

Minutes of a meeting of the Area Planning Panel (Keighley & Shipley) held on Wednesday 7 October 2015 in the Council Chamber, Keighley Town Hall

Commenced 1000
Adjourned 1120
Re-convened 1128
Concluded 1221

PRESENT – Councillors

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

Observers: Councillor D Smith (Minute 25)

Councillor Shabir Hussain in the Chair

20. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

21. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

22. PUBLIC QUESTIONS

There were no questions submitted by the public.

23. 18 BARLEY COTE AVENUE, RIDDLEDSEN, KEIGHLEY Keighley East

Full application for construction of detached dwelling. Land at 18 Barley Cote Avenue, Riddlesden, Keighley – 15/02473/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 Keighley Town Council had

recommended refusal due to overdevelopment. Twelve objection letters have been received. The summary of representations was as outlined in Document "G".

The Strategic Director, Regeneration and Culture reported that the proposed development here would assist in increasing development density within the established urban area and reduce pressure on greenfield sites for the essential provision of additional housing stocks. The concerns of neighbours were acknowledged but the implications for surrounding occupiers were not likely to be significantly different than the effects of the previously approved extension to the existing dwelling on the site.

The objectors' concerns regarding highway safety and the free flow of traffic were acknowledged but the proposed development meets the necessary technical requirements to assure highway safety was not compromised and there were adequate off-street parking arrangements set out in the proposals. On this basis it was recommended that planning permission be granted subject to conditions:

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

- I represent all 12 objectors.
- I would disagree with all the comments made by officers.
- The only difference from the previous application was the parking was closer to the property.
- Close properties were off Barley Cote Avenue.
- The overlooking argument still exists in respect of height of windows.
- The application was contrary to Council policies UR3 and D1 in respect of overdevelopment of the area.
- The application was a money making scheme and the Council has been hoodwinked.
- The gap between the wall means it was a detached house.

Members made the following comments:

- A pear tree would be damaged.
- A person had taken time to grow the fruit tree.
- Why was the appeal dismissed before?
- Queried whether there had been a response from Yorkshire Water.
- Requested officers view on the issue of overshadowing and overlooking.
- There was mention of overlooking rather than overshadowing in the comments.
- It looks like development of a detached building. If you have a gap then you can separate the building.
- This was about establishing a footprint for development and not building a bungalow.
- Must look at the application in front of members, it meets the criteria for planning purposes.
- Officers had recommended approval in the report.
- It was an extension to existing property and out of keeping with the street scene.
- Refusal number two still stands.
- There was the safety issue of reversing into the highway.

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

- The pear tree was not a protected tree.
- The sewer would be substantial
- No shadow studies were submitted by the agent.
- There was sufficient space to develop the site.
- The proposal would work. The wider residential area street scene has different house



- types. There was no uniformity.
- It was a two storey small scale property, a small house which could be an affordable unit.
- Planning policies UR3 and D1 were to ensure good quality developments.
- The hedge would be trimmed or replaced by a boundary wall.

The Council's legal representative confirmed that as the tree was not protected it was not a planning issue. It was necessary to have good planning reasons to refuse the application.

Resolved –

That the application be refused for the following reason:

That the proposal will be over dominant in the street scene and on the properties at a lower level to the site on Barley Cote Grove. The proposed development is considered to adversely affect the amenity of occupiers of adjoining properties and the street scene, contrary to Policies UR3 and D1 of the Council's Replacement Unitary Development Plan.

ACTION: Strategic Director, Regeneration

24. 23 LIME STREET HAWORTH, KEIGHLEY

Worth Valley

Full planning application to convert existing workshop/storage premises back to previous use as a single dwelling at 23 Lime Street, Haworth, Keighley – 15/03016/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 Haworth Parish Council had concerns regarding this application and sought assurances before planning consent was given. The Parish Council concerns regarding foundations, lack of sufficient parking and concerns regarding building materials warrant the need for the application to be considered by Planning Panel to ensure that appropriate representation could be made.

There had been seven representations of support and five representations of objection. The summary of representations was as outlined in Document "G".

The Strategic Director, Regeneration reported that the conversion of the existing workshop/storage premises to a single dwelling was acceptable in terms of the principle of residential use. The design of the proposed conversion respects the character and appearance of the building and surrounding area, including enhancing the setting of Haworth Conservation Area. The conversion would have no significant impact on residential amenity, or highway safety. As such the proposal would accord with Policies UDP1, UR2, UR3, D1, D4, TM12, TM19A, BH7, D5 of the RUDP and would constitute 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:

- It's never been a dwelling but always a workshop.
- A previous application was turned down in 2013.
- Concerned with the construction materials as most buildings in Haworth were made of stone while this was red brick.
- The main objection was disruption to the street due to parking.
- Without demolition of buildings the turning space can not be provided.
- The wall was part demolished, if it was reinstated it would be too narrow.
- There were some people in support of the application but there were many objections from



people living nearby.

- The document in support should be discounted as some of the supporters lived far away.
- The main issue was parking and the Parish Council had asked for two spaces and could not see how this can be done without purchasing more land.

The applicant was present and made the following points:

- What was the width of the turning area?
- This 1875 property was built as a dwelling.
- I purchased the building in 2001, it was a warehouse storage premises that allow access to trucks and wagons.
- The application was refused due to dormer windows, I didn't want dormer windows.
- The front of the development would be built in stone.
- There was enough space for vehicles in the back.
- The footprint was the same.
- It can be turned into stone to match the rest of the property.
- It would be a two bedroom home on a brownfield site.
- One of the supporters of the application was a lady who lived in France who had worked in the building.
- First tried to get planning permission in 2002.

Members made the following comments:

- The front right hand of the property was 2.4 metres wide.
- It was not wide enough to get a car down safely.
- It does look tight.
- It was still too tight and we should say so if appeal made.
- There were rights of access for all types of vehicles. Someone could come out of their front door when a tanker comes up the road.
- If it was refused it would stay there as an eyesore.
- With the Panel should support officer recommendation and remove permitted rights.
- Concern expressed about safety and access as there was a slim chance of a vehicle hitting someone.
- The building looks awful it was worth doing up and so the application should be approved.

The Strategic Director, Regeneration confirmed that the width of the turning area was 2.4 metres, with it being 4.9 metres all the way around.

The Council's legal representative confirmed that highway safety issues had already been settled by the Secretary of State. Costs could be awarded against the Council if it refused on highway issues.

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



25. **FIRST SCOUT AND GUIDE GROUP, PEEL PLACE
BURLEY IN WHARFEDALE, ILKLEY**

Wharfedale

Demolition of existing scout/guide hut, formation of a new turning point and drop-off, construction of a new scout and guide headquarters and replacement of existing car parking. First Scout And Guide Group Peel Place Burley In Wharfedale, Ilkley – 15/02730/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 Burley Parish Council had recommended approval subject to a review of the swept path analysis to ensure the minimum loss of existing street parking places on Peel Place. 31 objections had been received, with 88 representations in support. The summary of representations was as outlined in Document “G”.

The Strategic Director, Regeneration reported that this was a proposal for the enhancement of a valuable community facility that already existed at the site. The design and scale of the building were appropriate. The new timber clad building and roof were considered sympathetic to the character of the conservation area and accorded with Policies D1 and BH7 of the RUDP. The new building would not lead to any appreciable adverse impact on the amenity of adjoining residents.

It was fully acknowledged that Peel Place suffered from existing congestion problems, but the scout and guide use was long established. The proposals presented had considered the implications of the larger building on existing traffic conditions and amenity for residents. The applicant had therefore included proposals for a more formalised arrangement for turning, drop off and car parking within the site. These would be of wider benefit in terms of addressing the existing problems and mitigating the impact of the development on local traffic conditions.

On balance, officers consider that the improved facilities for turning and parking appropriately mitigate the impact of the development on transport infrastructure and road safety in accordance with Policies TM2 and TM19A of the RUDP. He therefore recommended approval of the application subject to conditions.

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

- Some objectors had concerns that the premises would be used by other than girl guides and scouts.
- The present structure was built in 1963.
- The proposals would mitigate traffic flow.
- The proposals would ensure that a service was provided for future girl guides and scouts.

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

- There were now more registered vehicles in the UK.
- Have lived in Peel Place for 16 Years and it was already a very crowded place in Burley.
- The development would lead to an increase in the volume of traffic.
- The facility would be rented out to third parties.
- A 30% increase in footprint was overdevelopment and overlooking.
- It was not true that car parking turning facilities would improve matters.
- Should dismiss the highways report in your decision.
- The turning area doesn't work like the one at Leeds station.
- The grassed area was used by dog walkers.
- Two ambulances had got stuck trying to turn.
- A child could get out on the wrong side as a vehicle pulled out.
- There would be a 30% loss of amenities.
- The First Scout And Guide Group had outgrown its present location.



- Urged the Panel to use common sense and reject this proposal.

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

- The development was necessary as it was an old building, it was a poor facility and energy insufficient. We need to replace it.
- They had not been able to find any other suitable site in the village.
- There was the opportunity for better use of the new building.
- On the turning issue they had listened to traffic officers and our consultants.
- The new development would be more visibility attractive, with a better layout of rooms.
- They cater for 300 young persons and would have a more flexible building.
- The proposals keep us in the middle of the village and opposite the recreation area.

Members made the following comments:

- How many parking spaces were there?
- The First Scout and Guide Group does well in the area.

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

- The comparison with Leeds Station was not fair as the volume of traffic was different.
- There was an intention to open a community facility for other groups in the community.

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

26. **1374 THORNTON ROAD, DENHOLME, BRADFORD**

Bingley Rural

Retrospective householder application for the retention of wall cladding to south-west elevation of 1374 Thornton Road Denholme Bradford – 15/03205/HOU.

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 Denholme Town Council had objected to the application. Although it applauds the applicant's desire to weatherproof the building, there seems to be no evidence of consideration of other methods. The Council feels the cladding was incongruous with domestic buildings in the area. Three letters of support had been received. Two Ward Councillors had also e-mailed in support and had requested referral of the application to Panel in the event that officers recommend refusal. The summary of representations was as outlined in Document "G".

The Strategic Director, Regeneration reported that the external cladding of part of this dwelling with sheet steel was not an acceptable form of development, since it results in significant visual harm by substantially changing the character of the building. The use of sheet steel cladding on the exterior of dwellings was not in any way a locally distinctive form of development and this use of inappropriate external materials was fundamentally contrary to Policies UDP3, UR3 and D1 of the RUDP, all of which seek a satisfactory quality of development and the protection of visual amenity. He therefore recommended refusal of the application.



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

- This 300 year old building used to be a pub.
- The brewery had tried to demolish the building.
- They had tried to deal with the damp.
- The property was governed by landlord regulations.
- They had only cladded the top half of the elevation to provide a damp free environment for my tenants.
- If they didn't take action the Council would carry out enforcement action against me.
- There was no single objection from Councillors.
- Local Councillors had referred the issue to Panel.
- The bottom part of the building has not been cladded.
- They had used all relevant materials and can't use any other materials.
- A young family lives in the house.

Members made the following comments:

- When did you buy the property?
- There were other options, you can demolish.
- There was a lot of damp in that property and the applicant had done a lot of work to deal with this problem. Children had been protected.
- I thought it was converted into a warehouse.
- I lived in a damp house and appreciate you can rebuild.
- The work was not attractive but understand why it was done.
- Due to health implications I'm mindful to reject officer recommendations.
- It was an inappropriate piece of cladding.
- There were health issues.
- Enforcement could have been taken early.
- If there was evidence of damp would officers accept the situation?
- In the absence of evidence we should defer the application for a few months to get further information.

The Strategic Director, Regeneration confirmed that the position of officers was that they could not support the application.

Resolved –

That the application be deferred in order to provide further information.

ACTION: Strategic Director, Regeneration

27. REQUESTS FOR ENFORCEMENT/PROSECUTION ACTION

(i) **Land at Harrop Farm, Lane Side, Wilsden, Bradford**

Bingley Rural

Unauthorised stable building – 15/00601/ENFUNA

The Planning Manager (Enforcement and Trees) gave authority for an enforcement notice on 21 September 2015 requiring the unauthorised use to cease and requiring the hardstanding, concrete pad, decking and outbuilding to be demolished and removed.



Resolved –

That the report be noted.

NO ACTION

(Mohammed Yousuf – 01274 434605)

28. DECISIONS MADE BY THE SECRETARY OF STATE

APPEALS ALLOWED

(i) **8 Ryshworth Bridge, Keighley Road, Bingley** **Bingley**

Construction of retail unit with residential unit above - Case No: 14/01437/FUL

Appeal Ref: 15/00055/APPFL2

APPEALS DISMISSED

(ii) **15 Braithwaite Village, Keighley** **Keighley West**

Appeal against Enforcement Notice - Case No: 12/00009/ENFLBC

Appeal Ref: 14/00109/APPENF

(iii) **26 Malvern Crescent, Riddlesden, Keighley** **Keighley East**

Construction of single storey side extension and dormer to rear - Case No: 14/04270/CLP

Appeal Ref: 15/00031/APPCLP

(iv) **79 Manor Road, Cottingley, Bingley** **Bingley Rural**

Appeal against Enforcement Notice - Case No: 14/00460/ENFUNA

Appeal Ref: 15/00034/APPENF

(v) **Lonk House Farm, Lonk House Lane, Baildon** **Baildon**

Construction of single storey extension to detached garage to provide gym and family garden room, including demolition of existing detached outbuilding. - Case No: 15/00827/HOU

Appeal Ref: 15/00065/APPHOU

(vi) **The George Public House, Station Road, Cullingworth, Bingley** **Bingley Rural**

Change of use of garden area to landscaped beer garden, demolition of existing garage and construction of new storage garage - Case No: 14/02313/FUL

Appeal Ref: 15/00063/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.

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

