

# Minutes of a meeting of the Area Planning Panel (Keighley & Shipley) held on Wednesday 2 September 2015 in the Council Chamber, Keighley Town Hall

---

Commenced 1000  
Adjourned 1100  
Re-convened 1108  
Concluded 1250

**PRESENT – Councillors**

CONSERVATIVE	LABOUR	INDEPENDENTS
Miller	Shabir Hussain (Chair)	Naylor
M Pollard	Abid Hussain (DCh)	
	Bacon	
	Farley	

Observers: Councillor B M Smith (Minute 16) and Councillor M Slater (Minute 17)

**Councillor Shabir Hussain in the Chair**

**9. DISCLOSURES OF INTEREST**

No disclosures of interest in matters under consideration were received.

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

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

**11. PUBLIC QUESTIONS**

There were no questions submitted by the public.

**12. 38 MAIN STREET, BURLEY IN WHARFEDALE, ILKLEY**

**Wharfedale**

Householder planning application for a porch extension to front and two storey extension to the rear, with associated internal alterations at 38 Main Street, Burley in Wharfedale, Ilkley - 15/02293/HOU.

The Strategic Director, Regeneration gave a presentation setting out the proposals and plans detailing the layout in respect of the application. He reported that Burley Parish Council



supported the application but wished to see the rear storey extension reduced to one storey because of impact on adjacent neighbours. Letters/emails of objection had been received from 9 separate addresses. The summary of representations was as outlined in Document "E".

The Interim Strategic Director, Regeneration and Culture reported that the proposed development was considered to relate satisfactorily with the existing street scene and was not considered to result in any significant loss of residential amenity or significant harm to highway safety or the conservation area within which the site was located. As a result the proposal was considered to comply with Policies BH7, UR3, D1, TM2, TM12 and TM19A of the Replacement Unitary Development Plan. He therefore recommended approval of the application subject to conditions.

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

- There would be loss of light.
- There would be a detrimental impact on the conservation area.
- The garden would be overshadowed.
- There would be an impact on Clarence Place.
- This two storey extension was only 10-11 metres from the nearest property.
- Permitted planning development rights should be removed.
- We would welcome a visit from the Panel.
- It was more than a 50% extension of the original house.
- The construction management plan should include name and number of the site manager.

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

- I am surprised we have to defend our application.
- We have a modest vision for 38 Main Street.
- We are not doubling the space but making a small house larger.
- It is in a conservation area where some residents live.
- The rear extension would be subservient to the existing house.
- Building materials would be used to match existing ones.
- Significant internal work was needed as the electrics were not up to the necessary code.
- There was belief that we can make it our forever home.
- Some people don't like change.
- The application has been modified to suit objectors.
- The sun sets behind the houses of Clarence Place and width was only half the property.
- Please accept the application.

The Director, Regeneration responded to members' comments and made the following points.

- Clarence Place and the Malt residents would be considered.
- It was a third bedroom and larger kitchen.
- A construction management plan was only asked for larger developments.

**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***



### 13. CEMETERY LODGE, BAILEY HILLS ROAD, BINGLEY

**Bingley**

Demolition of existing mono pitched outbuilding and construction of a new detached dwelling at Cemetery Lodge, Bailey Hills Road, Bingley - 15/02149/FUL.

The Strategic Director, Regeneration gave a presentation setting out the proposals and plans detailing the layout in respect of the application. He reported that nine neighbour representations had been received all objecting to the development. The summary of representations was as outlined in Document "E".

The Strategic Director, Regeneration reported that the proposed development was considered to relate satisfactorily to the character of the Bingley Conservation Area 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 Policies UR3 (The Local Impact of Development), D1 (General Design Considerations) and BH7 (New Development in Conservation Areas) of the Replacement Unitary Development Plan 2005. He therefore recommended approval of the application subject to conditions.

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

- The applicant acquired property from auction from the Council. He was a landowner and not a local.
- There were three areas of concern.
- There were trees and bats in the conservation area.
- The applicant would split the building in two.
- There would be parking problems at Bailey Hills, which was full in the evening. Four more vehicles would be too much and they would not be able to turn at this location.
- The applicant has no consideration for amenity space.
- The driveway would have a split use by 2 to 4 bedroom house.
- If the applicant was a tenant in the Lodge he would not propose this from the Lodge.
- The applicant was not interested in providing quality accommodation.

Members made the following comments:

- It looks big for three bedrooms.
- Would the trees be affected?
- I am concerned about highway safety. There was policy TM12 and visibility splays are mentioned.
- It was one dwelling but says cottages was that a typing mistake?
- It was a huge development I have concerns with it.
- How many parking spaces are there?
- There was an incentive to have two properties in respect of rental value.
- I can't support it as it was overdevelopment.
- It was way too big and there were issues of access and egress.
- The footprint was too large.
- It goes against policy TM2.

The Director, Regeneration responded to members' comments and made the following points.

- It was a long thin house.
- To split the building would need planning permission and the Planning Inspector had rejected two houses.
- The development meets our current standards.



- There were four parking spaces.
- It was an unsuccessful application before and just makes it over the line for approval.
- There was a strong case to refuse any application for two properties following the Planning Inspector's remarks.
- The footprint was too big.

**Resolved –**

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

**The proposed dwelling is of significant size in relation to the size of the plot and represents over development. The lack of adequate garden or amenity space within the site would result in a poor standard of amenity for future occupants of the dwelling, and access/egress arrangements are restricted. The proposal is contrary to Policies D1, TM2 and TM19A of the Replacement Unitary Development Plan.**

***ACTION: Strategic Director, Regeneration and Culture***

**14. FORMER SITE OF 31 CHURCH STREET, ADDINGHAM**

**Craven**

Full planning application for the construction of a three bed terrace house with car parking and external works and remediation of existing party wall on the site of 31 Church Street, Addingham - 15/02065/FUL.

The Strategic Director, Regeneration gave a presentation setting out the proposals and plans detailing the layout in respect of the application. He reported that Addingham Parish Council has no objections. It welcomed the removal of the eyesore which the area has become and considers the design a considerate and appropriate use of this piece of land. The Parish Council was confident that Building Regulations would ensure that the repairs to the party wall would resolve some of the issues experienced by the neighbouring attached properties. Letters of representation had been received in connection with the application with objections from six separate addresses. The summary of representations was as outlined in Document "E".

The Interim Strategic Director, Regeneration and Culture reported that the proposed development was considered to relate satisfactorily to the existing conservation area street scene and was not considered to result in any significant loss of residential amenity or highway safety or flood risk. As a result the proposal was considered to comply with Policies UR3, D1, BH7, TM2, TM12, TM19A, NR15b and NR16 of the Replacement Unitary Development Plan. He therefore recommended subject to conditions approval of the application.

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

- I am the neighbour and the garden was part of my property.
- In respect of highway safety it was a difficult layout and doesn't show Sycamore Drive.
- There was traffic from Wharfedale.
- People drive towards a very well used church.
- Better signs are needed to reduce the speed limit.
- Residential amenity can be affected.
- There was a flood risk with flash floods occurring as water goes backwards into the Beck.
- The archaeology of the site should be monitored.



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

- There would be a 30% reduction in drainage to alleviate flow rates into the Beck.
- Our client was discussing the issue of the party wall.

Members made the following comments:

- Was it the rear door windows that give the light?
- I am concerned about the windows.
- It was a nice sympathetic property which would add to the area and not subtract to it.

**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***

15. **STEETON HALL, STATION ROAD, STEETON WITH EASTBURN**

**Craven**

Full planning application for a smoking shelter and a band stand at Steeton Hall, Station Road, Steeton With Eastburn - 15/02467/FU.

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout in respect of the application. He reported that Steeton with Eastburn Parish Council had objected. The proposed smoking shelter would have an adverse impact on the listed building. The band stand was an inappropriate extension to the hotel, and has the potential, should it be used as a band stand, to have adverse noise implications for adjacent properties.

Objections had been received from occupiers of nine nearby addresses. One objector had since emailed to say that if the bandstand was for daytime Wedding functions and the occasional charity event, and noise would not continue past 8pm, then they have a neutral stand to the proposals. This was dependant on the managers of Steeton Hall not changing their minds. The summary of representations was as outlined in Document "E".

The Strategic Director, Regeneration reported that the proposed smoking shelter and band stand had been assessed as having an acceptable impact on the character and appearance and setting of Steeton Hall, a listed building and Steeton Conservation Area, trees, residential amenities, parking and highway safety, inclusive access and community safety. As such the proposal would accord with Policies BH7, BH4, BH4A, D1, D3, D4, D5, UR3, TM11, TM19A, NE4, NE5 and NE6 of the RUDP and form sustainable development compatible with the NPPF. He therefore recommended approval of the application subject to conditions.

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

- I object to this smoking shelter.
- In respect of the bandstand there was a risk of noise nuisance to nearby housing.
- There was an opportunity for loud music and there should be a noise limit.

The applicant who was present at the meeting responded that what was proposed was a wedding pavilion to be used only for weddings and we don't want any unnecessary noise.



Members made the following comments:

- Was the bandstand for wedding photos?
- If there was a music event at the bandstand where would people go?
- Can we condition not to use it as a bandstand?
- I have concern for the people nearby to the bandstand who are receiving palliative care later in life.
- It was a bandstand and should be used as one.
- There were six extra trees and the care home was to the left.
- The application should be approved subject to bandstand use limited to 6pm.
- I didn't know it needed planning permission as it could be classed as a temporary structure.
- Would you confirm that the trees have been replaced by heavy standard trees?
- A sound limitation could be imposed.
- I have no problem with the smoking shelter.
- Entertainment should be limited from 11am to 6pm 7 days a week.

The Director, Regeneration responded to members' comments and made the following points.

- The bandstand could be used for music by different operators.
- The trees would be replaced by heavy standard trees.
- It would be difficult to enforce and monitor any sound limitation.

**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 with the following amended condition 4:**

**The band stand hereby permitted shall not be used for the broadcasting of amplified voice or sound and it shall not be used for any organised outdoor entertainment event before 11 am or after 6 pm on any day.**

**Reason: In the interests of the amenities of neighbouring residents and to accord with Policies P7, D1 and UR3 of the Replacement Unitary Development Plan.**

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

#### **16. UNIT 1 AND 2A STATION PLAZA, ILKLEY**

**Ilkley**

Change of use from retail (A1) to a mixed use as A3 restaurant with A1 retail sales Units 1 And 2A Station Plaza, Ilkley - 15/02416/FUL.

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout in respect of the application. He reported that Ilkley Parish Council had recommended refusal as the proposal would undermine the balance of restaurants to shops in the town centre. There was one general comment received plus five objections, including one from a Ward Councillor seeking referral to Panel. The summary of representations was as outlined in Document "E".

The Strategic Director, Regeneration reported that though occupying a prominent pair of units, the marketing evidence suggested that the prevailing market trend was towards a mixed retail and leisure uses along this side of Brook Street and resisting A3 use would be unrealistic and prolong the vacancy of the units. The retention of an element of A1 retail alongside the A3 use at the



ground floor level, together with retention of the display windows would ensure that the use could be introduced without detriment to the prevailing character of the area and without adversely affecting the vitality and viability of the town centre as a whole. Servicing is available and the site was in a sustainable location in the town centre where it is appropriate to relax car parking requirements. The use would have no adverse effects on the amenity of any adjoining occupiers. The proposal accords with Policies UR3, D1, TM11 CT5 and CL1 of the Replacement Unitary Development Plan.

He therefore recommended approval of the application subject to conditions

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

- There were 9 objections on the web page.
- An application had been refused a few shops away.
- There were vacant shops in March this year.
- There were too many restaurants chasing a limited number of customers.
- There were 40 food outlets / public restaurants in the Town Centre.
- The empty 2 units were well below the national average.
- Refuse the change of use in relation to oversupply.

An objector were present at the meeting and stated that he used these food establishments, his objection was site specific and the application should be turned down.

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

- We run 27 restaurants in London and the Midlands.
- The units were marketed previously and no one showed any interest.
- When Dorothy Perkins left other persons were not interested in taking up the unit.
- It was an active retail unit.
- Local and national planning policy allows this use in the Town Centre, in order to promote economic activity.

Members made the following comments:

- What are the times of operation? (The agent responded 11.00am to 10.30pm.)
- I am surprised at the number of restaurants and this figure of 31 didn't include public houses.
- CT5 concern was different in this case.
- Commercial competition was not a concern for us.
- With A1 usage it should be ensured that it was a permanent picture.
- I would rather see employment with the units being used.
- How long have the units been empty?

The Strategic Director, Regeneration responded that the application would have a localised impact on a particular street.

**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 with the following additional condition:**

**That the premises shall retain an area for use for A1 retail sales as shown on the approved layout drawings.**



**ACTION: Strategic Director, Regeneration and Culture**

*Note: In accordance with Part 3A (Council Standing Orders) Paragraph 42.2 of the Council's Constitution Councillor M Pollard asked for his abstention in respect of the above resolution to be recorded.*

**17. 1 CHATSWORTH STREET, KEIGHLEY**

**Keighley East**

Full planning application for change of use of ground floor from residential C3 dwelling to a cafe (Use Class A3) with disabled access ramp to front and a new side entrance and windows at 1 Chatsworth Street, Keighley - 15/02206/FUL.

The Interim Strategic Director, Regeneration and Culture gave a presentation setting out the proposals and tabled plans detailing the layout in respect of the application. He reported that Keighley Town Council had recommended refusal in accordance with the Highway Officer's consultation comments. Publicity led to receipt of a petition of 13 signatures from 13 different addresses (including one from the application site) seeking referral of the application to Panel if the officer recommendation was not for approval. The summary of representations was as outlined in Document "E".

The Interim Strategic Director, Regeneration and Culture reported that there was no off road parking available for the proposed use and it was considered that the proposal was likely to result in indiscriminate parking taking place on or around the junction of Dalton Lane and Chatsworth Street and lead to conditions prejudicial to highway safety. It was considered that the proposal was contrary to Policy TM19A of the Replacement Unitary Development Plan and would not form sustainable development compatible with the National Planning Policy Framework. He therefore recommended refusal of the application.

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

- It would be a small scale operation, with a small seating area.
- In respect of highways parking would be indiscriminate.
- People would not park on double yellow lines.
- Staff would be from local families and would not drive to the premises.
- Customers would be from the industrial premises on Dalton Road and from the College.
- The Council's highways officer was being bureaucratic and common sense should prevail.
- In the conditions imposed at the bottom of page 54 the premises would not have ovens but microwaves instead.

Members made the following comments:

- Was there parking on Berry Street.
- Have any accidents been reported at the location of the premises.
- You would probably get just the nip in factor as during the day most residents with vehicles are out at work.
- There was opportunity to park in this area the concern was when the side streets are filled with residents.
- It would be open until 9.00pm if it was 6.30pm I would agree to the application.
- I am worried if it was a full on takeaway.
- We need clarification in respect of the steps leading onto the highway.
- The steps could be put inside the building.
- Sound proofing work would need to be done.





The Strategic Director, Regeneration responded to members' comments:

- The premises should be considered and it would not be just family members working there.
- There would be indiscriminate parking with people popping in for a short while.
- A lot of corner shops which existed now might not get permission now.
- It might be local trade in this location but we can't support it.
- The side entrance introduces steps into a highway.
- The ramp to the front may not be DDA compliant.

**Resolved –**

**That the application be approved subject to the following conditions:**

- (1) The steps and entrance to the proposed cafe from Dalton Lane shall be laid out in strict accordance with the approved drawings to avoid encroachment onto the footway.**
- (2) The noise insulation measures shown on the approved drawings shall be implemented prior to the premises being brought into use for A3 purposes.**

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

#### **18. REQUESTS FOR ENFORCEMENT/PROSECUTION ACTION**

- (i) Former garages, land at Moorside Road, Wilsden. Bingley Rural**

Untidy Land – 14/00493/215DS.

The Planning Manager (Enforcement and Trees) authorised the issuing of a Notice under Section 215 of the Town and Country Planning Act 1990 requiring the land to be cleared under delegated powers, on 21 July 2015.

- (ii) 13 Whitlam Street, Saltaire, Shipley. Shipley**

Installation of satellite dish and mounting bracket – 15/00701/ENFLBC.

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers, on 21 July 2015.

- (iii) Land at 16 Highfield Lane, Keighley. Keighley**

Construction of white UPVC clad dormer windows to the front and rear elevations of the property – 15/00193/ENFAPP.

The dormer windows are considered to be significantly detrimental to the visual amenity of the existing property and wider surrounding area. The Planning Manager (Enforcement and Trees) therefore authorised the issuing of an Enforcement Notice under delegated powers, on 10 July 2015.

- (iv) 16 Queens Road, Keighley. Keighley Central**

Construction of white UPVC clad dormer windows to the front and rear elevations of the property – 12/00975/ENFAPP.



The dormer windows are considered to be significantly detrimental to the visual amenity of the existing property and wider surrounding area. The Planning Manager (Enforcement and Trees) therefore authorised the issuing of an Enforcement Notice under delegated powers, on 10 July 2015.

(v) **22 Dove Street, Saltaire, Shipley.** **Shipley**

Installation of satellite dish and mounting bracket – 11/01215/ENFLBC.

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers, on 21 July 2015.

(vi) **3 Welwyn Avenue, Wrose, Shipley.** **Windhill and Wrose**

Unauthorised front dormer window – 14/00612/ENFUNA.

The unauthorised rear dormer window remains in place and on 22 June 2015 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

It is considered expedient to take Enforcement (Legal) Action as the unauthorised rear dormer window is detrimental to visual amenity by virtue of its design and appearance, contrary to Policies D1 and UR3 of the Council's adopted Replacement Unitary Development Plan and the Council's adopted Householder Supplementary Planning Document.

(vii) **36 Helen Street, Saltaire, Shipley.** **Shipley**

Installation of satellite dish and mounting bracket – 11/01222/ENFLBC.

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers, on 21 July 2015.

(viii) **69 Bingley Road, Saltaire, Shipley.** **Shipley**

Installation of satellite dish and mounting bracket – 11/01232/ENFLBC

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers, on 21 July 2015.

(vix) **Far View Fishing Ponds, Lee Lane, Wilsden, Bingley.** **Bingley Rural**

Unauthorised siting of caravan – 11/01299/ENFCOU.

The Planning Manager (Enforcement and Trees) on 22 July 2015 gave Authority for an enforcement notice to be issued requiring the use to cease.

(iv) **Land to the South of Back Eric Street, Keighley.** **Keighley Central**

Car repairs and sales and fencing – 14/00038/ENFCOU.

Due to the detrimental impact of the use the Planning Manager (Enforcement and Trees) on the 10 July 2015 gave authority for an enforcement notice to be issued requiring the use to cease.

**Resolved –**

**That the reports be noted.**



**NO ACTION**

(Mohammed Yousuf – 01274 434605)

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

**APPEALS DISMISSED**

(i) **251 Leeds Road, Ilkley.**

**Ilkley**

Construction of one detached dwelling - Case No: 15/00048/OUT.

Appeal Ref: 15/00058/APPOU2.

(ii) **3 Forster Close, Burley in Wharfedale, Ilkley.**

**Wharfedale**

Construction of 3 bedroom dwelling on adjacent land - Case No: 15/00671/FUL.

Appeal Ref: 15/00054/APPFL2.

(iii) **3 Long Hall Park, Ilkley.**

**Ilkley**

Retrospective application for gabion retaining wall - Case No: 15/00313/HOU.

Appeal Ref: 15/00057/APPHOU.

(iv) **3 St Paul's Road, Shipley**

**Shipley**

Conversion of dwelling to 4 self contained flats with rear parking area - Case No: 14/05011/FUL

Appeal Ref: 15/00040/APPFL2.

(v) **Sunny Ridge, 137 Curly Hill, Ilkley.**

**Ilkley**

New dwelling - Case No: 14/04064/FUL

Appeal Ref: 15/00042/APPFL2

**Resolved –**

**That the decisions be noted.**

**NO ACTION**

(Mohammed Yousuf – 01274 434605)

Chair

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

i:\minutes\plks2Sept

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

