significant impact on highway safety. The development accorded with Replacement Unitary Development Plan Policies BH7, BH10, UR3, D1, NE5, NE6, TM2, TM12 and TM19A. He therefore recommended approval of the application subject to conditions.

Members made the following comments:

- The officer's report answered the question of what had changed since the previous application was refused.

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

- Previous objectors had not received sufficient advance notification of this meeting.
- He was concerned that the report recommended approval of the application as it did not differ from the previous refused application.
- This was the fourth application submitted for this site.
- It was necessary to have a site visit in respect of this application.
- The Parish Council comments had been condensed into three lines only.
- The report had diluted the concerns of objectors.
- It was in a conservation area.
- The fields to the south of the development were valuable and they would be obscured by the building.
- The only available access was through The Vales which was close to No. 4 The Vales.
- It was a narrow access and it was narrower than the approaching road.
- The access would service four properties.
- The report was inconsistent and raised the issue of highway safety.
- The refuse collection vehicles could not gain entry to The Vales.
- Drainage was an issue as the paths had been water-logged in the past. The Council had been contacted in respect of this and nothing had been done.

The applicant's agent was present at the meeting and made the following points:

- According to the officer's report the plans were satisfactory.
- The reasons for recommending approval were clearly outlined in the officer's report.
- It was within the conservation area and there were no real no objections as two of the objections were anonymous.
- The proposed dwellings were not too big.
- No work would be carried out during unsocial hours.
- Conditions 7 and 8 were important.

Resolved –

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

ACTION: Strategic Director, Regeneration

Note: Councillor Lee asked that her vote against the above resolution be recorded.

39. **UNITS 3 AND 3A ACRE PARK, DALTON LANE, KEIGHLEY** Keighley East

Proposed change of use of Units 3 and 3A from B2/B8 (industrial and warehousing) to a use within Use Class D2 as a children's indoor play facility at Units 3 and 3A Acre Park, Dalton Lane, Keighley – 09/02304/FUL.

The Strategic Director, Regeneration gave a presentation setting out the proposals and plans detailing the layout. He reported that no comments had been received from the Parish Council in respect of this application and no representations had been received either. The reasons for his recommendation for refusal of the application were as outlined in Document "G".

The Strategic Director, Regeneration reported that the application had been refused previously in respect of safety and conflict with the UDP policies. He was concerned about the movement of pedestrians and car parking. There would be a lot of pedestrian traffic and it was an inappropriate addition to usage of the road.

Members made the following comments:

- Was the development on the old Silentnight complex?
- Were there any other areas where children play on industrial sites.
- What were the other units used for.
- There were quite a few houses around the area.

A Ward Councillor was present at the meeting and made the following points:

- It had been discussed at a neighbourhood forum in respect of what play spaces were available in the area.
- There was a proposal for a play area here and there were more available close by.
- There would be a separate entrance to the facility.
- It would be an asset to the area.
- The owner of the site proposed that the centre would be run for user groups including people with disabilities.
- It would create jobs on a redundant site.
- This was a community development he would like to see going ahead for Keighley.

The agent for the applicant was present at the meeting and made the following points:

- How many years must a building stay unused, five years or more?
- There were plans to reconfigure the site.
- A large number of spaces was still unoccupied.
- The former gas works area was under-utilised.
- No landowner could carry on with property that made no money.
- The entrance would be at the Dalton Lane side and no articulated vehicles would be using the entrance as they would not be able to gain access.
- He agreed that safety must be of concern.
- There was adequate parking available and if this had been an issue why had it not been flagged up earlier?
- Thirty two parking spaces were an adequate amount.
- There would be two bus stops near to the site.
- As unemployment had reached 2.4 million and would soon reach three million it was important to help create new jobs.
- The development should be brought into beneficial use.

Members made the following comments:

- There was already a similar facility in the centre of Keighley and not many people used it.
- There was an industrial area with heavy traffic.
- Cannot see the need for two facilities in a close proximity.
- If it was possible to totally separate the site and its parking areas from the adjoining areas which were currently in industrial use and from traffic flows then it might be possible to approve the application.

The Strategic Director, Regeneration responded to Members and the applicant's agents comments and made the following points:

- He did not think there was a similar facility in Bradford.
- The development would be on the former Silentnight complex.
- He had surveyed what the other units were used for on the site.
- Keighley was a key employment location.
- Fifty per cent of the required parking space would be provided and there would be a bus but the majority of people would come by car.
- Thirty two car parking spaces were not enough as the recommended number was sixty.
- There would be no facility for the turning of cars.

Resolved –

- (1) **That the application be deferred and delegated to the Strategic Director, Regeneration for approval subject to him first securing receipt of amended plans and further information which ensures that the site and its parking areas can be totally separated from the adjoining areas which are currently in industrial use and from traffic flows to the industrial areas to ensure safety of the users of the proposed indoor play facility.**
- (2) **That the reasons for granting the above application are as follows:**
 - (i) **That the loss of the buildings for employment uses is outweighed by the benefit of bringing into productive use a building that has now been vacant for some time, with some contribution to local employment and community benefit.**
 - (ii) **That parking is considered adequate subject to the Strategic Director securing effective management and separation from adjoining uses and traffic.**
 - (iii) **That subject to the Strategic Director, Regeneration securing effective separation of the site from adjoining uses and traffic, concerns regarding safety can be overcome.**

ACTION: Strategic Director, Regeneration

40. ENFORCEMENT ENQUIRIES CLOSED BY THE PLANNING MANAGER (ENFORCEMENT AND TREES)/SENIOR ENFORCEMENT OFFICER AS NOT EXPEDIENT TO PURSUE

(i) 4 Crossbeck Road, Ilkley

Ilkley

Alleged unauthorised tree work within conservation area – 07/00606/TPOCN.

Date Enforcement File Closed: 14 July 2009.

(ii) 41 Dawson Road, Keighley

Keighley East

Alleged unauthorised fence – 09/00853/ENFUNA.

Date Enforcement File Closed: 28 August 2009.

(iii) 6 Calver Grove, Keighley

Keighley Central

Alleged unauthorised fencing – 08/01255/ENFUNA.

Date Enforcement File Closed: 28 August 2009.

(iv) Breeza Works, Cross Roads, Keighley

Worth Valley

Alleged unauthorised change of use – 09/00263/ENFCOU.

Date Enforcement File Closed: 28 August 2009.

(v) Grove Mills, Ingrow Bridge, South Street, Keighley

Keighley East

Alleged unauthorised banner – 09/00551/ENFADV.

Date Enforcement File Closed: 28 August 2009.

(vi) Heathmount Hall, Crossbeck, Ilkley

Ilkley

Alleged unauthorised tree works in Conservation Area – 07/00586/TPOCN.

Date Enforcement File Closed: 14 July 2009.

(vii) Hill Carr, Crossbeck Road, Ilkley

Ilkley

Alleged unauthorised tree works to protected trees and trees within Conservation Area – 06/01314/TPOCN.

Date Enforcement File Closed: 14 July 2009.

(viii) The Old Sun Hotel, 79 West Lane, Haworth, Keighley

Worth Valley

Alleged unauthorised structure – 09/00721/ENFUNA.

Date Enforcement File Closed: 28 August 2009.

Resolved –

That the report be noted.

ACTION: Strategic Director, Regeneration

41. DECISIONS MADE BY THE SECRETARY OF STATE

APPEAL DISMISSED

(i) 2 Moor Lane, Addingham

Craven

Construction of conservatory to rear – Case No. 08/06386/FUL.

Appeal Reference: 09/00031/APPFUL.

Resolved –

That the decision be noted.

NO ACTION

42. LAND AT 23 TO 33 WELLS ROAD, ILKLEY

Ilkley

Consideration of an objection to Tree Preservation Order 09/00010/I at Land at 23 to 33 Wells Road, Ilkley, Town and Country Planning Act 1990.

The Strategic Director, Regeneration reported that a Tree Preservation Order (TPO) was made on 17 March 2009 on five trees as a result of a Conservation Area Notice of Intent to prune two sycamores T1 and T2 (ref: 09/00792/CPN). The proposed crown thinning and lifting was considered excessive and generally not required on these semi mature trees and would affect the health and visual amenity value of the trees. The trees whilst relatively young were now providing significant amenity value to the treescape of Wells Road after the loss of a number of mature trees in recent years on the same site.

The Strategic Director, Regeneration reported that it was considered expedient to confirm this order as if not confirmed the sycamores could be pruned excessively as indicated in the Notice of Intent which would impact on the character and health of the trees.

There had been two letters of objection made in relation to the Order on the grounds as outlined in Document "H".

The Strategic Director, Regeneration recommended that the objection be overruled and the TPO be confirmed with modification for the reason set out in his report and due to the amenity value of the trees and for the purpose of expediency.

The Panel supported the recommendations of the Strategic Director, Regeneration.

Resolved –

That the objection be overruled for the reason set out in the report of the Strategic Director, Regeneration and due to the continual visual amenity value of the trees and for the purpose of expediency and Tree Preservation Order 09/00010/I be confirmed without modification.

ACTION: Strategic Director, Regeneration

43. **LAND AT WESTWOOD LODGE, WELLS ROAD AND
REGENCY COURT, QUEENS ROAD, ILKLEY**

Ilkley

Consideration of an objection to Tree Preservation Order 08/00099/IG at Land at Westwood Lodge, Wells Road and Regency Court, Queens Road, Ilkley, Section 201 Town and Country Planning Act 1990.

The Strategic Director, Regeneration reported that a TPO was made on 17 March 2009 as a result of a request from the owner of Westwood Lodge to resurvey the trees on the property and include additional significant trees in a new Order. The previous Order had some inaccuracies. The previous Order also covered Regency Court therefore this had been included in this new Order. Westwood Lodge was a listed building outside the Conservation Area and the trees provided the setting in relation to the listed building.

It was considered expedient to confirm the Order as trees not originally covered by the old Order could be removed without consent by future owners being outside the Conservation Area and the new Order had now resolved previous inaccuracies.

There had been one letter of objection made in relation to the G2 (covered by the original Order) on the grounds as outlined in Document "H" and there had been an objection to the new Order.

The Strategic Director, Regeneration recommended that the objection be overruled and the TPO be confirmed without modification for the reason set out in his report and due to the amenity value of the trees and for the purpose of expediency.

The Panel supported the recommendations of the Strategic Director, Regeneration.

Resolved –

That the objection be overruled for the reason set out in the report of the Strategic Director, Regeneration and due to the continual visual amenity value of the trees and for the purpose of expediency and Tree Preservation Order 08/00099/IG be confirmed without modification.

ACTION: Strategic Director, Regeneration

44. **LAND AT AND ADJACENT TO 20 MOORFIELD ROAD, ILKLEY**

Ilkley

Consideration of an objection to Tree Preservation Order 09/00017/IG at Land at and adjacent to 20 Moorfield Road, Ilkley, Section 201 Town and Country Planning Act 1990.

The Strategic Director, Regeneration reported that a TPO was made on 24 March 2009 as a result of a Planning Application (ref: 08/07453/FUL) which impacted unacceptably on trees. The application was subsequently refused on 11 February 2009. A further Planning Application was made (ref: 09/01268/FUL) with a unit of reduced scale which was approved on 21 May 2009. The Order included ten trees (two individuals and two groups).

The approved scheme had a lesser impact on trees however it was considered expedient to confirm this Order as if not the trees could be removed as there were no other restrictions on these trees which were outside the Conservation Area.

There had been one letter of objection made in relation to the T1 Dawn redwood and G1

on the grounds as outlined in Document "H".

The Strategic Director, Regeneration recommended that the objection be overruled and the TPO be confirmed without modification for the reason set out in his report and due to the amenity value of the trees and for the purpose of expediency.

The Panel supported the recommendations of the Strategic Director, Regeneration.

Resolved –

That the objection be overruled for the reason set out in the report of the Strategic Director, Regeneration and due to the continued visual amenity value of the trees and for the purpose of expediency and Tree Preservation Order 09/00017/IG be confirmed without modification.

ACTION: Strategic Director, Regeneration

Chair

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

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