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Minutes of a meeting of the Area Planning Panel (Keighley) held on Thursday 24 March 2011 in the Council Chamber, Keighley Town Hall

Commenced 1000
Adjourned 1130
Reconvened 1147
Concluded 1250

PRESENT – Councillors

CONSERVATIVE	LABOUR
Byrom	Lee
Greaves	Abid Hussain
L'Amie	Dredge

Apologies: Cllrs Clamp and Gibbons

Councillor Lee in the Chair

Observer: Councillors Khadim Hussain and Mallinson

75. DISCLOSURES OF INTEREST

Councillor Greaves disclosed a personal interest in Minute 80 for matters arising in respect of Millennium Business Park, Steeton with Eastburn as he was Chair of Metro, but as the interest was not prejudicial he took full part in the discussion and voting on this item.

ACTION: City Solicitor

76. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

77. PUBLIC QUESTIONS

There were no questions submitted by the public.



Suzan Hemingway - City Solicitor

78. 26 SYCAMORE GROVE, STEETON WITH EASTBURN**Craven**

Householder application for construction of porch and conversion of garage into living accommodation at 26 Sycamore Grove, Steeton with Eastburn, Keighley - 10/06200/HOU.

The Strategic Director, Regeneration and Culture confirmed that the application was referred to the Planning Panel as the applicant was married to an employee in the Planning Service. Following an enquiry from a Member he confirmed that no objections had been received in respect of the application and the Parish Council had no objections.

The Strategic Director, Regeneration and Culture reported that the proposed garage conversion, porch and new parking space were considered to relate satisfactorily to the character of the existing dwelling and adjacent properties. The impact of the proposal 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. As such this proposal was considered to be in accordance with Policy UR3 (The Local Impact of Development) and D1 (General Design Considerations) of the Replacement Unitary Development Plan 2005 and the Revised House Extensions Policy 2003. He therefore recommended approval of the application subject to the conditions as outlined in Document "R".

Resolved –

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

ACTION: Strategic Director, Regeneration and Culture

79. LAND AT GRID REFERENCE 404089 441307 NORTH DEAN AVENUE, KEIGHLEY**Keighley West**

A reserved matters application for residential development of 190 dwellings and provision of highways, landscaping, open space and associated works at Land At Grid Reference 404089 441307, North Dean Avenue, Keighley. Matters to be considered are appearance, landscaping, layout and scale pursuant to outline planning permissions 09/03062/OUT – 10/06230/MAR.

The Strategic Director, Regeneration and Culture gave a presentation setting out the proposals and plans detailing the layout in respect of the application. He circulated an amended plan outlining where officers had negotiated a widened access in relation to North Dean Avenue. It would require a Deed of Variation to a previous planning application granted and the developer and the Council saw the benefit of additional works to be carried out.

Keighley Parish Council had recommended refusal of the application for the reason that there was a lot of drainage and surface water which was a risk of flooding near the beck, the sewer was already inadequate, there would be problems with the highway and there could be more than 200 cars from the housing estate. Schools were already full and there was no play area. The sewer should be moved in order to allow a more sensible entrance. A public consultation was needed.

A petition with 12 signatures (from 8 households) objecting to the scheme had been received and seven representations had been received (note that these were from seven different persons as some residents had written in several different letters on various issues). The summary of representations received were as outlined in Document "R".

A number of amended conditions were suggested in respect of planning layout, landscape, landscape management, the points raised in conditions 8 and 9 of the outline planning permission regarding the green space uses and a new habitat as well as in respect of drainage.

It was suggested that in respect of condition 3 it was not necessary to have drainage interceptors and there was no need for oil /petrol interceptors. Concerning condition 8 this should include unit numbers 124, 125 and 126.

The Strategic Director of Regeneration and Culture reported that the outline planning permission had already been granted for the principle of residential development and the position of the means of access to this site. It was considered that this reserved matters application provided for a 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 at the edge of the urban fabric of Keighley. The effect of the proposal on the surrounding locality and the adjacent neighbouring properties had been assessed and it was acceptable. Parking provision had been made to accord with the location of the development. 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 UDP3, UR2, UR3, H7, H8, H9, TM2, TM12, TM19A, D1, D4 and D5. He therefore recommended approval of the application subject to the conditions as outlined in Document "R".

Members made the following comments:

- Does the definition of pedestrian include persons using buggies?
- The bollards can be broken in an emergency.
- The site falls steeply to the valley bottom.
- How much parking was there down at the site.
- Children on the estate could end up playing in the water storage pool.
- What protection was there to stop children from getting in the water storage pool.
- We have to consider this matter in purely planning terms.
- They was not much detail in the design, it seemed fairly basic with no chimneys and the steel front doors seemed fairly strange.
- The biggest problems were the design and the water storage pool which was dangerous.
- The water storage pool was not acceptable and it would need to be fully sealed off as it would attract children.
- Garages can often become garden sheds and permitted development rights should be taken away to prevent conversion of the garage.
- This application should be deferred to enable the applicant to submit details of an underground water storage system or other system to deal with surface water from the development and to enable the applicant to submit a more appropriate design.

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

- The Town Council was not in favour of the application.

- There was only one access.
- The site was too large for what was needed.
- Once the development happens access to Laycock Lane would be wanted.
- There would be traffic problems in West Lane at the junction between West Lane and North Dean Avenue and it was necessary to have the traffic lights there.
- No highway work had been done.
- There were concerns about flooding.
- It was acknowledged in the report that water enters into North Beck and causes flooding.
- There had previously been local flooding at Morrison's and Fitness First.
- The River Aire often flooded.
- Where would the additional water go? It was certain that it would flood the land.
- There were a lot of existing habitats in the area and there was a legal duty to protect them.
- He recommended that there be a site visit.
- The water storage pool was a danger to children.
- If the sewer was above the water storage pool it would pollute the river.

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

- The development was not welcomed by local stakeholders.
- There was an issue of flooding in the area as well as lack of amenities.
- There would be loss of green belt land and this land should be protected.
- There was wildlife in the area which should be protected.
- Local stakeholders were keen to engage with the developer and to ensure that there was consultation, a liaison group should be set up with the developers.
- There would be unnecessary construction work during the addition of a culvert through the woods.
- Over the issue of vehicular access there was increased risk to pedestrians and traffic calming measures would not help.
- There was a need for a safer design in respect of the scheme.
- In respect of West Lane to Oakworth Road no traffic survey had been carried out.
- The Panel should consider the wider effect on the road network.
- There would be a large discharge of water and sewage from the site.
- It was important to ensure the development did not flood.
- Many of the stakeholders were concerned about flooding.
- Stakeholders' concerns should be addressed in respect of the tree conservation area issue.
- Wildlife nature habitat would be eroded and this also the view of West Yorkshire Ecology.
- There should be a more detailed report in respect of biodiversity.
- Brownfield sites should be used first.
- The properties would suffer from restricted access and a number of the existing properties would become isolated. It should be requested that the development plans do not isolate the existing properties.

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

- He was happy to engage with the residents and to meet with them.
- In respect of highways a detailed traffic impact assessment was carried out.
- The ecological assessment undertaken on the site had concluded that the site was not ecologically significant.

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

- The water storage pool would be dry 70% of the time and would not be deep.
- The holding of a stakeholders meeting with developers was not a legitimate planning concern. The Assistant Director of Planning, Transportation and Highways could write to the developer asking that they have a meeting with neighbouring residents and engage in dialogue with them.
- The developer does design modern properties.
- The properties would be of a different size.
- The front door of the houses would be of UPVC which was recommended by the police as they had given advice in respect of security.
- The proposal for a water storage pool was due to sustainable development and it was likely that there would be more pools in the future on different sites.
- The water storage pool would also encourage biodiversity as it would create a wet habitat.
- Highway matters had been dealt with.

The applicant's agent responded that issues in respect of the water storage pool could be dealt with by having an underground storage facility and they would consider this.

The Council's legal representative advised Members that they could consider a condition that satisfies their concerns about the water storage pool. In respect of a condition concerning the garages it would be possible to condition that permitted development rights be taken away to prevent any conversion of the garages.

Resolved –

That the application be deferred for the following reasons:

- (1) **To enable the applicant to submit for the Panel's consideration details of an underground water storage system or other system to deal with surface water from the development.**
- (2) **To enable the applicant to submit for the Panel's consideration an amended and more appropriate design.**

ACTION: Strategic Director, Regeneration and Culture

80. MILLENNIUM BUSINESS PARK, STEETON WITH EASTBURN Keighley East

A full application for the construction of a hotel with 80 bedrooms, restaurant and conferencing facilities, basement car parking creation of new access, cycleway and landscaping at Millennium Business Park, Station Road, Steeton – 11/00282/MAF.

The Strategic Director, Regeneration and Culture gave a presentation setting out the proposals and plans detailing the layout in respect of the application. He reported that the Parish Council welcomed the proposal as it would provide local employment opportunities and contribute to the diverse development of Steeton. They also supported the innovative design which would enhance the gateway into Steeton on Station Road and welcomed the use of natural materials that were sympathetic to the surrounding conservation area.

Three individual letters of representations had been received to date of which two were objections and one was a general comment. The summary of representations received were as outlined in Document "R".

The Strategic Director, Regeneration and Culture reported that in granting permission for this development the Council had taken into account all material planning considerations including those arising from the comments of many statutory and other consultees, public representations about the application and government guidance and policy as detailed in the Planning Policy Guidance Notes and Statements, and the content and policies within the Supplementary Planning Guidance and The Development Plan consisting of the Regional Spatial Strategy and the Replacement Unitary Development Plan for the Bradford District 2005.

The Council considered that the following matters justified the grant of planning permission:

- The development of this prime unallocated site which sites within the envelope of an established business park with the use proposed was considered an appropriate development that gives the opportunity to provide a sustainable pattern of development within the existing urban fabric of the Airedale Corridor. Moreover, the development creates a well conceived hotel scheme which would aid both the business and tourism economy of Airedale.
- The effect of the proposal on the surrounding locality and the adjacent neighbouring residential properties/commercial premises had been assessed and was considered acceptable. The use of the existing access to the Millennium Business Park was acceptable and the provision of car parking in the manner proposed was appropriate especially since mitigation measures would encourage public transport usage. Overall, it was considered that the provision of a hotel scheme to a very high design standard in this conservation area was in conformity with the regeneration principles outlined within the Replacement Unitary Development Plan and closely follows the aspirations of the Airedale Master Plan.

The Strategic Director therefore recommended approval of the application subject to a unilateral undertaking (legal agreement) and the conditions as outlined in his report (Document "R").

It was reported that there would be a contribution from the developer towards the running costs in order to implement an improved bus service on the 653 route. The estimated cost of this contribution was £50,000 per annum over a three/five year period. This would enable a better co-ordination of the 737 service which in turn would enable employees and visitors to the site to have improved access to Bradford and Otley. Metro had advised that bus stop number 20037 should have a shelter installed at a cost to the developer of around £10,000, this payment also included maintenance of the shelter. A new shelter would benefit the employees and visitors to the new development.

Members made the following comments:

- Would cedar wood cladding be used in the development? If not, how would the material to be used be treated, would it retain its colour?
- The problem was the traffic, do we know anything about the end user?
- In respect of 80 parking spaces would there be a problem for station users?
- If the hotel was full for a conference where would people go?

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

- He approved of the design of the hotel and agreed that the development would create local employment opportunities during construction and beyond and that it would be an investment in the local area.
- He also thanked the developer's agent for his consultation with Parish Councillors but he should also have consulted with District Councillors.
- There would be intrusive lighting.
- In respect of Travel Plan there were already 600,000 users of the railway station per year.
- The Traffic Regulation Order would displace people. Where would they go?
- On page 29 of the report in respect of condition 30 the issue of contamination on the site was an important issue and government advice in respect of this was very clear.

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

- The Parish Council had said that this could be the best building in the street.
- A meeting with the Parish Council had brought compliments and questions. Four areas of concern were raised including drainage. This had been supported with a flood risk assessment and the Environment Agency was happy with the proposal.
- Parking had been an issue for many years and the station car park was inadequate to meet needs.
- The hotel was not a bed factory it was something better.
- It was important to show that the users of the hotel can use its car parking facilities.
- Any signage would have to be subject to further applications and condition 29 would deal with this matter.
- Terms would be agreed and renegotiated.
- The development would bring into use the other section of the cycle route.
- Siberian larch would be used in the development and it was shown that this had an acceptable life duration of 50 years.
- There had been nothing untoward on the site investigation.
- The aim was to achieve the timetable proposed for the development.
- He thanked officers and the Parish Council for the work they had undertaken.

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

- The materials to be used would retain their colour but would age over time.
- The parking problems generated would not be caused by persons coming from further afield to use the hotel but by those starting their journey at Steeton.
- The station car park tends to be full in the morning and it was unlikely people arriving for conferences at the hotel would find parking spaces at the station.
- It was important to promote sustainability in respect of this development.
- It was not possible to provide parking spaces for everyone and people should be encouraged to use alternative modes of transport.

Resolved –

That the application be approved for the reasons and subject to the conditions as set out in the Strategic Director, Regeneration and Culture's technical report (Document "R") and also subject to a Section 106 Agreement, including those

matters listed in the technical report.

ACTION: Strategic Director, Regeneration and Culture

(Note: In respect of the above item, following the meeting of the Panel the Strategic Director, Regeneration and Culture clarified that there was an error in the metro section of his report in the actual figures recommended by officers as a contribution to the West Yorkshire Passenger Authority (Metro), which referred to a contribution of £50,000 for a bus route, he confirmed that the contribution to Metro was actually £10,000.)

81. 6 SPRINGFIELD COURT, KEIGHLEY

Keighley Central

Householder application for construction of a first floor extension to make an existing bungalow into a two storey dwelling at 6 Springfield Court, Keighley – 10/06286/HOU.

The Strategic Director, Regeneration and Culture gave a presentation setting out the proposals and plans detailing the layout in respect of the application. He reported that Keighley Town Council had recommended refusal of the application. Thirteen representations had been received and a summary of the representations received were as outlined in Document "R". He recommended refusal of the applications for the reasons as outlined in Document "R".

Members made the following comments:

- In respect of the kitchen window on the lower part of the house what was across from it?
- There were structural concerns as the property was built as a bungalow.
- I can not understand why they want to extend. The upstairs windows were glazed with obscured glass but it was in the wrong place.
- There would be implications of the extension downstairs.

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

- There had been significant amendments.
- The plan had been changed and the height had been reduced.
- There was loss of light, it had been reduced in height and so there would be a minimum loss of light. The sky window had been put in place to deal with this.
- There was also off-street parking provision available.
- The impact on the streetscene would not be as outlined by officers.
- There would be a five metre separation of this development from neighbouring ones.
- The next home was 19 metres in distance away.
- The application was made due to overcrowding and quality of life issues.
- The residents deserve privacy and the application would comply with any conditions.
- He recommended that the Panel should support the application.

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

- Town Councillors had been on a site visit to the location and it was clear to them that too much light would be taken away from other houses.

- The development would dominate other properties.
- The application should be refused.

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

- He represented the objectors from the 12 out of 16 dwellings in his cul-de-sac.
- There had been a problem of overshadowing and overlooking of this development.
- There would be parking problems.
- Two storey houses were part of the original development and the footprints of these houses were smaller than bungalows.
- There were concerns that emergency service vehicles would not be able to get into the cul de sac.
- The fact that there were so many objections was not a conspiracy as this area was a jewel in Keighley's crown and it had never changed and everyone was proud of the appearance of the area.
- We do not want an upward extension that would set a precedent.
- In respect of the unitary development plan, it was an attractive little cul-de-sac and any development proposals should make positive contributions to the existing local character of the area. Properties should not intrude with prominent skylines.
- The road could be spoiled by such a development.
- The objection was not personal and the reasons the applicant had moved to the area was because it was a nice area.
- Approval of the development could start a decline in this location.

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

- Sunlight/daylight indicators did not prove a case for an extension.
- The development would have a harmful impact on the property on either side.
- The development would have an impact on the streetscene and it was not a good idea to extend the house.
- The residents were concerned that it might become a bed and breakfast establishment but this was not a reason for rejection as there was no evidence of this.
- The application should be rejected due to impact on the streetscene and effect on neighbouring properties on either side.
- Another bungalow was across from the house's kitchen window.
- Any structural concerns were a building regulation issue. This proposal would mean pulling down the present building and starting from scratch.
- The height of the development had not been reduced enough to make enough difference in respect of the impact of the streetscene.
- The implication of the extension for downstairs was that there would be a small garden and not as much accommodation as the upstairs extension.

Resolved –

That the application be refused for the following reasons:

- 1. Due to its location within a row of existing bungalows, the additional bulk and height of the proposed first floor extension would create an over dominant feature that would be to the detriment of the character of the row of bungalows and appear as an incongruous feature of the street scene on this**

side of Springfield Court. The proposal is therefore considered contrary to Policies UR3 and D1 of the Bradford Replacement Unitary Development Plan and the supplementary planning guidance contained within the Councils Revised House Extensions Policy.

2. The additional height and bulk of the proposed first floor extension would result in the loss of light to the nearest habitable room windows in the side elevations of the neighbouring dwellings at 4 and 8 Springfield Court, and have an overbearing impact on the outlook from those properties. As such the development would be contrary to Policies D1 and UR3 of the Bradford Replacement Unitary Development Plan and Supplementary Planning Guidance in the Council's Revised House Extensions Policy.
3. The lack of any outlook from Bedrooms 1 and 2 of the resulting dwelling would be a contrived design feature that would not provide adequate standards of amenity for future occupiers of the property and would be contrary to Policy D1 of the Bradford Replacement Unitary Development Plan.

ACTION: *Strategic Director, Regeneration and Culture*

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

- (i) **Deepdale Westville Avenue, Ilkley** **Ilkley**

Apple tree felled – 10/01289/TPOCN.

Date Enforcement File Closed: 3 February 2011.

Resolved –

That the report be noted.

ACTION: *Strategic Director, Regeneration and Culture*

83. DECISIONS MADE BY THE SECRETARY OF STATE

Appeals Allowed

- (i) **17 Pasture Avenue, Oakworth, Keighley** **Worth Valley**

Construction of a two storey rear extension - Case No: 10/03183/HOU.

Appeal Ref: 10/00217/APPCON.

- (ii) **Cherry Tree Barn Street Lane, Morton, Keighley** **Keighley East**

Change of use from grassland to additional garden area with associated retaining wall
- Case No: 10/03762/FUL.

Appeal Ref: 10/00182/APPFUL.

Appeals Dismissed

(iii) **3 Wardle Crescent, Keighley**

Keighley Central

Walling - Case No: 09/00213/ENFUNA.

Appeal Ref: 10/00107/APPENF.

(iv) **Old Oxenhope Farm, Old Oxenhope Lane, Oxenhope, Keighley**

Worth Valley

Installation of 1No Gaia 11kW wind turbine on 18m monopole mast - Case No: 10/04909/FUL.

Appeal Ref: 10/00236/APPFUL.

(v) **Ridge Farm, Hob Lane, Stanbury, Keighley**

Worth Valley

Change of use of barn to 2 dwellings and improvements to access - Case No: 10/03637/FUL.

Appeal Ref: 10/00228/APPFUL.

(vi) **The Hollows, Hole Lane, Silsden**

Craven

Construct a domestic micro wind generator - Case No: 10/02205/HOU.

Appeal Ref: 10/00229/APPFUL.

Resolved –

That the decisions be noted.

NO ACTION

Chair

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

minutes\plk24mar

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