

City of Bradford Metropolitan District Council

www.bradford.gov.uk

(mins.dot)

Minutes of a meeting of the Area Planning Panel (Keighley) held on Thursday 8 October 2009 in the Council Chamber, Keighley Town Hall

Commenced 1007
 Adjourned 1045
 Reconvened 1050
 Adjourned 1240
 Reconvened 1245
 Site Visit 1430 - 1600
 Concluded 1650

PRESENT – Councillors

CONSERVATIVE	LABOUR
Greaves	Rowen
Hill	
Ellis	

Ward Councillor: Councillor Mallinson

Apologies: Councillors Shabir Hussain and Lee

Councillor Greaves in the Chair

45 DISCLOSURES OF INTEREST

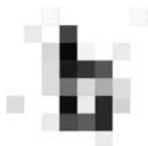
No disclosures of interest in matters under consideration were received.

46. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

47. PUBLIC QUESTIONS

There were no questions submitted by the public.



2006-2007
 Improving Rural Services
 Empowering Communities



INVESTOR IN PEOPLE

Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



48. 15 BRACKEN BANK GROVE, KEIGHLEY**Keighley West**

Full planning application for the construction of a two storey side extension and single storey rear extension and hardsurfaced area for a car parking space at 15 Bracken Bank Grove, Keighley - 09/03249/HOU.

The Strategic Director, Regeneration gave a presentation setting out the proposals and plans detailing the layout. He reported that Keighley Town Council had objected to the application. No representations had been received.

The Strategic Director, Regeneration reported that the proposed two storey side extension and single storey rear extension were considered to relate satisfactorily to the character of the existing dwelling and adjacent properties. The impact of the extensions upon the occupants of neighbouring properties had been assessed and it was considered that it would not have a significant adverse effect upon their residential amenity. There were no adverse highway safety implications and no apparent Community Safety implications. As such this proposal was considered to be in accordance with Policies UR3, D1, D4 and TM12 of the Replacement Unitary Development Plan. He therefore recommended approval of the application subject to conditions.

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

- The extension would be overbearing.
- There was concern about the manhole.
- The drive would be very steep into the property.
- The site had not had a fence around it when a site visit was undertaken by Town Councillors.
- The development looked like it might encroach on the footpath and cast a shadow over it and it could become a place where people could be mugged.

Members made the following comments:

- There did not seem to be any off-street parking at the moment.
- People should not park on the pavement.
- The kerb at 15 Bracken Bank Grove, Keighley should be dropped and a footpath made up to the appropriate standard.
- It should be a condition that construction work be carried out during standard construction hours.
- There did not seem to be any problem with the application and it would be an advantage to get cars off the road.

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 kerb at 15 Bracken Bank Grove, Keighley is dropped and the footpath is made up to the appropriate standard.**
- (2) 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

**49. 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 reported that this application was deferred by the Panel on 16 September 2009 in order to provide further information and greater clarity on certain issues. His report dealt with the issues of deferment and how these issues had been, or could be appropriately, addressed. The original report followed on from the discussion of the actions and started with the paragraph headed site description. It should be noted that the original report had also been updated in certain areas eg number of representations received.

A presentation setting out the proposals and plans detailing the layout was given. It was 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 "I". The number of and summary of representations received were as outlined in Document "I".

The Strategic Director, Regeneration indicated that the development of this site, with 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 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. He therefore recommended that the application be approved subject to a Section 106 Agreement, a Section 278 Agreement and conditions.

Members made the following comments:

- There was the issue of where the money for education would go and which school children would go to.
- There would be a large number of affordable houses available as a result of the development.
- Was there any reason why this information had not been provided as to which schools children go to, as some children attended schools a fair distance from their homes.

- A site visit should be undertaken.
- The affordable housing units should be spaced around the development and not concentrated in one particular area.
- What was the type of housing demand in this area.
- Was there any history of flooding at Steeton Beck.
- There was an issue of ensuring that the trees would not be moved from the gardens.
- Any costs for the changing of the floodlights should be met by the developer.

A number of objectors were at the meeting and they made the following points:

- There was pressure to build more houses as a response to national guidelines.
- There would be poor unsafe access and build up of traffic.
- There was the unresolved issue of sewage problems.
- There was a lack of school capacity.
- There was a lack of play space on the development site.
- The houses would not be the same size as the existing ones.
- Disagreed with the layout of the affordable housing.
- This was a 12 acre greenfield site and developers could design the houses however they wanted.
- Officers were driven to making solutions in response to financial deadlines.
- The water mains and pipes would not be able to cope with the flow of water.
- Additional sewage would increase the existing problems.
- There was concern about the amount of traffic that would be generated on Thornhill Road and the road was used for parking by persons who did not want to pay for hospital parking fees.
- There was already rat running along Clough Road and there would be additional traffic generated on Thornhill Road.
- Clough Road and Thornhill Road would become a car park for station users.
- The development would set back community efforts by 20 years.
- Clough Avenue would be used as a second access point.
- The local infrastructure could not sustain this development.
- There should be two exits.
- It would be too cheap to just have one exit and money was taking precedence over peoples health and safety.
- Education issues would only be dealt with after the properties were built.
- There were also outstanding drainage issues.
- Yorkshire Water were dumping their problem on the local planning authority.
- There was the issue of a helicopter landing bay next to the proposed site and how this would affect the company which owned the helicopter.

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

- All necessary requirements had been met.
- As a result of advice taken it was evident that the only access that would be feasible was through Thornhill Road.
- The timetable for affordable housing had not been set by the Council or the developer but by the Housing Communities Agency (HCA).
- All the drainage issues had been scrutinised by Yorkshire Water and the Environment Agency.
- In respect of helicopter flights persons who would be purchasing the properties

would be aware that there was a helicopter landing pad nearby.

- An adequate offer of funding had been made to support Education Services.
- There would be an updated version of junction improvements.
- There was no need to re-site the bus stop near the footpath to conditions.
- The condition in respect of the tree planting works was acceptable.
- To achieve HCA requirements the properties would be built at code level 3.
- Up to £4 million would be invested in drainage works.
- National unemployment figures were rising and there had been job losses in Keighley and other areas of the district. Jobs would be created in order to deliver the project.
- The scheme had been described by Council officers as a flagship for the district.

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

- He was concerned that many residents had only received notification letters a few days before.
- The Parish Council should have more of an input in the application process.
- There would not be many amenities for the large number of residents from the proposed development.
- Phase 3 of the housing development was restricted.
- There were concerns about public safety as there was an extremely busy junction in the vicinity of the proposed development.
- There was no access to Skipton Road, where there was a need to protect public safety and to introduce a 20 mph speed limit.
- The access road was adjacent to the driveway. All the vehicles including new vehicles would be directed to the junction with residents trying to get onto this road.
- There was land in third party ownership and it would be necessary to open the road into the site to give access.
- How would 229 people access the site?
- During a site visit members should pay attention to the Thornhill junction.
- The plan was “off the cuff” and the full facts had not been produced and this was alarming.
- It would be impossible to save any of the trees which had taken 100 years to get to the size they were at present.
- The trees did cushion some of the noise emanating from traffic to residential units.
- The development would not be in keeping with the surrounding properties in Thornhill Road and in around Steeton which tended to be stone built bungalows or densely populated terrace houses.
- There was still the issue of raw sewage even though Yorkshire Water had carried out work and Yorkshire Water had passed this problem back to the local planning authority.
- The £300,000 contribution to Education should be given up front and it was a small contribution in comparison to the £4 million that was to be spent on drainage works.
- No extra school places were available at Steeton School or other nearby schools.
- The development would be detrimental as there would be no provision for play areas.
- There was no point to the cycle paths as they would lead to a dead end.
- Residents did not want £15,000 spent on speed humps as this would create further problems of rat running.
- The housing development was driven by money and the need for affordable housing.
- Members would need to pay attention to re-alignment of Thornhill Road.

- The three storey building would overlook backs of all the houses.
- It would be detrimental to local businesses.

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

- Local schools were relatively full and there was a need for an education contribution.
- It would be necessary to identify where the education expenditure would be allocated. It may not be allocated to the nearest school but to schools that were under pressure in the locality.
- Some local schools were under strain and it will be necessary to identify all schools that were under strain so they could receive expenditure. Finance would be spent where it was needed in the wider catchment area.
- There was no reason why a list had not been produced indicating which schools local children went to.
- Some schools were already under pressure due to an increase in the birth rate and the education authority was already dealing with this issue and taking a strategic approach in order to decide which schools would get additional capacity.
- If the development went ahead then there would be an increase in rat running through Thornhill Road and Clough Avenue.
- It was suggested that a possible contribution of £15,000 for traffic regulation orders or traffic calming be used within three years and if unused be returned to the developer.
- There would be a special barrier for emergency vehicles and if the normal road was blocked they could in through the emergency route.
- If problems arose then it would be necessary to introduce a residents only parking scheme.
- Originally it had been the intention to spread the affordable housing around the development but in order to assist the developer to deliver the affordable housing and meet HCA requirements it was decided to keep the affordable housing closer together.
- The service drainage engineer was happy with the drainage situation and this was also the case with Yorkshire Water.
- The site would be drained separately.
- It was possible to drain 200 properties of foul overflow on a four inch pipe.
- The sewage arrangements were adequate.
- Steeton Beck had no history of flooding.
- It was recommended that there be conditions introduced in respect of trees and gardens throughout the site.
- It was proposed that a condition be introduced on the implementation of travel plan initiatives put forward in the submitted Travel Plan Framework document from the first occupation of the dwellings.
- The standard hours of operation of construction should be introduced as a condition.
- Three further letters of objection had been received.
- There had been a request from Save Britain's Heritage for the retention of the pillar boxes and that there should be access to them .
- Parking within the development does meet the required standard.
- There were some reservations about the visibility patch.
- There was a deficiency in play space provision in the proposed development.
- It would be checked to see whether the helicopter pad needed planning permission.

- Any noise issues in respect of the use of the helicopter pad was an environmental protection issue.

Following a site visit Members made the following comments:

- Although the education contribution was £75,000 short it would probably cost just as much to arrange an overage agreement.
- The 60 affordable housing units should be allocated in the following order of priority.
 - (i) Residents of Steeton with Eastburn
 - (ii) Residents of Craven Ward
 - (iii) Residents of the rest of the Keighley Constituency
 - (iv) Other residents within a five mile radius of Steeton with Eastburn
- Drainage was the responsibility of Yorkshire Water.
- There were two main outstanding issues, highway and the affordable housing units.
- There was a need to carry out junction priority improvements to Thornhill Road and Skipton Road, details of which should be determined by the Assistant Director, Planning in consultation with the Assistant Director, Transportation and Highways including the provision of appropriate traffic regulation order(s) at the junction of Thornhill Road and Skipton Road.
- There was a need for affordable housing.
- Having the affordable housing arranged as indicated on the application it may not be good for social cohesion.
- It might be possible to spread some of the affordable housing around as was Council policy.
- The layout of the affordable housing was satisfactory and there was a need to approve the development and to encourage the creation of jobs.
- It was important to make a decision today in respect of this application.
- The cycleway works would not be necessary.

Resolved –

That approval of the above application (including finalisation of all Highway details) be delegated to the Assistant Director, Planning in consultation with the Assistant Director, Transportation & Highways and following input from Ward Members, and subject to a Section 106 / 278 agreement, the conditions set out in the Strategic Director, Regeneration's technical report and the following additional conditions:

(1) The completion of a section 106 / 278 agreement to secure:

- i. Provision of on site recreational equipment in the sum of £61,325.**
- ii. Provision of 60 affordable housing units on the site – to be built to code 3 standard and to be allocated in the following order of priority:**
 - **Residents of Steeton with Eastburn**
 - **Residents of Craven Ward**
 - **Residents of the rest of Keighley Constituency**
 - **Other residents within a 5 mile radius of Steeton with Eastburn**
- iii. Payment of a contribution of £300,000 to increase educational facilities in the locality.**
- iv. Payment of a traffic regulation order contribution to be specified by the Assistant Director, Planning in consultation with the Assistant**

- Director, Transportation & Highways toward the funding of traffic regulation orders to secure parking restrictions and traffic calming measures in the vicinity of the site.
- v. The carrying out of junction priority improvements to Thornhill Road and Skipton Road precise details of which shall be determined by the Assistant Director, Planning in consultation with the Assistant Director, Transportation & Highways including the provision of appropriate traffic regulation order (s) at the junction of Thornhill Road and Skipton Road.

The agreement to contain such other ancillary provisions as the Assistant Director, Planning after consultation with the Assistant Director, Corporate Services (City Solicitor) considers appropriate.

- (2) 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.
- (3) Implementation of Travel Plan Initiatives put forward in the submitted Travel Plan Framework document from the first occupation of the dwellings.
- (4) In respect of trees in gardens throughout the site:
- (i) In the first planting season following the occupation of each residential unit or as otherwise specified by the local planning authority, the trees to be planted within that residential garden shall be planted in accordance with the approved tree planting scheme.
- (ii) Any trees becoming diseased or dying within the first 5 years after the completion of planting within any garden shall be removed immediately after the disease / death and a replacement tree of the same species / specification shall be planted in the same position no later than the end of the first available planting season following the disease / death of the original tree.
- (iii) No other tree shall be removed from the whole site except with the written consent of the local planning authority. Any replacement tree or trees specified in such written consent shall be planted as soon as reasonably practicable and in any event during the first available planting season following such removal.

ACTION: *Assistant Director, Planning / Assistant Director, Transportation & Highways / Strategic Director, Regeneration / Assistant Director, Corporate Services (City Solicitor)*

50. ENFORCEMENT MATTERS

- (i) 27 Lee Lane, Oxenhope, Keighley

Oxenhope

Unauthorised change of use of land at 27 Lee Lane, Oxenhope, Keighley – 09/00613/ENFCOU.

A section of agricultural land has been fenced off and is being used for domestic purposes, including the stationing of a child's play frame.

The Assistant Director Corporate Services (City Solicitor) had therefore been instructed to issue an enforcement notice.

(ii) Albert Hotel, Bridge Street, Keighley **Keighley Central**

Unauthorised smoking shelter at The Albert Hotel, Bridge Street, Keighley – 08/01317/ENFUNA.

Enforcement action was approved on 24 June 2009 for the removal of an unauthorised smoking shelter to the rear of the property.

The unauthorised shelter had now been removed from the site.

Resolved –

That the reports be noted.

ACTION: Strategic Director, Regeneration

51. DECISIONS MADE BY THE SECRETARY OF STATE

APPEALS DISMISSED

(i) 24 Bridge Lane, Ilkley **Ilkley**

Change of use of public highway to private garden and parking with associated walls and railings – Case No. 09/01668/FUL.

Appeal Reference: 09/00100/APPFUL.

(ii) 24 Sun Street, Haworth, Keighley **Worth Valley**

Construction of a detached garage and turning area – Case No. 08/06095/FUL.

Appeal Reference: 09/00060/APPFUL.

(iii) 51 Haworth Road, Cross Roads, Keighley **Worth Valley**

Change of use from retail shop to Use Class A5 fish and chips hot food takeaway and installation of new extractor flue to gable – Case No. 09/00243/FUL.

Appeal Reference: 09/00072/APPFUL.

Resolved –

That the decisions be noted.

NO ACTION

52. **25 BEN RHYDDING DRIVE, ILKLEY**

Ilkley

Consideration of an objection to Tree Preservation Order (TPO) 09/00027/IG at 25 Ben Rhydding Drive, Ilkley, Town and Country Planning Act 1990.

The Strategic Director, Regeneration reported that a TPO was made on 23 April 2009 as a result of the surveying arising out of an Area Order which was previously made due to the potential impact of an adjacent planning application subsequently refused on the trees at the above property. This application (reference: 08/01315/FUL) was subsequently refused on 9 September 2008 and the appeal dismissed on 19 January 2009.

The Order included 23 trees (four individuals and three groups). It was considered expedient to confirm this Order as if not confirmed 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 G1, T1, T2, T3, T4 on the grounds as outlined in Document "J".

The Strategic Director, Regeneration recommended that the objection be overruled and the TPO be confirmed without modification as the trees have significant amenity value in forming part of the character setting of the built environment and it was expedient to confirm in order to restrict the possibility the trees are felled to the detriment of the local landscape.

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 09/00027/IG be confirmed without modification.

ACTION: Strategic Director, Regeneration

53. **LAND AT CROSSFIELD, 132 SKIPTON ROAD, SILSDEN**

Ilkley

Consideration of an objection to Tree Preservation Order (TPO) 09/00026/IG at Land at Crossfield, 132 Skipton Road, Silsden, Section 201 Town and Country Planning Act 1990.

The Strategic Director, Regeneration reported that a TPO was made on 23 April 2009 as a result of planning application (09/00747/FUL) subsequently withdrawn which resulted in the excessive loss of trees on and to the boundaries of the site.

The Order included eight trees (six individuals and one group). It was considered expedient to confirm this Order as if not confirmed 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 G1 (two Pines) on the grounds as outlined in Document "J".

The Strategic Director, Regeneration recommended that the objection be overruled and the TPO be confirmed without modification as the trees were considered to be of significant visual amenity value and if not confirmed the trees could be removed to the detriment of the local landscape.

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

- His objection was not to the Order in total but to the two trees G1 (2 Pines).
- The withdrawn application retained the existing house.
- Both trees are in proximity to the existing house.
- The trees in question have an inappropriate relationship to the existing houses.
- There was the issue of amenity value and visibility and impact of the trees.

The Panel agreed that the Tree Preservation Order 09/00026/IG should be confirmed with the following modification that due to the close proximity of the two pine trees to the dwelling house the G1 (two pines) should be excluded from the Order.

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 08/00026/IG be confirmed with the following modification due to the close proximity of the 2 Pine trees to the dwelling house:

- **Exclusion of G1 (2 Pines)**

ACTION: Strategic Director, Regeneration

Chair

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

minutes\plk8oct

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