

# Minutes of a meeting of the Area Planning Panel (Keighley and Shipley) held on Wednesday, 14 December 2016 at Council Chamber - Keighley Town Hall

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Commenced 10.10 am  
Concluded 12.10 pm

## Present – Councillors

CONSERVATIVE	LABOUR	THE INDEPENDENTS
M Pollard Riaz	Shabir Hussain Abid Hussain Bacon Lee	Naylor

Observer: Councillor Khadim Hussain (Minute 35(e))

Apologies: Councillor Adrian Farley and Councillor Glen Miller

## Councillor S Hussain in the Chair

### 32. DISCLOSURES OF INTEREST

The following disclosure of interest was received in the interest of clarity:

Councillor Abid Hussain disclosed, in respect of the item relating to Car Park, Former 18 Russell Street, Keighley (Minute 35(e)), that the site was within his Ward but he had not discussed the application.

**Action: City Solicitor**

### 33. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

### 34. PUBLIC QUESTION TIME

There were no questions submitted by the public.



### 35. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

The Strategic Director, Regeneration presented **Document “M”**. Plans and photographs were displayed in respect of each application and representations summarised.

**(a) 11 Menston Old Lane, Burley in Wharfedale, Wharfedale  
Ilkley**

Full application for the demolition of a detached bungalow and construction of a pair of semi-detached dwellings with associated parking at 11 Menston Old Lane, Burley-in-Wharfedale, Ilkley - 16/08271/FUL

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. He reported that the application was for the demolition of a bungalow and the construction of two semi-detached properties with car parking to the front of the site in a suburban area. A number of objections, including one from a Ward Councillor and an MP, and a petition in objection to the scheme had been submitted. Additional comments had been received following the publication of the report from two Ward Councillors. The Strategic Director, Regeneration explained that the properties would have three parking spaces and an integral garage. He confirmed that the scheme would have an impact on properties to the side but not to the rear and the ridge line height of the houses would be equivalent to the dwellings opposite. Officers believed that the development would not have a significant impact on the properties opposite and it would have a satisfactory relationship on the south side with number 15. With regard to number 9, the new building would stand forward with an 11 metre gap between the two. The view from number 9 would alter, however, it would not affect daylight to the property. The Strategic Director, Regeneration stated that there was a diverse character on Menston Old Lane and within the vicinity. The layout of properties was assorted on the side of the street in question, though there was a strong alignment on the opposite side, and the proposed development would sit behind number 15. The new houses would be 1.3 metres higher than number 9, but there was also an assortment of heights along that side of the road. The Strategic Director, Regeneration confirmed that the scheme would be an appropriate use of the land and recommended the application for approval.

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

- She lived next door and was representing other local residents.
- They were not against the proposal, but had concerns regarding the design.
- The proposed dwellings would be closer to the road than the existing bungalow and would be 6 metres from the road.
- The roof line was a significant issue.
- The proposed development would be higher than number 9.
- Concerns had been raised regarding the siting of the building and the height line.



- Light would be restricted at the front of the property.
- The proposed properties would directly overlook the houses opposite.
- The footprint was larger than the existing bungalow.
- The view of number 9 would be restricted due to the siting of the proposed dwellings being brought forward.
- Negative effects could be mitigated by the roof line being lowered and the development being set further back.
- The parking provision was insufficient and if the properties were set back more parking would be provided.
- Local residents supported the objections against the development.
- Local residents were keen to work positively with the developers.

In response to some of the comments made, the Strategic Director, Regeneration reported that the distance to the street from the proposed development would be 5.2 metres and it would be sited further 2.1 metres further forward than the existing dwelling, which would result in a gap of 7.8 metres and 12 metres to neighbouring properties. He confirmed that the proposed set back and parking provision were adequate and that the scheme would not dominate the street scene.

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

- Officers' concerns regarding the separation distances had been addressed at the pre-application stage.
- The distances were more than the Council's standard.
- Three car parking spaces per property would be provided which was more than adequate.
- A solar study had been undertaken and the results had confirmed that the adjacent properties would not be greatly affected by overshadowing.
- The District had a housing shortage.
- The application was recommended for approval.

In response to queries, Members were informed that:

- The proposal had not been sited further back as it would impact on the adjoining neighbours to the north and south. They had not objected to the proposal but would do if the development was moved.
- There would be more impact on the first floor level window at number 9 and the windows at the end of the extension to number 15 if the proposal was moved further back. The distance between the properties to the front was approximately 25 metres and the Council's standard was 21 metres. The distance to the road was more generous than other schemes and sufficient parking
- It was normal practice for vehicles to reverse onto a suburban street.
- The proposal would not impact on street parking more than any other development and sufficient parking had been provided.
- There was a shallow slope across the street.



During the discussion Members indicated that the scheme was acceptable and acknowledged the need for extra housing in the District, however, another Member indicated that by moving the proposal further back from the road it would resolve the issue of overbearing on the street scene and on balance would be an improvement.

**Resolved –**

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

***Action: Strategic Director, Regeneration***

**(b) 17 Victoria Road, Saltaire, Shipley**

**Shipley**

Change of use of ground floor from A2 (financial and professional services office) to an A3 café at 17 Victoria Road, Saltaire, Shipley - 16/08238/FUL

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that a speculative application had been submitted for the change of use of the vacant ground floor from an office to a café, in order to provide more options for the premises. It was noted that 26 representations had been received and the issues were covered in the officer’s report, however, Members were informed that the proposed use would not be a drinking establishment. The hours of operation would be restricted to 0800 to 1800 hours Monday to Saturday and 1000 to 1600 hours on Sunday and the internal wall with 11 Titus Street would be soundproofed. In relation to parking, the Strategic Director, Regeneration acknowledged that it was a very busy area and there were parking restrictions in place, but the property was close to public transport links. He confirmed that the Council’s Highways Department had not commented on the application or the previous one that had been refused. The waste bins were stored in the rear yard and the Council had been informed that the property did not have the right to do so, however, this was a private matter. Concerns had been raised regarding the need for another use of this type in the area, but the property was vacant and it would be more beneficial for it to be used. The application was then recommended for approval, subject to the conditions as set out in the report.

In response to Members’ queries, the Strategic Director, Regeneration confirmed that:

- It was not known who the industrial bin in the shared yard belonged to, but there was a business nearby.
- It was not known who owned the yard and no confirmation had been provided.
- It had been proposed that the opening hours be restricted to 8am – 6pm Monday to Saturday and 10am to 4pm on Sunday.
- The property had been empty for at least 6 months.



- The bin storage was outlined on the location plan and would have to be provided in accordance with the approved plans.

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

- She owned 11 Titus Street and had bought the property as it was a quiet area.
- The yard was owned by another person.
- The owner had given Saltaire Sandwiches permission to use the yard and no more would be allowed.
- There were plenty of eateries in the area.
- They did not want anti social behaviour in the area.
- There was no access to the back yard.

Another objector was present and stated that:

- She lived at 18 Victoria Road.
- The proposal was not in keeping with the residential area.
- The other bars and restaurants were near to the station.
- There were road safety issues.
- There was a restricted covenant on the yard.
- If the premises became a café there would be waste and issues would arise.
- It was believed that an application to extend the opening hours and a premises licence would be submitted.
- The proposal would impact on residents.
- If a daytime licence was granted there would still be noise issues.
- Many objections had been received from neighbours.

In response to some of the points raised the Strategic Director, Regeneration stated that an application for a café in the small unit had been submitted and Members could only consider what had been presented.

During the discussion a Member indicated that the location of the waste bin could be conditioned, however, if there was no access to the yard this would be a private matter. Another Member confirmed that there were similar premises in the vicinity and it would be better to see the property in use. Members agreed that a condition regarding the bin provision would be required.

**Resolved –**

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

- (i) **That the premises shall not be brought into use for any purpose within Class A3 of the Town and Country Planning (Use Classes) Order 1987 until the developer has made provision for a suitable trade waste bin to be sited in accordance with the submitted**



**layout drawing 14223-202. The Local Planning Authority shall be notified in writing that such provision has been made and shall have confirmed its agreement in writing to that provision.**

***Action: Strategic Director, Regeneration***

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

**Ilkley**

Full application for an extension to the building to accommodate a lift shaft, at 5 West View, Wells Road, Ilkley - 16/07924/FUL

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that an application to change the building into four apartments had been approved in June 2016. There was a large stair tower to the rear of the premises and following lengthy discussions it had been proposed that the tower would be extended in order to provide a lift to the building. The extension would be a small addition to the building and not affect the parking to rear. The Council's Conservation officer had stated that the proposal would still be in proportion and in keeping with the building, the listed buildings in the vicinity and the area. The Strategic Director, Regeneration reported that the scheme would have a limited impact on amenity and the conservation area and would increase accessibility for residents.

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

- The building was neglected.
- A conversion from eight bedsits to five apartments had been granted.
- The existing stairs would be remodelled to accommodate a lift.
- Ilkley Parish Council supported the application but other objections had been received and were detailed in the officer's report.
- No changes would be made to the parking provision.
- The heritage statement had been accepted.
- The scheme complied with the Council's Householder Supplementary Planning Document (HSPD).
- The lifts would be quiet and be located within the existing stair shaft.
- The lift shaft would be well insulated as it would be next to bedrooms.
- The extension would not be a problem to Wells Road.
- The added investment would make the apartments more accessible.
- The proposal would ensure the continued use of the building.
- The railings had been removed, sent to a specialist for restoration and would be reinstated.
- The three conditions were acceptable.

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

- The land had a steep rise and the proposal would restrict the light to number 4 and its garden.
- The view and light would be blocked to other properties.





- It was an important conservation area.
- The existing extension was dominant and any additional extension would have an impact.
- Parking was an issue in the area and only four parking spaces would be provided for five apartments. There was room for five spaces.

In response the Strategic Director, Regeneration stated that the parking issues had been considered in the previous application and that the application was for an extension to accommodate a lift shaft. He acknowledged that the existing structure was large, however, the extension would only be a small addition and the impact of the proposal on neighbours had to be balanced against the benefit to residents.

During the discussion a Member welcomed the adaptation of the building and noted that the extension was to the rear of the property. Another Member queried the content of the heritage statement and the Strategic Director, Regeneration confirmed that it should include an explanation of the process involved.

**Resolved –**

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

***Action: Strategic Director, Regeneration***

**(d) Unit 15 The Moors Shopping Centre,  
South Hawskworth Street, Ilkley**

**Ilkley**

Change of use from retail shop (Use Class A1) to Fitness centre (Use Class D2 - assembly and leisure) at Unit 15, The Moors Shopping Centre, South Hawskworth Street, Ilkley - 16/08529/FUL

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the proposal was for a change of use from a retail shop to a fitness centre in the basement area of the shopping centre in Ilkley town centre and the site would comprise of a variety of unused space. A number of representations in objection and support of the proposal had been submitted and were detailed in the officer’s report. The Parish Council supported the application but had raised concerns in relation to the proposed hours of operation. The facility would be part of a national brand but would be operated by a local franchise and employ local staff. The property was situated next to a large car park and was accessible by foot. The Strategic Director, Regeneration reported that the fitness centre’s peak hours would be late afternoon and evenings, therefore, parking would not be an issue. He confirmed that the facility would be open 24 hours but staffed from 0900 to 2100 hours and statistics from other operations identified a 1% to 5% use between 2200 to 0500 hours. The exercise areas would be located below businesses and there would be very limited noise breakout. People using the facility late at night would not be



able to operate music and the number of users would be limited. The Strategic Director, Regeneration acknowledged that there was an old person's complex opposite but the proposal would not impact upon it. The application was then recommended for approval, subject to the conditions as set out in the report.

In response to Members' questions, the Strategic Director, Regeneration reported that the fire escapes would have to be vetted by Building Control and access was available at the back of the premises via the service yard. The gates to the service area would also have to meet fire regulations. He added that he believed that the premises was currently empty.

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

- There were 100 franchises of the company operating in the UK.
- The car park was large and had more than sufficient spaces. The usage of the gym would be spread across the day and at peak times there would not be more than 15 people present, not all of whom would drive.
- Any tenant of the premises would have some parking demand.
- The 24 hour facility would only be used by a limited number of people and the nearby pub was open until late which would be noisier.
- Measures would be put in place to control noise emission.
- The facility would not be in competition with other operators, it would be a more complementary use.

The applicant was also present at the meeting and added that the business was a global brand, however, she was a local resident and wanted to give something back to the community.

During the discussion Members acknowledged the proposal's opportunity for a healthy lifestyle.

#### **Resolved –**

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

***Action: Strategic Director, Regeneration***

#### **(e) Car Park, Former 18 Russell Street, Keighley Keighley Central**

Full planning application for the construction of an industrial unit at Car Park on site of 18 Russell Street Keighley - 16/07573/FUL

The Strategic Director, Regeneration gave a presentation setting out the proposals and tabled plans detailing the layout. He informed Members that the land, which was located between a social club and industrial area, had been used as a car park for many years. The street had a mixed character and the application proposed the construction of a general metal clad industrial unit that





would sit at the back of the site. A number of representations in objection and support of the development had been received and the issues raised were covered within the officer's report. It was noted that in the past a workshop building had been located on the site, however, it had been used as a car park since 1993. The Strategic Director, Regeneration explained that the main issue was the impact on the adjacent residential flats and the Council's Environmental Health Unit had raised concerns. He stated that the metal clad building was not appropriate to the character of the area and not compatible with the residential properties. The Council's Highways Department had also objected to the scheme due to the lack of parking provision. The application was then recommended for refusal as per the reasons set out in the officer's report.

A Ward Councillor was present at the meeting and made the following points in support of the application:

- The scheme would provide a business starter unit.
- There would be little floor space left following the provision of a kitchen, toilet and office within the unit.
- A building that ran the entire length of the site had been present in 1973.
- Russell Street was a commercial area before and the residential properties were a new introduction.
- The car park had previously been used by a solicitor's business but was no longer required.
- The site was next to a social club and taxi booking office, which would generate more noise than the proposed business use.
- Restrictions regarding the opening hours would be accepted.
- The proposed building would be single storey and only affect the ground floor windows in the flats, which were bathrooms and bedrooms.
- The building would have a greater impact on the other side.
- Three parking spaces would be provided and the site was in a sustainable location that was served by public transport.
- There was another clad unit in the vicinity, however, artificial stone could be used instead if required.

In response to a Member's query regarding the orientation of the proposed building, the Strategic Director, Regeneration confirmed that there was a possibility that the proposed building could be turned around and this could be looked at if submitted, however, the Panel had to consider the application before them and concerns had been raised.

In response the Ward Councillor supporting the application stated that the applicant had shown a willingness to amend the initial proposal and change the materials to be used. In relation to the noise issues, he reported that there was a commercial use on the ground floor of the flats' building and other commercial properties in the area. The proposed development would not make an impact in the area and it should be approved in order to support the regeneration of the vicinity.



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

- Some of the flats had living rooms on the ground floor.
- The wall of the proposed building would be too near to flat windows.
- The noise issues could be addressed.
- The proposed building could be turned around.

Another objector was present at the meeting and stated that:

- He owned the adjacent building.
- The majority of the buildings in the area had been converted to apartments.
- Not many commercial units were left in the area.
- There had not been any parking problems in the past.
- The residents would vacate the flats if the proposed building was built.

In response to a question from a Member, the Strategic Director, Regeneration confirmed that the distance between the proposed building and the flats would be 1.1 metres. Members noted that the site had been rented and used by a company as a private car park, but was no longer required.

During the discussion Members appreciated that the applicant wanted to put the land to use, however, it was agreed that the proposed building would have a detrimental impact on the residential amenity of the occupants of the flats.

**Resolved –**

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

***Action: Strategic Director, Regeneration***

## **36. MISCELLANEOUS ITEMS**

The Strategic Director, Regeneration presented **Document “N”** and the Panel noted the following:

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

#### **(a) 15 Park Road, Bingley**

**Bingley**

Installation of two externally mounted roller shutters, roller shutter boxes and guide rails - 16/00356/ENFUNA

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers on 21 November 2016.



**(b) Land North of Spring Gardens Lane, Keighley Keighley Central**

Unauthorised development - 16/00531/ENFUNA

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers on 21 November 2016.

**(c) Land at Lane End Farm, Gilstead Lane, Gilstead, Bingley Bingley**

Unauthorised use of land for the processing, storage and supply of stone and masonry products - 15/01229/ENFCOU

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers on 23 November 2016.

**DECISIONS MADE BY THE SECRETARY OF STATE**

***APPEALS DISMISSED***

**(d) Bridge End, Park Mount Avenue, Baildon Baildon**

Construction of detached dwelling - Case No: 15/07336/FUL

Appeal Ref: 16/00104/APPFL2

**(e) Spring Bank House, Menston Old Lane, Wharfedale  
Burley in Wharfedale, Ilkley**

Conversion and reconstruction of the existing outbuildings to form a single new residence - Case No: 16/01973/FUL

Appeal Ref: 16/00097/APPFL2

**Resolved –**

**That the decisions be noted.**

***Action: Strategic Director, Regeneration***

Chair

**Note: These minutes are subject to approval as a correct record at the next meeting of the Area Planning Panel (Keighley and Shipley).**

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

