

Minutes of a meeting of the Area Planning Panel (Keighley and Shipley) held on Wednesday, 26 September 2018 in the Council Chamber - Keighley Town Hall

Commenced 10.05 am
Concluded 11.10 am

Present – Councillors

CONSERVATIVE	LABOUR
Rickard Riaz	Lee Godwin Mullaney Amran

Apologies: Councillor Adrian Naylor

Councillor Lee in the Chair

18. DISCLOSURES OF INTEREST

Councillor Riaz disclosed that, in relation to 11 Ferrands Park Way, Harden, Bingley (Minute 22(e)), he had discussed the application with the applicant prior to becoming a member of the Panel. He therefore withdrew from the meeting during the consideration of this item in accordance with the requirements of the Members' Code of Conduct (Part 4A of the Constitution) and the Members' Planning Code of Conduct (Part 4B of the Constitution).

Councillor Amran disclosed, in the interest of transparency, that he owned a property which was opposite one of the properties belonging to the applicant in relation to 11 Ferrands Park Way, Harden, Bingley (Minute 22(e)) but did not know the applicant personally and had not discussed the application with any other interested parties.

Action: City Solicitor

19. MINUTES

Resolved –

That the minutes of the meeting held on 11 July 2018 be signed as a correct record.

20. INSPECTION OF REPORTS AND BACKGROUND PAPERS

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

21. PUBLIC QUESTION TIME

There were no questions submitted by the public.

22. APPLICATIONS RECOMMENDED FOR APPROVAL OR REFUSAL

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

(a) 22 Amelia Street, Saltaire, Shipley Shipley

Listed building consent application for replacement windows to front and rear of 22 Amelia Street Saltaire - 18/03072/LBC

The Strategic Director, Place explained that the application was before the Panel in the interest of transparency as the property belonged to a member of staff within the Planning department. He stated that no representations had been received in relation to the application and that the proposal complied with the design guidance in relation to the Saltaire Conservation Area.

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

(b) 68 Wesley Place, Halifax Road, Keighley Keighley East

A full planning application for the demolition of an existing building and construction of new dwelling at 68 Wesley Place, Halifax Road, Keighley - 18/00196/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that the site was formerly a small corner shop and that planning permission had been granted to convert it into a one bedroomed flat in 2009. The application had received seven representations in objection and 12 in support. The main concerns raised related to obstructions from parked vehicles and overshadowing of neighbouring properties on Pear Street, however, the Highways Officer did not consider there to be a need for the applicant to provide additional car parking spaces than already proposed for the two-bedroom house and the properties on Pear Street were considered a significant distance away so no significant loss of light, overbearing or overshadowing was expected to result from the proposal. He stated that the

proposed house would be subservient to the adjacent terrace house, maintaining the traditional appearance along Halifax Road. He referred to an area of land to the front of the building which was indicated on the plan as a bin storage area and stated that he considered it adequate. He said that the proposal would provide housing and improve a derelict area. The application was then recommended for approval.

In response to a Member's questions, the Strategic Director, Place stated that it would be difficult to enforce the storage of bins off the highway but reiterated that there was a condition included to ensure the proposed bin storage area was implemented prior to the occupation of the building.

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

- The car parking proposal would not cause any obstructions and provided 150% of the required provision.
- There was a bus stop nearby which could be used by the occupying residents of the property.
- The proposed house would fit in with the street scene.
- The building had been derelict for over 10 years and the proposal would bring it back into use.

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) Land West of Moorside Farm,
Wellington Road, Wilsden**

Bingley Rural

The application sought approval of the reserved matters in respect of residential development of the land which was approved by outline permission 14/04844/OUT - 18/00908/REM

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He reminded Members that the outline application had been approved by the Panel on 25 February 2015. The application proposed seven detached houses and sought approval for their appearance, landscaping and layout. He stated that: natural materials were proposed which would be in keeping with the surrounding area; there were sufficient distances to the neighbouring properties and overshadowing was therefore not considered an issue; many of the objections had been made on highway safety grounds but the scheme was considered acceptable by the Highways Officer. Concerns had also been raised in relation to the safe use of the footpath during construction and Members were informed that a standard requirement would need to be adhered to, ensuring the footpath remained unobstructed for pedestrian use during the construction phase. A condition was also included for improvements to be made to the footpath. It was stated that outline permission had been granted for another residential development on an

adjoining site and that the means of access from Wellington Road was considered adequate to serve both developments.

In response to a Member's questions, the Strategic Director, Place stated that there would be a pavement on both sides of the estate road and that it would be an adopted road.

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

- The Parish Council was concerned about plastic pollution and as uPVC window frames could not be recycled, suggested the use of wooden window frames for new housing developments.
- Concerns were raised in relation to drainage on the site.
- The Parish Council had an emerging Neighbourhood Plan which did not support the proposed housing mix in which all properties had at least four bedrooms.
- Central Government guidance stated that a weighting of 70% should be given to an emerging Neighbourhood Plan.
- The land owner of the site had a number of sites in the area and was aware of the Parish Council's emerging Neighbourhood Plan as he had responded to it during the consultation process.
- He considered it to be the responsibility of land owners to ensure developers were aware of the emerging Neighbourhood Plan.
- He considered that the proposed houses would be under-occupied.

The Strategic Director, Place quoted the National Planning Policy Framework, which stated that "local planning authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given)". He stated that the emerging Neighbourhood Plan was at an early consultation stage, potentially not in line with the approach of the Core Strategy for Bradford and that the outline application had been approved prior to the Neighbourhood Plan being begun. He considered, given those factors, that only a limited weighting could be given to the emerging Neighbourhood Plan.

In response to a Member's question, the Strategic Director, Place stated that no concerns had been raised by the Council's Drainage Section and that conditions had been imposed on the outline permission which required full details of the proposed means of foul and surface water drainage to be submitted and agreed by the Council prior to any development commencing.

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

- The outline permission had already been granted by the Panel.
- There were only four elements to be considered as part of this application which were in relation to appearance, landscaping, layout and scale of the development.
- With regard to appearance, the walls would be constructed of natural stone.
- The officer's report outlined why the insistence upon the use of timber for doors and windows was unreasonable.

- With regard to landscaping, trees were proposed to be planted.
- No conditions had been imposed on the outline planning permission with regard to the housing mix.

A Member stated that he sympathised with the concerns from the Parish Council with regards to its emerging Neighbourhood Plan but considered the proposed development to be well presented and beneficial for the area.

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) Unit 1, Atlas Works, Parson Street,
Keighley**

Keighley Central

Change of use of part of a section of land to be used for the storage of shrink wrapped finished masonry goods on pallets at Unit 1, Atlas Works, Parson Street, Keighley - 18/02244/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He explained that there was a line of trees between the houses that faced the yard from Grouse Street and that the yard was used for parking and delivery for five commercial units. Photographs shown to Members indicated that the applicant’s business was already stacking masonry products in the yard and that the proposal was to make more efficient use of the storage space and create a more effective layout for how the site was used. The application had received 37 objections, mainly from residents of Grouse Street on existing issues relating to the lawful use of the business, such as nuisance, dust and pollution. However, he did not consider the proposal to be anymore harmful than the existing lawful use of the site and considered it would not have any adverse impact on local residents. The proposal would allow for trucks to be loaded from inside the yard as opposed to from Parson Street, thereby benefitting the free-flow of traffic and highway safety on Parson Street. He added that the masonry products were shrink-wrapped inside the workshop and therefore the proposal would not cause dust from the yard. He stated that the storage racks would be 3 metres in height and a condition was proposed for the stored materials to not exceed 4 metres to prevent any overshadowing on residential properties on Grouse Street. The application was then recommended for approval.

In response to a Member’s questions, the Strategic Director, Place stated that products were transported from the applicant’s workshop to the yard via fork lift trucks crossing Parson Street and that he was not aware of how many times a day products were transported to the yard in this way.

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

- There were approximately 15 pallettes transported to the yard daily.

- His business had operated from the premises for seven years and had never received any complaints via the Council.
- It was important for the business to have the proposed storage to free up building space.

A Member commented that she used Parson Street on a daily basis and did not consider the proposal would cause issues for residents. She welcomed the application and considered it would make the area look tidier.

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) 11 Ferrands Park Way, Harden, Bingley Bingley Rural

Full planning application for a replacement dwelling at 11 Ferrands Park Way, Harden, Bingley - 18/00937/FUL

The Strategic Director, Place gave a presentation setting out the proposals and tabled plans detailing the layout. He stated that two planning applications for house extensions had been refused previously due to their excessive scale, impact on neighbours and insufficient parking and that one of those decisions had been upheld at appeal by the Planning Inspectorate. The proposed replacement two-storey dwelling was considered to have a similar effect as the previously refused applications. Whilst he considered there was scope for a larger dwelling to be adequately developed on the site, the proposed five bedroom dwelling would increase the existing property from 7.6 metres to 9.2 metres in height and 10.7 metres to 12.7 metres in width. The proposal was considered too large for the plot, over-development of the site and harmful to the appearance of the street scene. Whilst the neighbouring properties at 9 and 13 Ferrands Park Way had raised concerns in relation to the boundary fence which were not considered substantial reasons for refusal, the proposal was considered too wide and dominant in relation to the overbearing impact on these neighbouring properties. The application was then recommended for refusal.

In response to Members’ questions, the Strategic Director, Place stated that:

- There would be no overlooking to the rear of the property as it looked onto open land.
- Although there was scope for a smaller development to be considered acceptable, the Panel could only consider the application before them.

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

- This was the fourth application he had submitted to create a larger house on the site.
- A local Councillor and Planning Officer had advised him to reduce the height of the proposal and he had therefore removed a third floor which was

previously proposed. This was also advised by the Planning Inspectorate when the previous application was refused and appealed.

- The proposal would not be wider than the current property.
- The proposed dwelling would have the same building line as 11 Ferrands Park Way.
- There were two properties within the vicinity which had received planning permission for three storey extensions.
- He had sent emails to the Planning Officer and had not received responses.
- He considered the officer's recommendation to be unfair.

In response to a Member's question, the Strategic Director, Place confirmed that the proposed dwelling was wider than the existing dwelling on the site by 2 metres. He also stated that the applicant had submitted additional information which clarified the dimensions on the submitted plans but this did not change the scheme proposed.

The Chair asked the Strategic Director, Place to follow up on the issue raised by the applicant in relation to emails not being responded to by the case officer.

Following a short discussion Members agreed that they did not object to a larger house being built on the site but stressed that it needed to be in keeping with the area and not overbearing on neighbouring properties. It was suggested that the applicant could withdraw his application, discuss it with officers and submit an amended proposal. In light of this, the applicant stated that he wished to withdraw his application.

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 and that if notification is not received then the application be refused by the Strategic Director, Place under delegated powers for the reasons set out in the officer's report.

Action: Strategic Director, Place

23. MISCELLANEOUS ITEMS

REQUESTS FOR ENFORCEMENT/PROSECUTION ACTION

(a) 1 Crescent Court, Ilkley Ilkley

The installation of a metal flue without planning permission - 16/00910/ENFUNA

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers, on 22 August 2018.

(b) Land at Bingley Road, Keighley **Worth Valley**

The construction of a portal frame building - 17/00412/ENFUNA

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers, on 16 August 2018.

(c) Land at Bingley Road, Keighley **Worth Valley**

The change of use of land to a mixture of uses consisting of agriculture - 17/00667/ENFUNA

The Planning Manager (Enforcement and Trees) authorised the issuing of an Enforcement Notice under delegated powers, on 16 August 2018.

DECISIONS MADE BY THE SECRETARY OF STATE

APPEAL ALLOWED

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

Sun terrace to front of Tea Room - Case No: 18/00066/CLP

Appeal Ref: 18/00041/APPCLP

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