

# City of Bradford Metropolitan District Council

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## Minutes of a meeting of the Area Planning Panel (Shipley) held on Tuesday 11 May 2010 at the Town Hall, Shipley

Commenced 1005  
Adjourned 1150  
Reconvened 1200  
Adjourned 1425  
Reconvened 1430  
Concluded 1435

### PRESENT – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
Greaves	Ferriby	Cole
Owens	Shabir Hussain	
Pennington		

Apologies: Councillor Amin

Observers: Councillor Ellis (Minute 52(c)), Councillor Hawarun Hussain (Minute 52(b)) and Councillor Watmough (Minute 52(a))

### Councillor Owens in the Chair

#### 48. DISCLOSURES OF INTEREST

Councillor Ferriby disclosed a personal interest in the items relating to Former New Mill, New Road, Denholme (Minute 52(c)) and Land East of Whitecroft Farm, Otley Road, High Eldwick, Bingley (Minute 52(e)) and as she was the Chair of the Green Space Network in Bradford South and as the interest was not prejudicial she remained in the meeting.

Councillor Greaves disclosed a personal interest in the item relating to Asda Superstore, Manor Lane, Shipley (Minute 52(b)) as he had been sent correspondence in relation to the application however he had not responded and as the interest was not prejudicial he remained in the meeting.

Councillor Owens disclosed a personal interest on behalf of the Panel in the item relating to Skelda House, 4 Holme Grove, Burley in Wharfedale, Ilkley (Minute 52(d)) as they were acquainted with the applicant's agent.

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



2006-2007  
Improving Rural Services  
Empowering Communities



Suzan Hemingway, Assistant Director Corporate Services (City Solicitor)



## 49. MINUTES

### Resolved –

**That the minutes of the meetings held on 10 March and 8 April 2010 be signed as correct records.**

## 50. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

## 51. PUBLIC QUESTIONS

There were no questions submitted by the public.

## 52. PLANNING APPLICATIONS AND ASSOCIATED MATTERS

The Strategic Director Regeneration presented **Documents “X” and “Y”**. Plans and photographs were displayed and/or tabled in respect of each application and representations summarised.

### (a) **66-68 Wrose Road, Shipley**

### **Windhill and Wrose**

Application to vary condition 3 of planning permission 07/08191/FUL to allow a hot food takeaway to open between 11-00am and 1-30 pm at 66-68, Wrose Road, Bradford – 10/00458/VOC

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. It was explained that the application requested a variation of the condition in respect of the opening hours and the proposal was that the premises would open between 1100 and 1330. The applicant had previously requested that the premises be permitted to open from 0600 to 1100 and this had been refused on the grounds that the extended opening hours would increase parking pressures and be detrimental to the surrounding residential premises. On appeal the Inspector had stated that the daytime opening would not create parking issues, however, he had agreed that opening between 0600 and 0800 would cause a disturbance to residents. A retrospective planning application for the installation of roller shutters had also been refused and the appeal dismissed. The Strategic Director, Regeneration reported that the Parish Council had objected to the proposal and that two Ward Councillors had requested that the application be determined by the Panel. Members were informed that the current condition restricted the opening hours to 1800 to 2300 and the main consideration was with regard to highway safety and residential amenity. It was noted that a new lay-by outside the premises had alleviated highway issues and the variation to the condition would not create parking problems. It was believed that the proposed late morning/afternoon opening hours were not detrimental and would not cause a loss of amenity. The Strategic Director, Regeneration recommended the application for approval, subject to the conditions within the report.

In response to a Member's query, the Council's legal officer confirmed that all of the other conditions of the existing permission would apply to any variation approval. The Strategic Director stated that in light of the appeal dismissal the premises shop front would need to be returned to its original state and the Council's legal officer added that the ongoing

enforcement issues were not relevant when considering the merits of the current application.

A Parish Councillor was present at the meeting and outlined the following concerns:

- That the majority of the conditions had been complied with, except for the provision of litter bins.
- That the outcome of the appeal application was detailed on the agenda.
- That the lay-by was for the provision of short stay parking for customers of the Co-Operative store during the day.
- That all the measures proposed in the Wrose Traffic Calming Scheme had been undertaken.
- That the Parish Council had been involved in trying to secure parking provision for shops in the area and this had not been resolved.
- That there could be issues in relation to parking during the day.
- That the majority of other take-away businesses in the area were closed during the day. Only two premises opened (a sandwich shop and a fish and chip shop).
- That the premises did not appear to have many customers on an evening.
- That there may be problems if the premises opened during the day.

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

- That the business was an emotive issue in the area.
- That Wrose Road was the busiest road in the District and now had traffic calming measures installed, which led customers to park in residential areas.
- That the odours from the food being cooked at the premises caused issues for local residents.
- That there were litter problems in the area.
- That there had been an increase in the level of nuisance in the area.
- That there was a school in the area.
- That he did not see any advantage to the premises opening on a lunch time.

A Councillor supporting the applicant was present at the meeting and stated the following:

- That legal and planning officers of the Council had provided advice which the applicant had welcomed.
- That the business had not created traffic problems in the area as customers used the delivery service.
- That the owner was to undertake deliveries during the day.
- That the proposal would not increase the traffic in the area.
- That the majority of the planning conditions had now been adhered to, with the exception of the shutters and the applicant had been in discussion with planning officers.
- That the variation of the opening hours would not create a problem in the area.
- That the applicant had not received any complaints.

With regard to the dismissed appeal, the Strategic Director, Regeneration confirmed that the Inspector had commented that the daytime opening hours would not create demand for parking, however, the proposed opening hours were detrimental to residential amenity. It was noted that the previous application included a condition in relation to the occupation of the first floor flat and that partial consent had been given in respect of the condition regarding the provision of litter bins, as information was still required regarding the disposal of waste and the installation of the bins. The Strategic Director, Regeneration also confirmed that the premises had made some efforts to comply with the enforcement

notice.

During the discussion a Member raised concerns in respect of the ongoing enforcement action. In response the Council's legal officer confirmed that there was no link between this application and the enforcement issues. In light of the comments made regarding highway safety and in order to alleviate traffic issues and additional parking problems, the Chair requested that a bicycle rack be installed outside the premises.

**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 subject to the following additional condition:**

- (i) That prior to the implementation of the extended hours a bicycle rack with provision for two cycles be installed outside the premises in order to assist in the reduction of vehicles parking in the area.**

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

**(b) Asda Superstore, Manor Lane, Shipley**

**Shipley**

A full application for the provision of (i) a mezzanine floor extension to store; (ii) formation of new additional access to store; and (iii) increase in the hours of car parking use from 2 hours to 3 hours to the existing store at ASDA Stores Ltd, Manor Lane, Shipley – 09/01848/FUL.

A full application for the extension of the car parking deck to create 127 additional spaces and an increase in the hours of car parking use from 2 hours to 3 hours to the existing store at ASDA Stores Ltd, Manor Lane, Shipley – 09/01850/FUL

The Strategic Director, Regeneration began by explaining that the two applications were linked. He then gave a joint presentation relating to both applications as they were linked setting out the proposals and tabling plans detailing the layout. The issues to be considered were the introduction of a mezzanine floor and traveller within the store; an additional entrance from the pedestrian area; an increase to 3 hours free car parking; the provision of additional parking spaces and an extension to the upper car parking deck. It was noted that the original retail floor space had been agreed at 4,180.5 square metres, however, it had not all been used.

The Strategic Director, Regeneration reported that detailed consultation had taken place and two petitions, one in support and one opposing, had been submitted. A number of representations had also been made and the issues were summarised within the technical report. Members were also informed that a letter from a Ward Councillor had been received which highlighted that the commercial expansion would be detrimental; the car park would overdominate the entrance and create highways issues; the proposal would have an adverse impact upon the town centre; the increase in sales would affect existing retailers; and there would be an increase in traffic and movement.

It was noted that Planning Policy Statement 6 (PPS) had been relevant when the applications had been submitted, however, PPS4 had been published in December 2009 and superseded the guidance within PPS6. The Strategic Director, Regeneration explained that Shipley was a primary shopping area and the expansion of the existing retail area had been encouraged. The original planning permission for the store had

stated that the original net floor space must not exceed 4180.5 square metres and at present 3576 square metres net were utilised. The proposal was to increase the floor space to 5064 square metres which would be split as 60% convenience (3038 square metres) and 40% (2026 square metres) comparison goods and this could be conditioned. Members were informed that the retail and leisure report for the Bradford District, produced by White Young Green, had identified a requirement of 4100 square metres extra comparison floor space by 2012. This would equate to 32% of the expansion of Shipley's potential growth.

The Strategic Director, Regeneration stated that the policy was to encourage other retailers and work had been undertaken to better integrate the site into the Town Centre. There would be an additional access into the pedestrian area of the shopping centre and the car parking provision would be increased to meet demand. The car park was for the town centre which would benefit from the increase in the hours of car parking use from 2 to 3 hours. A full traffic assessment had been undertaken and it had been recommended by the Police Architectural Liaison Officer that an improved lighting scheme for the car parking areas be submitted.

In conclusion the Strategic Director, Regeneration recommended that both applications be approved in conjunction and subject to the completion of the Section 106 Agreement, the conditions as set out in the report and an additional condition in relation to the control of the car parking and floor space.

In response to Members' questions, the Strategic Director, Regeneration confirmed that:

- The applicant controlled and maintained the car park. The car park was designated for public use and was designed for shoppers only, not employees. It currently operated on the basis of a maximum 2 hour stay.
- The correct proportion of public transport and car parking provision was required. More car parking spaces were required as the hours of free use had been proposed to be increased, therefore cars would be parked for longer periods of time.
- An increase to 6 hours free parking would not benefit the town centre and part time workers could utilise the spaces.
- There were travel plan proposals and other incentives, though they only included employees. The applicant did not promote a taxi link and he was unaware of any discussions with Metro.
- If a designated bus was provided the members of the public who utilised it may not always venture into the town centre.

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

- If the car park was monitored and fines issued, how could it be classed as a public car park?
- That ASDA did not treat the car park as a public facility.
- That the planning consent in 1983 stated that the retail unit must not exceed 4180 square metres.
- That the White, Young and Green report had indicated an increase in retail provision and had not specified ASDA.
- That the reason for the change in planning permission regarding mezzanines was due to their impact.
- That Shipley lacked retail businesses and the extension would make the situation worse.
- That ASDA did not encourage customers to shop in the rest of Shipley Town Centre.
- If the car park was public, why had an application to extend the hours been submitted?
- That the applications were against policies.

- That ASDA had not invested in the local community.
- That the proposed new entrance was only around the corner from the existing entrance and was of no benefit.

In response to a number of the comments made the Strategic Director, Regeneration confirmed that:

- The car park was privately owned and operated for public use.
- The planning permission granted in 1983 was for the maximum amount of retail space, however, it had been approved 27 years ago and increases had occurred elsewhere.
- The proposed new entrance was only a short distance from the existing one, however, it would provide a connection to Shipley Town Centre.

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

- That Shipley was a small market town.
- That the number of shops closing was on the increase.
- That some new shops had opened recently.
- What was the benefit to Shipley from the proposal?
- That there would be an increase in the traffic problems.
- That the proposed goods to be sold could be purchased from other ASDA stores or retail parks.
- That Shipley would become 'ASDA town'.
- That the only benefit would be the increased sales for ASDA.
- That ASDA only offered part-time jobs.
- That the store was increasing the number of automated checkouts.
- That the extension of the car parking hours would not be to the benefit of Shipley shops.
- That the Planning Panel should look at the benefits to Shipley.
- That the proposal would have a negative impact upon Shipley.

Another objector was also present at the meeting and questioned who actually owned the car park. It was stated that the traffic congestion was already a problem in the area and a pedestrian crossing had been removed. The Strategic Director, Regeneration explained that if the Council had owned the car park it would become the property of the occupants after 7 years.

The applicant's agent was also at the meeting and stated the following points:

- That the proposals would bring investment into the Town Centre.
- That 35 full time and part time jobs would be created.
- That the proposals would create a more pleasant shopping environment.
- That there would be linked shopping trips to the Town Centre.
- That the Section 106 Agreement would enhance the links to the Town Centre.
- That surveys had been undertaken at the store and 77% of customers went into the Town Centre after shopping at ASDA.
- That ASDA attracted trade to the Town Centre.
- That the store created jobs for Shipley people.
- That ASDA had been in Shipley for 20 years.
- That the proposals were compliant with policies.
- That the additional capacity had been identified in the retail study.
- That there had been discussions in relation to a 'hopper bus', however, it had been thought unnecessary as the store was in the Town Centre and near to public transport links.

- That retail shopping had changed since the initial permission had been granted 27 years ago.

With regards to the car parking provision, the Strategic Director, Regeneration informed Members that there were currently 444 spaces and 141 proposed new spaces which totalled 585, 30 of which would be disabled bays and 23 parent and child parking. There were 20 proposed cycle spaces and a pick up point at the front of the store.

During the discussion Members questioned whether the proposal met the aspirations of PPS4. The Strategic Director, Regeneration reiterated that the public report by White Young Green had identified the scope for increased expenditure in Shipley. It was also suggested that the car parking hours be increased to 4 hours, not 3; that 'real time' public transport information be provided and that the re-introduction of a pedestrian crossing be investigated.

#### **Resolved –**

##### **09/01848/FUL:**

- (1) That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration's technical report.
- (2) That approval of the application also be subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 as referred to in connection with the decision below.

##### **09/01850/FUL:**

- (1) That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration's technical report.
- (2) That approval of the application also be subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 in respect of:
  - (i) the hours of free public and shoppers car parking use to be increased from 2 hours to 4 hours;
  - (ii) that the developer be required to fund the full cost of the installation of a 'real time' public transport information facility in the store if deemed necessary by the Assistant Director, Planning after consultation with West Yorkshire Passenger Transport; and
  - (iii) that the implementation of planning application number 09/01848/FUL and 09/01850/FUL shall take place contemporaneously to ensure that the use of the extended retail space and extended car park take place at the same time.
- (3) That the Assistant Director, Planning in consultation with the Assistant Director, Transportation and Highways, shall consider the desirability of providing a safe pedestrian crossing facility and if deemed appropriate the developer shall be required to fund the full cost of installation of any such pedestrian crossing as a head of term of the Section 106 Agreement.
- (4) That the Section 106 Agreement to contain such other ancillary provisions as the Strategic Director, Regeneration (after consultation with the Assistant Director, Corporate Services (City Solicitor)) considers appropriate.

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

**(c) Former New Mill, New Road, Denholme****Bingley Rural**

A reserved matters application for the construction of residential development (on 0.4 hectares) on the former industrial site at Pennine Fibre Industries Limited, New Mill, New Road, Denholme. Matters to be considered are appearance, landscaping, layout and scale pursuant to outline planning permissions 07/05830/OUT – 10/00781/REM.

A reserved matters application for the construction of mixed use redevelopment (residential and employment) of former industrial site at Pennine Fibre Industries Limited, New Mill, New Road, Denholme. Matters to be considered are appearance, landscaping, layout and scale pursuant to outline planning permissions 06/09190/OUT – 10/00739/MAR

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that there were two separate sites each with a separate outline planning permission, however the overall layout was for a single scheme. The site had been cleared and was a former industrial area that was opposite a new residential development. The outline planning permission, which had dealt with employment and access, had been previously agreed and the two reserve matters applications submitted were to consider appearance, landscaping, layout and scale. It was noted that a variation to condition 5 of the outline permission had been granted which meant that 30% of the residential dwellings could be occupied prior to the commencement of the construction of the employment units. The Strategic Director, Regeneration pointed out that all the relevant policies were outlined within the technical reports. He confirmed that representations had been received from the Town Council and the occupier of a adjacent commercial premises. Following consultations the Council's Environmental Health Team had indicated that they were content with the proposals, subject to conditions. The layout of the scheme had also been subject to a detailed consultation and it had been acknowledged that it was consistent to other existing properties in the area. The existing right of way had been accommodated as part of the development and the scheme was also subject to the designing out of crime. The Strategic Director, Regeneration then recommended the applications for approval, subject to the conditions as set out in the report. He also informed Members of a number of amendments to conditions 2, 5 and 7 within the reports.

In response to Members' questions, the Strategic Director, Regeneration confirmed that:

- The Section 106 Agreement was associated with the larger outline application (06/09190/OUT).
- The Agreement was a legally binding document and the figures quoted within the report would be used in conjunction with these current applications, though the applicant could amend the details.
- The site was brownfield.
- The right of way went through the site.
- With regards to highways issues, engineering amendments were required but they would not affect the application.

With regards to the Section 106 Agreement, the Council's legal officer reported that the existing outline application was close to its expiry date and if a new outline application was submitted then the figures could be amended. The current figures would be utilised unless the approved outline application expired before the reserved matters were implemented and if this occurred a new application for both outline and reserved matters would be required.



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

- That the Town Council were keen for the site to be developed.
- That there were issues in relation to the existing right of way.
- That the owner of the right of way had a right to move large industrial vehicles on the road and occasionally parked vehicles there.
- That the Town Council had concerns regarding the potential road safety hazard from large vehicles.
- That the site had two entrances and exits from the main road and one was near to a bad bend.
- That there were concerns regarding the access and egress of large vehicles onto the main road.
- That there was a spring in the area and there could be a possible risk of flooding if it was not investigated.
- That the Town Council were disappointed that the employment use element of the development would not be constructed first.

The Strategic Director, Regeneration confirmed that the issue of drainage had been considered at the outline stage and the flood risk assessment had been updated. There were a whole raft of conditions on the outline application and if the applications were approved then all the conditions would be re-examined. With regards to the right of way, he stated that any matters were for the developers to discuss with the owner.

The applicant's agent was present at the meeting and supported the officer's report.

In response to a comment regarding the materials to be used, the Strategic Director, Regeneration reported that a sample panel could be requested. The Council's legal officer added that as there was an existing condition on the application regarding the sample materials, they could be submitted to the Panel prior to the condition being discharged.

A Ward Councillor was present at the meeting and outlined the following issues:

- That he had previously supported that application.
- That there seemed to be confusion surrounding the Section 106 Agreement and the variation of a condition.
- That he believed that the development of the employment use had been agreed as part of the previous application and could not be amended.
- Would a new condition be attached to the new application?

In response the Council's legal officer explained that the outline application had been granted and then a variation agreed. The Panel were now considering a reserved matters application and everything agreed within the outline application was still applicable.

During the discussion Members expressed concerns in relation to the materials and the Council's legal officer reiterated that once the design scheme had been submitted it could be considered by the Panel prior to its approval.

#### **Resolved –**

**That the applications be deferred to enable the applicant to provide detailed information on the design and the materials (including samples) to be used in the construction of the proposed dwellings in order that the Panel can properly consider the appearance of the proposed properties.**

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

**(d) Skelda House, 4 Holme Grove, Burley in Wharfedale****Wharfedale**

A full application for the construction of a two storey and single storey side extension and alterations to the existing dwelling at Skelda House, 4 Holme Grove, Burley in Wharfedale. The alterations comprise; changing the gable to a hip to the front of the garage roof; adding a gable roof to the two storey flat roof front projection and adding a roof canopy to the front door – 10/00957/HOU.

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout.

**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*****(e) Land to East of Whitecroft Farm, Otley Road, High Eldwick, Bingley Bingley**

Full application for construction of stable block for horse isolation/rehabilitation and new dwelling for supervisor at Land to the East of Whitecroft Farm, Otley Road, High Eldwick, Bingley – 09/05737/FUL.

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. It was explained that the application proposed the construction of a stable block and dwelling. The dwelling would be constructed from stone and be single storey to the rear with two storeys at the front, as it would be set into a slope. Access to the dwelling would need to be created. It was noted that a range of equine activities were operated from the site and that a similar application had been refused at another location within the site during 2007.

The Strategic Director, Regeneration reported that consultations had been undertaken. In relation to Highways, the proposed visibility splays at the junction of the access road and Otley Road were not in accordance with the standard for a 50mph road, however, the junction was to be improved and the splays would therefore be acceptable. The site was within the Rombaldis Ridge Landscape Character Area and the proposed siting of the buildings would be prominent from the surrounding landscape and would have a harmful impact upon the visual amenity.

The Strategic Director, Regeneration stated that the proposal was to construct a new dwelling and 9 stables, however, only limited appropriate development was allowed in the Green Belt. The outdoor recreation use was suitable, but only stable blocks of two or three located near to the other buildings would be classed as acceptable in the Green Belt. It was reported that the applicants had suggested that the stables should be sited away from the existing buildings so as not to allow the transfer of diseases, though best practice would still need to be undertaken in relation to this wherever the block was sited. Advice provided by a veterinary surgeon, consulted by the applicants, also indicated that the separation distance was not required between the buildings. In conclusion the Strategic Director, Regeneration recommended that the application be refused for the reasons as set out in the technical report.

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

- That the application related to the control of equine diseases.
- That the business was unique in Bradford.
- That it was a successful business.
- That the business employed 20 staff and this would increase by 3.
- That the business needed a large area of land, therefore, it had to be in the green belt.
- That the business's assets, the horses, required safeguarding.
- That isolation units were required.
- That policies PPS7 and PPS4 were applicable to the application.
- That paragraph 32 of PPS7 quoted equine activities, which should be supported by the Local Authority.
- That policy EC6 of PPS4 also quoted the same advice.
- That a previous application had been refused on a different site.
- That the proposed dwelling was not excessive and the area would be allocated for veterinary surgeons who would be required 24 hours, 7 days a week.
- That the site was split by Otley Road.
- That the siting of the proposal was next to an exercise area known as the 'gallops', which would be beneficial to the horses.

In response to some of the comments made, the Strategic Director, Regeneration confirmed that policy PPS7 was relevant to all of the countryside in general and that PPG2 related to Green Belt around towns and cities and was more restrictive.

In response to Members' questions, the veterinary surgeon explained that:

- There was not another isolation unit in the area.
- The unit would be used for horses already on the premises and those coming in.
- There were 65 horses at the stables.
- Other stables had isolation units.

The Council's legal advisor informed Members that the proposal was an inappropriate development within the Green Belt and that it was the applicant's responsibility to demonstrate very special circumstances. The Panel would then need to decide whether these were justified.

The applicant's agent also confirmed the following points:

- That consultations had been undertaken with a planning officer, who had also visited the site.
- That information relating to the value and costs of another stable with this facility had been submitted.
- That ill horses required constant attention.
- That there was a need for isolation. The planning officer had highlighted the site as there were already buildings on the same side of the road.

At this point in the proceedings it was,

#### **Resolved -**

**That the public be excluded from the meeting during discussion of the item relating to Land to East of Whitecroft Farm, Otley Road, High Eldwick, Bingley on the 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 5 (legal privilege) of Schedule 12A of the Local Government Act 1972 (as amended) would be disclosed and it is considered that, in all the circumstances, the public interest in allowing the public to remain is outweighed by the public interest in excluding public access to the relevant part of the proceedings for the following reason:**

**It is in the overriding interests of proper administration that Members are made fully aware of the legal implications of any decision without the risk of prejudice to the Council's case in any future legal proceedings that may be initiated.**

On resumption of the public meeting the Chair reported that a proposed course of action had been discounted. He then expressed his concerns in relation to the scale of the proposal. The inadequacy of the proposed visibility splays was also raised and it was suggested that the issue be added as an additional reason for refusal of the application.

**Resolved –**

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

- (ii) That the proposed visibility splays would compromise highway safety in that they would provide inadequate sight lines; therefore the proposed development would be contrary to policy TM19A of the Council's Replacement Unitary Development Plan.**

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

- (f) Enforcement Enquiries Closed by the Planning Manager (Enforcement & Trees)/ Senior Enforcement Officer as Not Expedient to Pursue**

- (i) 2 Redburn Drive, Shipley Heaton**

Unauthorised single storey rear extension – 09/00595/ENFUNA

It was not considered that this breach of planning control would cause significant amenity or highway safety issues to warrant further enforcement action.

Date Enforcement File Closed: 23 March 2010

- (ii) Land at Grid Ref 412117 438999 Primrose Lane, Gilstead, Bingley Bingley**

Unauthorised tree works – 10/00261/TPOCN

It was not considered that this breach of planning control would cause significant amenity issues to warrant further enforcement action.

Date Enforcement File Closed: 25 March 2010

- (iii) Lane End Farm, Gilstead Lane, Gilstead, Bingley Bingley**

Tree felling and limb removal within Delph Wood adjacent to farm fields. TPO 0919 made 2003, woodland order – 09/00813/TPOCN

It was not considered that this breach of planning control would cause significant amenity issues to warrant further enforcement action.

Date Enforcement File Closed: 22 March 2010

(iv) **The Anvil Forge End, 2 Edge Bottom, Denholme** **Bingley Rural**

Trees cut down in cemetery (crime reference number: 13080196933) – 09/00706/TPOCN

It was not considered that this breach of planning control would cause significant amenity issues to warrant further enforcement action.

Date Enforcement File Closed: 13 April 2010

(v) **Touring Caravan at 48 Bolton Hall Road, Bradford** **Windhill and Wrose**

Unauthorised siting of a caravan – 10/00161/ENFUNA

It was not considered that this breach of planning control would cause significant amenity or highway safety issues to warrant further enforcement action.

Date Enforcement File Closed: 24 March 2010

**Resolved –**

**That the decisions be noted.**

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

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

(i) **10 Shirley Street, Saltaire, Shipley** **Shipley**

Unauthorised works to a Grade II Listed Building comprising the affixing of wooden trellising, plant holders, shelves & brackets on the front, side and rear elevations of the property – 08/01402/ENFLBC.

Listed Building Consent for the works was refused by the Council in July 2009. Whilst some of the shelves, brackets and plant holders have been removed since this time, others remain in place, mainly on the rear elevation.

Enforcement action to remove the remaining wooden trellising, plant holders, shelves & brackets from the front, side and rear elevations of the property was authorised on 1 April 2010.

(ii) **61 Langley Lane, Baildon** **Baildon**

Unauthorised extension to the front of the property – 09/01199/ENFUNA.

Enforcement action to remove the extension was authorised on 23 March 2010.

**Resolved –**

**That the decisions be noted.**

**Action: Strategic Director, Regeneration**

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

**APPEALS DISMISSED**

(i) **52 Somerset Avenue, Baildon**

**Baildon**

Construction of single dwelling house on land to rear - Case No: 09/01562/OUT

Appeal Ref: 09/00217/APPOUT

(ii) **66 - 68 Wrose Road, Shipley**

**Windhill and Wrose**

Retrospective planning application for roller shutters, external door to rear, stainless steel extract system and proposed new roof tiles to main roof - Case No: 09/04814/FUL

Appeal Ref: 10/00009/APPFUL

(iii) **6a Mill Street, Cullingworth, Bingley**

**Bingley Rural**

Conversion of existing outbuilding to annex/granny flat - Case No: 09/03199/FUL

Appeal Ref: 09/00195/APPFUL

(iv) **Land to the North of 6 Laurel Grove, Bingley**

**Bingley**

Construction of bungalow and garage - Case No: 09/03332/FUL

Appeal Ref: 09/00211/APPFUL

**Resolved –**

**That the decisions be noted.**

**Action: Strategic Director, Regeneration**

Chair

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

i:\minutes\pls11May

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