

# Minutes of a meeting of the Area Planning Panel (Keighley & Shipley) held on Tuesday 16 February 2016 in the Council Chamber, Keighley Town Hall

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Commenced 1000  
Adjourned 1148  
Re-convened 1154  
Concluded 1205

**PRESENT – Councillors**

CONSERVATIVE	LABOUR	GREEN
Miller	Shabir Hussain (Chair)	Love
Sykes	Abid Hussain (DCh)	
	Farley	

Observer: Councillor Warnes (Minute 56)

**Councillor Shabir Hussain in the Chair**

**52. DISCLOSURES OF INTEREST**

Councillor Love disclosed an interest in Minute 56 as he lived 60 yards from the application address and he left the meeting during consideration of that item.

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

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

**54. PUBLIC QUESTIONS**

There were no questions submitted by the public.

**55. 28 LINDISFARNE ROAD, SHIPLEY**

**Shipley**

Full planning application for extension of existing bungalow to form a two storey dwelling with side, rear and front porch extensions – 15/05119/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 23 objection letters have been received. The summary of representations was as outlined in Document “M”.



The Strategic Director, Regeneration reported that the proposed development had been amended to reduce the scale of the proposed extensions. The revised scheme now achieves an appropriate balance between making more efficient use of this site whilst satisfying all relevant policies that aspire to appropriate design and the reduction of adverse effects on the amenities and living conditions of neighbouring residents and the quality of the wider street scene. He therefore recommended approval of the application subject to conditions.

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

- The development would dominate Fairfield Road and Lindisfarne Road.
- There would be a 100% increase in the footprint.
- The development would be extensive in respect of the existing bungalow.
- There would be a lack of privacy for me and my wife.
- Both he and his wife took time off work to be here today to express their feelings in respect of this issue.
- The views of so many objectors should be taken into account.
- The revisions made to the application are minimal.
- There would be overdevelopment on the site and it doesn't take into account neighbouring properties.
- The development would be overbearing and out of scale.
- The proposals were unsuitable.

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

- Please support the application.
- The planning officers have put the case very well.
- The application meets all planning requirements.
- The application was referred to as an office block but this was not the case.
- The proposal was to have a two storey house no bigger than other two storey houses.
- The plan was to replace a 1930's bungalow with a very nice house.
- The development would be a positive contribution to the area.
- I can't understand the objections / fears in respect of this two storey house.
- It was possible to put an extension to the bungalow under permitted development.
- It was a good site for the development.
- For any run off surface water a permeable surface would be put in.
- The distance around the dwelling was within planning guidelines.

Members made the following comments:

- How much was the enlargement?
- Have the amendments reduced the impact of the proposed development?
- Was there any evidence of surface water run off?
- How long has the applicant been in the house?
- Where are the objectors from?

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

- The two storey development would not exceed the footprint. There were smaller scale extensions on either side.
- In comparison with other properties the distance was adequate.
- It was not possible to protect the view from a property.
- In respect of privacy there was a distance of 21 metres and this was satisfactory.



- The proposed building was larger.
- You have to consider this application in relation to planning policies.
- Drainage engineers had no comments in respect of the application.
- The applicant has not lived in the bungalow.
- Most of the objectors were from the surrounding area.

**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 condition 2 being amended as outlined in (1) below and that Permitted Development Rights be withdrawn as outlined in (2) below:**

- (1) **“Before the development is brought into use, the off street car parking facility shall be laid out and permeably surfaced within the curtilage of the site in accordance with the approved drawings. The gradient shall be no steeper than 1 in 15 except where otherwise approved in writing by the Local Planning Authority.”**

**Reason: In the interests of highway safety and to accord with Policy TM12 of the Replacement Unitary Development Plan.**

- (2) **“Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) no development falling within Classes A to E of Part 1 of Schedule 2 of the said Order shall be carried out without the prior written permission of the Local Planning Authority.”**

**Reason: To safeguard the amenity of occupiers of neighbouring properties and to accord with Policy UR3 of the Replacement Unitary Development Plan.**

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

**56. HANDWASH LIMITED, BINGLEY ROAD, SHIPLEY**

**Shipley**

Full application for construction of a new Sainsbury's Local convenience store (Use Class A1) with a gross floor area of 360 sq m along with associated access, 13 car parking spaces and landscaping, following demolition of the existing hand car wash buildings and structures – 15/04044/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 340 objections had been received. 12 representations received in support and 5 representations offering comments or arguments for and against the proposal. A Ward Councillor had also made representations against the application. This referred to impact on local shops, traffic, deliveries and parking, together with proposed conditions if the application was approved. The summary of representations was as outlined in Document “M”.

The Strategic Director, Regeneration reported that the convenience store was proposed on previously developed land inside the Saltaire Local Centre and its size was compatible with its role. The principle of retail development cannot reasonably be opposed on planning grounds. Concerns regarding noise and nuisance impact are acknowledged, but the site is on a very busy main road and there was reasonable separation between the front of the store and the location for refrigeration and ventilation equipment to ensure that planning conditions suggested by the



Council's Environmental Protection Officer would ensure no significant harm to the amenity of occupiers of any adjoining or nearby dwellings.

The subordinate scale, gabled form and materials of the building, and its siting are considered generally sympathetic to the setting of the site in relation to the Saltaire World Heritage Site and Conservation Area, and to the setting of nearby listed buildings. Detailed concerns regarding the position of the ATM have been resolved through amendment. Future signage was controlled separately under the Advertisements Regulations. On balance, the proposed development would meet the objectives of Policy BH14 (the World Heritage Site Buffer Zone) by securing the removal of a negative element that detracts from the significance of the heritage assets. The existing car wash would be replaced with a subordinate contemporary building which responds sympathetically to the historic context in terms of form, scale, position and materials. It would thereby sustain the significance of the World Heritage Site, the Saltaire Conservation Area and the listed buildings identified in the Heritage Statement and so satisfy the relevant legislative duties, the NPPF and policies D1, BH4A, BH7 and S/BH14 of the RUDP, as well as emerging Policy EN3 Historic Environment of The Bradford District Local Plan.

Evidence in the traffic survey had demonstrated that the proposal would not significantly worsen traffic volumes on the adjoining highway and, based on demand at other stores, the car park spaces are considered sufficient to meet anticipated average peak hour parking demand. The delivery lay by proposed on Bingley Road would be sufficient to accommodate the typical delivery vehicles used by the operator and proposals for alterations to features within the carriageway would address concerns about potentially hazardous turning manoeuvres across the carriageway. The highway impact of the store was considered to be adequately mitigated such that the proposal was in accordance with Policies TM2, TM19A and TM11 of the RUDP. The Strategic Director, Regeneration therefore recommended approval of the application subject to conditions.

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

- On page 27 of the report there was a list of predicted trips done by the applicant. The survey was inaccurate. Transport survey figures should be used to calculate new trips.
- If the trips database was wrong how can we be sure of use?
- A large number of residents had objected to the application.
- The application was controversial.
- The development would have an impact on the nearby world heritage site and would contravene policy D1.
- The development would impact on the commercial viability of local shops.
- Even a small store would draw in £50,000 of sales from nearby businesses.
- There was a bakery, butchers and off-licence nearby which would sell the same products as the proposed convenience store.
- I support vibrant communities.
- We should aim for a low carbon economy and the proposed development was not energy efficient.
- The applicants data confirms a large increase in vehicles
- Cars leaving the car park would try to get onto a busy road.
- Policies need to promote walking.
- There would be 7 or 8 deliveries per day which would mean unloading products near pedestrians.
- Deliveries would be between 7.00 am to 11.00pm and sometimes would arrive late. Grosvenor Road residents would see the deliveries.
- The application fails on policy D1 and should be turned down.



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

- I use Grosvenor Road every day and I object to the application on grounds of safety.
- The view was unobstructed at the moment.
- There was a proposal to build a wall and have a hedge but you can't see over it.
- There was a pedestrian footpath and there was a dangerous accident waiting to happen.
- There would be an effect on parking and the car park was not safe.
- You have to back out onto a main road and it was really hard to come out of a blind corner.

A second objector was present at the meeting and made the following points:

- I am a mother of a 7 year old child and more lorries would mean more fumes going into my child's lungs.
- The development would have an effect on peoples health.
- As I commute to work and get stuck in traffic I lose time with my family.
- I buy from local stores who have invested in the local area.
- A sustainable economy was important.
- We should not accept congestion getting worse.
- When you vote think of us and your constituents.
- Please reject the application and say no to Sainsbury's.

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

- It was a convenience store not a supermarket.
- 25 Sainsbury colleagues would not be at the store at the same time and would work 4 hour shifts. We shall employ older persons and parents.
- Some of the staff would walk to work and there would be cycling facilities. Employees would not be expected to park in the car park.
- The average stay in the car park of a customer would be 5 to 6 minutes.
- The store was not local but would employ local people.
- We shall be involved in local charities.
- We are pleased with the officer recommendations and have had a constructive dialogue.
- The previous scheme was a lot different and the amended scheme took on board the Council view.
- The ATM was relocated.
- All the alterations were a result of discussions with officers.
- Flexibility in hours of delivery was necessary in respect of delivery of newspapers and bread.

Members made the following comments:

- Thousands of pounds were spent moving Saltaire roundabout and the application would have an effect on a lot of people crossing the road.
- People would use traffic lights more.
- 25 jobs would be created, would other businesses close?
- The Council's Conservation Officers had not approved the application.
- I want to restrict delivery to an earlier time of 7.00am to 9.00pm.
- I would welcome a layby for delivery wagons. Other motorists would park in the layby and HGV won't be able to get through.
- Pictures show a layby with double yellow lines can people park there?
- We have to look at planning issues but what about competition and taking trade from other businesses?
- I am not happy with the roof and I expected the view of the Conservation Officer on this



matter.

- Can you limit use of the car park to Sainsbury's customers? Would the car park be used by customers of other stores?
- Where would the 25 staff park?
- The store looks an improvement on the car wash.
- Conservation were concerned about this design but offered no alternative.
- The site was not in the world heritage site.
- Traffic issues would have an effect on businesses.
- The traffic arrangements are dangerous and could cause gridlock.
- The car wash was like a McDonalds drive through and it was already busy.
- I don't see any problems with the application and at present there was an unsightly car wash.
- What we have in front of us is an enhancement on what already exists.
- 30 car parking spaces for this size of building was sufficient.
- The development would enhance the area.
- The traffic was bad but was unlikely to get worse and might even improve.
- The road was congested two or three times a day and the development would not make a difference.
- I am minded to refuse. Was policy D1 sufficient grounds for refusal?
- The conservation team said the roof was acceptable.
- We are here to make difficult decisions.

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

- With the number of trips to be generated there was nothing to give rise to any concerns. There was no affect on pedestrian safety and people would be able to get across safely.
- It was not a big store and the number of trips generated would not greatly increase as it was more of a bread and milk run rather than a weekly shop.
- The number of journeys would be minimal and the road could cope with this.
- We have to use the trips database and look at similar types of development in the country.
- The trips were from other similar car wash figures.
- The figures were obtained using the most accurate tool at our disposal which was used by other local authorities.
- There was more than adequate visibility and the delivery vehicles would not impact on this.
- The store operator wants parking for his customers. It was a local store and would have a local employee base they could walk to work and were within a bus route.
- Competition was not a planning matter.
- Even a blue badge holder can be prosecuted if they park in a layby.
- The legal duty was to enhance and preserve the conservation area. This would be fulfilled with the new building.

**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 Condition 8 being amended to read as follows:**

**Deliveries of goods to the retail premises shall only take place between the hours of 0700 to 2100 each day.**

**Reason: To safeguard the living conditions and amenities of neighbouring residents and to accord with policies P7 and UR3 of the Replacement Unitary Development Plan.**





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

**57. KEIGHLEY POST OFFICE, 44 TOWNGATE, AIREDALE SHOPPING CENTRE, KEIGHLEY**

**Keighley Central**

Planning application for change of use from Post Office to betting shop (sui generis) at Keighley Post Office, 44 Towngate, Airedale Shopping Centre, Keighley, BD21 3QE – 15/07608/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 at the time of producing the report the Council had received 21 representations objecting to the proposal. The summary of representations was as outlined in Document “M”.

The Strategic Director, Regeneration reported that the proposed change of use would add to the variety of uses in the town centre without compromising its overall retail function, and in this respect would not harm the vitality and viability of the shopping centre. Furthermore, it would bring a long vacant building back into use and so enhance the attractiveness of the shopping centre, increase pedestrian activity and offer some employment opportunities. This accorded with economic objectives in the National Planning Policy Framework. The proposal would not have any adverse impact on local visual amenity, highway safety or community safety. The proposal would accord with Policies CT5, CL1, D1, D3, D4, UR3, TM11, TM19A of the RUDP and was sustainable development compatible with the NPPF. He therefore recommended approval of the application subject to conditions.

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

- The Planning Policy Framework supports economic activity.
- The shop would be some distance from other betting shops.
- The unit would be visually improved.
- The change of use would change the percentage of non-retail uses in the Towngate frontage from around 30% to 38%
- The retail offer was dominant in Keighley.

Members made the following comments:

- Explain sui generis, what other use was there as well as a betting shop?
- There were 21 objections.
- Keighley Town Council had recommended the application for refusal but it was disappointing that they had not sent a representative to object at the meeting.

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

- Sui generis included all types of shop use such as car sale use.
- Under permitted development it could go to retail use.

**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***

**58. REQUESTS FOR ENFORCEMENT/PROSECUTION ACTION**

**(i) 10 The Hallows, Highfield, Keighley Keighley Central**

Construction of raised timber decking to the rear of the property – 15/00609/ENFUNA

The construction of the raised timber decking was detrimental to the residential amenity of the occupiers of neighbouring residential properties because due to its elevated position it introduces overlooking to the private amenity areas and windows of adjoining residential properties.

The Planning Manager (Enforcement and Trees) therefore authorised the issuing of an Enforcement Notice under delegated powers, on 26 January 2016.

**(ii) 280 Bradford Road, Riddlesden Keighley East**

Construction of raised timber decking to the rear of the property – 14/00371/ENFUNA

The construction of the raised timber decking was detrimental to the residential amenity of the occupiers of neighbouring residential properties because due to its elevated position it introduces overlooking to the private amenity areas and windows of adjoining residential properties.

The Planning Manager (Enforcement and Trees) therefore authorised the issuing of an Enforcement Notice under delegated powers, on 26 January 2016.

**(iii) 35 Woodside Drive, Cottingley, Bingley Bingley Rural**

Construction of white UPVC clad dormer window to the rear elevation of the property – 14/00534/ENFUNA.

The dormer window was 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 26 January 2016.

**(iv) 61 Leeds Road, Shipley Windhill and Wrose**

Breach of conditions 2 and 3 of planning permission 15/00876/FUL – 15/00050/ENFUNA.

The conditions of the planning permission continue to be breached and on 17 December 2015 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice (Breach of Condition). It was considered expedient to instigate Enforcement (Legal) Action as the breach of conditions was detrimental to highway safety, contrary to Policies TM11 and TM19a of the Council's adopted Replacement Unitary Development Plan.

**(v) Black Bull Farm, Ilkley Road, Burley In Wharfedale Wharfedale**

Mixed use of the land – 15/00272/ENFUNA.

The unauthorised mixed use was located on former agricultural land adjacent to residential properties and was inappropriate within the designated Green Belt. The Planning Manager (Enforcement and Trees) therefore authorised the issuing of an Enforcement Notice under delegated powers, on 27 January 2016.





(vi) **Land at Back Prospect Place Keighley** **Keighley Central**

The unauthorised change of use of land for the storage of two metal containers – 12/00451/ENFUNA.

The siting of the metal containers was considered to be detrimental to visual and residential amenity. The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers, on 26 January 2016.

(vii) **The Golden Fleece, 38 Long Lane, Harden, Bingley** **Bingley Rural**

Construction of an outbuilding – 14/00101/ENFUNA.

The outbuilding was considered to be detrimental to both visual and residential amenity. The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers, on 26 January 2016.

(viii) **Non Addressable At Grid Ref 403745 441545 – Land known as Church View Stables, Braithwaite Road, Laycock, Keighley** **Keighley West**

Unauthorised storage of waste materials including rubble, wood, plastic, tyres, bath tub plastic etc thereby adversely affecting the amenity of the surrounding area – 16/00060/215EH.

Via the Council's Environmental Health Department a section 215 Notice has been authorised to clear the site of all the unauthorised materials and leave the land in a clean and tidy condition.

(ix) **The Grange, Woodfield Road, Cullingworth, Bingley** **Bingley Rural**

Unauthorised outbuilding – 15/00756/ENFAPP.

The unauthorised building, due to its size and location has a significant adverse impact on the surrounding area and the openness of the green belt therefore constituting inappropriate development within the green belt. The unauthorised development was contrary to policies GB1, UDP3 and UR3 of the Replacement Unitary Development Plan and The National Planning Policy Framework.

The Planning Manager authorised the issuing of an Enforcement Notice under delegated powers, on 26 January 2016.

**Resolved –**

**That the report be noted.**

**NO ACTION**

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

**APPEALS DISMISSED**

(i) **59 Staveley Road Keighley** **Keighley West**

Remove existing garage and replace with a two bedroomed dwelling to the side - Case No: 15/00908/FUL

Appeal Ref: 15/00128/APPFL2



(ii) **Agricultural Building Tarn Lane Laycock Keighley**

**Keighley West**

Conversion of existing steel portal frame structure with concrete block walls into one single-storey habitable dwelling - Case No: 15/03344/PAR.

Appeal Ref: 15/00127/APPPN2

**Resolved –**

**That the decisions be noted.**

***NO ACTION***

Chair

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

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

