

Minutes of a meeting of the Area Planning Panel (Shipley) held on Thursday 21 July 2011 at the Town Hall, Bingley

Commenced 1010
Adjourned 1400
Site Visits 1400 – 1640
Re-convened 1640
Concluded 1705

PRESENT – Councillors

CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT
Binney	Dredge	Cole
	Imdad Hussain	
	Shabir Hussain	
	L Smith	

Apologies: Councillor McCabe

Observers: Councillor Heseltine (Minute 8(a), (b) and (e))

Councillor Shabir Hussain in the Chair

5. DISCLOSURES OF INTEREST

Councillor Cole disclosed a personal interest in the item relating to Hoyle Court Primary School, Fyfe Grove, Baildon (Minute 8(d)) as he had received an email from an objector but had not commented upon the application and as the interest was not prejudicial he remained in the meeting.

ACTION: City Solicitor

6. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

7. PUBLIC QUESTIONS

There were no questions submitted by the public.



8. PLANNING APPLICATIONS AND ASSOCIATED MATTERS

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

Decision following Site Visit

(a) 3 Glen Road, Eldwick, Bingley

Bingley

Outline planning application for the construction of one house, garage and access on land at 3 Glen Road, Eldwick, Bingley - 10/03348/OUT

The Strategic Director, Regeneration and Culture gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the proposal was to construct a house with a garage and access on the land which was part of 3 Glen Road. The current site was bound by a wall and hedge and the proposal included the removal and replanting of some trees. There were also a number of protected trees on the site. It was noted that the wall would be removed in order to allow for a passing place and an entrance to the proposed dwelling, as Glen Road was a single shared surface track with no pavement. Members were informed that only access, layout and scale were to be considered at this stage and that the remainder of the details would be presented as part of the Reserved Matters application.

The Strategic Director, Regeneration and Culture reported that nine letters of representation had been received and that there was a history to the development of Glen Road. With regards to the issues raised, he stated that the proposal had a low density and fitted in well with the character of the area. There had been recent refusals in relation to the density, however, the changes to Planning Policy Statement (PPS) 3 did not mean that the land could not be developed. The proposed scale of the dwelling reflected the character locally and it would be sited on a substantial plot. In relation to the trees it was noted that some were protected and that others would be planted to replace those lost and the Council's Tree officer had confirmed that the proposed re-planting was adequate. The Strategic Director, Regeneration and Culture explained that an upper limit of 50 dwellings had been operated on Glen Road, however, on appeal the application for the 51st dwelling had been upheld by the Inspector who had quoted the low traffic and road use and proposed parking provision. In light of this decision planning officers had considered each subsequent case on its own merits, therefore, a 10% increase to 55 dwellings on Glen Road had been deemed as appropriate. He reported that a vehicle survey had been undertaken on 16 June 2010 which had recorded relatively low traffic movements and this also substantiated the increase to 55 dwellings. It was noted that two applications with access off Glen Road were to be considered by the Panel which would take the limit to 55 properties. The Strategic Director, Regeneration and Culture then read out the contents of an email from a local resident which had been sent to the local MP. In conclusion the application was recommended for approval, subject to the conditions as set out in report.

In response to a Member's query regarding restrictive covenants, the Council's legal officer confirmed that it was a property rights issue and that planning permission would not override it.

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

- That Glen Road was a single track road that was tarmaced.
- That there were issues in relation to the junction with Sheriff Lane.

- That the junction with houses onto Glen Road was blind access.
- That additional houses would impede existing residents.
- That the Highways Manual (Manual for Streets) stated that vehicles were the last priority.
- That another large house would mean more vehicle movements.
- That the addition of more vehicles would hinder pedestrians.
- That all the driveways onto Glen Road were blind.
- That the appeal Inspector's decision did not give approval for 55 properties on Glen Road. A judgement had been made on one application.
- That Glen Road was not a modern designed road and if the limits were exceeded then problems with highway safety would occur.
- That there were large detached properties in the area and the proposal would impact on the street scene.
- That gardens were no longer classed as Brownfield sites.
- That the host property had already been extended.
- That if 55 dwellings were allowed on Glen Road then the number would continue to increase.

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

- That two applications had previously been refused permission.
- That the report stated that there would not be significant overlooking but the existing adjacent properties were bungalows.
- That the safety of the residents of Glen Road was the main issue.
- That it had previously been stated that Glen Road was dangerous.
- That consultation was essential when in relation to any shared surface, however, this had not happened.
- That the junction was dangerous and had been condemned by an Inspector.
- That there was a misinterpretation of the shared surface working well.
- That there were no provisions for disabled persons.
- That Glen Road was contrary to the interpretation presented by officers.
- That pedestrians had not been given any consideration before vehicles.
- That the Council had a duty to provide unbiased and accurate reports but had failed in this case.
- That the application should not be approved on highways issues.
- That there was a need to consult with community users.

The applicant's agent was also present at the meeting and confirmed the following:

- That 'Design Bulletin 32' had been superseded by 'Manual for Streets'.
- That a peak traffic survey had been undertaken and only 16 vehicle movements had been recorded.
- That a new entrance and passing place would be provided.
- That there had not been any incidents at the junctions in the past 5 years.
- That the proposal was an outline application and the design would be considered at the Reserved Matters stage.
- That Condition 3 on the application controlled the issue of overlooking.
- That the proposed dwelling would sit within the character of the area.
- That there was not a Number 5 Glen Road as the owner of Number 3 had bought two plots.
- That a new planting scheme had been proposed and was covered by Condition 8.
- That Planning Policy Statement (PPS) 3 stated that gardens were not Brownfield but this did not prevent the approval of the development of garden plots.

- That consultations had been undertaken and recommended that the application be approved.

During the discussion Members acknowledged that the visit had been beneficial and that the outline proposal was acceptable.

Resolved –

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

ACTION: Strategic Director, Regeneration and Culture

Decision following Site Visit

(b) 2 Heather View, Eldwick, Bingley

Bingley

Full application for the erection of a bungalow with integral garage on land at 2 Heather View, Bingley - 11/00870/FUL

The Strategic Director, Regeneration and Culture gave a presentation setting out the proposals and tabled plans detailing the layout. He reported that the proposed application would require access from Glen Road and the same issues would apply. It was noted that Heather View had been built to modern standards and that the proposal was to construct a two bedroom bungalow with an integral garage to the same scale as the existing dwellings. The mature hedge which formed the boundary of the site would be retained with the exception of a section which would be removed in order to form the driveway. There was also a condition on the application to protect the hedges and trees during the construction. The Strategic Director, Regeneration and Culture explained that three applications on the site had been previously refused, however, they were for the construction of a two storey house. He confirmed that nine letters of objection had been received from local residents and a Ward Councillor. A further objection had also been received in relation to the decision made by the Highways Department. Members were informed that the proposal was appropriate, had been reduced in height and was subject to a condition which removed the addition of further windows without prior written permission. The Strategic Director, Regeneration and Culture then recommended the application for approval, subject to the conditions as set out in the report.

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

- That three previous applications on the site had been refused.
- That the footprint of the proposed bungalow impinged on adjacent properties on three sides.
- That the height of the proposed dwelling had only been reduced by approximately one metre.
- That the proposed dwelling was large and would be shoehorned into the site.
- How would the tree roots of the three protected trees be guarded during construction as they were very close to the plot.
- That it was a residential area with reasonably large gardens.

An objector was present at the meeting and outlined the following concerns:

- That three applications had been refused.
- That the reasons for the refusal were that it was a restricted site and would cramp

adjacent properties on three sides and was detrimental and contrary to policies.

- That the proposed dwelling's footprint had been increased.
- That there was inadequate space on four sides.
- That the proposed dwelling would have a dominating street side profile.
- That the reduction in height was 1.6 metres approximately.
- That the proposal was a massive development on a small plot.
- That Planning Policy Statement (PPS) 3 ensured that spacious gardens would be retained.
- That there had been false claims made regarding the existing bungalows.
- That the proposal would be over dominant and overshadow adjacent properties.
- That there would be significant overlooking and overshadowing.
- That the drawings were misleading.
- That the proposed conditions were worthless as they could be removed.
- That the proposed dwelling could not be built if the tree roots had to be protected.
- That there were traffic issues and the views of the Inspector had been misinterpreted.
- That the 'Manual for Streets' had been used to justify the increase to the number of dwellings but the document stated the opposite.
- That Glen Road failed on the criteria within the 'Manual for Streets'.
- That there was no justification for the Highways Department to change their view.

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

- That there would be increased traffic on Glen Road, but the traffic survey had only recorded 16 vehicle movements.
- That there had not been any injuries on Glen Road or at the Sheriff Lane junction.
- That he used Glen Road and vehicles travelled at low speeds.
- That the Council's Highways Department had not objected to the application and their previous reason for refusal was unsustainable.
- That the previous planning applications on the site had been for two storey houses and the proposal was now for a bungalow.
- That the proposed design respected the existing properties.
- That the dwelling had been designed with appropriately placed windows and suitable materials.
- That the dwelling would sit well in the site.
- That Condition 8 on the application stated that no further windows be allowed without permission.
- That the trees would be protected by Condition 5 on the application.
- That PPS3 stated that gardens were no longer classed as Brownfield sites but could be considered for development.
- That there had not been any objections regarding the drainage and Conditions 6 and 7 on the application were routine.
- That previous applications had been to construct houses but the proposal now was to construct a purpose designed bungalow.

During the discussion Members acknowledged that the space was limited on the site, however, it was agreed that the proposal fit within the street scene. It was also suggested that the roof be clad with similar materials to the existing properties.

Resolved –

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

- (i) **That the roof of the development hereby approved shall be clad using natural stone slates.**

ACTION: Strategic Director, Regeneration and Culture

Decision following Site Visit

(c) **Station Sawmill, Station Road, Denholme**

Bingley Rural

An outline application for the construction of up to 73 dwellings and 511 sqm (5,500 sq ft) of B1 (b/c) employment floor space following demolition of the existing buildings at C R Taylor (Timber) Limited, Station Sawmill, Station Road, Denholme - 11/01326/MAO

The Strategic Director, Regeneration and Culture gave a presentation setting out the proposals and tabled plans detailing the layout. It was explained that the proposal was an outline application for the construction of 73 dwellings and the demolition of the existing buildings on the site. Members were then informed of a number of amendments to the report. It was noted that the site was to the east of Denholme, adjacent to the reservoir and at a lower level to Station Road, which would be upgraded in relation to footways and traffic calming measures. The development of the level plateau was to be considered by Members and the indicative layout assumed that 73 dwellings could be accommodated.

The Strategic Director, Regeneration and Culture confirmed that an amendment to the Great Northern Trail (GNT) route had been proposed, however, the GNT Forum had requested that the Replacement Unitary Development Plan (RUDP) route through the proposed estate was protected. The site was currently classed as being for commercial use and this would be changed to a mixed use site. The GNT Forum had requested that the railway goods shed be retained as it was of significant heritage value, the cycle path be located on the eastern side of the site and a 10 metre corridor route ran through the site.

With regards to the Section 106 Agreement, the Strategic Director, Regeneration and Culture reported that there would be a provision of 25% affordable housing on the site along with contributions for the enhancement of recreation facilities and contributions towards secondary education provision. The developer would also provide a cycle way through the site, footpath links and undertake highways improvements to Station Road. A full Management Plan in relation to the maintenance of all the communal areas would also be required. In conclusion the application was recommended for approval, subject to the Section 106 Agreement and the conditions as set out in the report and also subject to an additional condition that the area to be used for the provision of 511 square metres of commercial floor space to be completed prior to the occupation of more than 30% of the proposed dwellings on the site.

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

- The current commercial occupier of the site was to consolidate the business and would not remain on the site. The new business units would only be small.
- The affordable housing quota was set at 25% for all villages and was based on the identified need for two and three bedroom properties.
- The GNT would be built to 'Secure by Design' standards. The indicative layout identified how the trail would be made safe and how it would also be well lit and maintained.

- It would be ensured that the site would be as fully protected as possible at the Reserve Matters stage.
- Definite figures for the employment capacity were not known at present.

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

- That some issues had been addressed and were welcomed.
- That the Parish Council were disappointed that there was not a greater diversity of housing proposed.
- That the Parish Council were disappointed that the former goods shed was not included in the proposal.
- That there already was affordable housing in the area and private house owners in the vicinity of the site were concerned in relation to the possible effect on the area.
- That two/three bedroom houses would not enhance the area.
- That the site was located in a dip and not fully seen but greater diversity would have been welcomed.
- That the secondary education provision needed to be looked at as children could attend other schools in the Aire Valley.
- That the junction with Station Road needed attention.
- That residents had undertaken a 12 hour survey of the A629 road and had recorded over 600 HGV and over 1100 other vehicle movements. There was a main bus stop, café and public house at the junction with Station Road which made it a dangerous spot.
- That the development would mean more vehicle movements and accidents could happen.
- That the Highway's Department should look at the A629 road.

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

- That there was a significant historic building on the site which should be embraced within the development.
- That it was bizarre that the historic building had been recommended to be demolished.
- That it may be difficult to change the use of the historic building to residential use, but it could be done.
- That the former goods shed was believed to be one of the last of its type.
- That the proposal should include the shed as part of the development.
- That the shed could be refurbished and used for commercial purposes.
- That it was the Panel's responsibility to the community.
- That the Heritage Adviser had originally objected to the proposal.
- That the former goods shed building needed to be preserved.
- That it was a heritage asset.

Another objector was present at the meeting and indicated that there was a difference in the planning report to what had been stated by Yorkshire Water. He then informed the Panel that their letter had quoted the "loss of amenity value".

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

- That the applicant had worked with officers for over 12 months.
- That the proposal was for a mixed residential and commercial use.
- That the application was outline and the type of dwellings would be determined at the reserved matters stage.
- That the company was relocating and jobs would be safeguarded if the application

was approved.

- That the report covered the key policies.
- That the Parish Council objection was noted, however, the Highways Department had supported the application.
- That the goods shed was not a designated heritage building.
- That there was no alternative viable use for the goods shed.
- That the alternative uses for the shed had been thoroughly considered.
- That planning permission should be granted for the proposed affordable housing, employment use and the retention of a local business.

In response to Members' queries the Council's legal officer and the Strategic Director, Regeneration and Culture confirmed that:

- Registered Social Landlords would be used for the affordable housing which would be mixed within the development.
- 25% of the houses on the site would be discounted at 35% of the market value. This would be part of the Section 106 Agreement and would be defined when the type of housing was known. The affordable housing would be 'peppered' around the site.
- The Section 106 Agreement proposed the provision of a cycleway and a contribution to recreation facilities.

During the discussion Members acknowledged that the goods shed was not required to be retained and that it would be difficult to submit a scheme which included the building. In relation to the education contribution, it was suggested that the proposed funding was not constrained to a particular ward.

Resolved –

(1) That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration and Culture's technical report along with additional condition (No.30) as follows:

30. The site of the approved 511 sqm of employment floor space shall be made ready by levelling and servicing the area with all required services to an agreed specification with the Local Planning Authority prior to the occupation of 30% of the dwellings on the development site.

(2) That the grant of planning permission be subject also to the completion of a legal planning obligation under Section 106 of the Town and Country Planning Act 1990 and Section 278 of the Highways Act 1980 in respect of:

- **The provision of 25% of the houses on the site as affordable units at a discount of 35% on the open market value. Two bedroomed houses should be provided at 75 sqm and three bedroomed houses should be provided at 85 sqm.**
- **A contribution of £114, 374 for the provision of recreation facilities in the vicinity of the site.**
- **A contribution of £111,147 for the provision of secondary education facilities in Wards where persons living in this development may go to school, i.e Bingley, Bingley Rural, Thornton and Allerton, and Worth Valley.**

- The provision of a cycle way through the site to link up with the tunnels at each end of the development site. Suitable access controls to the cycleway should be provided at each end of the road links (these links should comprise an A-frame, horse stile, and maintenance vehicle access gate. Direction signs, bench seats and litter bins should also be provided along with suitable lighting of the route. Maintenance of the cycle way should also be undertaken. The cycleway works to be provided in accordance with design standards and a timetable agreed by the Local Planning Authority.
 - Provision of footpath links from the development site to Public Footpath 56 (Denholme).
 - Highway Works to include works to Station Road – (i) proposed footway to tie into the proposed internal footpath (ii) existing carriageway to be investigated with trial holes. Road cores and then suitable measures to be agreed with the LPA to bring Station Road to an adoptable standard (iii) proposed traffic claming (iv) proposed footway along the southern edge of Station Road (v) existing verge along the northern side of the site to be reconstructed as a footway (vi) condition of the existing footway outside existing properties in Station road to be investigated and suitable measures to be agreed with the LPA.
 - Management Plan (which shall include details of an interpretative panel detailing where the former goods shed was) – full details required of maintenance of communal areas which shall include the cycleway.
 - The legal planning obligation to contain such other ancillary provisions as the Strategic Director, Regeneration and Culture (after consultation with the City Solicitor) considers appropriate.
- (3) That the Reserve Matters application be submitted to the Panel for consideration.

ACTION: Strategic Director, Regeneration and Culture

(d) **Hoyle Court Primary School, Fyfe Grove, Baildon**

Baildon

Full application for construction of a new single storey extension and associated works at Hoyle Court Primary School, Fyfe Grove, Baildon, comprising four new classrooms, workshop area and library with associated toilet and cloakroom areas, stores etc - 11/00726/FUL

The Strategic Director, Regeneration and Culture gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the proposed extension was to an existing school which had already been extended over the years and did not occupy a large site. The existing buildings were unallocated however the playing fields were allocated as such within the Replacement Unitary Development Plan (RUDP). It was noted that the proposal was part of a package of school extensions due to the shortage of school places in the District and one of the issues for Members to consider was whether it would be appropriate for the proposed extension to cut into the playing area. The Strategic Director, Regeneration and Culture reported that Sport England did not have any objections in principle as the area to be lost was sloped. Overall there would be an 18% loss to the playing fields, however, this would be mitigated as the sports facilities would be enhanced, therefore, it was deemed acceptable to develop on the site in principle.

Members were informed that the Parish Council had not commented on the application other than to state that the existing traffic calming measures should be sufficient. With regards to representations, the Strategic Director, Regeneration and Culture confirmed that a large number of objections had been received and the issues were outlined within the report. He explained that the proposed extension was to be set within the slope of the site and the majority of the level area would be retained. The extension would benefit from a green sustainable roof and provide a better quality space. It would also meet the school's needs in respect of its planned admission increase from a 1 to a 1.5 form entry over the next five years.

The Strategic Director, Regeneration and Culture stated that highways safety was an issue, though the school had a Travel Plan which addressed vehicle movement concerns. He indicated that there was a requirement to consider the balance of need for pupil places and the needs of neighbours, however, the better provision of education was the key factor. It was noted that there would be no impact upon the trees on the site. In conclusion the Strategic Director, Regeneration and Culture confirmed that the application was justified by the education requirements and recommended it for approval, subject to the conditions as set out in the report.

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

- The site was not within the Green Belt, but the playing fields were protected.
- There was an inconsistency regarding the number of car parking places provided, however, it had been indicated that the current number was 22 which would increase to 23.
- The scheme was designed to be sustainable and environmentally friendly.
- The installation of solar panels could be investigated.
- The parking requirement had been based upon the number of pupils and teachers at the school and there were maximum standards.
- Other forms of transport were encouraged and many schools closed the gates for safety/security reasons. The school's Travel Plan addressed pupils and staff.
- The private nursery had also been taken into consideration in relation to parking.

A representative of the Parish Council was present at the meeting and stated the following points:

- That there were three primary schools in Baildon.
- That the nursery at the school had been there for a number of years.
- That the planned increase was to a small local primary school and would increase the capacity by 50%.
- That the other two schools in Baildon had larger sites.
- That there would be less play space due to the proposal.
- That the building already resembled a factory.
- That the Parish Council wanted assurances that that no children from outside BD17 would be transported to the school.
- That the planning permission did not give an obligation to build and it needed to be acknowledged that the application could be a mistake.

An objector was present at the meeting and raised the following concerns:

- That he lived opposite the school.
- That there currently were 26 car parking spaces on the site and 4 unmarked

spaces. There would only be 23 spaces after the expansion.

- That the parking was for staff and visitors to the school, not for parents.
- That the number of car parking spaces provided should be at least 40.
- That the Highways officer had stated that vehicles could end up being parked on the street which would not be fair to residents.
- That it was a local road and he believed that it had reached its capacity.
- That it had been recommended that the school contributed £20,000 to enable further traffic studies in the local area and this should be undertaken prior to the commencement of any development.
- That the school's Travel Plan stated that it expected the number who dropped off children in their cars to decrease, but this was not feasible for people with busy lives.
- That there were no measures proposed to overcome the adverse impact of the scheme.
- That there would be a loss in the amount of playing fields. A mini-soccer pitch could be accommodated at present but not after the extension was constructed.
- That the applicant had admitted that he could not meet standards.
- That the land was protected as playing fields.
- That the proposal would be shoe-horned into the site and was an unacceptable compromise.
- That the sedum roof should cover both roofs.
- That significant planting around the boundary was required.
- That the height of the hedge should be increased.

The applicant was present at the meeting and stated the following:

- That schools were being asked to use solar panels and their use was being re-evaluated, however, the school had been advised not to install them at the moment.
- That the insulation would be to a high standard.
- That the parking provision on the site included the nursery and the places would not be designated.
- That there was no obligation for the school to admit children who attended the nursery.
- That children would not be transported into the area. The proposal was to cover the local need for education. Other areas were also being looked at.
- That if more parking spaces were provided on the site then this would encourage more people to drive. The school's Travel Plan gave alternatives.

Members' then questioned the applicant who confirmed that:

- The number of staff at the school would increase over the five year period.
- The whole of the District's schools had been looked at in terms of their robustness to cope with extra capacity. Hoyle Court Primary was the smallest of the three primary schools in Baildon and the Council had indicated that it wanted all three to be of an equal size. It was also believed that there would be extra demand in the area.
- The Travel Plan was a separate document written by the school and had been updated.
- An acoustic barrier would be required, however, the perception of the noise difference may actually not be as loud.
- The Traffic Impact Assessment was a separate document and had no direct relationship with the school's Travel Plan.
- There were currently 21 marked car parking spaces, but staff parked in gaps.

- The school was taking more pupils this academic year and the trend was on the increase.
- Pitched roofs had been added to the current building due to problems with the flat roof and the extension of the sedum roof could be looked at.

During the discussion Members raised issues in relation to the possible extension of the green roof; the provision of acoustic sound barriers where adjacent to residential dwellings; car parking provision; highway safety; and the concerns of resident. It was also suggested that permeable materials be used for the hard standing parking areas and that the feasibility of installing solar panels be investigated.

Resolved –

- (1) That authority be delegated to the Strategic Director, Regeneration and Culture to approve the application following the submission of amended plans detailing the provision of 30 car parking spaces within the site and the proposed sedum roof to cover the extensions hereby approved, subject to the conditions set out in the technical report (as amended where appropriate) and also subject to the following amendment to Condition 2a and also subject to the following additional conditions in order to secure:**
- 2a. The development hereby approved shall only be carried out in accordance with the approved plans 10301(sy) 01, 10301(2) 01 – 19.**
- (i) That acoustic fencing be placed at the school's boundaries where it is adjacent to residential dwellings; and**
- (ii) The use of permeable materials for the hard standing vehicle parking areas.**
- (2) That the Strategic Director, Regeneration and Culture be delegated to request the applicant to provide further information in relation to the feasibility of installing solar panels on the proposed development and where deemed appropriate to attach relevant conditions in that regard.**

ACTION: Strategic Director, Regeneration and Culture

(Note: In accordance with Paragraph 25.6 of Part 3A of the Constitution Councillor Cole required that his abstention to vote be recorded.)

(e) Lea Bank, Sleningford Road, Bingley

Bingley

An outline planning application for the construction of 6 dwellings following the demolition of the existing dwelling, Lea Bank, Sleningford Road, Crossflatts, Bingley - 11/01375/OUT

The Strategic Director, Regeneration and Culture gave a presentation setting out the proposals and tabled plans detailing the layout. He confirmed that the proposal was an outline application for the construction of six dwellings following the demolition of the existing dwelling, Lea Bank. A previous application for the construction of eight dwellings had been refused by the Panel in December 2010 and following this the applicant had liaised with officers which had resulted in a much improved scheme being submitted for consideration. It was noted that the development provided a suitable edge to the conservation area with better designed dwellings, layout and appearance. The properties would only have a driveway, however, there was sufficient room and the Highways Department had not raised any issues. The Strategic Director, Regeneration and Culture reported that 66 objections and 62 letters of support had been received along with two

petitions against the development. He explained that the application was acceptable in principle and was not within the conservation area. The site had a low density of 35 dwellings per hectare, all the facing distances had been achieved and the Permitted Development Rights had been removed in relation to the addition of further windows. A bat survey had been undertaken and a condition had been placed on the application regarding the provision of bat roosting boxes prior to the demolition of the current dwelling. The Strategic Director, Regeneration and Culture then recommended the application for approval subject to the conditions as set out in the report and also subject to amendments to Conditions 1, 7 and 8. He added that the demolition of the existing property did not require permission.

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

- That the application had changed very little in relation to the reasons for refusal.
- That the impact of the change in the proposed houses would be an increase in the number of vehicles.
- That the objectors lived in the locality whilst not all the supporters did.
- That the site was near to the canal conservation area and was a significant site viewed from the canal bank.
- That there was traffic congestion in the area.
- That if the on street parking in the area was reduced then the elderly members of the Bowling Club would not be able to access the facility.
- That Sleningford Road was a drop off/parking point for the canal conservation area.
- That the development would remove the on-street parking provision.
- That the development would be detrimental to residents and the Bowling Club.
- That all the properties in the vicinity used Canal Road.
- That the road infrastructure was insufficient.
- That the proposal was detrimental to road safety.

An objector was present at the meeting and outlined the following concerns:

- That the Bowling Club had been there for 110 years.
- That the Club had approximately 100 members who were mainly elderly.
- That the only parking provision was on Sleningford Road.
- That parking was a major problem and some of the proposed driveways would be access over the verge.
- That if there was no on-street parking provision then the Club would decline and it was not possible to have a car park near to the Club.

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

- That he was a blind resident and used Sleningford Road to access the canal bank.
- That he had to walk on the road because of the parking.
- That the proposed development would increase the number of vehicle movements and parked cars.
- That the road was full on cars on a weekend.
- That he would not be able to walk to the canal because of the development.

A representative of the Sleningford Residents Association was present at the meeting and pointed out that the majority of the letters in support were in the same hand writing. He then questioned whether building houses on Greenfield was a special circumstance.

The applicant was also present at the meeting and stated that:

- He had worked with officers on the proposal.
- He would be using the materials from Lea Bank.
- The impact on the visual amenity had been minimised.
- The members of the Bowling Club currently parked on the verge and when the development was constructed there would be a continuous pathway.
- Personally he had 9 vehicles and if he moved into Lea Bank there would be more vehicles on the road.
- The houses already built within the curtilage of Lea Bank had spoiled the beauty of the building.

During the discussion Members acknowledged that the applicant had addressed the issues raised.

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Regeneration and Culture’s technical report and also subject to the following amendments to Conditions 1, 7 and 8:

Conditions:

9. The development hereby approved shall only be carried out in accordance with the approved plans 6737/02C, 6737/04C, 6737/06C, 6737/08B, 6737/10C, 6737/14, 6737/15, 6737/03b, 6737/05a, 6737/07, 6737/09, 3737/011b, 6737/012a received by the Council on 1 and 7 April 2011.
7. Before any part of the development is brought into use, the visibility splays hereby approved on plan numbered 6737/02C shall be laid out and there shall be no obstruction to visibility exceeding 900mm in height within the splays so formed above the road level of the adjacent highway.
8. Before any part of the development is brought into use, full details and specifications of the improvement works to Side Sleningford Road shall be submitted and approved in writing by the Local Planning Authority and the works shall have been carried out to the satisfaction of the Local Planning Authority.

ACTION: Strategic Director, Regeneration and Culture

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

(i) (i) **2 Fairfax Road, Cullingworth**

Bingley Rural

A rear dormer has been erected to the rear of the property detrimental to the visual amenity of the area by way of its design, size and materials. Enforcement action had now been authorised for its removal.

Resolved –

That the action be noted.

ACTION: Strategic Director, Regeneration and Culture

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

APPEALS DISMISSED

(i) **22 Aireville Crescent, Shipley**

Heaton

Decking and associated fencing in garden – Case No: 10/06267/HOU

Appeal Ref: 11/00084/APPHOU

(ii) **270a Bradford Road, Shipley**

Heaton

Construction of single storey extension and garage conversion to form an A2 office in retrospect - Case No: 10/05284/FUL

Appeal Ref: 11/00039/APPFUL

(iii) **30 Low Ash Crescent, Shipley**

Windhill/Wrose

Construction of two storey rear extension – Case No: 10/06304/HOU

Appeal Ref: 11/00078/APPHOU

Resolved –

That the decisions be noted.

Action: Strategic Director, Regeneration and Culture

9. **QUARTERLY PLANNING ENFORCEMENT FIGURES**

The Strategic Director, Regeneration and Culture presented **Document “F”** which detailed the quarterly planning enforcement figures from 1 March to 31 May 2011.

Resolved –

That the information be noted.

Action: Strategic Director, Regeneration and Culture

Chair

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

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