

# City of Bradford Metropolitan District Council

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## Minutes of a meeting of the Area Planning Panel (Keighley) held on Thursday 7 October 2010 in the Council Chamber, Keighley Town Hall

Commenced 1000  
Adjourned 1133  
Reconvened 1143  
Concluded 1152

### PRESENT – Councillors

| CONSERVATIVE | LABOUR       |
|--------------|--------------|
| Byrom        | Lee          |
| Gibbons      | Abid Hussain |
| L'Amie       | Dredge       |

Observer: Councillor Khadim Hussain

### Councillor Lee in the Chair

#### 20. DISCLOSURES OF INTEREST

Councillor Lee disclosed a personal interest in Minute 24 for matters relating to 1 Springfield Gardens, Keighley as she had family connections to market traders, but as the interest was not prejudicial she took full part in the discussion and voting on this item.

Councillor Lee disclosed a personal interest in Minutes 25 and 26 for matters relating to Octagon House, Bradford Road, Sandbeds, Keighley as the address was in her ward, but as the interest was not prejudicial she took full part in the discussion and voting on these items.

Councillor L'Amie disclosed a personal interest in Minutes 25 and 26 for matters relating to Octagon House, Bradford Road, Sandbeds, Keighley as he had sat on the Licensing Panel that had considered licensing for this location and he confirmed that at this meeting of the Panel he would consider the issue with an open mind and purely on planning grounds, as the interest was not prejudicial he took full part in the discussion and voting on this item.

Councillors Byrom, Gibbons, L'Amie, Lee, Abid Hussain and Dredge declared a personal interest in Minutes 25 and 26 for matters relating to Octagon House, Bradford Road, Sandbeds, Keighley as they all knew the applicant, but as the interest was not prejudicial they took full part in the discussion and voting on these items.



Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)

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

**21. MINUTES**

**Resolved -**

**That the minutes of the meetings held on 6 July 2010 and 3 August 2010, be signed as a correct record.**

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

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

**23. PUBLIC QUESTIONS**

There were no questions submitted by the public.

**24. 1 SPRINGFIELD GARDENS, KEIGHLEY**

**Keighley Central**

Full planning application for the construction of a two-storey extension to the side of 1 Springfield Gardens, Keighley – 10/02053/HOU.

The Strategic Director, Regeneration gave a presentation setting out the proposals and plans detailing the layout. He reported that Keighley Town Council had recommended refusal of the application due to over-development and the extension would be too close to nearby neighbours' houses. Fifteen representations of objection were received from 12 households and a summary of representations received were as outlined in Document "E".

The Strategic Director, Regeneration reported that the proposed extension 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 an additional condition and the conditions as outlined in Document "E".

Members made the following comments:

- Were there any permeable standing areas on the site?
- Can you confirm the distance from the upper window to the new build?
- Would it be dominant?
- It was an incongruous feature on the street scene.
- There were already a lot of big detached houses there.
- Would it be possible to make the extension shorter and better?
- If allegations of business use were true had any complaints been received?

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

- He recommended that the application be approved.
- There were complaints about storage but there was adequate provision.
- There was also adequate parking available.
- The first elevation was 21 metres distance and would not affect the privacy or quality of life of residents in neighbouring properties.
- Residents were fairly complimentary.
- The applicant would accept the additional recommendation proposed.
- It was only an extension and would not have an effect on neighbouring properties.

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

- He recommended refusal of the application as the car parking would not be adequate.
- The extension would dominate the surrounding area.
- It was the only detached building in the area.
- The drive was too steep and was not used.
- Pushchairs and prams would have to go round any cars that were parked at the property.
- A white van appeared to be unloading fruit and vegetables at 11 am on Sundays and often blocked the road.
- There had been some overlooking before a fence was put up.

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

- This application was "one man's dream and another man's nightmare".
- It was a narrow road which caused parking problems.
- Gardens had been paved and excavated with fencing put on, there had been a lot of noise and disruption during this work.
- Elderly residents had suffered.
- Residents from 12 households had complained and this should carry some weight.
- People had experienced problems visiting their parents.
- There was loss of privacy.
- A previous application at No.9 was rejected due to a highway issue.
- He demanded that the extension should only be used as living and sleeping areas and not as a working business.
- The roller shutter doors annoyed all residents and there was after hours business action taking place.
- A site visit should be made.

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

- There did not seem to be any permeable area but there seemed to be block paving and this wouldn't deal well with water run off. It was no different to any other drive.
- Planning officers had no issue with drainage as it would be plugged into the existing sewage system.
- There was a parking area with two other parking spots.
- The degree of enclosure was not sufficient to recommend refusal.
- There was a sky view.

- There was no overlooking from the extension.
- The distance from the upper window to the new build was 9 to 10 metres.
- It was not out of keeping with the area.
- There was no record of any complaints from enforcement officers in respect of business use of the property.
- The application was for a domestic extension and if it did change in the future there were mechanisms to deal with this.
- There might be some direct loss of sunlight into 8 Springfield Gardens but on balance the loss of sunshine in respect of the scheme was not sufficient to recommend refusal of the application.

**Resolved –**

**That the application be approved for the reasons and subject to the conditions as set out in the Strategic Director, Regeneration's technical report (Document "E") and subject to the following additional condition:**

**The development hereby approved shall only be carried out in accordance with the approved plan(s) listed below:**

**Diagram. No. 01 of 02/Rev A and Diagram. No. 02 of 02/Rev A**

**Received by the Council on 29 June 2010.**

***Reason: For the avoidance of doubt as to the terms under which planning permission has been granted.***

***ACTION: Strategic Director, Regeneration***

**25. OCTAGON HOUSE, BRADFORD ROAD,  
SANDBEDS, KEIGHLEY**

**Keighley East**

Change of use of Octagon House, Bradford Road, Sandbeds, Keighley from Light Industrial (B1) use to combined A3 (Restaurants and Cafes), D1 (Non-residential institutions), and D2 (Assembly and Leisure) use – 10/03406/FUL.

The Strategic Director, Regeneration gave a presentation setting out the proposals and plans detailing the layout. He reported that Keighley Town Council had no objections to the application. Two objections had been received, a summary of representations received were as outlined in Document "E".

The Strategic Director, Regeneration submitted proposed amendments to conditions 2, 5 and 6 to the Panel and reported that the existing employment premises were not protected by Policy E3 of the Replacement Unitary Development Plan (RUDP) due to their size and location outside an Employment Zone. Subject to the imposed conditions and amendments to conditions 2, 5 and 6, it was considered that the proposed mix use of the building was acceptable and would have no significant detrimental impact on surrounding land uses or on the amenity of occupiers of adjoining or neighbouring residential properties. It was considered that the proposed parking provision was adequate for the mix of uses specified and there was unlikely to be any significant adverse impact on the local highway network. The proposal was considered to accord with the provisions of the Replacement Bradford Unitary Development Plan and saved Policies UR3, GB1, D1, E3,

TM2, TM11 and TM19A. He therefore recommended approval of the application subject to the conditions and the amendments to conditions 2, 5 and 6 (as outlined below) and as outlined in Document "E".

Members made the following comments:

- It should be ensured that the applicant was aware of the amended conditions.
- Noise seems to have been an issue.
- If industrial use could they have been able to operate late at night?
- Would a future owner be able to carry out the same activities as described at the address?
- A lot of premises do not do a late licence.
- It was not a great big wooden fence and it did need to be solid.
- If it was to be used as a theatre then the applicant would need to obtain a theatre licence.

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

- There was a precise industrial use for the location.
- There were no restrictions.
- In respect of the fence this would deal with the sound, there would also be double glazed windows to prevent sound being emitted from the premises.
- The car park would be staffed.
- As many trees as possible would be kept.
- The premises would be open until 1 am on Friday, Saturday and Sunday and not every day of the week as claimed.
- One of the objectors lived 160 metres away from the property.
- The building was completely empty at the moment.
- There would be emphasis on organising family orientated events.
- We have a good reputation of running these types of venues.
- We would bring the venue back into use.
- There would be theatre use of the location as well as other uses such as for charity events.
- There would be no live entertainment past 12 am.
- A wall would be put in front of the performance area as well as the café area which would be double glazed.

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

- Environmental Health officers were satisfied with the amendments to conditions 5 and 6.
- The applicants were aware of the amended conditions and an agreement had been drafted with the applicant's agent.

**Resolved –**

**That the application be approved for the reasons and subject to the conditions as set out in the Strategic Director, Regeneration's technical report (Document "E") and as amended below:**

**(1) That condition 2 be amended by deletion of reference to plan no. 9186 TCP/TPP (because this plan has been superseded by plan no. 899 03/Rev B).**

**(2) That condition 5 be amended to read:**

Prior to the commencement of the use hereby approved, details of the precise line and extent of a 1.8 metre high close boarded timber acoustic screen fence between the car park and the dwelling to the south (‘Appledene’) shall have been submitted to and secured the approval in writing of the Local Planning Authority and the fence erected in accordance with the approved details. The fence shall be maintained and retained on site thereafter whilst so ever such use subsists

*Reason: In order to provide an acoustic screen to protect the residential amenity of occupiers of the dwelling from noise and disturbance from customers and vehicles, especially when leaving late in the evening, and to accord with policies UR3 and P7 of the Replacement Unitary Development Plan(2005).*

**(3) That condition 6 be amended to read:**

Prior to the commencement of the use hereby approved, a noise attenuation scheme, effective in ensuring that the noise level of the proposed use measured from the nearest residential properties are a minimum of 10dB below the background level LA90, shall have been submitted to and secured the approval in writing of the Local Planning Authority. The approved scheme shall be implemented prior to commencement of the use hereby approved and retained thereafter whilst so ever such use subsists.

*Reason: In order to prevent unacceptable noise breakout from the premises and to accord with policies UR3 and P7 of the Replacement Unitary Development Plan (2005).*

**ACTION: Strategic Director, Regeneration**

**26. OCTAGON HOUSE, BRADFORD ROAD  
SANDBEDS, KEIGHLEY**

**Keighley East**

An application for the display of three wall-mounted and one post-mounted L-shaped composite metal framed signs at Octagon House, Bradford Road, Sandbeds, Keighley, in connection with proposed change of use from B1 (Light Industrial)/D1 (Place of Worship) to combined A3 (Restaurants and Cafes), D1 (Non-residential institutions), and D2 (Assembly and Leisure) use – 10/03407/ADV.

**Resolved –**

**That the application be approved for the reasons and subject to the conditions as set out in the Strategic Director, Regeneration’s technical report (Document "E").**

**ACTION: Strategic Director, Regeneration**

**27. ENFORCEMENT ENQUIRIES CLOSED BY THE PLANNING MANAGER  
(ENFORCEMENT & TREES)/SENIOR ENFORCEMENT OFFICER  
AS NOT EXPEDIENT TO PURSUE**

**(i) 208A Bradford Road, Riddlesden, Keighley** **Keighley East**

Extension – 10/00770/ENFUNA.

Date Enforcement File Closed: 29 July 2010.

**(ii) 21 Eaton Road, Ilkley** **Ilkley**

Excessive pruning – 09/00766/TPOCN.

Date Enforcement File Closed: 23 July 2010.

**(iii) 33 – 35 Church Street, Keighley** **Keighley Central**

Small radio aerial to front of property between fascia and first floor sill – 10/00058/ENFUNA.

Date Enforcement File Closed: 1 September 2010.

**(iv) 49 Mytholmes Lane, Haworth, Keighley** **Worth Valley**

Position of access door into integral garage and store relocated front to side elevation – 10/00923/ENFAPP.

Date Enforcement File Closed: 25 August 2010.

**(v) 84 Kings Road, Ilkley** **Ilkley**

Unauthorised 1.25 metre high fence erected to the front of the property – 10/00501/ENFUNA.

Date Enforcement File Closed: 6 September 2010.

**(vi) Ben Rhydding Methodist Church, Ben Rhydding  
Drive, Ilkley** **Ilkley**

Tree Felling - 09/00750/TPOCN.

Date Enforcement File Closed: 23 July 2010.

**(vii) Far Dean Fields, Dean Edge Road, Oldfield,  
Keighley** **Worth Valley**

Development - 09/01276/ENFUNA.

Date Enforcement File Closed: 23 July 2010.

**(viii) St Margaret's Church, Queens Road, Ilkley**

**Ilkley**

Statue – 10/00936/ENFUNA.

Date Enforcement File Closed: 12 August 2010.

**(ix) Thwaites Garage, Yard Number 2, Thwaites Brow Road, Keighley**

**Keighley East**

Caravans - 09/01529/ENFUNA.

Date Enforcement File Closed: 1 September 2010.

**Resolved –**

**That the reports be noted.**

***ACTION: Strategic Director, Regeneration***

**28. DECISIONS MADE BY THE SECRETARY OF STATE**

**APPEALS ALLOWED**

**(i) 284 Bradford Road, Riddlesden, Keighley**

**Keighley East**

Retrospective planning permission for balcony and steps to the rear of property. - Case No: 09/05160/HOU

Appeal Ref: 10/00045/APPHOU

**(ii) 3 Thurlestone Court, East Morton, Keighley**

**Keighley East**

Retrospective application for conservatory to front of property - Case No: 09/05588/HOU

Appeal Ref: 10/00042/APPFUL

**(iii) 3 Thurlestone Court, East Morton, Keighley**

**Keighley East**

Unauthorised rear extension - Case No: 09/00186/ENFUNA

Appeal Ref: 10/00046/APPENF

**(iv) 36 Broadlands, Keighley**

**Keighley Central**

Retrospective application for construction of conservatory to rear, conversion of integral garage to form extension to living accommodation - Case No: 10/00334/HOU1

Appeal Ref: 10/00129/APPHOU

**(v) 9 Spinners Way, Haworth, Keighley**

**Worth Valley**

Construction of conservatory to rear - Case No: 10/01837/HOU



Appeal Ref: 10/00141/APPHOU

**(vi) Land at Railway Road and Mayfield Road, Ilkley**

**Ilkley**

Construction of replacement Tesco Class A1 food store with car parking, landscaping and associated works - Case No: 09/00857/FUL

Appeal Ref: 10/00043/APPFUL

**(vii) Land North of Hawthorn Cottage Bar House Lane, Keighley**

**Craven**

Construction of detached house - Case No: 10/00241/FUL

Appeal Ref: 10/00083/APPFUL

**(viii) Second Floor 17 Lawkholme Crescent, Keighley**

**Keighley Central**

Change of use of top floor from office to taxi control office - Case No: 09/03910/FUL

Appeal Ref: 10/00066/APPFUL

**(ix) Tesco Store, Springs Lane, Ilkley**

**Ilkley**

Mixed use development to provide 5 no single storey B1/B8 class use business units (929sqm), office floor space (1858sqm) and residential care home (60 bedrooms) with associated car parking and landscaping works - Case No: 09/00871/OUT

Appeal Ref: 10/00055/APPOUT

**APPEALS DISMISSED**

**(x) 155 Hermit Hole, Halifax Road, Keighley**

**Keighley East**

Retention of car sales area and hardstanding - Case No: 10/00379/FUL

Appeal Ref: 10/00106/APPFUL

**(xi) 2 Valley Road, Ilkley**

**Ilkley**

Construction of two storey dwelling in garden of existing house including demolition of double garage - Case No: 10/00169/FUL

Appeal Ref: 10/00072/APPFUL

**(xii) 25 Staveley Way, Keighley**

**Keighley West**

Construction of 2 detached double garages - Case No: 10/00453/HOU

Appeal Ref: 10/00071/APPFUL

**(xiii) 34 Coles Way, Riddlesden, Keighley**

**Keighley East**

Conservatory to front - Case No: 10/01400/HOU

Appeal Ref: 10/00124/APPHOU

**(xiv) 36 Broadlands, Keighley**

**Keighley Central**

Retrospective application for construction of detached private single garage to front - Case No: 10/00334/HOU

Appeal Ref: 10/00092/APPHOU

**(xv) 41 Bracken Bank Grove, Keighley**

**Keighley West**

Construction of dwelling to side of property - Case No: 10/00079/FUL

Appeal Ref: 10/00070/APPFUL

**(xvi) 56 Redwood Close, Long Lee, Keighley**

**Keighley East**

First floor extension above existing ground floor extension. - Case No: 10/01279/HOU

Appeal Ref: 10/00147/APPHOU

**(xvii) Land to Rear of 77 Bolton Road, Silsden**

**Craven**

Construction of detached dwelling with associated parking - Case No: 09/05073/FUL

Appeal Ref: 10/00041/APPFUL

**(xviii) Land West of 89-115 Thornhill Road, Steeton with Eastburn**

**Craven**

Construction of bungalow with detached garage and landscaping - Case No: 09/04778/FUL

Appeal Ref: 10/00047/APPFUL

**APPEAL WITHDRAWN**

**(xix) 2 Springfield Mount, Addingham**

**Craven**

Demolition of existing dwelling and construction of 2 detached dormer bungalows - Case No: 09/04880/FUL

Appeal Ref: 10/00112/APPFUL

**Resolved –**

**That the decisions be noted.**

**NO ACTION**

29. **ENFORCEMENT MATTERS**

(i) **Balti House Restaurant, Brooks Building, Albert Street, Keighley Central  
Highfield Lane, Keighley**

A petition dated 5 September has been received relating to the Balti House Restaurant, Albert Street, Keighley -

Alleged breaches relating to hours of operation were currently being investigated under enforcement reference 10/00412/ENFUNA.

(ii) **Land North of Hall Terrace, Bradford Road, Riddlesden, Keighley East  
Keighley**

Construction of 3 dwellings on land north of Hall Terrace, Bradford Road, Riddlesden, Keighley – 10/03401/FUL.

Two petitions were received on 8 September 2010 objecting to the above planning application.

Accordingly, as the views of the petitioners correspond with the recommendation of the case officer to refuse the application, the application would be refused under officer's delegated powers.

However, in accordance with established protocols receipt of the petitions were referred to the Panel for noting.

**Resolved –**

**That receipt of the two petitions be noted.**

***ACTION: Strategic Director, Regeneration***

30. **SACRED HEART SCHOOL, VALLEY DRIVE, ILKLEY**

**Ilkley**

Full application to install new 2.4 metre high "Nylofor" weld mesh fencing and gates to front boundary of Sacred Heart School, Valley Drive, Ilkley – 10/04193/FUL.

The Strategic Director, Regeneration gave a presentation setting out the proposals and plans detailing the layout. He reported that Ilkley Parish Council had recommended refusal of the application due to its imposing impact on the streetscene. Its purpose was said not to be clear and would not want to see this fencing around the rest of the site.

A letter of objection was received from the immediate neighbour of the property which made the following points:

- The fence would have an adverse effect on wildlife.
- It was out of keeping with the surrounding conservation area.
- The fencing was incongruous.
- The issues outlined by the residents who had objected had not been dealt with.

The Strategic Director, Regeneration reported that the proposed fencing would provide more effective security to the school. It would have no significant detrimental impact on the character of the area or the amenity of occupiers of adjoining properties given the open character and colour of the proposed mesh and the limited extent of the frontage involved. The proposal would accord with Policies D4, D1 and UR3 of the Bradford Replacement Unitary Development Plan. He therefore recommended approval of the application subject to the conditions as outlined in Document "G".

Members made the following comments:

- Can you confirm that if this application was approved the trees and bushes would not be touched?
- Reducing the fence by a foot does not make it acceptable.
- There was a need to make it safe for children.
- Have the police been contacted in respect of the proposed fence?
- Can we condition that planting be carried out behind the fence so the fence and hedging merges together as it would otherwise look unsightly?
- Not against the fence in principle but the height of the fence.
- Should have a more secure fence but 2.4 metres was far too high.
- It was an incongruous feature on the streetscene due to the height of the proposed fencing.

A letter from the school was considered and it outlined the following issues:

- There was lack of security to the school boundary and it was impossible to prevent unauthorised access.
- The school had a duty of care to protect its students.
- If approval was given to the application it would be possible to lock the gate throughout the day to stop access from Valley Drive.
- The fence would be painted green.

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

- The plans were unclear. There were additional issues.
- The fence was unnecessary and was unsightly in the streetscene.
- The fence would give the wrong impression to parents and pupils.
- It was in a residential area with houses opposite the site.
- The playground has a high fence already in existence.
- In the report it says that the fence was higher than 2 metres and then that it was 2.4 metres, there was inconsistency here.
- Any fence should be put behind the planting.
- The fence would make the school look like a prison institution.
- The application should be rejected or an amended plan should be submitted.

The Council's Legal Representative reported that there was reference to the effect of the fence on the conservation area.

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

- The trees would not be effected if the application was approved.
- There was no justification for a 2.4 metre fence.
- The proposed fence would not be in a conservation area.

- The police had been contacted but some issues had arisen concerning the amount of staff they had available.
- The school was worried that unauthorised persons would get onto the school premises.

**Resolved –**

**That the application be refused for the following reason:**

**The proposed fencing, due to its excessive height and harsh appearance, would constitute incongruous and overly dominant development within the street scene that would have a detrimental impact on the character and appearance of the area. The proposal would therefore conflict with saved policies D1 and UR3 of the Bradford Replacement Unitary Development Plan (2005).**

***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