

## Minutes of a meeting of the Area Planning Panel (Keighley and Shipley) held on Wednesday, 19 July 2017 at Council Chamber - Keighley Town Hall

Commenced 10.00 am  
Concluded 12.00 pm

### Present – Councillors

CONSERVATIVE	LABOUR	THE INDEPENDENTS
Miller Riaz	Lee Amran Mullaney	Naylor

Observer: Councillor Khadim Hussain (Minute 10 (f) and (g))

Apologies: Councillor Cath Bacon

### Councillor Lee in the Chair

#### 7. DISCLOSURES OF INTEREST

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

Councillors Amran and Miller disclosed that they knew the applicant, as he worked for the Council, in relation to Land at 77 Belgrave Road, Keighley (Minute 10(g)) but had not discussed the application.

**Action: City Solicitor**

#### 8. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

#### 9. PUBLIC QUESTION TIME

There were no questions submitted by the public.

## 10. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

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

### (a) **42A Nelson Road, Ilkley** **Ilkley**

Full application for demolition of 13 existing lock up garages and construction of 7 new units for storage use at 42A Nelson Road, Ilkley - 17/01668/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He reported that the application was for the demolition of 13 garages that were in a poor state of repair and the construction of seven new units within the Ilkley Conservation Area. The number of new units had been reduced, however, roof space would be added which would increase their height to six metres. The units would be rendered to the front and the rear walls facing the houses would be rebuilt in brick. Members were informed that the application proposed dark sheeting to be used for the roof but slates could be considered and this would need to be agreed with officers. A number of representations had been received in objection and the issues raised were covered within the officer's report. Ilkley Town Council had recommended that the application be refused. In relation to road safety, the Strategic Director, Place acknowledged that Nelson Road was congested, however, the site had an existing use and some of the garages were used by businesses. He confirmed that the units would be increased in height but reduced in number and the road would be marked out to prevent parking in front of the units. The applicant had indicated that he expected a mixed usage of domestic and small business use. The Council's Highways Department considered the use acceptable and stated that the narrow access would discourage large vehicles. A condition had also been placed on the application that the use of the units be for storage only and not distribution. The Strategic Director, Place informed the Panel that the application would bring the site back into use and confirmed that the additional height of the units would not have a great impact on the amenity of neighbours. He then recommended the application for approval, subject to the conditions as set out in the report.

A representative of the Ilkley Civic Society was present at the meeting and made the following comments:

- It was acknowledged that the site needed to be improved.
- Storage facilities were required in Ilkley, but not on that site.
- The Council had won a National award in relation to the Conservation Area and it was not believed that the scheme would be in keeping.
- The main issues were the height and the materials to be used.
- The Council's Conservation Team had stated that the proposal would be harmful and not compliant with policies.
- The scheme could provide better economic benefits.
- The design of the units had not taken heritage into account.



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

- Neighbours had not objected to the proposal.
- It was believed to be a viable use.
- The height if the units was not a major issue.
- The roof materials could be changed to slate.
- There was sufficient parking for seven units.
- Access and egress in a forward gear was possible.
- It was a viable scheme for the community.
- The proposal would put a decaying site to use.
- The new use would be similar to the previous one.

During the discussion Members agreed that slate should be used for the units' roofs.

**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 that condition 3 be amended as follows:**

- 3. Notwithstanding details shown on the approved drawings, the storage units shall be roofed using natural slates. Before development commences on site, arrangements shall be 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.**

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

**(b) 99 Bradford Road, Menston, Ilkley**

**Wharfedale**

Change of use to create four residential units and construction of side extension with alterations to front elevation and demolition of outbuilding at 99 Bradford Road, Menston, Ilkley - 17/00098/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 four residential units and a side extension. The Council's Highways Department had not objected to the development and indicated that there were sufficient parking restrictions in place in the vicinity.



**Resolved –**

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

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

**(c) Addingham Primary School, Bolton Road, Addingham Craven**

Full planning application for the installation of a 2.4m high safeguarding fence around the grounds of Addingham Primary School, Bolton Road, Addingham - 17/03290/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He informed Members that the application was for the construction of a green coated 2.4 metre high fence that would be similar to others installed at schools across the District. The proposed fence would be positioned inside the site along a sensitive route in order to preserve the existing planting and soften the effect. The Strategic Director, Place stated that the site’s lack of fencing left the school vulnerable and the fence would improve security and address safeguarding issues. He confirmed that the proposed fence would not have a significant visual impact and recommended the application for approval, subject to the conditions as set out in the report.

**Resolved –**

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

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

**(d) The Bungalow, Mill Hill, Haworth, Keighley Worth Valley**

A full planning application for the construction of a two-storey dwelling with undercroft garage at ‘The Bungalow’, Mill Hill, Haworth - 17/00684/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He informed the Panel that the site was garden land, but not located within a conservation area, and the undergrowth had been removed. It was in a prominent position across from Haworth Train Station and the trees along the site had been retained. Members were informed that the issues related to the proposed design and noted that the existing bungalow was prominent and there were listed cottages at the bottom of Mill Hill. Previous planning permissions had been granted on the site, however, the new owners had submitted a new application and negotiations had been undertaken in order to agree a more traditional appearance. The proposed property would have a garage in the basement and a turning area for vehicles. The building would be



constructed from stone and the windows would be in keeping with those in Haworth. The amendments ensured that the property now sat unobtrusively on the site. The Strategic Director, Place then recommended the application for approval, subject to the conditions as set out in the report.

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

- The property had been designed to sit comfortably in the site and within Haworth.
- It had been designed to be as unobtrusively as possible.
- The scale and massing had been kept as low as possible.
- Placing a gable to the front reduced the overall massing.
- The view from Station View was important.
- The house would be constructed from stone and have a slate roof.
- Traditional windows in scale and form would be used.
- It had a steep roof slope and this was in keeping with others in the area.
- It was hoped that the development would sit well with the neighbouring properties.
- The garage would not be seen as it would be underground.
- The impact of the construction would be kept to a minimum.

**Resolved –**

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

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

**(e) 369 Bradford Road, Sandbeds, Keighley**

**Keighley East**

Householder planning application for two-storey side and rear extension at 369 Bradford Road, Sandbeds, Keighley - 17/00525/HOU

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the application was for the construction of extensions to a semi-detached property that was screened from the main road and the adjoining property was already extended. The extensions would be substantial and project slightly forward. They would be six metres wide from the existing wall and have a one metre gap to the boundary. The Strategic Director, Place confirmed that the scheme would provide various rooms and bedrooms in order to accommodate the specific needs of a family member. He indicated that the scale and impact on the street scene was a concern and reported that in 2012 the Council's Householder Supplementary Planning Document (HSPD) had been adopted, which permitted reasonable enlargements. However, it stated that any extensions should not dominate the original house, be set back one metre and be no wider than two thirds of the width of the house. Members were informed that the extension at 371 Bradford Road was not in accordance with Council policies and had been built more than four years ago, so



enforcement action could not be undertaken. A larger extension than normal would be permitted, as there was a child in the family with severe medical problems and these special circumstances could be taken into account. The Strategic Director, Place confirmed that the applicant did not live in the property at the moment and was seeking to complete the adaptations prior to moving in. He stated that the proposal included the installation of a lift and the bulk of the accommodation was for bedrooms, which connected the needs to the proposal. The medical letters submitted had not stated the requirements, except for the provision of ground floor accommodation. Members noted that as the adjoining property had been extended, a one metre set back would not be required, however, the width was still an issue and the extension needed to be reduced by one metre. Unfortunately the applicant's agent had not been willing to consider reductions and, therefore, the application was reluctantly recommended for refusal, as per the reasons set out in the officer's report.

In response to Members queries, the Strategic Director, Place confirmed that the disabled family member used a wheelchair and the size of the extension was the main issue.

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

- The bedrooms would not be excessively large.
- The family wanted the disabled child's bedroom to be on the first floor and the child had a right to be close to them.
- There were other children in the family.
- A number of rooms would be specifically for the disabled child.
- There would be a separate room for the child's parents.
- There was a vast amount of medication and equipment that needed to be stored.
- No objections had been received.
- The site was well screened to the road.
- The proposed extension would match the adjacent property's extension.
- The scheme would meet the child's needs and keep the effects minimal.

During the discussion Members acknowledged the requirements of the child and agreed that the proposal would provide for the current and future needs.

**Resolved –**

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

**That the special circumstances and future needs of a disabled member of the family provide sufficient reasons to outweigh conflict with design principles 1 and 3 of the Householder Supplementary Planning Document and no significant detriment is caused to local amenity or neighbour's amenity. The proposal, therefore, satisfies policies D1 and UR3 of the Council's Unitary Development Plan and complies with the National Planning Policy Framework.**



**Action: Strategic Director, Place**

**(f) Holme Royd, Woodville Road, Keighley**

**Keighley Central**

Partially retrospective application for the construction of a single-storey raised extension to the south elevation, three-storey extension to the north elevation, single-storey extension to the rear with two-storey bay above, replacement of existing dormer windows with rooflights, internal balcony and new dormer window, and widening and repositioning of entrances at Holme Royd, Woodville Road, Keighley - 17/01299/HOU

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He informed Members that the application was partially retrospective for the construction of various extensions at a property within the Devonshire Park Conservation Area. The house was close to the road side and built in stone and slate. The proposed scheme included a side extension to the north, an orangery to the side and a range of extensions to the rear. The Council's Conservation officer had objected to the development stating that the extensions should be subservient and not over dominant. The Strategic Director, Place confirmed that a similar previous application had been refused in February and the only difference was that a peak had been added to the flat roof of the two storey extension. He stated that the scale and flat roof of the proposed side extension would be harmful to the original house and that the extensions to the rear would be excessive and a clumsy array. The substantial mass and flat roof of the rear extension would be detrimental to the existing house, however, the orangery would be an enhanced feature and, therefore, acceptable. Members were informed that the proposal to install uPVC windows, gutters and downpipes was unacceptable and it was not clear whether the chimneys would be retained. Many of the trees had also been removed, which exposed the property. A Ward Councillor and Keighley Town Council had supported the application, however, the Victorian Society had objected to the development stating that it would be a serious overdevelopment of the building. The Strategic Director, Place accepted that the building needed to be restored and some extensions would be acceptable, but the majority of those proposed were unacceptable. He stated that the property was a key unlisted building and important to the Conservation Area. The application was then recommended for refusal as per the reason set out in the officer's report.

A number of Members questioned why the Council's Conservation officer was not present and asked if objections had been raised in relation to the other properties with uPVC windows.

The applicant's agent then addressed the Panel and commented that:

- The proposal replaced the existing extension.
- The roof had been low pitch and not a flat roof.
- The proposal matched the previous construction.
- The scheme would not be overbearing on the street scene.





- The basement projection would normally be permitted development.
- An outdoor area would be provided for a family member.
- The two storey element of the property would be screened by trees and not visible from the park or the road.
- There were many large detached houses in the vicinity and some were larger than the property in question.
- The houses were individually built and not the same.
- The best elements of the property had been used and updated for today's needs.
- The rear garden had been cleared.
- A planting scheme had been proposed and 21 trees would be placed in a similar arrangement as originally planted.
- The applicant wanted to update the property.

In response to a couple of points raised, the Strategic Director, Place stated that the amendments to the basement would not be permitted development as it was a conservation area and it would be difficult to know what trees had previously been planted as they had now been removed.

A Ward Councillor was present at the meeting and informed the Panel that the proposal may be seen as luxury, however, the amendments were being made to meet the medical needs of a family member. He stated that elderly people should be allowed quality of life and confirmed that the basement extension was for the applicant's elderly parent.

During the discussion a Member commented that the house was very prominent on the street and the site looked unkempt. He indicated that he would have recommended that six new trees be planted, however, the application proposed the planting of 21 new trees. In relation to the chimneys it was noted that not all the properties in the vicinity had them, so there was no consistency. He had some sympathy with the points made by the Council's Conservation officer and did not agree with retrospective applications, but wanted the building to be improved. Another Member acknowledged the Conservation officer's comments and raised concerns that a precedent could be set. The City Solicitor explained that the Panel had to express a judgement and if they believed that there would not be significant harm they were entitled to do so. Another Member stated that the proposal would improve the area and keep a family together, however, replacement trees would need to be planted. The Strategic Director, Place reiterated that the duty of the Planning Department was to preserve and enhance and in response Members agreed that the site would be improved if the overgrowth was removed. The Chair echoed the sentiments that the development would enhance and preserve the area and indicated that the house would not be visible from the road. In light of the comments made the Strategic Director, Place informed Members that it would be important to have trees to the front and side of the property.





**Resolved –**

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

**That the proposed extensions would not cause substantial harm as they would preserve and enhance a building within the conservation area, and by facilitating a productive re-use of the building, would satisfy policies UDP3, D1, BH7 and BH10 of the Council's Replacement Unitary Development.**

**And be subject to the following condition:**

- (i) **That the details of a landscaping scheme, making provision for the planting of not less than eight native trees, be submitted to and approved in writing by the Local Planning Authority. The planting scheme so approved shall be carried out prior to occupation of the extended building.**

**Action: Strategic Director, Place**

(g) **Land at 77 Belgrave Road, Keighley** **Keighley Central**

Full planning application for construction of a three storey detached house at land at 77 Belgrave Road, Keighley - 17/00660/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 three storey detached house in the back garden of an existing bungalow and would be accessed via Richmond Street. A number of representations had been received against and in support of the proposal and the issues raised were covered in the officer's report. The main issue was the size of the house in relation to the size of the plot, as it was small and there was a lack of space to site the proposed dwelling. The Strategic Director, Place stated that the property would have a dominant effect on neighbouring properties, it would overlook 77 Belgrave Road and overdominate 42 Richmond Street, however, a smaller version may be acceptable. He then recommended the application for refusal.

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

- The proposal would not have an adverse affect on neighbouring properties.
- No objections had been received from adjoining properties.
- Several properties on Richmond Street had dual aspect windows.
- The applicant owned 77 Belgrave Road.
- The second floor would be the principal level.
- The existing fence and trees mitigated the effect on 42 Richmond Street and already restricted the light. If the trees were removed it would open up the aspect.



The applicant was present and explained that disabled family members lived at his other property and he wanted them to move to the new dwelling, as his existing home was overcrowded. He reported that an application to extend his current home had previously been refused.

A Ward Councillor was present at the meeting and confirmed that the applicant's current home was overcrowded and his family needed quality of life. He stated that there was adequate distance between the adjacent properties and requested that the application be approved.

During the discussion a Member raised concerns in relation to the overbearing windows, the distance between the proposed house and 42 Richmond Street and noted that the property was not in the conservation area. In response the Strategic Director, Place informed Members that as the site was adjacent to a conservation area, the proposal should enhance the vicinity. The Chair stated that the development was too large for the plot and queried why the application to extend the applicant's current home had been refused. Another Member questioned whether the proposal would be acceptable if the new property was made smaller and the Strategic Director, Place replied that any amendments would have to be fully considered.

In light of the points raised, the Ward Councillor, on behalf of the applicant, requested that the application be withdrawn and was informed that written confirmation would be required within 10 days.

**Resolved –**

**That subject to written confirmation, this application be regarded as withdrawn and formal notification to be received by the Strategic Director, Place within 10 days.**

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

**11. MISCELLANEOUS ITEMS**

The Strategic Director, Place presented **Document “D”** and the Panel noted the following:

**REQUESTS FOR ENFORCEMENT/PROSECUTION ACTION**

**(a) Land East of Keighley Road, Silsden Craven**

Unauthorised change of use of the land to a landscape/construction contractors yard incorporating material, vehicle and container storage and formation of hardstanding and access - 17/00247/ENFCOU

The Planning Manager (Enforcement and Trees) authorised the issuing of an



Enforcement Notice under delegated powers on 14 June 2017.

## **DECISIONS MADE BY THE SECRETARY OF STATE**

### ***APPEALS DISMISSED***

**(b) 17 Westlea Avenue, Riddlesden, Keighley** **Keighley East**

Change of roof from hip to gable and front and rear dormer windows - Case No: 16/08818/HOU

Appeal Ref: 17/00030/APPHOU

**(c) The Croft, Keighley** **Keighley East**

Construction of three detached houses, improvements to access drive with turning head - Case No: 16/06629/FUL

Appeal Ref: 17/00034/APPFL2

**(d) The Glen Tea Rooms, Prod Lane, Baildon** **Baildon**

Appeal against Enforcement Notice - Case No: 16/00076/ENFUNA

Appeal Ref: 16/00126/APPENF

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

Appeal against Enforcement Notice - Case No: 15/00756/ENFAPP

Appeal Ref: 16/00075/APPENF

**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

