

Decisions of the Area Planning Panel (Keighley and Shipley) on Wednesday, 15 June 2016

**These decisions are published for information in advance of the
publication of the Minutes**

Decisions

5. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

(a) **5 West View, Wells Road, Ilkley** **Ilkley**

Resolved –

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

(b) **53 Mallard View, Oxenhope, Keighley** **Worth Valley**

Resolved –

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

(c) **7A Westgate, Baildon** **Baildon**

Resolved –

That the application be approved for the reasons and subject to the conditions set out in the Strategic Director of Regeneration’s technical report, subject to the amendment of Condition 2 to require that the extraction equipment is fitted internally within the chimney, and the imposition of an additional condition relating to the submission of details of the provision for bin storage and access to it from the rear of the building for approval in writing by the Local Planning Authority.

(d) **Hindleigh, Gawthorpe Lane, Bingley** **Bingley**

Resolved –

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



- (e) Land adjacent to Cliffe Cottages, Lees Lane, Haworth, Keighley Worth Valley

Resolved –

That the application be refused for the following reason:

It is considered that:

- (i) The proposed access is inadequate due the very restricted width available for turning and manoeuvring at the entrance to the development site.
- (ii) The increased use of the access as proposed would be detrimental to the amenities of existing residents due to light from car headlights shining into the immediately adjacent property in Lees Mill, and
- (iii) The access and the parking layout as proposed would cause problems for access and turning of vehicles within the site and lead to the potential for disputes between existing and future residents,

and the application is therefore contrary to Policies TM2, TM19A, D1 and UR3 of the Replacement Unitary Development Plan.

- (f) Land adjacent to 15 Stirling Road, Burley in Wharfedale, Ilkley Wharfedale

Resolved –

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

- (g) Land at West Lane, Baildon Baildon

Resolved –

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

- (h) Norwood House, Green Lane, Baildon Green, Baildon Shipley

Resolved –

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

- (i) Unit 8, Valley Road Business Park, Gas Works Keighley East

Road, Keighley

Resolved –

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

(j) 1 Belmont Avenue, Baildon Baildon

Resolved –

That the application be refused for the reasons set out in the Strategic Director of Regeneration’s technical report.

**(k) Land to the West of 300 Spring Gardens Lane, Keighley
Keighley Central**

Resolved –

(1) That the application be approved for the following reasons:

- (i) The Development will not conflict with Policy OS1 of the Replacement Unitary Development Plan (the RUDP) as it is considered that it will not significantly reduce the open and green character of the urban greenspace given the nature of the surrounding area and the previous planning permission for 4 houses on the lower part of the field.**
- (ii) The development site borders the Devonshire Park and Cliffe Castle Conservation Area but the impact of development on the conservation area’s character and appearance and its setting is not judged to be significant. Due to the mixed variety of development in the local area it is considered that the proposed development would cause less than substantial harm to the significance of the designated heritage asset. Such less than substantial harm is considered to be outweighed by the public benefits of securing an increase in land for housing. The development is therefore not considered contrary to Policy BH7 of the RUDP.**
- (iii) It is considered that the impact on protected trees can be overcome through the imposition of a requirement for further details of tree protection and construction methodology by means of planning conditions.**

and subject to the following conditions:

(1) The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: To accord with the requirements of Section 91 of the Town and Country Planning act 1990 (as amended).

(2) Prior to the commencement of development, details of a scheme for the repair and reconstruction of the stone boundary wall abutting the footpath to the eastern side of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show details of proposals for repair of the wall and the proposed height and appearance of the boundary treatment to the dwellings abutting it. The details so approved shall be implemented prior to the occupation of the dwelling on Plot 1 of the development.

Reason : In the interests of visual amenity and to enhance the character of the Urban Greenspace to accord with Policies OS1, D1 and D5 of the Replacement Unitary Development Plan.

(3) Notwithstanding any details shown on the permitted plans, the development shall not begin until arrangements have been made with the Local Planning Authority for the inspection of all facing and roofing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and to accord with Policies UR3 and D1 of the Replacement Unitary Development Plan.

(4) The development shall not begin until a scheme of landscaping to enhance tree, hedge and shrub cover along the perimeters of the development site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall show the following details:

- i) Position of all trees to be retained on the site, and details of proposed new trees, hedges and shrubs - showing the extent of planted areas and the numbers of trees and shrubs in each position with size of stock, species and variety;**
- iii) The types of enclosure to all domestic curtilages.**
- iii) Details of any regraded contours and details of changes in level within the site.**

The landscaping scheme so approved shall be implemented in its entirety to the satisfaction of the Local Planning Authority during the first available planting season following the completion of the dwellings hereby approved.

Any trees or shrubs comprising the approved landscaping becoming diseased or dying within the first 5 years after the completion of planting shall be removed immediately after the disease/death and a replacement tree or shrub of the same species/specification shall be planted in the same position no later than the end of the first available planting season following the disease/death of the original tree or shrub.

Reason: In the interests of visual amenity and to accord with Policies

UDP3, UR3, OS1, D1 and D5 of the Replacement Unitary Development Plan.

(5) Notwithstanding arboricultural details submitted with the application, no development shall be carried out until a further Arboricultural Method Statement that complies with industry best practice has been submitted to and approved in writing by the Local Planning Authority. The Method Statement shall show details of tree protection measures and how development within Root Protection Areas shall proceed without harming protected trees and agreed tree root protection areas. The methodology and details shall be approved in writing prior to development commencing.

The submitted and approved Arboricultural Method Statement shall be undertaken in full or in accordance with any variation for which the Local Planning Authority gives its written approval.

Reason: To ensure tree damage is minimised and to safeguard the visual amenity provided by the trees on the site to accord with Policies NE4, NE5 and NE6 of the Replacement Unitary Development Plan.

(6) Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced, sealed and drained within the site in accordance with the approved plan and completed to a constructional specification approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

(7) Before the development is brought into use, the off street car parking facility shall be laid out, hard surfaced, sealed and drained 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.

(8) Before any part of the development is brought into use, the vehicle turning area shall be laid out, hard surfaced, sealed and drained within the site, in accordance with details shown on the approved plan and retained whilst ever the development is in use.

Reason: To avoid the need for vehicles to reverse on to or from the highway, in the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

(9) Before any part of the development is brought into use, the 2.4m x 43m visibility splays shown on the approved on plan 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.

Reason: To ensure that a suitable form of access is made available to serve the development in the interests of highway safety and to accord with Policy TM19A of the Replacement Unitary Development Plan.

(10) The development shall not commence until full details and calculations of the proposed means of disposal of surface water and foul water drainage up to the discharge point of the combined sewer within Manor Road have been submitted to and approved by the local planning authority.

Reason: To reduce the rate of surface water run-off from the development and to protect adjoining properties from flooding and to accord with Policies NR16 and UR3 of the Unitary Development Plan.

(11) No development to take place until the location of the medium pressure gas main is located by means of intrusive site investigation and subsequently the drainage design as approved is shown to not encroach within the specified easement.

Reason: To ensure that a suitable form of drainage is made available to serve the development and to accord with Policies NR16 and UR3 of the Replacement Unitary Development Plan.

(12) No development shall take place until details for proposals for dealing with any existing watercourses, culverts, land drains or springs encountered during the works are submitted to and approved in writing by the LPA. The development shall be carried out in accordance with the approved details.

Reason: To protect adjoining properties from flooding and to accord with Policies NR16 and UR3 of the Unitary Development Plan,

together with any additional technical conditions that the Strategic Director – Regeneration, after consultation with the Chair, considers necessary.

(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 the Highways Act 1980, or such other lawful mechanism for securing the heads of terms as may be agreed in consultation with the City Solicitor, in respect of

the relocation of the existing speed table in Spring Gardens Lane at the proposed access point to the site, at the developer's expense,

the legal planning obligation to contain such other ancillary provisions as the Strategic Director, regeneration (after consultation with the City Solicitor) considers appropriate.

(Mohammed Yousuf – 01274 434605)

6. **MISCELLANEOUS ITEMS**

The Panel noted the following:

REQUESTS FOR ENFORCEMENT ACTION

(a) **131 Bradford Road, Shipley** **Shipley**

The Planning Manager (Enforcement and Trees) had authorised the issue of an Enforcement Notice in respect of the construction of a metal framed canopy structure and shelving/racking, under delegated powers, on 17 March 2016.

(b) **296 Leeds Road, Shipley** **Windhill and Wrose**

The Planning Manager (Enforcement and Trees) had authorised the issue of an Enforcement Notice in respect of the installation of an unauthorised roller shutter, under delegated powers, on 18 April 2016.

DECISIONS MADE BY THE SECRETARY OF STATE

APPEAL ALLOWED

(c) **Ben Rhydding Post Office, 56 Wheatley Lane, Ilkley** **Ilkley**

Change of use from dwelling with retail/post office use to full dwelling with demolition of existing shop front display window and doorway. Appeal reference: 16/00025/APPFL2.

APPEALS DISMISSED

(d) **3 Croft Rise, Menston, Ilkley** **Wharfedale**

Construction of two storey extension to the side. Appeal reference: 16/00002/APPHOU.

(e) **Block Of 4 Lock-Up Garages, Great Pasture, Burley In Wharfedale, Ilkley** **Wharfedale**

Conversion of workshop and garage to a domestic dwelling. Appeal reference: 16/00012/APPFL2.

(f) **Land To The North Of 13 Hebden Bridge** **Worth Valley**

Road, Oxenhope, Keighley

Construction of two detached dormer bungalows with improvements to access, provision of public footway and improvements to existing open space area. Appeal reference: 16/00008/APPFL2.

(g) **The Old Mill House, 6 Drakes End, Oakworth, Keighley** **Worth Valley**

Change of use of land and construction of domestic double garage. Appeal reference: 16/00022/APPFL2.

(h) **White Lodge, Bradford Road, Bingley** **Bingley**

Construction of one detached dwelling. Appeal reference: 16/00035/APPFL2.

APPEAL ALLOWED IN PART/PART DISMISSED

(i) **40 Main Street, Burley In Wharfedale, Ilkley** **Wharfedale**

Replacement of one window to kitchen – allowed on appeal. Internal alterations including removal of ground floor masonry walls forming entrance hall, construction of new dividing wall, replacement of stairs – dismissed. Appeal reference: 15/00137/APPLB2.

FROM: Parveen Akhtar
City Solicitor
City of Bradford Metropolitan District Council

Committee Secretariat Contact: Sheila Farnhill, 01274 432268