

## Minutes of a meeting of the Area Planning Panel (Keighley and Shipley) held on Wednesday, 26 April 2017 in the Council Chamber - Keighley Town Hall

Commenced      10.05 am  
Concluded        11.10 am

**Present – Councillors**

<b>CONSERVATIVE</b>	<b>LABOUR</b>
<b>Miller</b> <b>M Pollard</b>	<b>S Hussain</b> <b>Abid Hussain</b> <b>Bacon</b> <b>Farley</b>

Observers: Councillor Khadim Hussain (Minute 52(c))

Apologies: Councillor Naveed Riaz

**Councillor S Hussain in the Chair**

**49. DISCLOSURES OF INTEREST**

The following disclosures of interest were received in the interest of clarity:

Councillor Abid Hussain disclosed, in respect of the item relating to 5 The Hallows, Keighley (Minute 52(c)), that he knew the applicant but had not discussed the application.

Councillor Miller disclosed, in respect of the item relating to 5 The Hallows, Keighley (Minute 52(c)), that he lived in the vicinity but had not discussed the application.

Councillor Miller disclosed that, having lived in this area for a lengthy period, he may know people associated with any of the applications but he had not discussed any of the matters now before the Committee for determination with any interested parties.

***Action: City Solicitor***



## 50. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

## 51. PUBLIC QUESTION TIME

There were no questions submitted by the public.

## 52. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

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

### (a) Land at Braithwaite Avenue, Keighley Keighley West

Construction of retail and residential development at land at Braithwaite Avenue, Keighley - 17/00296/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the application proposed the construction of a small retail and residential development. It was a good proposal that provided two modest housing units and was a similar scheme to that in existence. A number of representations had been submitted in relation to traffic issues and the lack of parking, however, the Council’s Highways officer believed that a high proportion of customers would live locally and walk to the shops. There was a communal rear yard and two parking spaces would be provided for residents of the flats and shop staff. The Strategic Director, Place explained that conditions 2 and 3 on the application would mitigate the highway safety issues, subject to an amendment to condition 3 and he then recommended the application for approval.

Members acknowledged that the proposal was a good use for a desolate site.

### **Resolved –**

**That the application be approved for the reasons and subject to the conditions set out in the Strategic Director, Place’s technical report and subject to the amendment of condition 3 as follows:**

**“The development shall not be brought in to use until all best endeavours have been undertaken to implement a Traffic Regulation Order (TRO) on Braithwaite Avenue; Broster Avenue; and/or Coronation Mount. A scheme indicating the extents and full details of the TRO shall first be agreed with and approved in writing by the Local Planning Authority.”**

***Action: Strategic Director, Place***



**(b) 200 Leeds Road, Shipley**

**Windhill and Wrose**

- (i) Full application (retrospective) for the installation of external roller shutters at 200 Leeds Road, Shipley - 17/00481/FUL
- (ii) Application for advertisement consent for the installation of an internally illuminated box sign at 200 Leeds Road, Shipley - 17/00864/ADV

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He informed the Panel that one of the applications was for external roller shutters and the other for an internally illuminated box sign, which were both retrospective. The property was situated in a row of buildings that were all shops on the ground floor and planning permission was granted in 2014 to change the premises to a fish and chip shop. The security shutter had been installed and was subject to enforcement action, as the Council's Supplementary Planning Document 'A Shopkeepers Guide to securing their Premises' was against solid roller shutters on the outside of premises. The Strategic Director, Place confirmed that various letters in support had been submitted including one from a Ward Councillor, which outlined the anti-social behaviour issues in the area and that the other shops on the parade had shutters. He explained that the information provided by the applicant was not precise, however, a letter had been received from West Yorkshire Police's Bradford District Architectural Liaison Officer that provided a more robust case. Crime statistics had been checked and provided details of criminal damage to buildings in the vicinity, therefore, shutters had been recommended. In light of the clear and strong support from the police, the application for the shutters was then recommended for approval.

In respect of the proposed illuminated sign, the Strategic Director, Place reported that it would be detrimental to amenity, however, if Members were minded, he proposed that the application be deferred and authority be delegated to officers in order to negotiate the installation of a more appropriate sign.

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

- The comments made were appreciated.
- The sign had been designed with the whole shop front.
- The sign should not protrude any further.
- All the measurements had been provided.
- Other shops on the row had similar signs.
- The sign's design was tied into the theme of the shop front.
- The opportunity to enter into negotiations was welcomed.

During the discussion a Member stated that he believed the sign could protrude further and proposed that the application should be deferred for further discussions. The Chair stated that in light of the information from the police, he was satisfied with the roller shutter and agreed that officers should enter into negotiations with the applicant regarding the sign. Another Member indicated that anti-social behaviour occurred in other Wards and he believed that no particular



justification had been submitted that would permit the guidance to be swept aside. The Strategic Director, Place explained that the security risk and effect on amenity had to be considered. He confirmed that if the premises had been located in a conservation area then it would have been a different matter, however, it wasn't and there were other security shutters in the vicinity.

**Resolved –**

**(i) That the application be approved for the following reason:**

**That in light of the additional information received from the police, the justification for the approval of the external roller shutter outweighs the conflict to Policies D1, D13 and UR3 of the Council's Replacement Unitary Development Plan and the Shopkeepers Guide to Securing their Premises Supplementary Planning Document (2012).**

**(ii) That authority be delegated to the Strategic Director, Place to negotiate the installation of a more suitable sign.**

**Action: Strategic Director, Place**

**(c) 5 The Hallows, Keighley**

**Keighley Central**

Two storey side extension and alterations at 5 The Hallows, Keighley - 17/00244/HOU

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the application proposed a two storey side extension, a single storey extension and alterations to a detached property. Members were informed that the existing garage extension to the side had a blank wall to the neighbouring property. It was noted that the single extension and porch proposals could be approved as there were no objections, however, there were issues with the two storey side extension. Neighbours had not submitted any representations and there would not be any adverse effects on privacy and light. The Strategic Director, Place reported that the Council's Householder Supplementary Planning Document (HSPD) did not require a setback as the property was detached, however, the two storey side extension would need a one metre gap to the side and there was no provision in the application. He stated that the loss of space between number 3 and 5 would therefore create a terraced effect and be contrary to policy D1 of the Council's Replacement Unitary Development Plan and the HSPD. A Ward Councillor was in support of the application and had commented that the extension needed to go to the boundary due to overcrowding issues. Members were informed that the HSPD covered this point and could consider whether a larger extension could be permitted, however, no evidence had been submitted to justify the proposal. The Strategic Director, Place stated that the other extensions in the vicinity that had been built up to the boundary were garages or small single storey and had



probably been constructed prior to the 2012 guidance. He reiterated that the two storey extension would be prominent in the street scene and a one metre gap was required, therefore, the application was recommended for refusal, as per the reason set out in the report.

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

- He had not contacted a Member of the Panel about the application.
- Six adults and four children would live in the property.
- He was investing a substantial amount of money into the family home.
- The property required major repair work.
- The proposal would enhance the property and the area.
- There would be a 100 millimetre gap to the boundary from the side extension, but there were similar extensions in the area and he had taken pictures to substantiate his application.
- The extension to 25 The Chase was similar to his proposal and did not have a one metre gap.
- The new double side extension at 8 The Chase had been built to the boundary.
- The scheme would not create a terraced appearance and would allow a distinction to be made.
- The scheme would add to the viability of the house and the area.
- There would be more than a four metre gap to the right hand side of the property.

A Ward Councillor was present at the meeting and stated that he was supporting the applicant . He confirmed that the main issue was overcrowding, as the family comprised six adults and four children and the applicant had heavily invested in the property. He then requested that the Panel deviated from Council policy and approved the application.

During the discussion a Member stated that the applicant's situation was appreciated, however, it was not believed that the proposed extension would be large enough to accommodate the family. The added value to the property was acknowledged but the Member did not think that it would resolve the overcrowding issues. The other similar extensions in the vicinity were noted, but the application had to be considered on its own merits. Another Member also acknowledged that other properties in the area had similar extensions. He agreed that there may not be sufficient space to accommodate the family in the future, however, it was acknowledged that the applicant was investing in the area, neighbours had not objected and would not be affected by the scheme, therefore, he suggested that the application should be approved. A Member indicated that future issues were not for the Panel to consider now and the application should be assessed on its own merits. Overcrowding was an issue for the family and the scheme would improve the property and area. A further Member disagreed and reported that the applicant had purchased the house, which was not suitable, in 2015 and the overcrowding issue was not recent.



In response to a number of questions from a Member, the applicant confirmed that he had purchased the house in 2015 but had not moved in. The intention had been to move when his children changed to secondary school. The house had been bought in 2015, as not many came on the market in the vicinity and would be renovated. It had been purchased with the purpose of accommodating his extended family.

The Chair explained that the Council's policy changed in 2012 and a metre gap was now required, however, he stated that he believed that the specific circumstances should be considered. In conclusion a Member reported that the applicant had purchased the property knowing the rules. The property was still empty and there were no overcrowding issues, however, it was acknowledged that if the family had been living in the house there would have been overcrowding problems.

**Resolved –**

**That the application be approved for the following reason:**

**That in light of the family's circumstances and the need to address the overcrowding issue it is believed that the proposal would outweigh the detriment to Policy D1 of the Council's Replacement Unitary Development Plan and the Householder Supplementary Planning Guidance.**

**Action: Strategic Director, Place**

**53. MISCELLANEOUS ITEMS**

The Strategic Director, Place presented **Document "T"** and the Panel noted the following:

**REQUESTS FOR ENFORCEMENT/PROSECUTION ACTION**

(a) **23 Elm Road, Wrose, Shipley** **Windhill and Wrose**

Unauthorized rear extensions - 16/00915/ENFUNA

On 15 March 2017 the Planning Manager (Enforcement & Trees) authorised the issue of an Enforcement Notice.

(b) **Beacon House, Riverside Business Park, Dansk Way, Ilkley** **Ilkley**

Breach of Condition 2 attached to planning approval 15/02269/FUL - 16/00542/ENFCON

The Planning Manager (Enforcement and Trees) authorised the issuing of a Breach of Condition Notice under delegated powers on 27 March 2017.



**(c) Land at New Road, Denholme Bingley Rural**

Breach of Planning Condition 6 attached to Planning Approval 15/03020/MAF - 17/00085/ENFCON

The Planning Manager (Enforcement and Trees) authorised the issuing of a Breach of Condition Notice under delegated powers on 3 April 2017.

**DECISIONS MADE BY THE SECRETARY OF STATE**

***APPEALS ALLOWED***

**(d) 23 Lawn Avenue, Burley in Wharfedale, Ilkley Wharfedale**

Demolition of outhouse and detached garage, proposed rear extension - Case No: 16/08294/HOU

Appeal Ref: 17/00009/APPHOU

**(e) Orion, Hebers Ghyll Drive, Ilkley Ilkley**

Construction of detached garage - Case No: 16/03160/HOU

Appeal Ref: 17/00001/APPCN2

***APPEALS DISMISSED***

**(f) 13 Whitlam Street, Saltaire, Shipley Shipley**

Appeal against Enforcement Notice - Case No: 15/00701/ENFLBC

Appeal Ref: 16/00116/APPENF

**(g) 2 View Road, Keighley Keighley Central**

Appeal against Enforcement Notice - Case No: 15/00043/ENFUNA

Appeal Ref: 16/00078/APPENF

**(h) 21 Belmont Avenue, Baildon Baildon**

Construction of detached house - Case No: 16/07173/FUL

Appeal Ref: 16/00134/APPFL2

**(i) 21 Wardle Crescent, Keighley Keighley Central**

Two storey side and rear extension with balcony at upper ground level - Case No: 16/08990/HOU



Appeal Ref: 17/00014/APPHOU

**(j) Bradup Farm, Ilkley Road, Riddlesden, Keighley Keighley East**

Demolition of existing house and construction of new two storey house with stables - Case No: 16/03347/FUL

Appeal Ref: 16/00138/APPFL2

**Resolved –**

**That the decisions be noted.**

**Action: Strategic Director, Place**

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

